



KING ETHELRED'S COLLEGE OF ENGINEERING

Established in 978 (ish)

DEPARTMENT OF STRATEGIC GEOGRAPHY, INTERNATIONAL LAW,
CROWN WORKS AND APPLIED COMMON SENSE

FILED UNDER THE WRONG OCEAN: THE CHAGOS ARCHIPELAGO, THE PRECEDENT, AND THE COST OF RENTING YOUR OWN HOUSE

Being a Crown Works assessment of the Agreement of 22 May 2025, conducted under the rule the College applied to the Falkland Islands; with a note on who was asked, who was not, and who is watching



A departmental research thesis prepared under the College Fellowship Ordinance
(Crown Works: the Realm, the Surprise Thereof, Before Breakfast)

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*Fortitudine.
Ingenio.
Tea and biscuits.*



UPPER PIDDLINGTON - SEPTEMBER 2026

ABSTRACT

On 22 May 2025 the United Kingdom signed an Agreement to give the Chagos Archipelago to Mauritius and to rent back the island on which its base stands, for ninety-nine years, at a price the Government states as £3.4 billion, its own actuaries as £34.7 billion, and the Bursar as 'both, depending on who is asking'. The Agreement is not in force. Its ratification has been suspended since January 2026, when the President of the United States called it an act of great stupidity; on 22 September 2026, sitting beside the new Prime Minister at the United Nations, he called it terrible, ridiculous and strategically very important, in that order.[1,2] Mauritius has meanwhile threatened to sue. The College was asked what it thinks.

The College thinks the islands should be kept, and this paper says why, by the College's own rule. In its Falklands monograph the College held that a place belongs to the people who live in it, not to whoever held the file, and not to whoever is nearest; it tested that rule by applying it to Britain and re-inspecting any version that produced a British claim on Calais.[3] Applied to the Chagos Archipelago the rule points at the Chagossians, some two thousand people whom Britain removed between 1967 and 1973 to build the base, and whom nobody, in sixty years of courts, resolutions and treaties, has asked. The Mauritian claim rests on the fact that from 1814 to 1965 the islands were administered from Port Louis as a dependency of a colony, which is true, and which is a filing arrangement. Port Louis is 1,336 miles from Diego Garcia. Buenos Aires has argued proximity and history over 486 miles for a hundred and ninety years, and the College would prefer not to hand it a precedent.

The paper states the law without flinching: the International Court of Justice found against Britain by thirteen votes to one, the General Assembly by a hundred and sixteen to six, and two tribunals of the sea have followed. It also states what those findings are: advisory, without a clock, and reached by a route that was only necessary because the United Kingdom is the one permanent member of the Security Council that accepts the Court's compulsory jurisdiction at all, and excepts the Commonwealth. The Department finds that no obligation binds; that the base is not made safer by paying a third party for it; that the one United Nations body which has looked at the Chagossians themselves has asked both governments to stop; and that the Map Cupboard has opened an Indian Ocean drawer and filed it, on reflection, under the Atlantic.

Research status. This is a fictional thesis of a fictional college; the College's opinion is the College's. The history, the Agreement and its figures, the judgments and resolutions, the declaration at The Hague, the Committee's decision of December 2025, the statements of the President, the Prime Minister, ministers, peers, Mauritius and the Chagossian groups are real and referenced; where a source is a newspaper, a think-tank or a post on X the paper says so. The Department, its Fellow, the Map Cupboard, the Parish's claim on the Porters' Lodge and the trial in Chapter 8 are not. The Chagossians were wronged by this country, and the paper says so in plain words. The jokes are about Whitehall, Port Louis, the Bursar and the College. None is about them.

Keywords: Chagos Archipelago; Diego Garcia; British Indian Ocean Territory; Mauritius; Chagossians; self-determination; advisory opinion; optional clause; precedent; Falkland Islands; Jersey; net present value; the Calais test; the Map Cupboard.

ACKNOWLEDGEMENTS

Professor Sir Peregrine W. Fortescue, Senior Fellow, whose Falklands monograph supplied the rule, read this paper with a ruler on the desk and did not pick it up. He has asked that this be recorded as his opinion.

Miss Honoria Catchpole of the Æthelred Library of Useful Numbers has taken in three totals for one rent, which she holds facing one another, and the decision of a United Nations committee, which she has filed facing the resolution of a United Nations assembly. She reports that the drawer closes, but only just.

Professor Cuthbert Widdowson-Bligh, of the Chair of Large Numbers and Difficult Formulae, was shown the Falklands referendum of 2013, one thousand five hundred and thirteen to three. He observed that three is a large number for a place that size, and that he would like to meet them.

The Bursar has read Chapter 4 three times, once by each method. He reports that the College's overdraft is £3.4 billion by the third and asks whether the bank will accept it.

Major (Retd.) Alistair MacTavish was consulted on Diego Garcia and observed, without being asked, that it is a rifle, a brew and not moving, in the middle of an ocean, and that the proposal is to move.

