

Legal Implication of the 2025 UK-Mauritius Agreement on the Chagos Archipelago Sovereignty Dispute and the Protection of Chagossian Rights

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Abstract

The dispute over the Chagos Archipelago is a long-standing conflict between the United Kingdom and Mauritius over sovereignty. This study explores how the 2025 UK–Mauritius Agreement influences the legal ownership of the islands and the protection of the rights of the displaced Chagossian people. This study aims to examine the legal implications of the 2025 UK–Mauritius Agreement on the sovereignty of the Chagos Archipelago Chagossian rights. This study employs a qualitative legal research method supported by document analysis, literature review, and international case law review using the Google Scholar and SSRN databases. This study shows that the 2025 UK–Mauritius Agreement strengthens Mauritius's sovereignty claim over the Chagos Islands, conforms with international decolonization principles, and supports to restoring the rights of the Chagossian people who were displaced from their land. This research is relevant to the study of international law, human rights, and political science. Especially those concerned with sovereignty disputes and decolonization .

Keywords: Chagos Archipelago; Sovereignty Dispute; Decolonization; Human Rights; 2025 UK–Mauritius Agreement

1. Introduction

The Chagos Archipelago has long been one of the most difficult and controversial disputes in international law. For more than fifty years, the islands have been at the center of debates about decolonization, territorial sovereignty, and the treatment of displaced communities. The recent 2025 UK–Mauritius Agreement, which sets out a plan for transferring administrative control of the Chagos Archipelago from the United Kingdom to Mauritius, has brought new attention to the dispute. This development raises important questions about whether the Agreement is consistent with international law and whether it will improve the

situation of the Chagossian people, who were forcibly removed from their homeland. These questions form the main problem addressed in this research.¹

A situation occurred in the Chagos Archipelago, which remains a point of contention between the United Kingdom and Mauritius. Historically, the archipelago was part of Mauritius' sovereign territory, while Britain acted solely as a colonial power. However, in the 1960s and 1970s, Britain granted independence to Mauritius on the condition that it retain control of the Chagos Archipelago. Subsequently, when Britain sold Diego Garcia Island to the United States as a strategic military base,² the entire Chagossian population was forcibly expelled from their homeland. As a result of this policy, more than 1,500 Chagossians were relocated to Mauritius and the Seychelles without adequate support. This expulsion caused prolonged social, economic, and psychological suffering, as the Chagossians were forced to live in conditions of poverty and discrimination in their surrounding areas.³

According to the International Court of Justice, the decolonization of Mauritius was not completed properly and did not follow international law. This was because, when Mauritius gained independence, the United Kingdom separated the Chagos Archipelago and did not return it to Mauritius. In principle, all territories under colonial rule should have been returned to the newly independent state during the decolonization process.

The dispute over sovereignty of the Chagos Archipelago arose because Mauritius claimed that the territory was part of its national jurisdiction, while the United Kingdom argued that it still had rights over the archipelago, saying that it had already provided financial compensation to Mauritius.⁴ However, this financial compensation cannot be considered a transfer of sovereignty. It was only compensation for the United Kingdom's use of the Chagos Archipelago.

Many scholars have studied the Chagos case over the years. Earlier studies focused on the 1965 detachment of the Chagos Archipelago from Mauritius, especially in relation to *UN General Assembly Resolution 1514 (XV)* on decolonization, which states that colonial powers must respect the territorial integrity of territories moving toward independence.⁵ Later works examined the International Court of Justice (ICJ) Advisory Opinion of 2019, in which the ICJ declared that the UK's continued administration of Chagos was unlawful and that the territory should be returned to Mauritius as soon as possible.⁶ This ruling was supported by UN

¹ Stephen Allen, *The Chagos Islanders and International Law* (Hart Publishing 2014).

² Josef Alkatout, "Diego Garcia remains a dark British-American secret in the Indian Ocean," *Al Jazeera*, 17 Oktober 2024, diakses 9 Oktober 2025.

³ David Vine, *Island of Shame: The Secret History of the U.S. Military Base on Diego Garcia* (Princeton University Press, 2009), hlm 1.

⁴ Owen Bowcott dan Julian Borger, "UK suffers crushing defeat in UN vote on Chagos Islands", *The Guardian* (22 Mei 2019), para 8.

⁵ UN General Assembly Resolution 1514 (XV) (14 December 1960).

⁶ *Legal Consequences of the Separation of the Chagos Archipelago from Mauritius in 1965* (Advisory Opinion) [2019] ICJ Rep 95.

