

# Diego Garcia Military Base and British Indian Ocean Territory Bill

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MARSHALLED  
LIST OF AMENDMENTS  
TO BE MOVED  
ON REPORT

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*[Amendments marked ★ are new or have been altered]*

**Amendment  
No.**

**Clause 1**

LORD CRAIG OF RADLEY  
LORD HOUGHTON OF RICHMOND

- 1** Clause 1, page 1, line 7, at end insert “, subject to subsection (2A).  
(2A) Sections 2 to 4 of this Act come into force only when the Secretary of State has sought to negotiate an amendment to Article 11 of the Treaty to ensure that the United Kingdom would cease to make payments to the government of Mauritius in the event that the use of the Base for military purposes became impossible.”

***Member's explanatory statement***

*This amendment seeks to ensure that, before the ratification of the Treaty, His Majesty's Government makes arrangements for the terms of payment should environmental or other issues make the military use of the Base permanently impossible.*

LORD CALLANAN

- 2★** Clause 1, page 1, line 7, at end insert “, subject to subsection (2A).  
(2A) Section 4 comes into force only when the Secretary of State has undertaken a consultation of the Chagossian community and laid a report of that consultation before both Houses of Parliament.”

***Member's explanatory statement***

*This amendment would prevent the provisions of this Bill relating to citizenship from coming into force unless the Secretary of State has undertaken a consultation of the Chagossian community.*

## LORD CALLANAN

- 3 Clause 1, page 1, line 7, at end insert “, subject to subsection (2A).  
(2A) Sections 2 to 4 of this Act come into force only when the duties outlined in section (Chagos marine protected area) have been discharged.”

***Member's explanatory statement***

*This amendment would prevent the provisions from coming into force until the Government has published its plan to ensure the long-term protection of the Chagos Marine Protected Area.*

## LORD CALLANAN

- 4★ Clause 1, page 1, line 7, at end insert “, subject to subsection (2A).  
(2A) Sections 2 to 4 of this Act come into force only when the Secretary of State has —  
(a) sought to undertake negotiations with the government of Mauritius on whether Mauritius will establish a right for Chagossians to return and reside in the Chagos Islands, and  
(b) laid before both Houses of Parliament a report on progress on establishing negotiations with the government of Mauritius and the outcome of any that take place.  
(2B) Within two months of the report being laid before Parliament under subsection (2A)(b) the Secretary of State must arrange for substantive motions to be tabled in both Houses of Parliament on the contents of the report.  
(2C) In subsection (2A), “Chagossians” are defined as those eligible for British Citizenship under section 4 and their descendants.”

***Member's explanatory statement***

*This amendment requires that the Government must undertake negotiations with Mauritius on a Chagossian right of return, with a report laid before Parliament on the outcome of the negotiations. The Government must subsequently table a substantive motion in both Houses on the content of that report.*

## LORD CALLANAN

- 5 Clause 1, page 1, line 7, at end insert “, subject to subsection (2A).  
(2A) Sections 2 to 4 of this Act come into force only when the Secretary of State has —  
(a) sought to undertake negotiations with the government of Mauritius to guarantee that Annex 2.3 will oblige (where the UK Government requests) the Mauritian government to take responsibility for all asylum claimants and illegal entrants in the Chagos Archipelago including Diego Garcia and accept the transfer of all claimants to Mauritian custody, and  
(b) laid before both Houses of Parliament a report on progress on establishing negotiations with the government of Mauritius and the outcome of any that take place.

- (2B) Within two months of the report being laid before the Houses of Parliament under subsection (2A)(b), the Secretary of State must arrange for substantive motions to be tabled in both Houses of Parliament on the contents of the report.”