Mrs Enid Partridge of the Senior Common Room was asked, in plain words, whether a thing you pay rent on is yours. Her answer is given in Section 4.4 and took less time than the negotiations.

Mr Arthur Stobbs, Clerk of Works, was asked whether the ha-ha constitutes a maritime boundary. He said that it constitutes a ha-ha, and that he will not be drawn.

Gerald was not consulted. The Map Cupboard's new drawer is on his side of the workshop, and nobody has asked him either, which the Department notes is the theme of the paper.

Statement on nomenclature. 'The islands' means the Chagos Archipelago; 'the Territory' means the British Indian Ocean Territory, which the United Kingdom created from them on 8 November 1965; 'the base' means the United States naval support facility on Diego Garcia; 'the Agreement' means the treaty of 22 May 2025; 'the Opinion' means the advisory opinion of the International Court of Justice of 25 February 2019; 'the rule' means the College's rule from the Falklands monograph; 'the Cupboard' means the South Atlantic Map Cupboard, in which things are filed under the wrong ocean.

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NOMENCLATURE

Symbol	Meaning
Advisory opinion	The Court's answer to a question the General Assembly asked it. Not a judgment; nobody is bound
Calais test	The College's check on any rule of sovereignty: apply it to Britain, and re-inspect any version that gives France Calais
Chagossians	The people of the islands, removed by Britain between 1967 and 1973; now chiefly in Mauritius, the Seychelles and Crawley
Dependency	A place administered from another place for administrative convenience. A filing arrangement, not a country
Diego Garcia	The largest island, 27 square kilometres of dry land, and the base. 1,336 miles from Port Louis
Net present value	A method of adding up future payments so that they come to less. Legitimate, and to be declared
Optional clause	A state's standing acceptance of the Court's compulsory jurisdiction. Britain has one, with exceptions
Precedent	What everybody else does with what you did
Resolution 1514	The General Assembly's declaration of 1960 on colonial peoples: paragraph 6 forbids dismembering a country
Self-determination	The right of a people to decide their own political status. The College applies it to the people
The Cupboard	The South Atlantic Map Cupboard. It now has an Indian Ocean drawer. See Section 2.4
The rule	A place belongs to the people who live in it. Fortescue, 2026
Uti possidetis	The principle that new states keep the borders they had as colonies. Latin for "as you possess"; Mauritian for "as you filed"

1 INTRODUCTION

1.1 The question as put

The commission reached the Department on the evening of 22 September 2026, a few hours after the President of the United States, asked at the United Nations whether he supported the Chagos deal, replied that he did not, that it was terrible, that somebody had claimed ownership who 'never showed up before after decades and centuries', and that the location was 'very, very strategic'.^[1] The Prime Minister, in his first meeting with the President since taking office in July, said the two of them had been talking about it.^[1] The reader's brief was that the College believes the islands should be retained; that giving them to a country they were never part of and then paying to use them is madness; that the optics are bad for the Falklands and that France could ask for Jersey; that a United Nations body has said the Chagossians have the same right of self-determination as anyone; that Argentina and China are watching; and that the paper should be funny, but accurate.

The Department has taken the last instruction as governing the others. Where the brief is right it says so, and where the brief needs a correction the correction is made in the text and not in a footnote, because the College's case is stronger on the facts as they are than on the facts as they are usually told.

1.2 Why this Department

The Department of Strategic Geography, International Law, Crown Works and Applied Common Sense keeps the South Atlantic Map Cupboard, in which the College's charts are filed under the wrong ocean, and it wrote the Falklands monograph, in which the Senior Fellow examined the competing historical claims to those islands and concluded that constitutional questions should not be decided with a ruler.^[3] It is the Department that owns the rule this paper applies, and it is the Department that must live with the result if the rule, applied to a different ocean, gives a different answer. That is what a rule is for.

1.3 Method

Chapter 2 sets out the islands and their history, including the part that is inconvenient. Chapter 3 states the law as it stands, and what it binds. Chapter 4 reads the Agreement and adds it up three ways. Chapter 5 applies the College's rule and the Calais test. Chapter 6 is about the Chagossians, and has few jokes. Chapter 7 is about who is watching. Chapter 8 is the Department's own trial, which is fiction and says so. Distances are great-circle distances in miles and are worked in Appendix A, because the last two Crown Works papers found that the distances in the newspapers had been measured to the wrong building.

College hypothesis. A rule that gives the right answer in the South Atlantic and the wrong answer in the Indian Ocean was not a rule. The Department expects the rule to hold, and the file to lose.

