

Diego Garcia Military Base and British Indian Ocean Territory Bill

MOTIONS TO BE MOVED ON CONSIDERATION OF COMMONS REASONS

[The page and line references are to HL Bill 139, the Bill as first printed for the Lords]

LORDS AMENDMENT 1

Clause 1

Lord Callanan to move, as an amendment to the Minister's motion, at end insert “, and do propose the following amendment in lieu—

After Clause 5, insert the following new Clause—

“Inoperability of the Diego Garcia military base

- (1) Within one month of the day on which this Act is passed, the Secretary of State must publish and lay before the Libraries of both Houses all formal correspondence exchanged between the governments of the United Kingdom and the United States of America since 22 May 2025 on the question of the status of the Treaty should the Diego Garcia base become inoperable.
- (2) In subsection (1), the base becoming inoperable includes both ceasing to be of practical use due to physical conditions, and ceasing to be able to serve unconditionally and unimpeded the defence and security interests of the United Kingdom or the United States of America.””

Lord Purvis of Tweed to move, as an amendment to the Minister's motion, at end insert “, and do propose the following amendment in lieu—

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 laid before both Houses of Parliament a report setting out the Government's assessment of—
 - (a) the circumstances in which the Diego Garcia military base would become unusable; and
 - (b) the position of the government of the United States of America in relation to the Diego Garcia military base and the circumstances in which its use

would become impossible, with reference to the legal status of the archipelago.””

LORDS AMENDMENTS 2 AND 3

Clause 1 and After Clause 1

Lord Purvis of Tweed to move, as an amendment to the Minister’s motion, at end insert “, and do propose the following amendments in lieu –

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 condition in subsection (*Chagossian rights*)(1) has been met.”

After Clause 5, insert the following new Clause –

“Chagossian rights

- (1) The Secretary of State must seek an exchange of letters with the government of the Republic of Mauritius confirming that the rights set out in subsection (2) will be legal rights for the Chagossian people.
- (2) The rights referred to in subsection (1) are legal rights of Chagossians –
 - (a) to resettlement on the islands of the Chagos Archipelago other than Diego Garcia;
 - (b) to participation in the operation of, and opportunities for working in and visiting, Diego Garcia; and
 - (c) to involvement in decision-making relating to the operation of any Trust Fund established for the benefit of the Chagossian community.
- (3) Within 30 days of any such exchange of letters being concluded, the Secretary of State must lay before both Houses of Parliament a statement –
 - (a) setting out the assurances received;
 - (b) explaining whether those assurances will secure the statutory protection of the rights set out in subsection (2); and
 - (c) confirming whether the Secretary of State is satisfied with the assurances received.””

Lord Callanan to move, as an amendment to the Minister’s motion, at end insert “, and do propose the following amendment in lieu –

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;

- (b) sought, within any negotiations which take place under paragraph (a), agreement to a referendum for Chagossians on self-determination, funded by the Republic of Mauritius; and
- (c) laid before both Houses of Parliament a report on progress in establishing negotiations with the government of Mauritius and the outcome of any negotiations that have taken place.

(2B) Within two months of the report being laid before the House of Commons and the House of Lords under paragraph (2A)(c), a Minister of the Crown must table a substantive motion in the House of Commons and the House of Lords on the contents of the report.””

LORDS AMENDMENT 6

After Clause 5

Lord Purvis of Tweed to move, as an amendment to the Minister’s motion, at end insert “, and do propose the following amendment in lieu –

After Clause 5, insert the following new Clause –

“Ceasing payments under the Treaty

Where, at any stage during the operation of the Treaty, the Secretary of State lays before the House of Commons a report stating that –

- (a) in the Secretary of State’s view, the Republic of Mauritius has failed to honour the provisions of the Treaty which it has undertaken to honour,
- (b) the United Kingdom has presented to the Joint Commission a reasoned case that the Republic of Mauritius has failed to honour those provisions, and
- (c) the process set out in Article 14 of the Treaty has been exhausted,

the Secretary of State must lay before the House of Commons a motion for a resolution approving the cessation of payments in connection with the Treaty.””

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