



Joint Committee on Human Rights

Uncorrected oral evidence: Human rights implications of the UK-Mauritius agreement, HC 1662

Wednesday 4 February 2026

3.35 pm

Watch the meeting

Members present: Lord Alton of Liverpool (Chair); Juliet Campbell; Tom Gordon; Lord Murray of Blidworth; Alex Sobel; Peter Swallow; Sir Desmond Swayne.

Questions 1 - 9

Witnesses

I: Dr Elodie Tranchez, Senior Lecturer, United Nations Institute for Training and Research; Professor Philippe Sands KC, Professor of Public Understanding of Law, University College London (UCL); Dr Stephen Allen, Senior Lecturer in Law, Queen Mary, University of London; Dr Yuan Yi Zhu, Assistant Professor of International Relations and International Law, Leiden University.

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Examination of witnesses

Dr Elodie Tranchez, Professor Philippe Sands, Dr Stephen Allen and Dr Yuan Yi Zhu.

Q1 **Chair:** Welcome back to today's hearing of the Joint Committee on Human Rights. We turn now, with our second panel, to the human rights implications of the UK-Mauritius agreement on the Chagos Archipelago. This is a one-off oral evidence session that will look at the extent to which the agreement complies with the UK's obligations under customary international law and treaty law to respect the rights of Chagossians. The session will focus on the concerns raised by the United Nations Committee on the Elimination of Racial Discrimination in its decision dated 2 December 2025.

Four very distinguished panellists have joined us today. We are very grateful to them for giving up their time to share their expertise with us. We have Dr Elodie Tranchez, Dr Stephen Allen, Assistant Professor Yuan Yi Zhu and Professor Philippe Sands KC.

I would like to start by asking a curtain-raiser before turning to my colleagues around the table, who will delve deeper. After me, the first question will come from Sir Desmond Swayne MP. I would like to begin with a question to each of you about the ICJ advisory opinion and its relevance to the human rights of self-determination. What is the content and scope of the right to self-determination? The ICJ stated that the exercise of self-determination must reflect "the free and genuine ... will of the people concerned". Which people is that? Is it the right enjoyed by Mauritians as a whole or by Chagossians as a distinct group of people?

Dr Elodie Tranchez: Thank you very much, Chair. Members of the committee, esteemed co-panellists, first, I would like to state that it is a deep honour for me to be present before you, which I do with a great sense of seriousness but also humility in view of the suffering of the Chagossian people, some of whom are in the room today with us.

The ICJ advisory opinion is highly relevant for our case, but the court in its advisory function does not provide a global legal audit of the situation; it responds to the question raised by the UN General Assembly in this case, which was formulated from an interstate perspective. There are two sides to the right to self-determination; one is that of Mauritius and the Mauritian people, but there is also a human rights dimension. The court itself recognised that it was only treating the interstate dimension.

I would like to read paragraph 144 of the ICJ advisory opinion, "The Court will have to determine the nature, content and scope of the right to self-determination applicable to the process of decolonization of Mauritius ... The Court is conscious that the right to self-determination, as a fundamental human right, has a broad scope of application. However, to answer the question put to it by the General Assembly, the Court will confine itself, in this Advisory Opinion, to analysing the right to self-determination in the context of decolonization". So the ICJ advisory

opinion is highly important for this case, but it does not deny the human right dimension to self-determination. That is why discussion about the CERD decision of December 2025 is highly important, because it brings this perspective.

Dr Stephen Allen: Self-determination works in various different ways. The classical statist interpretation is that the self-determination unit is the entire colonial unit. It concerns the territorial integrity of the non-self-governing territory. The self-determination unit that was the main focus of the ICJ in this advisory opinion was the entire people of Mauritius and the territorial integrity of that non-self-governing territory. However, we look at peoplehood differently and go beyond that to see that Chagossians are a part of the self-determination unit, but their ethnic, cultural and historical identity means they are a people in their own right.

In the *Re Succession of Quebec* case of 1998, the Canadian Supreme Court said a subsection of the entire people of a country can constitute a people in their own right. They could be an indigenous people, so it is a matter of peoplehood for an indigenous group; they could be a national ethnic minority. Their right to self-determination is not the same in terms of its exercise. They are not entitled to what we would call external self-determination to create a new state. In its general recommendation on self-determination in 1996, CERD said they are entitled to internal self-determination, which is access to political rights of participation. That is what CERD focused on in its December decision. The two work together. They derive their normative force from the general principle, but their manifestation is different. We need to know more about that to see out how that works for the Chagossians.

Professor Philippe Sands: Can I begin by thanking the Joint Committee for its work and inviting us to be with you today? I agree with Dr Tranchez. We are all acutely aware of the incredible wrongdoing that has been done to the whole of the Chagossian community since 1965. I fully subscribe to the views that are shared. I also say at the outset that I was counsel for Mauritius from 2010 until the end of 2024, so I speak here in a personal capacity and express my personal views, which allows a degree of freedom.

The position is exactly as has been said. The International Court of Justice was concerned with self-determination under international law. When a former colony achieves independence, for the purpose of self-determination, the whole of the former colony is concerned—so all the people of Mauritius. That is the general position in international law and is one that successive British Governments have supported. If you had a different kind of rule, it would mean that Quebec could vote to secede from Canada, or Scotland from the United Kingdom, without the support of the Westminster Parliament. International law basically says that, on issues of self-determination, it is for the entire former colony or the entire country to determine what rights are to be effected in terms of the occupation of a particular territory.

But Dr Tranchez is absolutely right; that does not bring the analysis to an end. This is dealt with at paragraph 181 of the court's opinion—I should just say I drafted the question for the court and participated throughout the court proceedings—and you will see the court's decision was in effect unanimous. There is no dissent from that decision, which gives it its force. It has been applied—this is often forgotten—by a subsequent court judgment of the International Tribunal for the Law of the Sea, which is binding and gives binding legal force to the advisory opinion in relations between Mauritius and the Maldives but has huge implications for other countries.

I draw your attention to paragraph 181 of the court's judgment: "As regards the resettlement on the Chagos Archipelago of Mauritian nationals"—which Mauritius has always been strongly supportive of and of which I personally am totally supportive—"including those of Chagossian origin ... this is an issue relating to the protection of the human rights of those concerned, which should be addressed by the General Assembly during the completion". There is a distinction between a self-determination analysis on the one hand and—as I think you said, and we agree—the human rights aspect, which includes aspects related to the quality and nature of the community. The human rights aspect is no less important than the self-determination.

Chair: My colleague Lord Murray wants to explore the nature of the agreement itself and the status that it enjoys. We will come back to that before we go to Sir Desmond, but first I want to bring in Dr Zhu.

