

Diego Garcia Military Base and British Indian Ocean Territory Bill

AMENDMENTS

TO BE MOVED

IN COMMITTEE OF THE WHOLE HOUSE

[Supplementary to the Marshalled List]

Clause 1

LORD KEMPSELL

Clause 1, page 1, line 7, at end insert “, subject to subsection (2A).

- (2A) Sections 2 to 4 do not come into force until the Secretary of State has commissioned a panel of independent experts to review the provisions in Article 5 of the Treaty on the Marine Protected Area, and this panel has published a report.”

LORD KEMPSELL

Clause 1, page 1, line 7, at end insert “, subject to subsection (2A).

- (2A) Sections 2 to 4 do not come into force until the Secretary of State has —
- (a) sought to renegotiate paragraph 3(f) of Annex 1 of the Treaty to remove the requirement to consult Mauritius on the placement of structures around Diego Garcia if this is for the purposes of defence, and
 - (b) laid a report of any attempted or successful negotiation before both Houses of Parliament.”

LORD KEMPSELL

Clause 1, page 1, line 7, at end insert “, subject to subsection (2A).

- (2A) Sections 2 to 4 do not come into force until the Secretary of State has —
- (a) sought to renegotiate paragraph 3(d) of Annex 1 of the Treaty to allow the presence of military and non-military forces or personnel of third countries on Diego Garcia without informing Mauritius if this is for the purposes of defence, and

- (b) laid a report of any attempted or successful negotiation before both Houses of Parliament.”

LORD KEMPSELL

Clause 1, page 1, line 7, at end insert “, subject to subsection (2A).

- (2A) Sections 2 to 4 do not come into force until the Secretary of State has —
 - (a) sought to renegotiate Annex 1 of the Treaty to allow the United Kingdom to derogate from the provisions of this part in case of war or other emergency, and
 - (b) laid a report of any attempted or successful negotiation before both Houses of Parliament.”

Clause 5

LORD LANSLEY

Clause 5, page 3, line 39, at end insert —

- “(2A) An Order under this section which amends, repeals or revokes an Act may not be made unless a draft of the instrument has been laid before and approved by a resolution of each House of Parliament.”

LORD LANSLEY

Clause 5, page 3, line 40, leave out “An” and insert “Any other”

LORD LANSLEY

Clause 5, page 3, line 41, leave out from “Parliament” to end of line 3 on page 4

After Clause 5

LORD KEMPSELL

After Clause 5, insert the following new Clause —

“Chagossian contact group

Within one month of the day on which this Act is passed, the Secretary of State must —

- (a) establish a (or ensure that any) Chagossian contact group is active for the time that the Treaty is in force, and
- (b) ensure that the group meets quarterly.”

LORD KEMPSELL

After Clause 5, insert the following new Clause —

“Annual report: defence

Within 12 months of the day on which this Act is passed and annually thereafter, the Secretary of State must publish a report reviewing the risks and emerging threats to the operation of the Diego Garcia base, including from hostile states.”

LORD KEMPSELL

After Clause 5, insert the following new Clause —

“Prime Ministerial report: security risks

Within three months of the day on which this Act is passed, and annually thereafter, His Majesty’s Armed Forces and the intelligence services must produce a report for the Prime Minister on any threats and risks to the Diego Garcia Base which —

- (a) may arise because of the transfer of sovereignty under this Act, or
- (b) could trigger a security review under Annex 1 of the Treaty.”

LORD KEMPSELL

After Clause 5, insert the following new Clause —

“Reporting requirement: communications from Mauritius

The Secretary of State must lay before Parliament the details of any communications from the Government of Mauritius regarding the —

- (a) existence of,
 - (b) effect of, or
 - (c) proposals relating to
- any amendments to the Treaty.”

LORD KEMPSELL

After Clause 5, inserting the following new Clause —

“Report: resettlement

Within 12 months of the day on which this Act is passed and annually thereafter, the Secretary of State must publish a report on progress made in the relation to the resettlement of Chagossians under Article 6 of the Treaty.”

LORD KEMPSELL

After Clause 5, insert the following new Clause —

“Report: payments

- (1) Within 12 months of the day on which this Act is passed, and annually thereafter, the Secretary of State lay an annual report and accounting statement before Parliament.
- (2) The report and statement must —
 - (a) detail past and future payments to the Government of Mauritius,
 - (b) include an impact assessment analysing the cost of payments to taxpayers in the United Kingdom, and
 - (c) include information on any errors and under and overpayments.”

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