2 THE ISLANDS, AND THE FILE

2.1 Where they are

The Chagos Archipelago is a group of more than sixty islands on seven atolls in the middle of the Indian Ocean, with a combined dry land of about 56 square kilometres, of which Diego Garcia, a horseshoe atoll at the southern end, accounts for 27.[4,33] The nearest capital is Malé, in the Maldives, 798 miles to the north. Port Louis, the capital of Mauritius, is 1,336 miles to the south-west. London is 5,880 miles away, which is the distance at which the Cupboard usually starts filing things under the Atlantic.[Appendix A]

The base on Diego Garcia has a wharf and a runway that, in the words of a witness to the House of Lords, are 'not easily replicated elsewhere', and the island is 'the pivot point between the Middle East and the Indo-Pacific'.[5] It supports long-range bombers, submarines and the region's logistics. The United Kingdom keeps about fifty military personnel there; the United States about two thousand civilians and contractors and more than three hundred troops.[5] The Minister told the Lords that the base is 'our most significant contribution to the transatlantic defence and security relationship',[5] which the Department accepts, and which is an unusual thing to say about a place one is proposing to give away.



Figure 2.1: The South Atlantic Map Cupboard, with its new drawer. The Department's reconstruction. The drawer is labelled Indian Ocean. It is in the Atlantic section.

2.2 The part of the history that is inconvenient

The reader's brief says the islands were never part of Mauritius. The Department must correct this before anybody else does. France settled the archipelago in the eighteenth century and administered it as a dependency of the Île de France; the Treaty of Paris of 1814 ceded 'the Isle of France and its dependencies' to Britain; and from 1814 until 8 November 1965 the United Kingdom administered the Chagos Archipelago as a dependency of the colony of Mauritius, by means of magistrates and commissioners who visited from Port Louis.[6,7] For a hundred and fifty-one years, that is, the islands were in the Mauritius file. That is the whole of the Mauritian case, and it is true.

What it is not is a country. A dependency of a colony was an arrangement made by clerks for the convenience of clerks: the islands were in the Mauritius file because Port Louis had the nearest magistrate, and New Zealand was for a time in the New South Wales file for the same reason, without Australia having since claimed it.[8] The Henry Jackson Society calls it 'an imperial administrative boundary, not a national boundary', and quotes a United Nations text to the effect that old dependency relationships confer no right of direction on the state that once represented them.[9] The Department's own authority on the point is the Cupboard. Things are filed in it under the wrong ocean every week. None of them has become that ocean's.

2.3 The detachment, the bargain and the removal

In 1965, three years before Mauritian independence, Britain detached the archipelago and, with three islands from the Seychelles, made it the British Indian Ocean Territory. The Mauritian ministers said detachment would be 'unacceptable to public opinion' and proposed a lease; Britain raised its offer from one million pounds to three, added an undertaking to return the islands when no longer needed for defence, and the Mauritian leaders agreed in principle at Lancaster House on the afternoon of 23 September 1965.[6] The Seychelles islands went back on that country's independence in 1976. The Chagos islands did not.[6]

In 1966 Britain and the United States exchanged notes giving the Americans the use of the Territory for fifty years, extendable to 2036; Britain received, in a since-declassified addendum, a discount of fourteen million dollars on Polaris missiles.[4] Between 1967 and 1973 the entire population of the archipelago, upwards of a thousand people, was removed or prevented from returning; the main removal from Diego Garcia was in July and September 1971.[7,10] Diego Garcia had 924 inhabitants in 1966.[4] The Department states this as what it was: the removal of a people from their homes by this country, so that another country could build on them. Nothing in the rest of this paper is offered in mitigation of it.

Date	Event	Where filed
1814	Treaty of Paris: the Île de France and its dependencies to Britain	Mauritius
1814 to 1965	Administered as a dependency of the colony of Mauritius	Mauritius
23 September 1965	Lancaster House: detachment agreed in principle for £3 million and an undertaking	Pending
8 November 1965	British Indian Ocean Territory created	Its own file
30 December 1966	Exchange of notes with the United States: 50 years, plus 20	Washington
1967 to 1973	The population removed	Nowhere
12 March 1968	Mauritius independent	Port Louis
1 April 2010	Marine Protected Area declared; held unlawful by arbitration in 2015	Under the sea
25 February 2019	The Opinion: 13 to 1	The Hague
22 May 2019	General Assembly resolution 73/295: 116 to 6	New York
3 October 2024	Britain agrees to hand over the islands	Whitehall
22 May 2025	The Agreement signed. Not in force	Both capitals
20 January 2026	'Total weakness and great stupidity.' Ratification suspended	Truth Social
22 September 2026	'Terrible ... ridiculous ... very, very strategic'	The United Nations

Table 2.1: The file. Sources: references 1, 2, 4, 6, 7 and 11.

2.4 The Cupboard

On receipt of the commission the Department opened an Indian Ocean drawer in the South Atlantic Map Cupboard, the first in its history. Miss Catchpole was consulted on where to put it and replied that the Cupboard is a South Atlantic cupboard, that it has always held everything, and that the correct place for an Indian Ocean drawer in a South Atlantic cupboard is wherever it fits. It fits under the Atlantic. The Department records this as the College's one contribution to the theory of dependencies: a thing does not become part of what it is filed under, and the person who filed it knows this better than anyone.