***Member's explanatory statement***

*This amendment seeks to prevent the UK being responsible for asylum claims resulting from illegal entrants into the Chagos Archipelago.*

LORD CALLANAN

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

- (2A) Sections 2 to 4 of this Act come into force only when the Secretary of State has –
- (a) sought to negotiate guarantees from the government of Mauritius that the United Kingdom will have the right to renew the lease at the end of the 99-year period in Article 13 of the Treaty and any subsequent period at the same or more favourable terms, and
  - (b) laid before both Houses of Parliament a report on the progress of the negotiations to seek guarantees from Mauritius.
- (2B) Within two months of the report being laid before both Houses of Parliament under subsection (2A)(b), the Secretary of State must arrange for substantive motions to be tabled in both Houses of Parliament on the contents of the report.”

***Member's explanatory statement***

*This amendment would prevent the Treaty from coming into force until the Government sought guarantees from the Mauritian government that the lease is renewable as of right.*

LORD CALLANAN

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

- (2A) Sections 2 to 4 of this Act come into force only when the duties outlined in section (*Cost of the Treaty*) have been discharged.”

LORD CALLANAN

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

- (2A) Sections 2 to 4 of this Act come into force only when the Secretary of State has published a statement setting out that the Secretary of State is satisfied that –
- (a) the government of Mauritius is not unduly influenced by hostile state actors, and
  - (b) there will be no interference by hostile state actors in the operation of the base.”

## LORD CALLANAN

- 9 Clause 1, page 1, line 7, at end insert “, subject to subsection (2A).  
(2A) Sections 2 to 4 of this Act come into force only when the duties outlined in section (UN CERD Report on the UK-Mauritius Agreement) have been discharged.”

## LORD LILLEY

- 10 Clause 1, page 1, line 7, at end insert “, subject to subsection (2A).  
(2A) Sections 2 to 4 of this Act come into force only when either the International Court of Justice or the International Tribunal for the Law of the Sea has delivered binding and enforceable judgements on the sovereignty of the Chagos Archipelago and judged that the islands should be transferred to Mauritius.”

***Member's explanatory statement***

*This amendment would only allow sections 2 to 4 to come into force if an international Court delivers a binding ruling on sovereignty of the Chagos Archipelago and directs that they should be transferred to Mauritius.*

## LORD LILLEY

- 11 Clause 1, page 1, line 7, at end insert “, subject to subsection (2A).  
(2A) Sections 2 to 4 of this Act come into force only when the Secretary of State has negotiated guarantees from the government of Mauritius that Mauritius accepts all and any liability for future reparations awarded to the Chagossian people as a result of their expulsion from the islands.”

## LORD LILLEY

- 12 Clause 1, page 1, line 7, at end insert “, subject to subsection (2A).  
(2A) Sections 2 to 4 of this Act come into force only when the Secretary of State has replied in full to the House of Lords International Relations and Defence Committee report of 17th December titled “Chagossian views on the Agreement with Mauritius concerning the Chagos Archipelago”.”

## LORD LILLEY

- 13 Clause 1, page 1, line 7, at end insert “, subject to subsection (2A).  
(2A) Sections 2 to 4 of this Act come into force only once all outstanding legal actions, including appeals, by the Chagossian people have been determined.”

LORD LILLEY

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

(2A) Sections 2 to 4 of this Act come into force only when the Secretary of State has sought to negotiate guarantees from the government of Mauritius that Mauritius will not enforce its duties under the Pelindaba Treaty on the Base at Diego Garcia and if they were to do so the sovereignty of the Base would revert to the UK.”

***Member's explanatory statement***

*This amendment seeks to expand on the Minister's statements in Committee that the Treaty of Pelindaba will not be enforced by Mauritius on the UK and US base.*

LORD LILLEY

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

(2A) Sections 2 to 4 of this Act come into force only once the duty outlined in subsection (2B) has been fulfilled.

(2B) The Secretary of State must publish a report on how the Treaty may increase any political or legal risks related to –

- (a) reliance on third countries required to service the base;
- (b) potential litigation from Mauritius regarding the base in Diego Garcia in the International Court of Justice, including analysis of Mauritius' declarations of 23 September 1968;
- (c) potential litigation in an arbitral tribunal under Annex VII of UN Convention on the Law of the Sea.”