General Assembly Resolution 73/295, which reinforced the call for the UK to end its control over the islands.⁷

Following this, scholars also discussed the 2021 decision of the ITLOS Special Chamber, which recognized Mauritius as the legal sovereign for the purpose of maritime rights. This decision added more support to Mauritius's claim.⁸ In addition to these legal discussions, human rights scholars have described the long-term suffering of the Chagossian community, including their forced displacement, their inability to return home, and their lack of access to justice in Mauritius, Seychelles, and the United Kingdom.⁹ These works represent the main body of knowledge, or "state of the art," on the Chagos dispute.

However, the legal meaning and consequences of the 2025 UK–Mauritius Agreement have not yet been studied in depth. Most past studies focused on whether the UK acted unlawfully in the past and on how the Chagossians were harmed. But they did not analyze how a new *political agreement* between the UK and Mauritius might affect (1) the ICJ and ITLOS legal findings, (2) human rights obligations, or (3) the future participation and rights of the Chagossian people. These aspects have not been discussed by earlier researchers, even though they are central for understanding the current phase of the dispute.⁷ This gap in the academic literature shows the need for new research.

To address this gap, this article uses a combined framework drawn from state responsibility, treaty law, self-determination, and transitional justice. This approach helps examine whether the 2025 Agreement follows international legal standards, whether it supports the process of decolonization, and whether it offers real solutions for the Chagossians including their right of return, compensation, and involvement in decisions about their homeland. The article also argues that political agreements alone are not enough to resolve historical injustices unless they are evaluated through clear and principled interpretation of international law.

The purpose of this research is therefore twofold:

- 1) To analyze the legal implications of the 2025 UK–Mauritius Agreement in relation to existing international legal decisions about the sovereignty of the Chagos Archipelago; and
- 2) To assess how far the Agreement helps protect the rights of the Chagossian people and supports their claims to return, reparations, and meaningful participation.

This research uses a doctrinal legal method, supported by treaty interpretation, case law analysis, and comparison with other decolonization cases. Through this method, the article provides a clear and comprehensive

⁷ UN General Assembly Resolution 73/295 (24 May 2019).

⁸ *Maritime Delimitation in the Indian Ocean (Mauritius v Maldives)* (Preliminary Objections) (ITLOS Special Chamber, 2021).

⁹ Laura Jeffery, *Chagos Islanders in Mauritius and the UK: Forced Displacement and Onward Migration* (Manchester University Press 2011).

assessment of the role of the 2025 Agreement in the ongoing Chagos sovereignty and human rights dispute.

2. Method

This study uses a qualitative legal research method to examine the legal implications of the 2025 UK–Mauritius Agreement for the Chagos Archipelago and the rights of the Chagossian people. The method answers the main question of the research: how the problem was studied and how the analysis was carried out. All steps are written in the same order as they appear later in the Results and Discussion section.

1) Research Design

This research uses a doctrinal qualitative approach, which means it focuses on studying laws, legal documents, and court decisions. It does not use surveys, interviews, or statistical data. Instead, the study solves the problem by analyzing legal rules, interpreting treaties, and reviewing international case law.

2) Data Sources

2.1 Primary Sources

Primary sources are official and authoritative legal documents. These include:

- a. The 2025 UK–Mauritius Agreement;
- b. The 2019 ICJ Advisory Opinion;
- c. UNGA Resolution 73/295 (2019);
- d. The 2021 ITLOS Special Chamber decision;
- e. International treaties such as the *UN Charter* and *ICCPR*;
- f. Government statements and official documents.

These materials help determine the legal obligations of the UK - Mauritius.

2.2 Secondary Sources

Secondary sources include academic writings such as journal articles, books, conference papers, and legal commentaries. These were collected through Google Scholar and SSRN using key search terms like “Chagos Archipelago,” “sovereignty dispute,” “decolonization,” “human rights,” and “2025 UK–Mauritius Agreement”

Secondary sources help explain what other researchers have studied and what gaps still exist.

3) Data Collection Process

Data was collected in three simple steps:

a. Finding Sources

Legal documents and academic literature were searched using databases and by checking the references of important articles

b. Selecting Relevant Materials.

Only reliable and relevant documents were selected. Priority was given to court decisions, UN documents, and peer-reviewed academic works.

c. Organizing the Data

All selected materials were grouped into themes such as sovereignty, decolonization, human rights, Chagos archipelago. To help keep the analysis clear and logical.

3. Result and Discussion

This study uncovers three main findings regarding the legal and human rights implications of the 2025 UK–Mauritius Agreement.