Finding. The islands were in the Mauritius file from 1814 to 1965. A file is not a country. The people who lived on the islands were removed by Britain, which is the wrong this paper does not excuse and the Agreement does not remedy.

3 THE LAW, AS IT STANDS

3.1 What the courts have said

The Department does not intend to be caught pretending the law is on its side. In 2015 an arbitral tribunal held that the marine protected area Britain had declared around the islands was created in breach of the law of the sea.[6] In 2017 the General Assembly, by 94 votes to 15, asked the International Court of Justice for an advisory opinion.[11] On 25 February 2019 the Court found, by thirteen votes to one, that the decolonisation of Mauritius had not been lawfully completed when the islands were detached in 1965 without the free and genuine expression of the will of the people, in breach of resolution 1514 of 1960, and that the United Kingdom was 'under an obligation to bring to an end its administration of the Chagos Archipelago as rapidly as possible'.[11] On 22 May 2019 the General Assembly welcomed the Opinion by 116 votes to 6, with 56 abstentions; Australia, Hungary, Israel, the Maldives and the United States voted with Britain, and China abstained.[6,11] In January 2021 the Tribunal for the Law of the Sea, settling a boundary between Mauritius and the Maldives, treated the matter as decided.[6] The College is not a court and does not dispute what these bodies found. It asks what the findings are.

3.2 What an advisory opinion binds

An advisory opinion is the Court's answer to a question put to it by a United Nations organ. It is not a judgment between parties, and it binds nobody, which the Court itself says.[9,12] Chatham House puts it fairly: not binding, but 'a highly authoritative rendering of the law', on which other courts and tribunals have since based decisions, some of them binding on the parties before them.[34] The Commons Library distinguishes the non-binding decisions given so far from 'the risk of a future binding legal judgment', which is the risk the Government cites.[35] Britain is entitled to weigh all of this, which is what a government is for. The Opinion's operative words are 'as rapidly as possible'. They contain no date. A body that wished to comply with them could reasonably say, as the Henry Jackson Society suggests, that it accepts the obligation and will decide when compliance is possible;[9] and a body that wished to comply with them by giving away the islands and renting them back has, the Department notes, chosen the one reading under which it pays. Mr Stobbs, asked what 'as rapidly as possible' means, said that it is what he has told the Bursar about the boiler-house roof since 1987, and that the roof is still there.

3.3 The optional clause, and why the case took the route it took

The reader may ask why Mauritius did not simply sue. The answer is in a document at The Hague dated 22 February 2017, which the Department has read in full.[13] The United Kingdom accepts the compulsory jurisdiction of the International Court of Justice, under the optional clause of the Court's Statute, over all disputes arising after 1 January 1987, with exceptions. The second exception is 'any dispute with the government of any other country which is or has been a Member of the Commonwealth'. Mauritius is a member of the Commonwealth. It therefore could not bring a contentious case, and went instead to the General Assembly for a question to be asked on its behalf, which is the route by which a non-binding answer was obtained and then treated by the Government as though it were binding.

The Department adds a fact that the debate in Britain has not found room for. Of the five permanent members of the Security Council, the United Kingdom is the only one with a declaration under the optional clause at all.[14] The United States withdrew its own in 1986; China, France and Russia have none. When the Attorney General told the General Assembly that this country accepts the Court's compulsory jurisdiction, he was reporting a fact of ninety years' standing, and one that the other four have not thought it necessary to share.[15] The College regards this as creditable, and as a reason for being careful what one does with advice, since Britain is the one power whose promises in that building are taken at their word. Professor Fortescue adds that a country which excepts its own family from a court is not being evasive but sensible, and that the College excludes disputes with the Senior Common Room from every jurisdiction it has, on the same principle.

3.4 The Government's case

The Government's case is that without the Agreement 'international legal proceedings could have rendered the base inoperable', and that the Agreement secures it.[16] The Lords committee that examined the treaty heard 'differing legal interpretations of whether the UK was required to transfer sovereignty' and concluded that the decision to proceed 'was ultimately political';[5] the peers of the International Agreements Committee, for their part, concluded that the deal was not perfect but should be ratified because the Government could not ignore the risk of an adverse decision.[6] The Department has looked for the proceeding that would render the base inoperable and has found the advice of one court, the resolution of one assembly, a boundary between two other states, and an arbitration about fish. None has a bailiff.

Finding. The weight of international legal authority is against Britain, and no decision yet given is a judgment that compels a transfer on a date. The Opinion is advice with great weight and no clock; other tribunals have built on it, and some of what they decided binds the parties before them. The case reached the Court by the one door Britain had left open, and Britain is the only permanent member that leaves any door open at all.