LORD LILLEY

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

(2A) Sections 2 to 4 of this Act come into force only when Mauritius and the United Kingdom engage in a renewed dialogue to ensure the free, prior and informed consent of the Chagossian people, and to respect their rights, including the right to return to Diego Garcia, and the right to self-determination through meaningful participation in all decision-making processes.”

***Member's explanatory statement***

*This amendment seeks to take up the recommendations of the UN Committee on the Elimination of Racial Discrimination report of 8th December.*

BARONESS HOEY

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

(2A) Sections 2 to 4 come into force only when the Secretary of State has produced a report assessing the extent of the United Kingdom Government's capacity under

the Mauritius Treaty to shape developments on the Chagos Islands beyond Diego Garcia with security and defence implications and the consequences of this for international peace and stability, and laid the report before Parliament, the government of the United States of America and the United States Congress.”

BARONESS HOEY

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

(2A) Sections 2 to 4 come into force only when —

- (a) a final judgment has been handed down in the judicial review proceedings known as *Misley Mandarin v the Foreign, Commonwealth and Development Office*,
- (b) any period for appeal against that judgment has expired without an appeal being brought, or any appeal has been finally determined, and
- (c) the Secretary of State has laid before Parliament a statement setting out —
  - (i) the outcome of those proceedings, and
  - (ii) the Government’s assessment of the implications of that judgment for the operation of this Act.”

LORD PURVIS OF TWEED

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

(2A) Sections 2 to 4 of this Act come into force only when the conditions in section (*Referendum (No. 2)*) have been met.”

***Member's explanatory statement***

*This amendment ties the commencement of the provisions in the Act to the conditions of the referendum on the Chagossian community in another amendment by Lord Purvis of Tweed.*

THE EARL OF LEICESTER

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

- (2A) Sections 2 to 4 of this Act come into force only when the Secretary of State has established a public consultation of all Chagossian people on the Treaty.
- (2B) The public consultation under subsection (2A) must be established within two months of the day on which this Act is passed.
- (2C) The public consultation must take into account the geographical dispersion of the Chagossian people, access to technologies, and the languages spoken by the Chagossian people, and be open for no less than six months.”

***Member's explanatory statement***

*This amendment requires the Government to establish a public consultation with the Chagossian people before sections 2 to 4 of this Act can come into force.*

THE EARL OF LEICESTER

- 21★** Clause 1, page 1, line 7, at end insert “, subject to subsection (2A).
- (2A) Sections 2 to 4 of this Act come into force only after the Secretary of State has consulted with the United Kingdom’s AUKUS partners on the transfer of sovereignty of the Diego Garcia base and presented a report on those consultations to Parliament containing the following –
- (a) the written approval of the governments of Australia, the United Kingdom and the United States (the AUKUS Partners) to the transfer of sovereignty;
  - (b) the opinions of the Naval staff of all three partners on the implications of the Treaty of Pelindaba for the storage of nuclear weapons on Diego Garcia and its use by nuclear submarines and vessels under Mauritian sovereignty.”

LORD MORROW  
LORD HANNAN OF KINGSCLERE

- 22★** Clause 1, page 1, line 7, at end insert “, subject to subsection (2A).
- (2A) Sections 2 to 4 come into force only when the Secretary of State has produced a report on the impact of the Treaty on rules-based international order.
- (2B) The report under subsection (2A) must have regard to –
- (a) Article 7(1) of the Treaty, and
  - (b) the Pelindaba Treaty.”

LORD MORROW  
LORD HANNAN OF KINGSCLERE

- 23★** Clause 1, page 1, line 7, at end insert “, subject to subsection (2A).
- (2A) Sections 2 to 4 come into force only when the Secretary of State has produced a report on the impact of the Treaty on any right of self-determination of the people of the Chagos Islands, with regard to –
- (a) the Advisory Opinion of the International Court of Justice of 25 February 2019,
  - (b) any precedents arising from decolonisation of the Gilbert and Ellice Islands, and
  - (c) the provisions of UN Resolutions 567 (VI), 648 (VII) and 742 (VIII).”

