

Shadow Report on the Situation of the Chagossians in Mauritius

Submitted for the Adoption of the List of Issues Prior to Reporting (LOIPR) – 6th
Periodic Review of Mauritius
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Association des Chagossiens de France

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1. Introduction

The Association des Chagossiens de France welcomes the opportunity to submit this report to the Committee on Economic, Social and Cultural Rights as part of the 6th periodic review of Mauritius and the adoption of the List of Issues Prior to Reporting (LOIPR). This report outlines systemic and persistent violations of the economic, social, and cultural rights of the Chagossian people in Mauritius.

Chagossians are an Indigenous community, descended from enslaved Africans and Malagasy brought to the Chagos Archipelago during colonial rule. They developed a distinct language, culture, and way of life over generations of continuous presence in the archipelago. Following their forced displacement between 1965 and 1973, they were exiled to Mauritius, the Seychelles, and later to the United Kingdom. While some became citizens of these respective states, their collective identity and historic link to their homeland remain intact.

Despite its official claim to the Chagos Archipelago, Mauritius has consistently failed to meet its obligations under the International Covenant on Economic, Social and Cultural Rights (ICESCR) in relation to the Chagossians. It has neglected their rights to housing, education, employment, healthcare, cultural protection, and political participation. Most seriously, it continues to deny them their right to self-determination, as guaranteed under Article 1 of the Covenant and Article 20 of the African Charter on Human and Peoples' Rights—by excluding them from all processes regarding sovereignty, reparations, and the future of the Chagos Islands.

In its most recent concluding observations, the Committee on the Elimination of Racial Discrimination (CERD) urged Mauritius to combat systemic racial inequality, promote diversity and inclusion, and integrate the history of slavery and colonialism into education and public institutions.¹ These recommendations are especially relevant for the Chagossian community, which remains absent from official narratives and continues to face structural discrimination within Mauritian society.

Chagossians are marginalized not only as exiles but also as part of the wider Creole and African-descended population of Mauritius. Their continued exclusion from education policy, cultural recognition, and national development reflects a broader denial of their history and rights. Furthermore, the government's selective engagement with only one Chagossian organization—the Chagos Refugees Group—has undermined participatory representation and excluded key associations such as the Chagossians Association Chagos Asylum People and the Comité Social des Chagossiens.

This submission calls on the Committee to include in the LOIPR a set of targeted questions pressing the State party to explain how it will meet its obligations to the Chagossian people under the Covenant, including recognition of their cultural identity, reparation for past violations, and respect for their right to shape their own future.

2. Colonial History and Legal Violations

Between 1965 and 1973, the entire Chagossian population—around 5,000 people—was forcibly removed by the United Kingdom from the Chagos Archipelago to Mauritius and the Seychelles to allow the construction of a U.S. military base on Diego Garcia. The deportation was carried out through service withdrawal, intimidation, and deliberate misinformation.

The detachment of Chagos in 1965, just prior to Mauritian independence, occurred without the free, prior, and informed consent of its inhabitants—violating UN General Assembly Resolution 1514 (1960). In 1966, the UK leased Diego Garcia to the U.S., classifying Chagossians as “contract workers” to evade international law. In 2019, the International Court of Justice (ICJ) found this detachment illegal. The UN General Assembly echoed this ruling in Resolution 73/295.

Yet Chagossians remain barred from their homeland. Many were offended to be described as “Mauritians of Chagossian origin” during UN proceedings—a misrepresentation that erases their distinct identity, especially for those exiled to the Seychelles.

Complicity and the Politics of Dispossession

The Chagossian deportation was shaped by geopolitical arrangements. Mauritius and Seychelles received incentives in exchange for silence.

- 2.1 The 1965 Detachment: Mauritian leaders were pressured into accepting the detachment of Chagos in return for vague promises of aid and fishing rights—promises that were never fulfilled.
- 2.2 The 1966 Military Lease: The UK-US agreement explicitly required the islands to be cleared of their population. Declassified documents reveal the callous disregard for human consequences.
- 2.3 Misused Development Aid: Mauritius received £4 million, allegedly for resettling Chagossians. The funds were diverted into general budgets while Chagossians languished in slums like Cassis and Roche-Bois. In Seychelles, UK-funded aid similarly failed to reach the displaced.
- 2.4 Institutional Distrust: Mauritius has never publicly acknowledged its role in the deportation. Broken promises and exclusion from state processes have fostered lasting distrust.

