



Expert Mechanism on the Rights of Indigenous Peoples

Sixteenth session 17-21 July 2023

20th July 2023

Speaker: Pascalina Nellan

Item 13: Proposals to be submitted to the Human Rights Council for its consideration and approval

Distinguished delegates, member states and distinguished representatives. We are the Chagossians. What we heard from the Mauritius permanent mission is the classic response of a colonial settler societies. They've come here to try to make us invisible again but we are organised and we will continue to fight and to be well organised as a people with all indigenous relatives around the world. We welcome multi lateral discussions with the UK, the USA and Mauritius to resolve our demand for our territory and sovereignty. We Chagossians remain in exile, removed from our islands and forbidden to return. Our treatment at the hands of the UK and US Governments has been described by Human Rights Watch in a report of March 2023 as a "crime against humanity". We would like to make a few specific recommendations based on our experience.

Chagossians and other indigenous groups have been excluded from negotiations between nation states about the sovereignty of their indigenous territories. Mauritius and the UK are currently deciding our future and the future of our lands and oceans without our involvement. The UN needs to ensure there are mechanisms embedded in all decision- making processes which safeguard indigenous rights.

This includes bodies such as the International Court of Justice and the International Tribunal of the Law of the Sea. In both cases decisions were made about the sovereignty of our territories without consulting the indigenous population. It seems incredible to us that such important tribunals can make decisions without reference to indigenous peoples. We urge the Human Rights Council to address this injustice.

Chagossians are forbidden from entering their own territory by a UK Order in Council. However others can work there on renewable contracts, but without permanent residence rights. This denial of our right to live on our native lands

is a gross abuse of our human and indigenous rights. We urge the HRC to investigate as soon as possible.

Chagossians are still waiting for reparations and restitution for their forced removal and their ill treatment and dispossession. We urge the HRC to investigate these injustices. We urge the HRC to create new conventions and sanctions to ensure member states observe their obligations to respect the human rights of indigenous peoples.

I thank you for your attention.