Dr Yuan Yi Zhu: Thank you, Lord Alton, and members of the committee for being here on such a busy day. I associate myself with what Dr Tranchez and Dr Allen have said so far, in that the fundamental question of external self-determination generally involves an analysis of what the unit is. In the case of decolonisation, it is the entire colony. That is the general position. It is not irrebuttable, a point made by Judge Abraham in his declaration in the 2019 advisory opinion. He said that, although on the one hand it would be illegal to arbitrarily dismember a colony before giving it independence because that would break the norm whereby colonies are given independence as a whole, there could be circumstances in which, if inhabitants of a part of the colony expressed freely and strongly held opinions to the contrary, the colony could be readjusted in such a way as to allow for self-determination to happen as separate entities.

There is precedent for this, the most relevant being that of the Gilbert and Ellice Islands, which used to be a British protectorate, where inhabitants of certain islands expressed a view that they wanted to be independent. This was endorsed by the United Kingdom and by the UN General Assembly. As a result, when that colony was given independence, it split into two parts, Kiribati and Tuvalu. So there are examples where the colony entity can be given self-determination in this way.

In the case of the Chagos, it was never an integral part of the Crown colony of Mauritius or a dependency, so attached to Mauritius for administrative reasons and already far away, the amount of contact between the two was historically limited. As was revealed in the House of Lords International Relations and Defence Committee study of last year, Chagossian people on the whole have very strongly held opinions and are, generally speaking, very distrustful of Mauritius. In 1965, they were not asked what they wanted to do and were instead deported. That fact should not compound today by not asking them in 2026 what they want. It is never too late to make reparations, and this could be done by asking their opinion as to where they want to be in terms of their international position.

Chair: These are good opening comments and we have already exposed disagreements and division, so we will explore those as we proceed.

- Q2 **Lord Murray of Blidworth:** Dr Yuan, could you explain why an advisory opinion of the ICJ is non-binding, and comment on the suggestion that the finding of a tribunal between Mauritius and the Maldives has an affirmative effect on the ICJ's advisory opinion, as Professor Sands appears to suggest?

Dr Yuan Yi Zhu: The basic principle of international law in regard to courts and tribunals is that, as a state, you have to consent to be bound in order for the court's decision to be binding, which is why the ICJ has three bases of jurisdiction: contentious, advisory and incidental. Incidental means incidental, and advisory means exactly that, advisory. The statutes of the ICJ say that an advisory opinion is requested by an organ of the United Nations. The ICJ can provide its opinion, and it is up to the requesting organ to act, or not to act, as it sees fit. So this is not a court judgment in a traditional sense; this is simply an opinion of various judges, and the UNGA can do whatever it wants with it. That is the basic position.

The 2019 advisory opinion was not legally binding. It was not a court decision as we would understand it. ITLOS, the International Tribunal for the Law of the Sea, was wrong, I contend, in treating it as having settled the issue, first, because it flies in the face of the advisory nature of the opinion, and secondly, because it was a case between the Republic of the Maldives and the Republic of Mauritius, and is incapable of binding a third party, i.e. the United Kingdom. Thirdly, it is well established by ITLOS case law that its remit extends to the law of the sea, as its name indicates, and not to territorial disputes, whereas what is at issue here is a dispute over land. For these three reasons, the fact that ITLOS may or may not have said anything is of no relevance to the position of the AO nor to the sovereignty of the UK in this case.

Lord Murray: Did the British Government make any submissions in the ITLOS case?

Dr Yuan Yi Zhu: I cannot remember off the top of my head, but it participated in the earlier case before the ICJAO, the MPA, in which

Mauritius went after the UK, and in that case the UK did appear. But I cannot answer your second question off the top of my head.

Chair: Could you write to the committee with those details?

Dr Yuan Yi Zhu: Yes.

Chair: That would be helpful. Lord Murray, do you want to put that question to other members before we proceed?

Lord Murray of Blidworth: Dr Allen, do you have any particular views on the binding nature or otherwise of the ICJ's advisory opinion?

Dr Stephen Allen: The advisory opinion is not formally binding, as we have just heard. However, the opinion is an authoritative interpretation of the relevant area of international law, and therefore it has weight. In terms of its interpretation, it is very difficult for states to argue with the assessment that the court reached on these matters, given there have been proceedings and a lot of documentation.

There is quite a history to this—for example, in the case of the Western Sahara, where Spain, the administering power, was unhappy with the proceedings and sought to challenge the binding nature of an opinion, along similar lines to the UK. It is not surprising that states question whether this is a binding interpretation, but it is an authoritative interpretation of the applicable law.

Chair: Professor Sands, what do you make of all this?

Professor Philippe Sands: It is absolutely right that the advisory opinion is not binding as such on any states, including those that participated. But that is not the end of the analysis because the advisory opinion is directed to the body that asks for it, in this case the General Assembly. The GA then goes through a process of considering the advisory opinion, as was reflected in Resolution 73/295, that was adopted by an overwhelming majority and gave effect to the advisory opinion. As far as the United Nations and all the specialised agencies are concerned, it becomes effective as a binding decision on the United Nations. That is why, after the General Assembly resolution, but not after the advisory opinion, the United Nations changed its official maps to show that the Chagos Archipelago was part of Mauritius, not part of the United Kingdom, and not disputed.

That is why resolutions were adopted in the Food and Agriculture Organization and in the Universal Postal Union, in the latter to stop the use of stamps bearing the words "British Indian Ocean Territory", and in the former to stop the United Kingdom issuing fishing permits in relation to an area where sovereignty was required. So it is slightly more complicated.

The United Kingdom did not participate formally. I was involved in those proceedings. The former legal adviser of the United Kingdom, Sir Michael Wood, was also involved. We always had a slight sense that behind the

proceedings there may have been some informal connections. That happens very normally; it is not a critique at all. But the judgment of that decision is binding, as I said, on the Maldives and Mauritius. The effect of that became dispositive, and it was at that point that everything changed globally, and the United Kingdom, through its legal advisers at the Foreign Office, realised the game was over. The real concern after that judgment was, if the United Kingdom does something in the Chagos Archipelago, Mauritius is free to go to the International Tribunal for the Law of the Sea and get a binding judgment against the UK. That is what would have happened.

Lord Murray of Blidworth: Mauritius is a part of the Commonwealth, is it not?

Professor Philippe Sands: It is.

Lord Murray of Blidworth: There are restrictions on when a Commonwealth member can pursue a dispute, a binding judgment, against the United Kingdom.

Professor Philippe Sands: That is correct. That happened in the early 2000s. But that is without prejudice to the advisory function. If you read the whole opinion very carefully, as I am sure you have, the International Court of Justice made very clear this was not a dispute about territorial sovereignty between a member of the Commonwealth and the United Kingdom; it was about decolonisation, as Dr Tranchez said.