3. Legal Status and the Right to Self-Determination

The Chagossians have inhabited the archipelago for over two centuries, forming a unique cultural and social identity. Their removal and continued exclusion from political decisions violate established principles of international law.

- 3.1 International Legal Framework: UNGA Resolutions 1514 (1960), 2066 (1965), 2232 (1966), and 2357 (1967) uphold the right to self-determination and condemn the dismemberment of colonial territories. Chagossians were never consulted at any stage.
- 3.2 The 2019 ICJ Opinion: While the ICJ ruled the UK's administration of Chagos unlawful, it failed to recognize the Chagossians as legal subjects. Judge Gaja, in his separate opinion, affirmed that compensation cannot substitute for self-determination.
- 3.3 Exclusion from Negotiations: Ongoing UK-Mauritius discussions, including those in 2025, have excluded most Chagossian associations. Agreements were signed without free, prior, and informed consent—rendering them illegitimate under international standards.
- 3.4 ICESCR Article 1: This article guarantees all peoples the right to freely pursue their economic, social, and cultural development. Both the UK and Mauritius remain in breach of this obligation by denying Chagossians meaningful participation, restitution, and cultural recognition.

4. The Chagossians and the right to the sea

The Chagossians' indigenous rights to the sea are fundamental to their cultural identity, livelihood, and historical connection to the Chagos Archipelago. As a people with deep roots in the region, their rights to access, use, and manage marine resources in their ancestral waters are crucial for their sustenance and cultural practices. The forced removal from their homeland has significantly impacted their relationship with the sea, limiting their ability to engage in traditional fishing and cultural activities that have been passed down through generations.

International law recognizes the rights of indigenous peoples, including their connection to traditional lands and waters. Various frameworks, such as the United Nations Declaration on the Rights of Indigenous Peoples, stress the importance of protecting these rights and ensuring the participation of indigenous communities in decisions affecting their ancestral territories.

The Chagossians' indigenous rights encompass not only their cultural heritage and historical connection to the Chagos Archipelago but also their rights to maritime passage. These rights are essential for their ability to navigate and utilize the waters surrounding their ancestral home, which hold significant cultural, economic, and spiritual value for their community.

Maritime passage rights affirm the Chagossians' ability to access their traditional fishing grounds and engage in cultural practices tied to the sea. Access to these waters is crucial for food security, economic sustainability, and the preservation of their cultural identity. As indigenous peoples, the Chagossians have a recognized claim to their maritime environment under various international legal frameworks, including the United Nations Declaration on the Rights of Indigenous Peoples, which acknowledges the rights of indigenous communities to maintain their cultural identities and livelihoods.

The recent ruling by the International Tribunal for the Law of the Sea (ITLOS) regarding the maritime dispute between the Maldives and Mauritius has indeed strengthened Mauritius' claims over the surrounding maritime areas. This development has created heightened concerns among the Chagossians regarding their rights to access and utilize the sea, as these rights may be perceived as being transferred to Mauritius.

There are significant concerns among the Chagossians regarding the potential consequences if Mauritius were to take ownership of the Chagos Archipelago. Many fear that this could lead to the exploitation of the islands and their surrounding waters through

overfishing, driven by inadequately regulated fishing contracts, as well as the extraction of mineral resources and unregulated tourism activities.

Chagossians are particularly worried that the Mauritian government might benefit financially from maritime passage fees and other economic activities related to the region, without consulting or involving the Chagossian community in decision-making processes. This lack of consultation could result in continued marginalization of the Chagossian people, further eroding their cultural and economic rights.

The apprehension is that such exploitation could occur unchecked, with little recourse for the Chagossians, raising concerns about accountability and the potential for mismanagement and corruption in the administration of these resources. The Chagossians are the best guardians of their land and sea. This situation highlights the need for recognition of Chagossian rights and participation in any decisions concerning their ancestral lands and waters to ensure that their voices are heard, and their interests are safeguarded.