4 THE AGREEMENT, READ AND ADDED UP

4.1 The terms

The Agreement of 22 May 2025 transfers sovereignty over the whole archipelago to Mauritius on entry into force, and grants the United Kingdom, for an initial ninety-nine years, the rights and authorities of Mauritius over Diego Garcia needed for the operation of the base, with a right to extend for forty years and, the Government says, a right of first refusal thereafter.[5,8] Mauritius may terminate on two grounds only, non-payment and use of the base to attack Mauritius, and if a joint commission cannot settle the matter Britain may take it to arbitration.[5,35] Within 24 nautical miles of Diego Garcia nothing may be built at sea without both parties' agreement, and any development beyond the island requires a Mauritian security review.[35] The United Kingdom undertakes to 'expeditiously inform Mauritius of any armed attack on a third State directly emanating from the Base'; the Minister says this does not mean in advance, and a former judge of the Court thinks that in good faith it cannot.[5] Mauritius is 'free to' resettle the outer islands; resettlement on Diego Garcia is prohibited.[5] A trust fund of forty million pounds for the Chagosians is to be funded by Britain and established by Mauritius; the Lords' International Agreements Committee found that the Agreement 'does not provide any detail as to how they will be administered and audited'.[5,35] The Government states that the treaty gives it 'an effective veto on all development in the Chagos archipelago' and bans foreign security forces from the outer islands.[17]

4.2 The rent, three ways

The payments are these. For years one to three, £165 million a year. For years four to thirteen, £120 million a year. From year fourteen to year ninety-nine, £120 million a year indexed to the GDP deflator. In year two, £40 million to the trust fund. From year four, for twenty-five years, £45 million a year to Mauritius for development, not indexed.[5,8] The Government describes this as 'an average of £101 million a year' and 'a net present value of £3.4 billion', which is 'less than 0.2 per cent of the annual defence budget'.[18] Full Fact, deflating the schedule to 2025-26 prices, makes the total 'just over £10 billion'.[12] The Government Actuary's Department, in a paper obtained under the Freedom of Information Act, put the nominal sum, on its own assumed path of inflation and before any discounting, at £34.7 billion.[18] The three figures are not in dispute with one another. They are the same payments, added up three ways, and Figure 4.1 shows them.

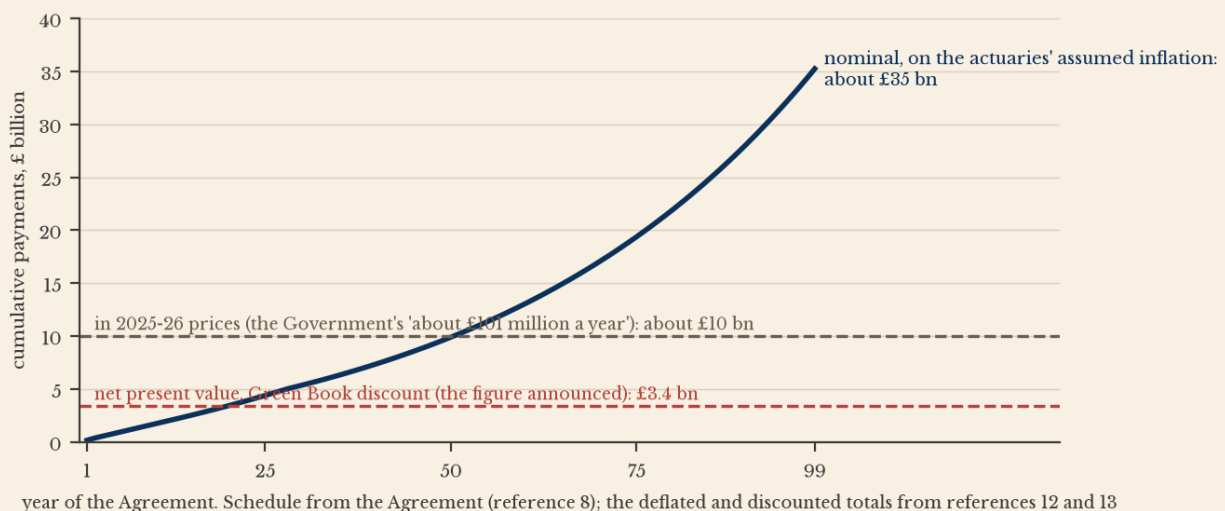


Figure 4.1: The same payments, three ways of adding them up. The schedule is from the Agreement; the indexation is taken at the 2.3 per cent a year the actuaries used. Sources: references 5, 8, 12 and 18; arithmetic in Appendix A.

The Department has no quarrel with net present value, which is how the Treasury's Green Book says long projects are to be compared, and every quarrel with announcing the smallest of three true numbers as though it were the only one. The Prime Minister of the day told the Commons in February 2025 that estimates of nine to eighteen billion were 'absolutely wide of the mark', [18] which they were, in the direction of modesty. The Bursar, shown the three totals, asked which method the College might use for its own accounts, was told the third, and has since described the College's overdraft as a net present liability of considerable elegance.