LORD HANNAN OF KINGSCLERE  
LORD MORROW

- 24★** Clause 1, page 1, line 7, at end insert “, subject to subsection (2A).
- (2A) Sections 2 to 4 come into force only when the Secretary of State has sought to negotiate with Mauritius that all the requirements of the UN Committee on the

Elimination of Racial Discrimination Decision 1/2025 are met as part of the implementation of the Treaty.”

LORD HANNAN OF KINGSCLERE  
LORD MORROW

- 25★** Clause 1, page 1, line 7, at end insert “, subject to subsection (2A).
- (2A) Sections 2 to 4 come into force only when the Secretary of State has produced a report assessing the commitment that Mauritius would have to the Chagossian people when they discharge their duties under the Treaty.
- (2B) When considering the matter described in subsection (2A), the report must seek to ascertain whether Mauritius will treat Chagossians equitably compared to those of Mauritian descent.
- (2C) In producing the report under subsection (2A), the Secretary of State must have regard to—
- (a) Article 6 of the Treaty,
  - (b) Article 10 of the Treaty, and
  - (c) letters AL MUS 3/2020 of 31 March 2020 and AL MUS 1/2023 of 21 February 2023 from the Office of the United Nations High Commissioner for Human Rights.”

LORD MORROW

- 26★** Clause 1, page 1, line 7, at end insert “subject to subsection (2A).
- (2A) Sections 2 to 4 come into force only when the Secretary of State has assessed—
- (a) the impact of the termination of all rights granted by the Treaty to the United Kingdom with respect to the entire Chagos Archipelago through Article 15 of the Treaty (termination);
  - (b) the impact of the arrangements in Article 15 on the leverage opportunities at the Secretary of State’s disposal in negotiating with Mauritius after ratification.”

LORD MORROW

- 27★** Clause 1, page 1, line 7, at end insert “, subject to subsection (2A).
- (2A) Sections 2 to 4 come into force only when the Secretary of State has produced a report assessing the ability of the government of Mauritius to—
- (a) govern the Chagos Archipelago under the terms of the Treaty and the related implications for international peace and stability of transferring sovereignty, and
  - (b) resettle the Chagossians on the Chagos Archipelago.”



LORD FAULKS  
LORD GODSON

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

(2A) Sections 2 to 4 of this Act come into force only when the Secretary of State has published the separate written instrument concerning the establishment and maintenance of a Marine Protected Area in the Chagos Archipelago as referred to in Article 5 of the Treaty, and a motion to take note of the separate written instrument has been approved by each House of Parliament.”

***Member's explanatory statement***

*This amendment seeks to ensure that, before the ratification of the Treaty, His Majesty's Government has published the separate written instrument concerning the Chagos Marine Protected Area and that each House of Parliament has taken note of the instrument.*

LORD FAULKS  
LORD GODSON

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

(2A) Sections 2 to 4 of this Act come into force only when the Secretary of State has sought to negotiate an amendment to the Treaty to allocate £20m per annum of the monies payable to Mauritius under the Treaty to environmental protection measures.”

***Member's explanatory statement***

*This amendment seeks to ensure that, before the ratification of the Treaty, His Majesty's Government has sought to negotiate an amendment to the Treaty that requires part of the annual payments to be made to Mauritius to be allocated to environmental protection measures.*

LORD FAULKS  
LORD GODSON

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

(2A) Sections 2 to 4 of this Act come into force only when the Secretary of State has sought to negotiate an amendment to the Treaty to allow the United Kingdom to withhold monies payable to Mauritius under the Treaty if it fails to adequately safeguard the marine environment of the Chagos Archipelago.”

***Member's explanatory statement***

*This amendment seeks to ensure that, before the ratification of the Treaty, His Majesty's Government has sought to negotiate an amendment to the Treaty authorising annual payments to be withheld if environmental protection measures are not observed.*

LORD FAULKS  
LORD GODSON

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

(2A) Sections 2 to 4 of this Act come into force only when the Secretary of State has published a report concerning the ability of Mauritius to enforce environmental protection measures in the Chagos Archipelago under Article 5 of the Treaty if it obtains sovereignty over the territory, and this report finds that Mauritius is capable of enforcing a Marine Protected Area in the Chagos Archipelago, and a motion to take note of the report has been approved by each House of Parliament.

