

COMMITTEE ON THE ELIMINATION
OF RACIAL DISCRIMINATION

ADVANCE UNEDITED VERSION

Decision 1 (2025)

The Committee on the Elimination of Racial Discrimination, meeting in Geneva at its 116th session from 17 November to 5 December 2025,

Acting under its Early Warning and Urgent Action Procedure;

Recalling that the United Kingdom of Great Britain and Northern Ireland forcibly evicted and displaced the Chagossian people, an ethnic group of African and South Asian descent with a distinct cultural identity, from their ancestral lands in the Chagos Archipelago, in the 1960's, in order to construct the Naval Support Facility Diego Garcia, a joint US-UK military base located on Diego Garcia, the largest island in the Chagos Archipelago;

Recalling the International Convention on the Elimination of All Forms of Racial Discrimination (hereinafter "the Convention"), to which Mauritius has been a party since 1972 and in particular the obligations contained in articles 2, 4, 5, 6 and 7 as well as the concluding observations of 6 May 2025 on Mauritius issued by the Committee ([CERD/C/MUS/CO/24-25](#)), especially paragraphs 6, 7, 18, 19, 26 and 27;

Also recalling the concluding observations of 20 August 2024 on the United Kingdom of Great Britain and Northern Ireland issued by the Committee ([CERD/C/GBR/CO/24-26](#)), specifically paragraphs 55 and 56;

Further recalling its [General Recommendation No. 21 \(1996\) on the right to self-determination](#), under which the Committee urges States Parties to protect the rights of persons belonging to ethnic groups, including their right to live with dignity, preserve their cultural identity, share equitably in national development, and participate in decision-making processes;

Recalling the [Advisory Opinion of 25 February 2019](#) by the International Court of Justice on the legal consequences of the separation of the Chagos Archipelago from Mauritius in 1965, which affirmed that the decolonization of Mauritius was not lawfully completed, as the detachment of the Chagos Archipelago in 1965 from Mauritius was carried out without the free and genuine expression of the will of the people, in violation of General Assembly Resolution 1514 (XV) and the right to self-determination under international law.¹ The International Court of Justice held that the United Kingdom was under an obligation to end its administration of the Chagos Archipelago "as rapidly as possible";

Recalling the [United Nations General Assembly resolution 73/295](#) of 22 May 2019, which called for the completion of decolonization and the return of the Archipelago to Mauritius within six months.

Recalling the Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of

¹ See [Advisory Opinion of 25 February 2019](#), paras. 160-177.

Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law, adopted by the United Nations General Assembly in its [resolution 60/147](#) of 16 December 2005;

Noting of the letters of 21 February 2023 addressed to [Mauritius](#) and the [United Kingdom of Great Britain and Northern Ireland](#), respectively, by the Special Rapporteur on minority issues; Working Group of Experts on People of African Descent; Special Rapporteur in the field of cultural rights; Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance and Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence, as well as the press releases by various Special Procedures mandate-holders of [10 October 2024](#) and [10 June 2025](#);

Noting that the bilateral agreement, signed on 22 May 2025, between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Republic of Mauritius concerning the Chagos Archipelago including Diego Garcia (hereinafter “the bilateral agreement”) returns sovereignty over the Chagos Archipelago to Mauritius and completes the return of the archipelago to Mauritius following the adoption of the Advisory Opinion of 25 February 2019 by the International Court of Justice on the legal consequences of the separation of the Chagos Archipelago from Mauritius in 1965, and with the United Nations General Assembly resolution 73/295, adopted on 22 May 2019;

Noting that the bilateral agreement has not yet entered into force as it is still pending domestic ratification by the relevant legislative bodies;

Concerned that, in accordance with the provisions of the bilateral agreement, Mauritius will lease the island of Diego Garcia, the site of the joint U.S. and British military base and the main part of the ancestral land of the Chagossian people, to the United Kingdom of Great Britain and Northern Ireland for an initial period of 99 years with the option of extending this period by 40 years.

Deeply concerned that while the bilateral agreement permits Mauritius to implement a resettlement program on the other islands of the Chagos Archipelago, the bilateral agreement, under provision 6, explicitly prevents the return of the Chagossian people to their ancestral lands in Diego Garcia Island;

Deeply concerned that the bilateral agreement prevents Chagossian people from returning to their ancestral lands, including cultural and spiritual sites, and from exercising their cultural rights and preserving their cultural heritage; ;

Alarmed that the provisions of the bilateral agreement are inconsistent with the United Nations General Assembly resolution 73/295 particularly on the request to facilitate the resettlement of Chagossian people, in the Chagos Archipelago without imposing any “impediment or obstacle to such resettlement”;

Gravely concerned about the reported lack of consultation with the Chagossian people during the negotiations, drafting and conclusion of the bilateral agreement and about the lack of a mechanism to ensure their participation in the decision-making processes affecting their rights and lands, restricting the exercise of their right to self-determination;

Concerned that the bilateral agreement does not guarantee the rights of Chagossian people to full reparation, particularly with regard to compensation, satisfaction and guarantees of non-repetition, including regarding their right to return to their ancestral lands in Deigo Garcia Island, as well as the issuing of a formal apology or recognition of the harm inflicted on them due to forced displacement and the colonization of Mauritius;

Calls upon Mauritius and the United Kingdom of Great Britain and Northern Ireland to suspend the ratification of the bilateral agreement;

Urges Mauritius and the United Kingdom of Great Britain and Northern Ireland to engage immediately with the Chagossian people, ensure their free, prior and informed consent, and to respect and guarantee their human rights under the Convention, the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights, including:

- Their right to return to their ancestral lands in Diego Garcia Island;
- Their right to self-determination while ensuring the full and meaningful participation of the Chagossian people in all decision-making processes impacting them and their land;
- Their cultural rights, including their access to cultural and spiritual sites and to preserve their cultural heritage;
- Their right to effective remedies and full repatriation, including restitution, compensation, rehabilitation, satisfaction and guarantees of non-repetition.

Urges Mauritius and the United Kingdom of Great Britain and Northern Ireland to fully respect their international obligations and to continue cooperating to bring an end to the harm suffered by the Chagossian people and the violations of their rights.

2 December 2025