How it is added up	Total	Who uses it	Comparable to
Nominal, on the actuaries' assumed inflation	£34.7 bn	The Government Actuary's Department	Ten aircraft carriers, says the Telegraph
In 2025-26 prices	About £10 bn	Full Fact; the OBR deflator	A hundred years of £101 million
Net present value, discounted	£3.4 bn	The Government, in every announcement	0.2 per cent of one year's defence budget, each year, for 99 years

Table 4.1: One rent, three totals. Sources: references 12 and 18. The Bursar has initialled all three.

4.3 What the money compares with

The Minister told the Lords that France pays Djibouti about 85 million euros a year for a base fifteen times smaller, so that £101 million for Diego Garcia is 'the right price'. The committee replied that this 'draws a false equivalence between size and cost'. [5] The Department observes a simpler difference. France rents Djibouti from Djibouti. The proposal here is that Britain should give Diego Garcia to Mauritius in order to rent it from Mauritius, which is not a basing arrangement but a conveyancing one, and a poor one, since the vendor keeps the freehold and the purchaser pays for the sale. The United States, which uses the base, pays the United Kingdom nothing for the sites and contributes 'several multiples' of the rent to the running costs, in an amount the Minister would not give. [5] In 1965 the price of the islands was three million pounds and a discount on Polaris. In 2025 the price of not having them is £34.7 billion, or £3.4 billion, or £10 billion, and the base.



Figure 4.2: Diego Garcia from the air. The Department's reconstruction from the charts. The runway is at the top of the horseshoe; the lagoon is the harbour; the rent is not shown.

4.4 Mrs Partridge on tenancy

The Department put the arrangement to Mrs Partridge in plain words: the College owns a kettle; it proposes to give the kettle to the Bursar and pay him a hundred and one pounds a year to go on using it, for ninety-nine years, after which he may or may not renew. Mrs Partridge said that if you are paying rent on a thing it is not yours, and that she has never heard of anybody being made safer by a landlord. The Department has spent some time attempting to improve on this as a summary of the Agreement and has not.

Finding. The Agreement gives the islands away and rents one of them back, for a sum that is £3.4 billion, £10 billion or £34.7 billion according to the method, from a landlord who may end the tenancy if the rent stops. A base is not secured by acquiring a landlord. It is secured by not needing one.

5 THE RULE, AND THE CALAIS TEST

5.1 The rule from the South Atlantic

In the Falklands monograph the Senior Fellow considered the Argentine claim, which rests on succession to Spain, on an interrupted possession before 1833 and on proximity, and the British claim, which rests on possession since 1833, and held that neither settles the question, because a place belongs to the people who live in it, and in 2013 those people voted 1,513 to 3, on a turnout of 92 per cent, to remain a British territory.[3,22] The monograph then applied its own rule to Britain, to see whether any version of it gave France a claim on Calais, which the English held for two hundred and eleven years, and re-inspected the versions that did. That is the Calais test, and its merit is that it is symmetrical.

5.2 The rule applied to the Indian Ocean

The Mauritian claim rests on the file (Section 2.2) and on resolution 1514, paragraph 6, which forbids the dismemberment of a country's territory at decolonisation, and the Court held that Mauritius was such a country and the islands part of it.[11] Applied by the College's rule, the claim fails at the first step: nobody who lived on the islands was asked, in 1965 or since. The Court did not ask them; it treated the free and genuine will in question as that of Mauritius, whose ministers had been offered three million pounds.[6,11] The Assembly did not ask them. The Agreement did not ask them; the Lords found that the Government 'missed an opportunity to involve the community in a more meaningful way'.[5] Figure 5.1 sets out who was asked about the islands, and who was not. Professor Widdowson-Bligh, shown it, asked why the last bar has no numbers, and was told that this is the finding.

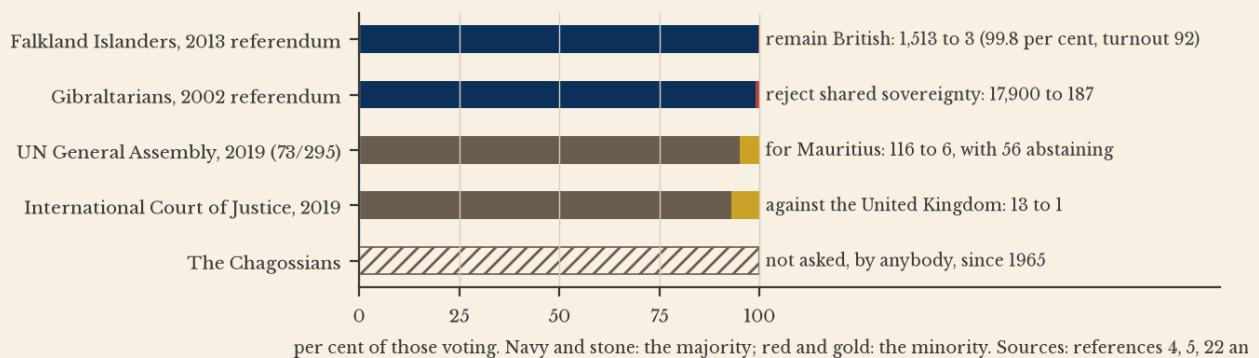


Figure 5.1: Who was asked. The islanders of two British territories, one court, one assembly, and the people of the islands in question. Sources: references 4, 5, 22 and 23.