(2B) The report under subsection (2A) shall include –

- (a) an assessment of the operational capabilities of the Mauritian coast guard, particularly with regard to the availability of its vessels to patrol the Chagos Archipelago;
- (b) an assessment of the professional competency of the Mauritian coast guard.”

***Member's explanatory statement***

*This amendment seeks to ensure that, before the ratification of the Treaty, His Majesty's Government has published a report certifying that Mauritius is capable of enforcing adequate environmental protection measures and that each House of Parliament has taken note of the report.*

**After Clause 1**

BARONESS FOSTER OF AGHADRUMSEE  
BARONESS MEYER  
LORD CALLANAN  
LORD HANNAN OF KINGSCLERE

**32** After Clause 1, insert the following new Clause –

**“Referendum**

- (1) The Secretary of State must arrange a referendum on whether the British Indian Ocean Territory should –
  - (a) remain a British Overseas Territory, or
  - (b) be transferred to and become the sovereign territory of the Republic of Mauritius.
- (2) No transfer of sovereignty may take place under section 2 unless the number of Chagossians voting to transfer the islands to Mauritius exceeds those of the Chagossians that wish to remain a British Overseas Territory.
- (3) The franchise for the referendum must consist of persons entitled to citizenship under section 4 who are over 18 years of age, wherever they are resident.
- (4) The Secretary of State must ensure that eligible persons resident outside the United Kingdom are able to participate in the referendum.

- (5) The Secretary of State must lay before Parliament a statement of the result of the referendum as soon as reasonably practicable after it has been held.”

LORD PURVIS OF TWEED

**33★** After Clause 1, insert the following new Clause —

**“Referendum (No. 2)**

- (1) Subsections (2) to (6) are the conditions of this section for the purposes of section 1(2A).
- (2) Within six months of the day on which this Act is passed, the Secretary of State must conduct a referendum of the Chagossian community.
- (3) The referendum must be conducted in writing and in a format and language as considered appropriate by the Secretary of State to be satisfied the response will be valid.
- (4) The question to be put to the Chagossian community in the referendum is stated in subsection (5).
- (5) The question is —

“In recognising the international principals of self-determination, do you agree that the implementation of the Treaty agreed between the United Kingdom and Mauritius must guarantee the rights of Chagossians in a legal right —

  - (a) of resettlement on the Islands of the Chagos Archipelago other than Diego Garcia,
  - (b) of participation in the operation in and opportunities of working in and visiting Diego Garcia, and
  - (c) to be involved in decision making on the operation of the Trust Fund for the benefit of the Chagossian Community?”
- (6) Within 30 days of the result of the referendum the Secretary of State must lay a statement before both Houses of Parliament setting out how they intend to respond to the referendum.
- (7) In this section, “Chagossian community” means those Chagossians identified by the Secretary of State who will be impacted by the Act.”

***Member's explanatory statement***

*This amendment would require the Secretary of State to hold a written referendum of the Chagossian community within six months of Royal Assent on whether the implementation of the UK–Mauritius Treaty adequately guarantees their rights to resettlement, consultation, and participation in decision-making, and to lay a statement before Parliament setting out the Government’s response to the result.*

**Clause 5**

LORD LANSLEY

34 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

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

LORD LANSLEY

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

LORD LANSLEY

37 Clause 5, page 4, line 12, leave out paragraph (b)

**After Clause 5**LORD CRAIG OF RADLEY  
LORD HOUGHTON OF RICHMOND

38 After Clause 5, insert the following new Clause –

**“Statement: base usability**

The Secretary of State must publish a statement before the ratification of the Treaty setting out how they would respond should the Base become unusable and the impact that this would have on the operation of the Treaty.”

LORD CALLANAN

39 After Clause 5, insert the following new Clause –

**“Article 11: schedule of payments to Mauritius**

Within one month of the day on which this Act is passed, Secretary of State must publish a schedule of expected payments to Mauritius under Article 11 of the Treaty, including the planned dates of each payment.”

