

**Questions from the Special Chamber – Questions de la Chambre spéciale
(a) List of questions which the Special Chamber wished the Parties specially to address, 15 October 2020***

C28 / 15.10.2020

QUESTIONS TO THE PARTIES

1. What were the legal considerations of the Parties in holding the first meeting on maritime delimitation and submission regarding the extended continental shelf of 21 October 2010 and in agreeing to “make bilateral arrangements on the overlapping area of extended continental shelf of the two States around the Chagos Archipelago” in the joint communiqué of 12 March 2011?

2. According to the Advisory Opinion of the International Court of Justice of 25 February 2019, “all Member States are under an obligation to co-operate with the United Nations in order to complete the decolonization of Mauritius.” This obligation is further explained in paragraph 180 of the Advisory Opinion. Is this obligation relevant to the present case and, if so, how?

3. If delimitation were deferred for reasons indicated in the preliminary objections, what would be the obligations of the Parties under paragraph 3 of articles 74 and 83 of the Convention? Would there be jurisdiction with respect to those obligations?

**Note by the Registry:* Responses were provided during the second round of oral pleadings by the Maldives on 17 October and by Mauritius on 19 October 2020.

(b) Letter dated 18 October 2020 from the Agent of the Maldives to the Registrar



THE ATTORNEY GENERAL
REPUBLIC OF MALDIVES

The Registrar
International Tribunal for the Law of the Sea
Am Internationalen Seegerichtshof 1
22609 Hamburg
Germany

18 October 2020

**C28: Delimitation of the maritime boundary in the Indian Ocean
(Mauritius/Maldives)**

Dear Registrar,

I write on behalf of the Republic of the Maldives (“the Maldives”) with reference to your letter of 15 October 2020 to which you attached a list of questions which the Special Chamber asked the Parties specifically to address.

The Parties were requested to respond to the questions orally during the second round of oral arguments and/or in writing by the end of the second round of oral arguments on Monday 19 October 2020.

In accordance with this request, counsel for the Maldives responded to the Chamber’s questions during the Maldives’ second round of oral statements on 17 October 2020. Accordingly, the Republic of Mauritius (“Mauritius”) will be able to submit oral and/or written responses to the Chamber’s questions with the benefit of having heard and being able to make submissions on the Maldives’ responses.

The Maldives’ only opportunity to make submissions on any responses given by Mauritius during its own second round of oral statements will be following the conclusion of the hearing on Monday. In accordance with principles of procedural fairness and equality of arms, the



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Maldives reserves the right to make written submissions at that time, which it will transmit to the Registry as soon as possible following the conclusion of Mauritius' oral statements.

Please accept the assurances of the Maldives' highest consideration.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Ibrahim Riffath'.

Ibrahim Riffath



(c) Email of 19 October 2020 on behalf of the Co-Agent of Mauritius to the Registrar

From: Remi Reichhold <Reichhold@5essexcourt.co.uk>
Sent: 19 October 2020 11:04
To: Hinrichs, Ximena
Cc: RegistrarOffice; sgo@govmu.org; jkoonjul@gmail.com; Paul Reichler (preichier@foleyhoag.com); philippesands@matrixlaw.co.uk; Pierre Klein; Martine S.C. YOUNG KIM FAT; Judge Paik; Fueracker, Matthias; Koch, Beatrice; Antoine Ollivier
Subject: Re: C28 letter from ITLOS (communication) CORR

Dear Madam Registrar,

This email is sent on behalf of H.E. Mr Jagdish Dharamchand Koonjul G.O.S.K., Co-Agent of the Republic of Mauritius.

Madam Registrar,

Thank you for your letter of today.

Mauritius has no objection to the Maldives' request. However, we consider that any comments by Maldives should be strictly limited to the answers to the Tribunal's three questions which are given by Mauritius today.

Please accept, Madam Registrar, assurances of my highest consideration.

Ambassador Koonjul

Kind Regards,

Remi Reichhold

Remi Reichhold | Barrister



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(d) Letter dated 19 October 2020 from the Agent of the Maldives to the Registrar



THE ATTORNEY GENERAL
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19 October 2020

**C28: Delimitation of the maritime boundary in the Indian Ocean
(Mauritius/Maldives)**

Dear Registrar,

I write on behalf of the Republic of the Maldives (“the Maldives”) with reference to your letter of 19 October 2020. This letter indicated, at the request of the President, that the Maldives could transmit written comments on the responses to be given by Mauritius today on the three questions posed by the Special Chamber by no later than 19 October 2020 at 7pm.

The Maldives is grateful for this indication. However, I wish to confirm that the Maldives does not consider that it is necessary to supplement the responses it already gave in its second-round statements in answer to the Chamber’s questions.

The Maldives’ decision not to supplement its responses assumes that Mauritius has not made any written submissions on the Chamber’s three questions which have not been brought to the Maldives’ attention.

Please accept the assurances of the Maldives’ highest consideration.

Yours sincerely,

Ibrahim Riffath