Lord Murray of Blidworth: Can you remind the committee of the nationality of the judges on the court that gave the judgment in the ICJ?

Professor Phillippe Sands: Off the top of my head?

Chair: You can write to us.

Professor Philippe Sands: I am very happy to send that in. I remember most of them, but I do not know that I will get them all.

Lord Murray of Blidworth: There is a greater strategic implication in these judgments, is there not, than a straightforward legal analysis?

Professor Philippe Sands: Sorry, I did not understand the question.

Lord Murray of Blidworth: In the litigation before the ICJ, a number of strategic concerns advanced by members of the United Nations were at play, and that is often seen at an international level in relation to litigation before the International Court of Justice.

Professor Philippe Sands: There may have been strategic considerations that motivated why states participated, why they said what they said, but it was a legal process. I sat through the entirety of it. The United Kingdom participated very fully and very actively, as did many countries. It is important to correct a point that our colleague made. The International Court of Justice unanimously determined that Chagos was

part of Mauritius. It did not say it was separate. So it really is worth reading the whole judgment, which included many judges of nationalities that are very friendly to the United Kingdom, among them the judge from France, since he has been mentioned—a country that has its own interests. The fact that he voted the way he did says a lot about the force of the opinion.

Chair: Thank you very much for that. I know that Dr Allen wants to come back in, but perhaps you could combine your answer on the next question, because I want to hear from Dr Tranchez.

Dr Elodie Tranchez: I pretty much align with the analysis that, although not binding, an advisory opinion is highly authoritative. I am happy to keep my time for discussing the CERD decision and the human rights issues in this treaty.

Chair: That is very good of you. We will move on to Sir Desmond Swayne, and then we will hear from Mr Alex Sobel MP.

Q3 **Sir Desmond Swayne:** What is the legal status of the decision by the Committee on the Elimination of Racial Discrimination on 2 December 2025 that Britain and Mauritius should suspend the ratification process?

Dr Elodie Tranchez: I am happy to take this one. Thank you very much, Sir Desmond, for your question.

Sir Desmond Swayne: I would like a short answer, because I have a longer one up my sleeve.

Dr Elodie Tranchez: To be clear, the CERD decided to act under its early warning and urgent action procedure, a process created in 1993 to respond to the most egregious and serious human rights violations in order to tackle them and prevent further escalation. It is extremely rare for the committee to act so and adopt decisions. Lately, for instance, it did so for Sudan, China, the Philippines, Israel and Palestine. Although it is not a binding judgment, it is still highly authoritative. The committee has 18 experts elected by states, including the UK and Mauritius, giving an interpretation of the binding obligation on both the UK and Mauritius. I am happy to explain what the next move of the CERD could be in case of non-implementation of the decision.

Sir Desmond Swayne: That would be interesting, if you could do that briefly.

Dr Elodie Tranchez: Although it is not a binding judgment, in case of non-implementation of a decision, the CERD has power to request country visits. I highly doubt this would happen in view of the cash-flow crisis in the UN, but—this is highly probable—it may draw the situation to the attention of any relevant UN body, which could be the Secretary General, the Sixth Committee or the UNGA. It did so in 2010 to the European Commission on behalf of the Roma people. It did so to the UN Special Adviser on the Responsibility to Protect on the Chinese situation. It will do so, in view of the fact that the CERD found the treaty

incompatible with UNGA Resolution 73/295. The CERD has gone too far to withdraw. I have worked for other treaty bodies, not only the CERD, and I never saw one dare ask two states to stop a ratification process saying that it was incompatible with the UNGA resolution, so I suspect this is not the end of the Chagos saga.

Sir Desmond Swayne: In its concluding observations back in May of last year—I am winging this—it seems implicit within those judgments that they are talking about a self-determination rather wider than the narrowing scope that the panel has defined so far. The Chagossians are a distinct ethnicity. They have a Creole language and a distinct culture. There was a distinct territory, and they have a history of self-government. It seems that Resolution 567, particularly parts 6, 7, and 8, is explicit in that territorial integrity is not frozen; it is subject to the principle of self-determination. Is there is a tension between the judgment of the ICJ in narrowing the scope of what Chagossian self-determination means, i.e. a mere participation in a process rather than an ability to have self-government and true self-determination, and the resolutions of the UN? Have I imagined this, or is that tension there?

Dr Elodie Tranchez: I would not speak of a tension because again I believe the ICJ and the CERD act on different levels. As I said at the beginning, the ICJ looked at the situation of Chagos from a very specific perspective, through the lens of the question that was raised very cleverly to ensure that Mauritius would win the case, although it is not officially a dispute. I am not sure we are talking about a tension but rather two bodies discussing on different planes. But I am pretty sure that, should this question be raised again to the ICJ with different parameters, including those of human rights, we may end up with a very different outcome. You are also right to say that it was only on 27 and 28 April that the CERD adopted concluding observations on Mauritius and was very express in asking Mauritius to consult the Chagossian people in terms of their self-determination.

Sir Desmond Swayne: There will be question on consultation, but as a question of natural justice, should the Chagossian people have full self-determination over the future of Chagos? It is a normative question.

Dr Elodie Tranchez: It is very important to listen to the voice of the Chagossian people; that is what matters. We may also discuss the treatment they received from Mauritius over six decades.

Chair: As Sir Desmond indicated, other questions will touch on those matters as we proceed. I can see from the looks on the faces of your colleagues on the panel that there is agreement and disagreement that we can explore as we proceed.

Q4 **Alex Sobel:** I will move on to the issue of rights of return. In its decision, the UN committee urged both nations to respect the human rights of the Chagossian people under various international conventions. In particular, the committee urged the UK and Mauritius to respect the Chagossians' right to return to their ancestral lands in Diego Garcia Island. Professor

Sands, what is the source of this right, and is it binding on the UK?

Professor Philippe Sands: The issue of the right of return is hugely important—everyone agrees with that—and I personally subscribe incredibly strongly to that right. It was a condition for my involvement in the case from day one that the right of return be fully integrated. I know many Chagossians, and anything else would be totally unacceptable. Your question poses the central issue here, that sometimes the best is the enemy of the good. The question is: the right of return, but to where, and to which of the islands? Reasonable people can disagree about these issues, but that is the central question.

Being in this room reminds me of an experience I had 25 years ago, when I spent weeks and weeks on end in Committee Room 4 arguing the case of Augusto Pinochet. If you recall, there was an appeal to the House of Lords Judiciary Committee, as it then was, on a decision in the Divisional Court by Tom Bingham, probably the finest judge in the United Kingdom, on the question of whether Pinochet had immunity. In the first instance, the court said he did. That decision was then set aside by the House of Lords. That is my feeling towards the CERD decision.