***Member's explanatory statement***

*This amendment would require the Secretary of State to publish a schedule of expected payments to Mauritius under Article 11 of the Treaty.*

LORD CALLANAN

40 After Clause 5, insert the following new Clause —

**“Article 15: termination of the Treaty**

Within one month of the day on which this Act is passed, the Secretary of State must publish a statement setting out their understanding of the status of the Chagos Archipelago should the Treaty be terminated.”

*Member's explanatory statement*

*This amendment would require the Secretary of State to publish a statement of the Government's understanding of the legal status of the Chagos Archipelago should the Agreement be terminated.*

LORD CALLANAN

41 After Clause 5, insert the following new Clause —

**“Resettlement of Chagossians**

Within one month of the day on which this Act is passed, the Secretary of State must undertake a review of all discussions between the UK and Mauritius in respect of the resettlement of the Chagossians under Article 6 of the Treaty and publish a report of the findings of the review.”

*Member's explanatory statement*

*This amendment would require the Secretary of State to review the records of all negotiations between the UK and Mauritius in respect of Article 6 of the agreement and publish the findings of the review.*

LORD CALLANAN

42 After Clause 5, insert the following new Clause —

**“Article 5: support and assistance**

Within one month of the day on which this Act is passed, the Secretary of State must publish an estimate of the ongoing financial cost of providing support and assistance to Mauritius under Article 5 of the Treaty.”

*Member's explanatory statement*

*This amendment would require the Secretary of State to publish an estimate of ongoing financial cost of providing support and assistance to Mauritius under Article 5 of the agreement.*

## LORD CALLANAN

43 After Clause 5, insert the following new Clause —

**“Chagos marine protected area**

The Secretary of State must publish a report stating how they intend to preserve, in perpetuity, the Chagos Marine Protected Area, under Article 5 of the Treaty, including steps to ensure —

- (a) the provision of Mauritian fishing protection vessels providing the same, or better, prevention of illegal fishing than the BIOT patrol,
- (b) that Mauritius commits to retaining the Chagos Marine Protected Area as a no-catch zone, and
- (c) the prevention of litter, waste, debris or pollution within the Chagos Marine Protected Area.”

## LORD CALLANAN

44 After Clause 5, insert the following new Clause —

**“Notification of Mauritius under paragraph 3(b) of Annex 1**

- (1) His Majesty’s Government may not notify Mauritius of the location of equipment in the Chagos Archipelago beyond Diego Garcia before conducting maintenance and upgrades.
- (2) The duty in subsection (1) applies to all members and representatives of His Majesty’s Government and all Ministers of the Crown.”

***Member’s explanatory statement***

*This amendment seeks to ensure that the Government is not able to endanger UK or USA security by notifying Mauritius of the location of sensitive defence equipment.*

## LORD CALLANAN

45 After Clause 5, insert the following new Clause —

**“Chagossian Trust Fund Management Board**

The Secretary of State must ensure that no person who —

- (a) is a member of the government of Mauritius,
- (b) has financial links to the government of Mauritius, or
- (c) has previously been employed, or is currently employed, by the government of Mauritius,

may serve as one of the seven Chagossians on the Trust Fund Management Board.”

***Member’s explanatory statement***

*This amendment seeks to ensure that the Chagossians on the Trust Fund Management Board do not have a financial relationship with the Mauritian government.*

LORD CALLANAN

46 After Clause 5, insert the following new Clause —

**“Trust fund**

- (1) The Secretary of State must seek to negotiate with the government of Mauritius that the Trust Fund under Article 11(1)(b) of the Treaty will be open to all Chagossians whether they are also Mauritian or not and will include representation of all Chagossians in its administration.
- (2) The Secretary of State must lay a report on any such negotiations before both Houses of Parliament and a Minister must seek the approval of both Houses of the report.
- (3) The approval required by subsection (2) must be in the form of a resolution of each House of Parliament.
- (4) For the purposes of section 1(2), the duties under this section are only discharged if both Houses of Parliament agree the resolution in subsection (3) of this section.”