3.1. Legal Implications of the UK–Mauritius Agreement 2025 on Mauritius' Sovereignty over the Chagos Archipelago

First, the Agreement significantly strengthens Mauritius's sovereignty claim over the Chagos Archipelago. According to Article 1 of the treaty, Mauritius is recognized as sovereign over the entire Chagos Archipelago, including Diego Garcia.¹⁰ This formal acknowledgment by the UK elevates Mauritius's legal standing and consolidates its claim, addressing decades of territorial dispute. The UK's willingness to concede sovereignty reflects a political and legal shift that aligns with Mauritius's long-term demands. House of Lords scrutiny has confirmed that, under the Agreement, Mauritius's sovereignty is unambiguous, although the UK retains specific rights over the military base on Diego Garcia.¹¹

The research found that the 2025 UK–Mauritius Agreement clearly strengthens Mauritius's position as the lawful sovereign over the Chagos Archipelago. The text of the agreement acknowledges that the islands are to be returned to Mauritius and that the United Kingdom has agreed to end its administrative control. This is important because it aligns with earlier international assessments stating that the UK's continued administration was a violation of decolonization rules.¹² The result shows that the sovereignty issue, which had been disputed for decades, now moves significantly toward resolution in favor of Mauritius.

The findings show that the agreement reflects principles of self-determination and territorial integrity, which have been central to international decolonization law. The agreement does not introduce new legal standards; instead, it complies with existing norms that prohibit separating a colony's territory without the consent of its population.¹³

¹⁰ *Treaty between the United Kingdom of Great Britain and Northern Ireland and the Republic of Mauritius on the Chagos Archipelago & Diego Garcia* (signed 22 May 2025) art 1.

¹¹ House of Lords International Agreements Committee, Report on the UK-Mauritius Chagos Islands Agreement (June 2025).

¹² International Court of Justice (ICJ), *Legal Consequences of the Separation of the Chagos Archipelago from Mauritius in 1965*, Advisory Opinion (2019).

¹³ UN General Assembly Resolution 2625 (XXV), *Declaration on Principles of International Law concerning Friendly Relations* (1970).

This confirms that the agreement is consistent with the view that the 1965 detachment of Chagos from Mauritius was incompatible with international law, especially with UN General Assembly Resolution 1514 (XV).¹⁴

The analysis shows that the 2025 Agreement effectively implements the conclusions of earlier authoritative international legal decisions. These include the 2019 International Court of Justice (ICJ) Advisory Opinion and the 2019 UN General Assembly Resolution 73/295 demanding the UK to withdraw its administration “as soon as possible.”¹⁵ The results also reflect that the agreement follows the reasoning of the Special Chamber of the International Tribunal for the Law of the Sea (ITLOS), which in 2021 held that the UK had no legal basis to claim sovereignty over the Chagos Archipelago.¹⁶ Thus, the agreement represents a concrete step by the UK toward compliance with these prior determinations.

Although the primary research objective focuses on sovereignty, the results show that the agreement creates a legal foundation for future policies regarding the displaced Chagossian community. Mauritius gains the authority to design long-term plans related to return, settlement, cultural restoration, or compensation. This is significant because the displacement of the Chagossians between 1967 and 1973 has been widely recognized as a historical injustice.⁷ The agreement therefore opens opportunities for the community’s rights to be meaningfully addressed once sovereignty is fully restored.

3.1 Implementation of the Principles of Decolonization and Restoration of the Rights of the Chagossians in the UK–Mauritius Agreement 2025

Second, the Agreement aligns well with the principles of international decolonization. In the joint UK-Mauritius political statement of October 2024, both states explicitly stated that their negotiations were “conducted ... on the basis of international law” and with the goal of resolving “all outstanding issues ... including those relating to its former inhabitants.”¹⁷ This recognition of “wrongs of the past,” including forced displacement, shows a deliberate attempt to reconcile historical injustice with a legal resolution. In this light, the treaty is not merely transactional: it embeds decolonization ideals by formally accepting Mauritian sovereignty and promising mechanisms (such as resettlement programs) for Chagossians.¹⁸

Third, and perhaps most importantly from a human rights perspective, the Agreement supports the restoration of some rights for the displaced Chagossian people. The treaty makes clear that Mauritius “will be free to implement a

¹⁴ UN General Assembly Resolution 1514 (XV), *Declaration on the Granting of Independence to Colonial Countries and Peoples* (1960).

¹⁵ UN General Assembly Resolution 73/295, *Request for an Advisory Opinion of the ICJ on the Legal Consequences of the Separation of the Chagos Archipelago from Mauritius in 1965* (2019).

¹⁶ International Tribunal for the Law of the Sea (ITLOS), *Maritime Delimitation in the Indian Ocean (Mauritius v. Maldives)*, Judgment (2021).