What the CERD decision did not have before it—it is not a critique; the work is entirely legitimate in going to CERD and following the entire process—was the history of this issue going to the International Court of Justice. Since 2000, the position of Mauritius was that its exercise of sovereignty over the Chagos Archipelago would be entirely without prejudice to the military base that the United States operated at Diego Garcia under a lease with the United Kingdom. By the time we got to the General Assembly in 2016-17, everyone understood that this situation was on the table, that going to the ICJ ring-fenced Diego Garcia, because it was not acceptable to Mauritius to undermine the national security interests of the United Kingdom and the United States. Everyone understood that, if the judges at the ICJ were asked in any way to diminish the effectiveness of that military base at Diego Garcia, the case would be a non-starter.

So that aspect was effectively taken off the table. In Mauritius, this was done with the full involvement of the Chagos Refugees Group that not only participated in the General Assembly resolution negotiations but was also 12 in number on the delegation of Mauritius at the International Court of Justice. I point out that there was not a single Chagossian on the United Kingdom delegation in those proceedings, either in the General Assembly or in the ICJ. This interest in the Chagossians is very recently found for a lot of people. For 50 years and more, there was complete silence.

One of the saddest moments of the ICJ proceedings was when we went in one morning for the hearings with our group of Chagossians from Mauritius, led by the remarkable Olivier Bancoult, who litigated in the English courts for years. We came across a group of Chagossians that asked us for assistance to get to court because the United Kingdom had

done nothing to get them into the courtroom. That was the reality of the situation. It was deeply painful to go through that experience.

The upshot is, when the court ruled, it did so explicitly on the basis there is no return to Diego Garcia. When the General Assembly adopted its resolution, it did so explicitly on the basis of an understanding there would be no return to Diego Garcia. This is not a critique of the CERD decision, but I have zero doubt that, if this was to go back to the General Assembly or the International Court of Justice, they would say, with the support of the vast majority of the world, "The best is the enemy of the good". If this treaty comes to an end, no one will go back.

Two days ago, Olivier Bancoult told me they were "bouleversés" by the idea that the treaty would not proceed, because they know that kills their right to return to the other islands for ever, and the older people will never go back. As a committee, you do not have to face the pure example of a right to return to the whole of the Chagos Archipelago but rather the lesser evil of going back to 80% rather than the whole. That is the political issue.

Alex Sobel: I will explore that a bit further. The UK-Mauritius agreement states that Mauritius is free to implement a programme of resettlement for the Chagossians on the islands—the archipelago— except Diego Garcia Island. So Dr Zhu, does this meet the Chagossians' right to return? If not, why not?

Dr Yuan Yi Zhu: First, for the benefit of the record, I will point out that when Professor Sands mentions the name of Mr Bancoult, some Chagossians behind us expressed disapproval. We have to remember that most Chagossians live in the UK. In fact, since the treaty was concluded and signed, several hundred Chagossian families have moved from Mauritius to the UK, to the point where there is a housing crisis in Crawley. I would push back against this idea that the Chagossians who are members of the Mauritian delegation at The Hague are representative of the views of the community. It is a very nice story, but it is not true.

As to your question, you will have noticed that the language of Article 6 is very vague. It says Mauritius is "free to", not that it has to, implement such a plan. As far as I know, there is no plan from Mauritius for resettlement. I have seen a plan about a maritime protected area that will be open for resettled Chagossians to fish in, which implies that some will go back. But I have not seen a resettlement plan yet. If there is one, I would be very happy to see it.

I have with me a study by KPMG from 2014, commissioned by the British Government when Mr Cameron—Lord Cameron as he is now—considered whether to allow resettlement in outlying islands. At the time, the US Government under Mr Obama said that they did not object, and so the Foreign Office commissioned a KPMG study to see if this was feasible. They came up with three plans for resettlement, but the Cameron Government, unfortunately, said it was too expensive to implement.

Looking at the numbers in the KPMG report, which is in the public domain, and taking the most expensive of the plans—which included a port, airport, and continuing subsidies—if you do the maths, it is cheaper for the UK to implement that plan of resettlement to the outlying islands than it is to pay Mauritius and lease the space for 99 years, and to cut the income tax of 80% of the Mauritian public. So resettlement is possible. The only thing stopping it is the UK Government saying it is too expensive, but somehow it is not too expensive to pay Mauritius to maybe or maybe not resettle the Chagossians, and maybe or maybe not have a plan. There is a plan; it is a British plan. I have not seen a Mauritian plan.

Chair: I will go to Tom Gordon now and ask Dr Allen to come in first and then Dr Tranchez, to ensure the panel get a fair share.

- Q5 **Tom Gordon:** Building on from what we just heard, the UN committee's decision also urged the UK and Mauritius to respect the right of Chagossians to self-determination. Does the UK-Mauritius agreement comply with this right?

Dr Stephen Allen: There are concerns about the agreement. The one that strikes me as the most troublesome is the lack of participation during the negotiations and the formulation of the agreement and its conclusions. As we heard, the Chagossians are entitled to exercise the right of self-determination. This may not be external, but the right to participate forms part of self-determination. In its decision of December 2025, CERD said there should be free, prior, and informed consent. An FPIC, as it is known, is a staple of international human rights law. There should be no manipulation or coercion as far as the target group are concerned. Also, consultation and participation come prior to activities or schemes being put into place. Consent is seen through the lens of participation, which we do not seem to have had. From that angle, it is deeply worrying. It is not clear to me why it did not happen, given that CERD drew attention to the connection between participation and self-determination in its concluding observations on the periodic report of Mauritius back in May 2025.

Philippe might disagree with me on this, but, unlike currently, Mauritius will be sovereign once the agreement is in place. It will be for Mauritius to take the lead and for the UK to co-operate in ensuring that Chagossian rights are fully protected and that they have reparations. But the lead is really with Mauritius. As we heard from Dr Zhu, we are unaware of plans to ensure that Chagossians are compensated or what arrangements will be in place for them going forward.

Dr Elodie Tranchez: I very much align myself with Dr Allen's response on participation. In answer to Mr Sobel and Mr Gordon, I go back to what Professor Sands said. The representative of Mauritius before the ICJ stated that Diego Garcia is not touchable. Yet the UNGA resolution is very clear, and in paragraph 4 makes no distinction between Diego Garcia and the Chagos Archipelago. But that is not the only issue. My heart is with the Chagossians, and we share this perspective.

We mentioned Article 6, and that Mauritius is free to implement a resettlement programme. There is no obligation. The biggest problem in this treaty—this is to be read in annexe 1—is that, most of the time, the devil is in the detail. If you read Article 6 correctly, and Article 3(2)(b) combined with annexe 1, paragraphs 4 to 8, you see that the UK retained a de facto veto power on any project development by Mauritius on the rest of the archipelago.