LORD CALLANAN

47 After Clause 5, insert the following new Clause —

**“Cost of the Treaty**

The Secretary of State must publish a statement setting out —

- (a) the total real terms cost of payments to be made to Mauritius under the Treaty;
- (b) the full methodology and justification of the discount mechanism used to calculate the total cost;
- (c) the methodology used to calculate the total cost of the Treaty by —
  - (i) the Office for Budget Responsibility,
  - (ii) the Government Actuary’s Department, and
  - (iii) the Treasury.”

LORD CALLANAN

48 After Clause 5, insert the following new Clause —

**“UN CERD Report on the UK-Mauritius Agreement**

The Secretary of State must publish a statement setting out —

- (a) the assessment ministers have made of the impact of the advisory opinion of the UN Committee on the Elimination of Racial Discrimination in their report of 8 December 2025 on the legal status of the Diego Garcia Military Base, and
- (b) the steps ministers have taken to engage with the Mauritian government to address the concerns expressed by the UN Committee on the Elimination

of Racial Discrimination in relation to the legal status of the Diego Garcia Military Base in their report of 8 December 2025.”

***Member's explanatory statement***

*This amendment would require the Secretary of State to engage with the Mauritian government to address the concerns expressed by the UN Committee on the Elimination of Racial Discrimination in their report of 8 December 2025 and publish an official assessment of the impact of the report on the legal status of the Diego Garcia Military Base.*

BARONESS HOEY

**49★** After Clause 5, insert the following new Clause —

**“Parliamentary approval for new defence arrangements**

- (1) The Secretary of State must, by regulations, ensure that both Houses of Parliament approve any future defence or security use of the Chagos Islands by any country other than —
  - (a) the United Kingdom, or
  - (b) the United States of America.
- (2) Regulations made by the Secretary of State under this section are to be made by statutory instrument.
- (3) A statutory instrument containing regulations under this 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 PURVIS OF TWEED

**50★** After Clause 5, insert the following new Clause —

**“Parliamentary oversight and approval of expenditure**

- (1) The Secretary of State must, within the first financial year following the day on which this Act is passed, lay before the House of Commons, for its approval, an estimate of the expenditure that is anticipated to be incurred by the Government of the United Kingdom in connection with the commitments made under the terms of the Treaty, including, but not limited to —
  - (a) any payments made or to be made, or financial commitments entered into, with the government of the Republic of Mauritius in accordance with the Treaty; and
  - (b) the costs associated with the continued administration, maintenance, and operation of Diego Garcia.
- (2) In each fifth successive financial year after the first financial year as set out above, the Secretary of State must lay an estimate in accordance with subsection (1).
- (3) If the payments incurred by the Government of the United Kingdom are greater than those anticipated in the estimate specified in subsection (1) or (2), the Secretary



of State must lay before the House of Commons, for its approval, a supplementary estimate.

- (4) If at any stage during the operation of the Treaty the Secretary of State presents to the House of Commons a report that the Republic of Mauritius has, in his or her view, not honoured the provisions of the Treaty they have undertaken to honour, and that the United Kingdom has presented to the Joint Commission a reasoned case that it believes the Republic of Mauritius has not honoured the provisions of the Treaty, and that the process in Article 14 of the Treaty has been exhausted, the Secretary of State must lay before the House of Commons, for its approval, a resolution to cease payments in connection with the Treaty.”

***Member's explanatory statement***

*This amendment provides for an estimates and supply scrutiny process for expenditure to be incurred by the UK Government as a result of the Treaty and the UK's continued involvement in Diego Garcia.*