The rule then asks about history and proximity, and finds that Mauritius has the first, in the form of a filing arrangement, and lacks the second, in the form of 1,336 miles of sea. Argentina's claim to the Falklands has both, in stronger form: an eighteenth-century Spanish title and 486 miles.[3] If the College holds, as it does, that history and proximity did not carry the Falklands, it cannot hold that a weaker history and a greater distance carry the Chagos Archipelago, and it does not. Figure 5.2 shows the distances. The Maldives, nearer than Mauritius, voted with Britain in 2019 and claim nothing.

5.3 The Calais test, run on the Mauritian rule

The test requires the Department to apply the winning rule to Britain. The rule is: a territory administered as a unit at the moment of independence must not be divided, and if it is, the division is undone and the territory goes to the successor state, regardless of who lives there or what they want. The Department ran it. It produces the following. The Channel Islands were administered as part of the Duchy of Normandy until 1204, when the King of France took Normandy and the islands stayed with the English Crown;[19] under the rule, France is entitled to Jersey, 19 miles from its coast, and the hundred thousand people who live there are not to be consulted. The reader's brief put this as a joke. It is a joke only because the rule has not yet been applied to anybody's territory but ours. Jersey, for the record, is a Crown Dependency and not part of the United Kingdom, so the rule would give France a place that is not Britain's to give, which is its difficulty in the Indian Ocean too.

Run the other way, the test is kinder. Britain's own rule, that the people decide, gives France nothing, gives Spain nothing in Gibraltar, where in 2002 the people rejected shared sovereignty by 17,900 votes to 187,[23] and gives Argentina nothing in the Falklands. It gives Mauritius nothing in the Chagos Archipelago either, and it gives the Chagossians a question that nobody has put to them. The Department declines to forward the French claim on Jersey, and records that it exists.

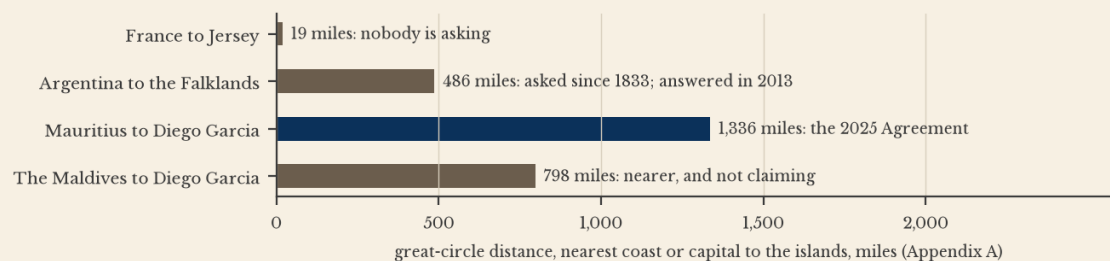


Figure 5.2: How far the claimant is from the claim. Great-circle distances, Appendix A.

5.4 The precedent

A precedent is what everybody else does with what you did. If the United Kingdom gives up a territory on the strength of an advisory opinion, a resolution of the General Assembly and a filing arrangement of 1814, then the next claimant with those three things will produce them, and the Department knows of one with a General Assembly resolution already on file. The Special Committee on Decolonization lists seventeen non-self-governing territories, among them the Falkland Islands, Gibraltar, St Helena and the Pitcairn Islands; its members include China, Cuba, Iran, Russia and Syria; and it has never listed Tibet or Hong Kong, which China has blocked.[9,20] The rule the Agreement accepts is one that the committee's members would not apply to themselves, and that is the precedent: not that Britain gave something away, which countries do, but that it accepted a rule about how, and paid.

Finding. By the College's rule the islands belong to the people who lived on them, who have not been asked. Mauritius has a weaker history and a longer sea than Argentina, whose claim the College has already rejected on those grounds. The Calais test run on the Mauritian rule gives France Jersey. The Department declines to forward it.

6 THE PEOPLE NOBODY ASKED

6.1 Who they are

The Chagossians are the descendants of enslaved and indentured people brought to the islands' coconut plantations under France and Britain, with their own creole and their own music, who identify as a people distinct from Mauritians and are recognised as one by the Human Rights Committee, the Court and the British Government alike.[24] Upwards of a thousand were removed between 1967 and 1973, to Mauritius and the Seychelles, where many lived in poverty;[7,24] many have since come to Britain, and the community in Crawley numbered about three thousand in 2016.[7] In 2008 the House of Lords held that the Government could lawfully keep them out; in 2016 the Government decided against resettlement; in November 2016 it announced a £40 million support package for them, to be spent over ten years in Britain, Mauritius and the Seychelles; by May 2020 about £580,000 of it had been spent, on English lessons and short visits, and by the time the Lords asked, £1.3 million.[5,36] A feasibility study by KPMG found resettlement possible.[24] Human Rights Watch calls their continued exclusion a crime against humanity.[24] This chapter has no jokes in it until the College appears, and few then.