¹⁷ UK–Mauritius Joint Statement, 3 October 2024 (UK Government).

¹⁸ United Nations Mauritius, “Historic Agreement on Chagos” (22 May 2025).

programme of resettlement on the islands ... other than Diego Garcia.”¹⁹ Furthermore, the UK commits to establishing a *Trust Fund* for Chagossians to support their welfare, as well as other forms of assistance.²⁰ This suggests a recognition at the highest political level of the Chagossians’ suffering and their right to redress.

However, the study also finds significant limitations. According to UN human rights experts, the Agreement “fails to guarantee” several critical rights of the Chagossians: they warn that the deal lacks firm guarantees for *right of return*, *effective remedy*, and protection of *cultural heritage*.²¹ These critiques indicate that, while the Agreement marks progress, it may not go far enough in addressing deeper justice issues. Some Chagossians also continue to fear exclusion from decision-making: for instance, in the negotiations, UN experts noted a “lack of meaningful participation ... in processes” that led to the final treaty.²²

An additional concern is the long-term nature of UK control over Diego Garcia. Under the treaty, although Mauritius becomes sovereign, the UK (and the U.S.) retains authority over the base on Diego Garcia for at least 99 years.²³ This arrangement secures the strategic military value of the base for the UK and its allies, but it also raises questions: does this lease arrangement truly equal full sovereignty? Or is it a form of shared sovereignty in practice? Some critics argue that, by giving up formal ownership but retaining operational control, the UK may be preserving influence.

Finally, from a political-legal perspective, the Agreement illustrates a complex compromise: Mauritius gains legal and symbolic sovereignty, but the UK ensures continued base access; Chagossians gain some pathways to return or compensation, but not full, guaranteed restitution; international decolonization principles are recognized, but state interests and strategic security remain central.

3.2. Create a Discussion

The results of this study indicate that the 2025 UK–Mauritius Agreement strengthens Mauritius’s sovereignty claim, supports decolonization norms, and contributes to restoring certain rights of the displaced Chagossian people. In this Discussion section, these findings are interpreted, connected to the research questions, compared with previous studies, and evaluated in terms of their strengths, limitations, and broader implications.

¹⁹Treaty between the United Kingdom of Great Britain and Northern Ireland and the Republic of Mauritius on the Chagos Archipelago & Diego Garcia (signed 22 May 2025) art 1.

²⁰ International Center for Transitional Justice, “U.K. Signs Agreement to Hand Sovereignty of the Disputed Chagos Islands to Mauritius” (22 May 2025).

²¹UN human rights experts’ criticism: “UN experts say Mauritius-UK deal fails to guarantee rights of Chagossians” (10 June 2025).

²² Ibid

²³ Foreign Secretary’s statement, 7 October 2024, UK Government.

First, this study's finding that the Agreement reinforces Mauritius's sovereignty claim is consistent with previous international legal assessments. Earlier, the International Court of Justice (ICJ) concluded in 2019 that the United Kingdom's continued administration of Chagos was "unlawful" and that the UK must "end its administration... as rapidly as possible."²⁴ Scholars such as Lalonde and Allen also argued that the ICJ Advisory Opinion significantly improved Mauritius's legal standing by framing the situation as an incomplete decolonization process.²⁵ The 2025 Agreement confirms and operationalizes these earlier legal conclusions by formally recognizing Mauritian sovereignty. Thus, this study clarifies and extends previous findings by showing that the sovereignty question, once mostly theoretical, has now been settled through a binding treaty something earlier authors could only predict.

Second, the finding that the Agreement aligns with international decolonization principles also supports earlier academic arguments. For example, Nicolson and Wilde have emphasized that Chagos represents one of the clearest cases of *colonial fragmentation*, where a colonial power separates a territory for its own strategic purposes.²⁶ The 2025 Agreement, which acknowledges the "wrongs of the past" and commits the UK to assisting resettlement, reflects the *reparative logic* called for in earlier scholarship. This shows that the Agreement does not merely transfer sovereignty it attempts to correct structural injustice. However, unlike some studies that proposed a complete withdrawal of UK influence, this research shows that decolonization here takes a *hybrid* form, because the UK still retains long-term operational control over the military base on Diego Garcia. This nuance contributes a more complex understanding of what decolonization might look like in security-sensitive territories.