This does not happen in a void. More than fifteen years ago, in 2009, WikiLeaks revealed the infamous former High Commissioner of BIOT expressing that there would be “No footprints”. I will not mention the racist terminology he used. Dr Zhu mentioned that in 2014-15, a project stated that resettlement was possible but was found to be too expensive. Should the Chagossian people have been meaningfully and inclusively consulted? I value the work of the CRG, but there are a lot of positions. I am pretty sure no Chagossian would have said, “Yes, I agree with the UK having a de facto power to prevent resettlement”. I strongly believe they would not have allowed a sum of £40 million for the wrongs they suffered while Mauritius was granted more than £3 billion, let alone the grant given for global projects worth over £1 billion. We lack the participation of the people. Self-determination implies the right to be consulted on the treatment that decides your fate. Let us listen to the Chagossian people. If Mr Bancoult and the CRG are willing and happy with this treaty, good. If it is pragmatic, good. But other people challenge this perspective.

Chair: That is very helpful. We will give you a chance again in a moment. I am keen to bring in Dr Swallow; then we will hear from my colleague Juliet Campbell MP, and you will all get a chance to recap on points that have been made.

Q6 **Peter Swallow:** This is really enlightening. We have heard a range of evidence about the extent to which Chagossians were involved at various stages in the issues we are inquiring about today. I note the UN committee’s decision specifically calls for “the full and meaningful participation of the Chagossian people in all decision-making processes impacting them and their land”.

When we talk about the Chagossian people, we know who they are, but they are represented by a range of groups and this is a challenge when it comes to engaging with this really complex issue. Some live in Mauritius; some have settled in the UK. None of this is simple, is it? I want to tease that out a little, which is not to diminish the need to consult, but it is just a reflection that, when we talk about engaging with the Chagossian people, perhaps we need to set out with a little more clarity what that means and how.

Dr Yuan Yi Zhu: The community is geographically dispersed. Most live in England with small populations in the Seychelles, Mauritius and elsewhere. The fact that it is a bit tricky does not mean it is impossible or that we should not try. I will praise a very old institution, the House of Lords, which today has been in the news for perhaps less good reasons.

Last year, the International Relations and Defence Committee of the House of Lords conducted an online survey of Chagossian opinion. It was one of the biggest, if not the biggest, survey of its kind ever undertaken. It was done in-house within a very short timeline, as the treaty was pending. The IT staff of the House of Lords were able to build a consultation that received several thousand responses and gave us a picture of Chagossian opinion, which, on the whole, and as the committee reported, was very negative in its feelings towards Mauritius and almost unanimous in its wish to be consulted.

Although there are difficulties, I do not accept that they are insurmountable. God knows what government IT looks like these days, but if the IT department of the House of Lords is able to design and run such a survey in such a short amount of time, I do not see any reason why His Majesty's Government and the Government of Mauritius could not make a good faith effort to consult Chagossians as a people and not as tokenistic representatives of maybe one national delegation as part of the negotiation process. For reasons that I do not understand, this was not done, and now the Chagossians are, justifiably, very angry indeed.

Chair: Dr Swallow, do you want to put the question to other colleague on the panel?

Peter Swallow: I would love to hear Professor Sands's perspective, if that is all right.

Professor Philippe Sands: I remember the first meeting I went to with a broad range of Chagossians. It was in 2011 at the Royal Geographical Society here in London. I was exposed to an incredible range of views, all of which I respect and value. We all agree about that. But there is a practical issue with any community, whether they agree or disagree, as to how you integrate views into a negotiating process. For example, what is to happen in the negotiations between Russia and Ukraine on the population of the Donbass? How do you begin, in that real-world context, to ensure that the views of the population are taken into account? It is one thing to consult and, as you know, that survey has been subject to a whole range of critiques of bias and so on.

The challenge was how to ensure that the views of Chagossians were taken into account during negotiations. That is a very valid, legitimate and important consideration. I can only tell you what happened on the Mauritian side, where consultations went to the very highest level. The Prime Minister was actively involved throughout. I attended meetings with members of the Chagossian community in Mauritius. Mauritius is in a difficult position consulting at that level with folks who live in the United Kingdom, much as that is desirable. There was no meeting between the British Prime Minister and the Chagossians in Crawley. There was no attempt by the British Prime Minister to meet with Chagossians in Mauritius. So can we be realistic and practical? When negotiating a treaty, you cannot integrate everyone who has an interest into a room, but you have to find a way to take views into account.

I come back to an important point. Having participated in the negotiations, due to rules of professional conduct, I am limited in what I can say. Please forgive me; there is so much more I would like to share. A text emerges that says, "Mauritius shall be free". I ask you to imagine a situation in which one party says, "We don't want any of them to come back, ever", and the other party says, "No, absolutely. It's a central part of our entire case that they have the right to go back". You then read the words that Mauritius shall be free to return as a huge achievement, a huge concession, because one side of the table has stopped anyone from coming back for 60 years. That is the context you need to think about.

In terms of whether the agreement is compatible with international law, of course it is. There is a right of return to all islands except one. But I accept your point, and I am glad you raised it. I was involved in the negotiations until October 2024, when there was a change of Government in Mauritius. I can only say this because it is in the public domain. As of that date, the text as agreed and finalised between Britain and Mauritius did not include that provision. The new Government of Mauritius included what you read out in annexe 1. I deeply regret that provision, because it may well have the effect that you talk about. As counsel for Mauritius, I would never have accepted it. The bottom line is—I have this from the highest authorities in Mauritius—the next budget of Mauritius will have a detailed plan and boats are already being commissioned to start bringing people back. It will happen, 100%, no doubts about that.

Chair: We are all enlightened by your answers. Colleagues would like to ask spontaneous questions as well, but I am going to bring in Juliet Campbell MP. I want Dr Tranchez to give the first response and then Dr Allen to make sure that you get airtime. Then we will come to Lord Murray, who has a further point he wants to make and a question on behalf of the committee.

Q7 Juliet Campbell: What you have shared with us today has been enlightening, and I appreciate it. The decision of the UN committee urges the UK and Mauritius to respect the right of Chagossians to their cultural rights. What is the source of these cultural rights and are they binding to the UK?

Dr Elodie Tranchez: Cultural rights are very much associated with resettlement in this case because people need access to places of worship, cemeteries, chapels and so on. I would not disconnect the cultural rights of the Chagossian people from the right to return. When it comes to the sources, there are a variety. I mainly go back to the UN Declaration on the Rights of Indigenous Peoples of 2007, which is a UNGA resolution. We also have ILO Convention 169, not binding for the UK but still very much representing customary law on some aspects.

I am sorry, Chair, but I want to address your question regarding diversity because it is very important. It is not a surprise in a decolonial context and it is very convenient to instrumentalise diversity among the group. There is a practical solution.

Peter Swallow: Just to be clear, that was not what I was doing. I asked a very important question.