5. Key Human Rights Challenges for Chagossians in

Mauritius

Most Chagossians in Mauritius today were born in exile, descendants of those forcibly removed from the Chagos Archipelago between 1965 and 1973. Though they have never lived on their ancestral islands, they remain deeply connected to them, both culturally and spiritually. In Mauritius, they face a double burden: the trauma and dispossession inherited from forced displacement, and the systemic discrimination long endured by Creole descendants of enslaved people. This intersectional exclusion—social, economic, and political—continues to deny them justice, dignity, and full participation in society. The following section outlines the key human rights challenges they face today.

5.1 Continued Marginalization

The Mauritian Government works exclusively with the Groupe Réfugiés Chagos, to whom many advantages have been given, excluding other important organizations such as the Chagossians Association Chagos Asylum People and the Comité Social des Chagossiens. This narrow engagement limits representation and participation within the Chagossian community. As a result, Chagossians remain excluded from policymaking, sovereignty negotiations, and reparations frameworks, perpetuating their social and economic marginalization.

5.2 Violations of the Right to Self-Determination

Chagossians are denied their collective and cultural rights through a lack of consultation in restitution and compensation processes. Decisions affecting their political status and cultural identity are made without their free, prior, and informed consent, violating their right to self-determination under international law.

5.3 Economic Disenfranchisement and Poverty

Deported from their ancestral fishing grounds, most Chagossians lost their primary source of livelihood. Living in overcrowded Mauritian suburbs, many face poverty, inadequate housing, and limited access to clean water. Government restrictions on fishing permits prevent many from legally fishing or selling fish. On Agalega island, Chagossians work in coconut plantations under harsh conditions, and since Cyclone Chido, they have suffered from prolonged lack of electricity, internet, clean water, and healthcare access. Pregnant women must leave the island to give birth, often finding no proper housing and relying on refugee centers in Mauritius, deepening economic hardship.

5.4 Educational Disadvantages

Chagossian children face language barriers, as Creole is not supported in Mauritian schools. This statement can be acknowledged in Cycle 3 of the Universal Periodic Review of Mauritius, where Trinidad and Tobago raised the issue of Creole participation and success in education and the status of the Creole language in education and government. This results in low academic achievement and limited access to higher education, perpetuating social and economic exclusion.

5.5 Fragmentation and Community Division

State policies have fostered divisions within the Chagossian community, weakening collective representation and reducing their ability to advocate effectively for rights and reparations.

5.6 Legal and Institutional Barriers

Excluding key groups like the Chagossians Association Chagos Asylum People and Comité Social des Chagossiens, the Mauritian Government limits the community's access to justice. Legal remedies are scarce, and compensation mechanisms are politicized and manipulated, denying Chagossians fair participation and redress.

6. Proposed Questions and Recommendations for the List of Issues Prior to Reporting (LOIPR)

A. Right to Self-Determination (Article 1)

- What measures has the State party taken to ensure that the rights of the Chagossian people, as an Indigenous population, in relation to their ancestral lands, culture, and identity are respected in line with international human rights standards?
- How does the State party reconcile its sovereignty claims with the Chagossians' right to self-determination, cultural development, and participation in decisions affecting their future?

B. Accountability and Reparations for Diego Garcia Deportees

- What concrete steps has the State party taken to ensure recognition, restitution, or adequate compensation specifically for Chagossians born on Diego Garcia, who remain prohibited from returning to their ancestral land despite international legal findings affirming their right to return?
- Given that the recent UK–Mauritius treaty includes the creation of a £40 million trust fund for Chagossians, how does the State party ensure that this mechanism delivers fair redress for Diego-born Chagossians, whose displacement and continued exclusion constitute serious violations of their cultural, territorial, and Indigenous rights?

C. Non-Discrimination and Cultural Inclusion (Articles 2, 3, 15)

- Are all Chagossian organizations equitably involved in shaping national cultural initiatives, or is participation limited to a single entity such as the Groupe Réfugiés Chagos (GRC)?
- What steps has the State party taken to ensure inclusive and plural representation of the Chagossian community in cultural policy and heritage preservation?