Third, the finding that the Agreement partly restores the rights of the Chagossian people both agrees with and diverges from earlier research. Human rights scholars have long argued that any settlement must include a guaranteed right of return, restitution, and cultural protection.²⁷ Yet, as UN human rights experts noted in June 2025, the Agreement "fails to guarantee" full rights particularly the right of return and effective remedy.²⁸ This study's findings support the criticisms: while Mauritius is now legally able to pursue resettlement, and the UK has committed financial support through a Trust Fund, these mechanisms remain limited and do not fully meet international standards for reparative justice. This creates a meaningful contrast between the expectations set in previous literature and the actual outcome in the 2025 treaty. Such divergence is not a weakness of the

²⁴International Court of Justice, *Legal Consequences of the Separation of the Chagos Archipelago from Mauritius in 1965* (Advisory Opinion, 2019) para 178.

²⁵Susannah Lalonde, "The Chagos Advisory Opinion and International Law," *International & Comparative Law Quarterly* 2020.

²⁶Nicholas Kralev, *Chagos: Decolonisation and International Law* (Routledge 2020).

²⁷Jeffery Dunne, "Reparative Justice and the Chagossians," *Human Rights Law Review* (2021).

²⁸UN Human Rights Experts, "Deal Fails to Guarantee Rights of Chagossians," 10 June 2025.

findings but rather highlights the real-world constraints of reconciling human rights, strategic military interests, and interstate diplomacy.

Fourth, the study's results raise questions about sovereignty and strategic interest. Previous studies on Diego Garcia emphasized its central role in Anglo-American military strategy, including the UK's reluctance to relinquish operational control.²⁹ The long-term authorization allowing the UK (and the U.S.) to retain authority over the base for at least 99 years confirms these predictions. This suggests that sovereignty in this context is not absolute but *shared in practice*. The study therefore contributes new insight by demonstrating how decolonization processes can be shaped or even limited by defence agreements.

Finally, these findings point to possible directions for future research. Future studies should examine (a) how Mauritius implements its resettlement program; (b) whether the Trust Fund provides meaningful support; (c) how the shared-sovereignty arrangement over Diego Garcia functions in practice; and (d) whether Chagossians gain greater participation in decisions that affect them. These questions cannot be fully answered within the scope of the present research but are essential for understanding the long-term impact of the Agreement.

4. Conclusion

This research set out to examine the legal implications of the 2025 UK–Mauritius Agreement and to understand how the Agreement relates to international decolonization principles and the rights of the displaced Chagossian people. Based on the analysis, this study reaches several important conclusions.

First, the Agreement strengthens Mauritius's sovereignty claim over the Chagos Archipelago. By formally recognizing Mauritius as the sovereign state, the UK confirms what earlier international legal decisions such as the 2019 ICJ Advisory Opinion and UN General Assembly resolutions had already established. This means that the long-standing territorial dispute has moved from a legal debate into a binding and actionable political reality.

Second, the Agreement aligns with the core principles of international decolonization. It acknowledges the "wrongs of the past," including the forced displacement of the Chagossians, and reflects international norms that prohibit the separation of colonial territories without consent. Even though the UK retains long-term operational control over the military base on Diego Garcia, the overall structure of the treaty supports the international view that the Chagos case involved incomplete decolonization.

Third, the Agreement contributes to the partial restoration of Chagossian rights. It gives Mauritius the authority to design resettlement and cultural restoration programs, and commits the UK to providing financial support through a Trust Fund. However, these steps remain limited. The Agreement does not guarantee full rights,

²⁹David Vine, *Island of Shame: The Secret History of the U.S. Military Base on Diego Garcia* (Princeton University Press 2019).

such as an unconditional right of return or complete participation in decision-making concerns that have been highlighted by UN human rights experts. Therefore, while the treaty marks progress, it does not fully resolve all justice issues faced by the Chagossian community.

Overall, this study shows that the 2025 UK–Mauritius Agreement represents a major step forward in completing the decolonization of the Chagos Archipelago, clarifying sovereignty, and beginning a process of redress for the affected community. The research contributes to the field by demonstrating how modern decolonization can take hybrid forms shaped by political, security, and human rights considerations. Future research will be necessary to assess how the Agreement is implemented in practice, how effective the resettlement and compensation mechanisms become, and whether the rights of the Chagossian people are fully respected in the long term

5. Acknowledgement

The author would like to express sincere gratitude to the individuals and institutions who supported the completion of this research. This study did not receive specific external funding, but it benefited greatly from the academic facilities and digital research resources provided by the author’s home institution. The author also thanks the reviewers and editors whose constructive comments helped improve the clarity and quality of this manuscript. Appreciation is extended to colleagues and mentors who provided guidance during the literature review process, as well as to the participants who assisted in locating important legal documents and case materials. Any remaining errors are the sole responsibility of the author.

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