Dr Elodie Tranchez: I know.

Chair: I do not think she was suggesting that.

Dr Elodie Tranchez: A practical thing could have been, and could still be, done: support, finance and a mediation process in the community. That is one point that all groups agree on; they all want to return. Support them in the mediation process, then involve them in the agreement. We expected this from the United Kingdom, a nation that respects rule of law and human rights. There is still time to support a mediation process.

Dr Stephen Allen: In terms of the source of the rights, the UN Declaration on the Rights of Indigenous People, as we have heard, is important for all sorts of reasons, particularly because it addresses land rights, collective access to land, and other issues around cultural heritage. But the General Assembly resolution has coalesced, in large part, into customary international law. We also have treaty-based rights. There is the International Covenant on Economic, Social, and Cultural Rights, which contains quite a few elements. Chagossians are very keen to exercise certain rights relating to cultural sites from the past—for example, the graves of their ancestors. In terms of practices associated with particular islands and activities, as the deracination occurred so long ago, a lot of these rights have not been exercised for a while. The danger is that some practices have been lost, and so cultivating and recultivating them is very important. Disaggregating the rights is a complicated matter. CERD tends to bind them together across a range of issues to do with prohibiting and eliminating discrimination.

Going back to the point I mentioned before, there is complexity in addressing participation and the views of Chagossians. But we cannot lose sight of the fact that there is a specific reason why that was. They were removed from their ancestral homeland. Some were transported involuntarily to Mauritius; some were sent to the Seychelles. Often the Seychelles and their communities are overlooked. Their rights, and how they access them, need to be addressed. We have a community in the UK as well. So there is a diaspora. But the difficulty is no reason for not trying our best to address the issue.

This might come up, but in terms of the Bill and the way it is formulated around a referendum, I am not sure that is the right word for the recommended process. After the Act is passed, there is process of consultation that seeks validation from the Chagossian community. The Secretary of State has the power to decide and validate pre-existing options that they have not been involved in. So there is a concern there.

Juliet Campbell: Are these cultural rights binding on the UK? That is the bit I did not quite get from you. You are nodding that they are. Does the UK-Mauritius agreement comply with them?

Professor Philippe Sands: I have expressed the view that the Mauritius-UK agreement is fully consistent with international law. Can I add one little thing? I hope others have been to the Chagos Archipelago. I went with six members of the Chagossian community. When the boat arrived, the very first thing that happened—it was very affecting—was they went straight to the church. We all got involved in cleaning the church. Then we went to the graves, to clean them up. The importance of your question is central for the whole of the Chagossian community. The cultural rights, which include food, song, clothing and religion, are required to be fully respected under international law.

You may not be aware, but on 23 August, the Pope invited members of the Chagossian community—again it will be criticised because it was only some of them—to visit him at his private home in the Vatican. I attended that meeting. It was deeply affecting to hear the Pope express the fullest support for the right of return of all Chagossians in accordance with the agreement. He had been well advised. He understood the implications of the agreement. But that meeting underscored the vital importance of the cultural aspect, which includes religion, in the round. It is an absolutely central point, and the agreement allows for full expression of that right.

Chair: Dr Zhu, will you address the point Ms Campbell raised? Is this compatible with the UK's obligations under international law?

Dr Yuan Yi Zhu: I will defer to Dr Tranchez on that. If you look at the treaty, there is remarkably little about the Chagossians. Fundamentally, the treaty creates a very complex arrangement for the use of Diego Garcia and the exercise of sovereignty there and elsewhere. Chagossians are quite absent from it. There is Article 6, which does not even address itself to Chagossians. It says Mauritius has the right to do this to them. There is a trust fund, but there has been some controversy in Parliament over this, because the sum is very small, especially compared to what Mauritius gets; and secondly, it seems the Mauritian Government will have control, direct or indirect, over this fund. Given its track record in the bad treatment of the Chagossian people, which is well documented and goes back to the day it landed on Mauritius, the Chagossian community is naturally very mistrustful that it will receive any of this money, or indeed that there will be any resettlement programme.

Over the weekend, there was a feature in the *Sunday Times*, where a journalist went to Mauritius to meet with remaining members of the Chagossian community. As I said earlier, many have fled Mauritius since the treaty was signed, which does not, perhaps, indicate a vote of confidence. The journalist found a community that was extremely poor, dispossessed and angry. She interviewed people who said that they would like to come to the UK. They know they have an entitlement to a British passport, but they are simply too poor to claim it or to even come. In that context, this treaty does not, as far as I can see, do anything to advance the cultural rights, or indeed any right, of the Chagossian people.

Q8 **Lord Murray of Blidworth:** I am just picking up on a point that Dr Yuan

has identified. The submission we heard earlier from Professor Sands was that the Chagossian population and the Government of Mauritius were *ad idem*. But is not the reality that the Chagossian population have had a very difficult time from the Government of Mauritius over the last 60 years and that still continues? The media reporting that we have seen in the *Times* is that those reports that Dr Yuan has just identified have led to retributions in Mauritius from people who oppose this deal, and the Chagossian community is very divided on the merits. I appreciate that Professor Sands makes the case for Mauritius, but it is the job of this committee to look at the interests of the Chagossians themselves. I will be interested to hear the committee's views as to whether they think the interests of the people of the British Indian Ocean Territory who were removed are better served by being British or by being Mauritian.

Dr Elodie Tranchez: Thank you very much for raising this question. I will also take the opportunity to answer some of the other questions. Yes, you are right. The Chagossian people have been under mistreatment by Mauritius for six decades. It is interesting how history is repeating itself; 60 years ago, we had a Ramgoolam Prime Minister in Mauritius who was ready to lease Diego Garcia. It would have ended up in the very same human disaster that we have, and 60 years later, we have another Ramgoolam Prime Minister who is this time signing this deal.

Article 6 is not a problem, but annexe 1 is a problem. We have a community that has been dumped in the docks of Port Louis. They have been welcomed with marginalisation and discrimination and have been called Ilois. If you talk with a Chagossian—I am not that experienced—they will talk about the famous *sagrin*, the *chagrin*, the deep sorrows they have been experiencing. Some would say they are treating dogs better than they are treating humans.

In the 1980s, women were going on hunger strike. I think that Olivier Bancoult's mum was actually among those women. Were they met with support and solidarity by the Mauritian Government? No, they were met by police riots and arrests. This treaty is asking a very hard question in Mauritius: how is it possible that Government brought one Chagossian woman—Liseby Elysé—for the most moving testimony before the ICJ, on one hand pretending to support the right of the Chagossian people, and then adopted this treaty, signing this treaty that is basically, because of annexe 1, a death sentence? I am very sorry to disagree. You said that 100% the resettlement will happen. I doubt it.

Professor Philippe Sands: It will happen.