LORD PURVIS OF TWEED

**51★** After Clause 5, insert the following new Clause –

**“UK-Mauritius Inter-parliamentary Committee**

- (1) On the day on which this Act is passed, a Minister of the Crown must engage with the government of the Republic of Mauritius with a view to establishing a UK-Mauritius Inter-parliamentary Committee to consider the implementation and operation of the Treaty.
- (2) In undertaking the engagement required by subsection (1), the Minister of the Crown must make representations that –
  - (a) the composition of the Inter-parliamentary Committee should reflect equal representation from the parliaments of the United Kingdom and the Republic of Mauritius,
  - (b) its chair should rotate on a timetable agreed by the Committee between the United Kingdom Parliament and the parliament of Mauritius, and
  - (c) its purpose should be to promote mutual understanding of the provisions of the Treaty through dialogue and debate, including consideration of the operation of the Joint Commission established under Article 12 of the Treaty.
- (3) The Minister of the Crown must further propose that the Inter-parliamentary Committee's responsibilities include –
  - (a) monitoring and assessing the implementation and operation of the Treaty via dialogue and mutual understanding;
  - (b) evaluating the recognition and protection of Chagossian rights, including but not limited to –
    - (i) access to compensation, resettlement, or other forms of support;
    - (ii) ongoing involvement and participation in any decision which impacts on the Chagossian community;

- (c) considering the welfare, integration, and general needs of Chagossians residing in the United Kingdom; and
  - (d) reviewing the beneficial impact of the financial arrangements made under the Treaty, including those supporting resettlement, welfare, or the development of the Chagossian community.
- (4) If the Inter-parliamentary Committee described in subsection (1) is established, within five years of the commencement of the Treaty the Inter-parliamentary Committee must be invited to conduct a review of the operation and effectiveness of the Treaty arrangements.
- (5) The Minister of the Crown must make reasonable provision for the operation of the Committee.”

***Member's explanatory statement***

*This amendment would require the Government to seek the establishment of a UK–Mauritius Inter-parliamentary Committee to oversee and review the implementation of the Treaty, with particular regard to parliamentary scrutiny, the protection of Chagossian rights, and the operation of related governance and financial arrangements.*

LORD MORROW  
LORD HANNAN OF KINGSCLERE

**52★** After Clause 5, insert the following new Clause –

**“Chagossian reparations fund**

- (1) As part of the Trust Fund under Article 11(1)(b) of the Treaty, the Secretary of State must establish a Chagossian reparations fund.
- (2) In devising the scale of payment for reparations the Secretary of State must have regard to –
  - (a) the United Nations Committee on the Elimination of Racial Discrimination Decision 1 2025, made on 2 December 2025,
  - (b) the economic, psychological and cultural impact to Chagossians of the policy of the Government towards the Chagos Islands to date, and
  - (c) the principle of proportionality in light of the sum proposed to pay the lease of Diego Garcia for 99 years.
- (3) In devising the scale of payment for reparations the Secretary of State must consult the United Nations Committee on the Elimination of Racial Discrimination.”

LORD MORROW  
LORD HANNAN OF KINGSCLERE

53★ After Clause 5, insert the following new Clause –

**“Joint statement on Chagossian reparations liability**

- (1) The Secretary of State must seek to undertake negotiations with the government of Mauritius so as to agree a statement of liability for reparations to the Chagossians as part of the Treaty.
- (2) The statement under subsection (1) should acknowledge that from 1968 until the Chagossian people are returned to their islands the country holding the sovereignty of the islands is subject to such a liability and that this should be worth at least £120 million pounds sterling per annum.
- (3) In devising any statement on liability for reparations, the United Nations Committee on the Elimination of Racial Discrimination should be consulted.”

**Clause 6**

LORD PURVIS OF TWEED

54★ Clause 6, page 4, line 16, at end insert –

- “(A1) Except for this section, no section of this Act may come into force until a UK-Mauritius Inter-parliamentary Committee has been established in accordance with section (UK-Mauritius Inter-parliamentary Committee).”

***Member's explanatory statement***

*This amendment ties commencement of the Act to the establishment of a UK-Mauritius Inter-parliamentary Committee under another amendment in Lord Purvis of Tweed's name.*

LORD CALLANAN

55 Clause 6, page 4, line 17, after “1(2)” insert “ and (2A)”

# Diego Garcia Military Base and British Indian Ocean Territory Bill

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MARSHALLED  
LIST OF AMENDMENTS  
TO BE MOVED  
ON REPORT

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*23 December 2025*

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