D. Adequate Standard of Living and Livelihoods (Article 11)

- What programs are in place to provide decent housing and basic services to Chagossian families living in underserved areas such as Cassis, Roche-Bois, and Baie du Tombeau?
- What measures exist to combat poverty among Chagossians and guarantee access to clean water, food, electricity, and sanitation?
- What measures are being taken to ensure reliable access to water, electricity, and internet services for Chagossian communities living in Port Louis suburbs?

- What support is provided to revive Chagossians' traditional livelihood of fishing, including access to permits, coastal areas, and cooperatives?
- Are there recorded cases where Chagossians have been denied fishing permits, and on what legal or administrative grounds?
- What affirmative measures are being taken to recognize and protect fishing as a core element of Chagossian cultural and economic life?

E. Right to Work (Articles 6–7)

- What employment or vocational training programs are targeted toward historically marginalized communities, including Chagossians and Creole Mauritians?
- What steps are taken to combat discrimination in recruitment, particularly affecting women employed in domestic and informal sectors?

F. Right to Education (Article 13)

- What initiatives exist to improve educational access and quality for Chagossian children and youth?
- What strategies address low literacy and historical disadvantage among adult Chagossians?
- What measures combat systemic discrimination in education, particularly in marginalized suburbs with underperforming public schools where many Chagossians live?
- Have targeted interventions—such as tutoring programs, improved school infrastructure, teacher training, or affirmative action—been implemented to address this gap?
- Does the national curriculum include the history, forced displacement, and identity of the Chagossian people?

G. Right to Health and Maternal Rights (Article 12)

- Has the State developed trauma-informed mental health services tailored to displaced and historically marginalized communities such as the Chagossians?
- What efforts are being made to ensure that women—particularly Chagossian, Agalégan, and Creole Mauritian women—can give birth safely in their communities, including on remote islands like Agalega?
- Why are women reportedly prohibited or discouraged from giving birth in Agalega, and what measures are being taken to improve maternal health services, sanitation, and infrastructure there and on the mainland?
- What actions are being taken to ensure that Chagossian and Creole women living in Agalega have access to basic minimum living conditions, including healthcare, housing, and sanitation?

H. Right to Social Security (Article 9)

- What policies are in place to guarantee access to pensions, disability benefits, and public assistance for elderly or unemployed Chagossians, particularly those working in the informal economy?

I. Compensation and Reparative Justice

- What steps has the State party taken to formally acknowledge its role in the Chagossians' forced displacement and to establish a transparent, community-led mechanism for reparations?
- Have any forms of direct compensation—monetary, symbolic, or programmatic—been offered to affected individuals or their families?

J. Rights to the Sea and Participation in Maritime Resource Management

- What measures has the State party adopted to uphold the Chagossian people's Indigenous rights to access, use, and manage maritime resources in their ancestral waters, in line with international law and the United Nations Declaration on the Rights of Indigenous Peoples?
- How does the State ensure Chagossian participation in decisions related to maritime passage, fishing permits, and marine resource management in the Chagos Archipelago—especially amid concerns over exploitation, overfishing, and lack of consultation?

K. Transparency and Governance of the £40 Million UK–Mauritius Fund

- What safeguards exist to ensure that the £40 million UK–Mauritius trust fund (established in 2025) is administered transparently and with the full participation of Chagossian-led bodies?
- What monitoring mechanisms track the allocation of funds and guarantee tangible benefits to displaced Chagossian communities worldwide?
- Why were Chagossians excluded from the fund's design and oversight, and how does the State intend to rectify this exclusion?

7. Conclusion and Final Call to the Committee

More than half a century after their deportation, Chagossians, along with many Creole Mauritians and Agalégan residents, continue to face systemic exclusion and precarity. The State party has a legal and moral responsibility to ensure full recognition of their identity, reparative justice, and equitable access to rights and services.

The Association des Chagossiens de France respectfully urges the Committee to:

Include these concerns in the LOIPR for Mauritius;

Demand time-bound and transparent measures aligned with the ICESCR;

Recognize that without restoring the right to self-determination, no policy reform or compensation can be truly just or complete.

Justice for the Chagossians begins with recognition, participation, and the full restoration of their dignity, autonomy, and historical truth.

8. References

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12. UN Declaration on the Rights of Indigenous Peoples (UNDRIP), GA Resolution 61/295, 2007.