Dr Elodie Tranchez: I am afraid that this is not the last chapter of your book, Professor Sands, and that maybe we will have to open another chapter—this one—discussing the new sufferings of the Chagossian because of this treaty.

Professor Philippe Sands: Can I come in on this?

Chair: We all enjoy reading Professor Sands's books. We will look

forward to a further chapter, but I want to bring you in now, if I may, and then we will come to our two colleagues.

Professor Philippe Sands: I am so delighted you are here making these points. I am not speaking for any Government. I am here in a personal capacity. I am expressing my own views and only my views. That is all that I am doing. I am thrilled that you will hold the Government of Mauritius to account on this treaty. I would be delighted if this committee comes up with a report that makes it even more difficult for the Government of Mauritius not to honour its commitment to resettle the population. But let us be crystal clear, the population of Mauritian Chagossians is fully behind this treaty, and they will be devastated if it is not implemented because, if it is not implemented, they know they will never go back. The thing you have to ask yourself as a committee is whether it is better to go back to some islands or none.

That is the hard question due to the repercussions if this treaty falls. There is almost a sort of surreality of sitting here. There are people in this room who honestly understand the national security implications of the base at Diego Garcia pretty well. Imagine a small African country with a population of 1 million taking on two permanent members of the Security Council in relation to reclaiming sovereignty, succeeding and winning. In the negotiations of that, you can imagine the force of the argument by the United Kingdom and the United States to do exactly what has happened in this treaty: to make damn sure there is nothing that can affect the operation of that military base. That is the real context to understand this particular treaty. But I am foursquare with you in terms of maintaining your pressures on all Governments, the British Government and the Mauritian Government, to ensure that this right of return and the respect for cultural rights are fully implemented.

Dr Stephen Allen: My colleagues have been drawing attention to the burden that the Chagossians have had to bear for 60 years and more. It is important to recognise that they have, to a large extent, created the framework that has enabled Mauritius to be fully decolonised and that process that led to the ICJ advisory proceedings. It was Olivier Bancoult and his Chagos Refugees Group that spearheaded litigation in the English courts at the start of the century. Without that process and the many, many cases they went through, there would not have been the discovery from the Government that enabled Mauritius subsequently to institute the proceedings that led to the advisory opinion. So we need to appreciate not only the suffering of the Chagossians over the deracination of that society in the 1960s and early 1970s but we need to recognise their contribution to the processes that have led to where the situation is today, and that is really important.

Beyond that, we need to recognise that the situation is far from ideal but there are benefits in the current treaty, and I would agree largely with Professor Sands that if this process were stopped now, it would be very difficult to re-initiate it in a way that would lead to meaningful rights for the Chagossians. There is much that can be done, it seems to me, to

improve the arrangement. We see in Article 11 the arrangements for financial contributions, a trust fund, and a framework of development projects. There seems to be scope within the joint committee to involve Chagossians within that exercise and, through the work of the joint committee, ensure that they are participating and are obtaining redress for the wrongs they have suffered. It is not there in the agreement, and I do not really understand why things cannot move to see some formal representation in the agreement.

Chair: That is very helpful. In fact, it pre-empts something I wanted to ask you at the very end. We are getting towards the very end of this hearing, but I want to go to Dr Zhu, if I may.

Dr Yuan Yi Zhu: I hate to disagree with Dr Allen, but this treaty has been in the news in such a prominent way in the UK for these past couple of years. Given that, even if this treaty is scrapped—I do not hide my view that it should be scrapped—the fact that people now in the UK have heard of the Chagossians and have seen some on “Newsnight” and so on means that we are really creating an environment where, if it is the wishes of the Government, the Government can actually muster the necessary support for providing a fairer, more equitable package for the Chagossians. I hope that the package might include resettlement on the outlying islands in a way which is concomitant with both the security interests of the United Kingdom and the United States and the rights of the Chagossian people.

I could not, I am afraid, hear the entirety of Professor Sands’s reply because as he was speaking there was quite a lot of noise in the background from the Chagossians in attendance, again expressing disagreement. But I believe Professor Sands was very careful; he said that Mauritian Chagossians were on the whole in agreement with the treaty. That could be the case, although I would point out that, until last fall, it was illegal under certain circumstances for people to challenge the sovereignty of Mauritius over the Chagos according to a law that applied extraterritorially anywhere in the world and that threatened people with 10 years’ imprisonment. I wrote a report about this, and I am afraid Professor Sands, who was testifying to the House of Commons and admitted to having drafted part of the Act, I believe, accused me of being dishonest. I am not.

I am glad to give credit where it is due. The new Government of Mauritius actually repealed the law and the Prime Minister stood up in the legislature and said, “This law makes us look bad; we are a democracy, this should not be happening”. But it is a fact that there was such a law, which really scared many Chagossians from speaking out in Mauritius.

I will say this finally: on the day Secretary of State David Lammy announced this deal, or maybe the day after, there was a protest of Chagossians in Port Louis. That was when the law was still in effect, still threatened people who challenged the sovereignty of Mauritius with imprisonment. The fact that people who were members of the Chagossian community in Mauritius were willing to take this risk and to come out and

to protest really shows the depth and strength of the feeling involved. I would urge the committee to really take that into account because, in the name of the defence of western freedom, a great wrong was done to the Chagossian people 60 years ago. The United Kingdom owes it to the Chagossian people to offer redress which is concomitant with both the security interests of the United Kingdom and the inherent dignity and rights of the Chagossian people.

Q9 Chair: Thank you very much. I am going to give each of you a moment to reflect on the questions that have been asked around the table, but also in this last question to tell us if there is anything that we have not covered that touches on the human rights of Chagossians.

In a way to throw back at Professor Sands the challenge he made to this committee: if this agreement could be amended, what things would you recommend to us would be the best approach to take to those kinds of changes to ensure that we meet the United Kingdom's obligations under international human rights law, but specifically about the rights of the Chagossians? Is there one thing we could do in our recommendations, if we make them, that would be of help? Let us start with you, Dr Tranchez.

Dr Elodie Tranchez: We are talking about amendments so it is off the table; we are negotiating, I understand. I believe it will be crucial in view of annexe 1 to have a joint declaration of Mauritius and the UK that whatever is in this treaty would not cause an obstacle to resettlement. You may also want to adopt a law making it mandatory for the UK authorities to consult and report on what they are doing to listen to the Chagossian people. For me, annexe 1 of this treaty is the biggest impediment and obstacle. Professor Sands, you are bringing up the issue of defence and security. I am a bit naive when it comes to this topic; I am just a human rights lawyer. The US base is actually the origin of the evil that we are contemplating, and for the US it was key to have no inhabitants on this island. I wonder how it is possible that it now supports this treaty? Is it possible that it received some kind of guarantee that because of annexe 1 there will never be any resettlement? I just wonder. I am a bit naive on this, I must say.

Chair: A lot of us want to know the answers to these questions that we are unaware of. Thank you for raising it, though.

Dr Stephen Allen: I think I mentioned this in my last response: it seems to me that there could be work around the composition of the joint committee. Although the formal nomination of both parties is fairly formalistic, there seems to be scope within the wider work of the commission to draw on particular expertise and interests in its work. There could be scope for formalising the Chagossian involvement in the treaty itself. There should be some mention of reparations and redress. At the moment it is, in a statist, classical way, making it clear that Mauritius has this responsibility. Given the history, it would be useful if Mauritius could produce a form of words that gives some guarantee to Chagossians of their rights and their capacity to exercise them. I am not entirely sure that a survey conducted by the UK is the way forward,

rather that there should be some diplomatic manoeuvres to ensure that pressure is brought to bear on Mauritius to ensure that it consults fully with Chagossians in all their diaspora to ensure that we have an understanding of their entitlements, and an ability to enforce their entitlements.

Chair: Those are very helpful and very practical steps as well, which we would certainly record in the accounts of today's proceedings.

Dr Yuan Yi Zhu: In terms of amendment, obviously, I have written extensively for Policy Exchange against this treaty in total so I am a bit hesitant to propose specific amendments as I think the whole treaty's concept is flawed from beginning to end. I would just push back perhaps against the framing of some proponents, such as Professor Sands has, of this tension between security and human rights, and saying, "This treaty is not perfect for human rights but if you do not sign the treaty, there are security implications, the Chagossians will not get anything, and nobody actually wins; everybody loses". It is actually obvious that there are ways in which the security of Diego Garcia and the human rights of the Chagossians can be respected and augmented at the same time.

I would especially draw your attention, if I may, to Article 10 of the treaty, which gives preference to Mauritian employees and contractors, Mauritian citizens, and Mauritian companies for employment and contracting for the base on Diego Garcia. It is the case that Diego Garcia has many contractors—some are Mauritians—but as far as I understand, there is a sort of informal policy whereby the US does not really employ anybody of Chagossian descent on the base for whatever reason. But the fact is, this treaty on its face simply gives advantages not to Chagossians but to Mauritians. That really reinforces the injustice done to the Chagossian people to say, "Well, not only can you not go back to Diego Garcia, but we are going to give preference to people who do not share anything with you and whose country has a track record of treating you badly".

I have only met some Chagossians; I have not spoken to them all, but the ones I have spoken to are not naive; they are not anti-western; many of them are British citizens or British nationals as patriotic as you all. They are not naive. They do not think the base is going to disappear. They understand the importance of the base. As a whole, many of them want the ability to be able to maybe work on Diego Garcia or to be resettled on the alternate islands. To pit their interests against national security interests is the wrong way to look at it. The United Kingdom has a duty to those people because the wrong was committed by the UK in the first place, and because many of them—if not most of them—are British citizens or British nationals. We have the choice on the one hand to accept what is effectively an imaginary cheque—not even a blank cheque but an imaginary cheque—from Mauritius saying things are going to happen; or, on the other hand, to hold the UK Government to account and push the UK Government, as you are able to as Members of this

Parliament, for a fairer deal for the Chagossian people that does not compromise security but advances their human rights.

Professor Philippe Sands: For different reasons from the previous speaker, I am not going to accede to the suggestion that there should be any possible amendment because the reality is there is not going to be any amendment. This treaty sinks or it swims. But I fully subscribe to the view put by Dr Tranchez that a joint declaration, making absolutely crystal clear that there is nothing in the treaty that will be utilised to stop the resettlement on the outer islands, is a really important thing to be done.

You asked about other things that maybe have not been addressed. To wrap up, it is important to make a couple of points clear. First, the Chagos ship has sailed. Chagos is part of Mauritius. The rest of the world has recognised that. It is not a question of the UK handing anything back. Chagos is part of the sovereignty of Mauritius. It cannot be exercised. That is the reality of the situation. The treaty seeks to provide for an orderly exercise. Secondly, it is a matter of real sadness that this whole issue has become so party-politicised in the United Kingdom. Let us not forget who initiated the treaty negotiations. It was a very courageous decision by Prime Minister Elizabeth Truss in September 2022. I negotiated directly with successive Foreign Secretaries, successive Deputy Prime Ministers, and successive Prime Ministers in relation to this treaty. This is a treaty that is, to all intents and purposes, indistinguishable from the original intention, which is often forgotten. Suddenly, those who supported the treaty, or the idea of a treaty, have turned against it for reasons that have nothing to do with human rights, or the rights of the Chagossians, but everything to do with political advantage.

The rights of the Chagossians are absolutely central. That is what I feel. That is, I think, what you feel. Can we come together and find a way to make this work for the Chagossians, who are entitled, exactly as was said by Dr Tranchez and Dr Allen? Time is running out for the older ones. You mentioned Liseby Elysé, who has become a dear friend. Families are divided. Some of her children are opposed to the position that she has taken. She did not pretend she supported the claim. She absolutely supports the claim. She said to the International Court of Justice, "I wish to die on my native island". If this treaty dies, this will not happen. That is the reality of the situation. So, yes to your proposal, but can we please try to move on for the sake of those members of the community who want to go back, who have been terribly mistreated by many Governments over the years?

Chair: We have been privileged today to hear from such a distinguished panel with differing views but with great clarity, a lot of wisdom, and an appeal really to continue the discussion about what more can be done. In preparing for today's hearing, I went, Dr Zhu, to a report that you referred to earlier on, which was published in June by the International Relations and Defence Committee. The Chair of that committee wrote to

the Foreign Secretary and said that, "More meaningful engagement would have helped rebuild trust and lend greater legitimacy to the final arrangements". I noted that in the report that was published, they said that "the Chagossian community has a moral right to be heard", the point that you all have made to us today, and that "the UK should have engaged with it in a more meaningful way". I hope that today we might have put some of that failure to engage a little right. We have had a lot of people here in the public gallery following us in person, and many more online. Part of our task is always to shine a light on complex, difficult, unresolved questions and see if there is any way in which we can find some way forward, and the committee will want to reflect on the evidence that we have heard today.

So with those words, I want to wrap this up while reminding those who have been following our proceedings that we are not meeting next week. The committee is out on a field trip to York and Leeds, where we will—

Alex Sobel: Hear, hear.

Chair: A Member of Parliament for Leeds is sitting to my left. In York and Leeds, we will be continuing our inquiry into the needs of children in social care and the impact on their human rights. The following week, we will meet on 25 February to carry on what we were looking at earlier this afternoon: AI and human rights. With those words, can I thank everyone who has generously given their time today, thank those who have attended our proceedings and close today's hearing?