6.2 What the Committee said, and what it did not

The reader's brief says the United Nations has said the Chagossians should have the same right of self-determination as anyone, and that they want to be British. The first part needs its name. On 2 December 2025 the Committee on the Elimination of Racial Discrimination, a body of the United Nations treaty system, adopted a decision under its urgent-action procedure. It recalled that the United Kingdom 'forcibly evicted and displaced the Chagossian people'; noted that the Agreement 'explicitly prevents the return of the Chagossian people to their ancestral lands in Diego Garcia'; was 'gravely concerned about the reported lack of consultation'; called upon both governments 'to suspend the ratification of the bilateral agreement'; and urged them to ensure the Chagossians' free, prior and informed consent, including 'their right to return to their ancestral lands in Diego Garcia Island' and 'their right to self-determination'. [25] The Department has read the decision in full and reproduces its substance because it is the only United Nations text in sixty years that begins with the islanders. It did not say they should be British. It said they should be asked, and that until they are, both governments should stop.

The Department must also say what the rest of the United Nations said, because the Committee is one body and the Assembly is another. The General Assembly, by 116 votes to 6, declared the archipelago 'an integral part of the territory of Mauritius', and the Court treated the self-determination in question as that of Mauritius.[6,11] Miss Catchpole has filed the decision facing the resolution. The drawer closes, she says, but the two do not face each other comfortably, and the Department's view is that of the two, the one that mentions the people is the one to keep.

6.3 What the Chagossians want

The honest answer is that it depends which Chagossians, and that nobody has counted. The Lords committee, which held a roundtable with the community in Britain and Mauritius in December 2024, recorded that the community 'is dispersed and includes a diverse range of voices, not all sharing the same views on the treaty', that 'some of the most vocal opposition to the Agreement has come from Chagossians based in the UK', and that the participants themselves 'stressed the need for a referendum to help clarify the collective will of Chagossians'. [5] The Chagos Refugees Group in Mauritius, counsel for Mauritius told the committee, was involved in Mauritius's long case and in the hearings at The Hague.[5] In December 2025 Chagossians in Britain declared a government-in-exile of 'loyal subjects of His Majesty'; in February 2026 four of them landed on the islands to try to stop the transfer; in September 2026 a report said that thirty-one families had left Mauritius for Britain rather than be handed to it.[9,24,26] The Department reports all of this and draws the conclusion the islanders drew themselves. They asked for a referendum. The College's rule requires one. The Agreement does not provide for one.

6.4 What the Agreement gives them

The Agreement acknowledges 'the wrongs of the past', permits Mauritius to resettle the outer islands if it chooses, prohibits return to Diego Garcia, and gives forty million pounds to a fund that Mauritius will run.[5] The Lords found no convincing evidence to justify excluding Chagossians from Diego Garcia, noted that in Australia indigenous communities live beside defence installations, and observed that of the £40 million announced in 2016, £1.3 million had been spent; how the new fund is to be administered and audited is not yet specified.[5] The Department's finding on this chapter is short, and it is the one on which the College's position rests.

Finding. The people of the islands were removed by Britain and have been asked by nobody. The one United Nations body that began with them has asked both governments to stop and to ask. The Agreement does not ask, does not let them return to the island they came from, and routes their money through a fund to be run from Port Louis, when £1.3 million of the last £40 million was spent at all. The College's rule says: ask them. Nothing else in this paper is needed.

7 WHO IS WATCHING

7.1 Washington

The United States has held every position on the Agreement in turn. The Biden administration wanted it. On 22 May 2025 the Secretary of State welcomed it as securing the base's long-term operation.[6] On 20 January 2026 the President wrote that Diego Garcia was being handed over 'for no reason whatsoever', that the act was one of 'total weakness and great stupidity', that 'China and Russia have noticed', and gave it as a reason for the United States to acquire Greenland;[2] the British Government replied that the deal had been made for national security reasons.[2] In February the State Department said it still supported the deal but wanted a bilateral guarantee of the base;[9] in June there were reports that the United States had considered buying the islands outright.[24] On 22 September 2026 the President, beside the Prime Minister, said: 'I don't support it. I think it's terrible. It was a terrible deal. They all of a sudden say they have ownership. Somebody has ownership that never showed up before after decades and centuries. I think it's ridiculous.' He added that the location was 'very, very strategic', 'unique', 'a very important piece of real estate', and that the Prime Minister 'is going to be looking at it'. The Prime Minister said: 'Yeah.'[1]

The President also said that when the United States bombed Iran's nuclear sites it 'had to send the B-2 bombers back home to Missouri as opposed to flying for a short period of time'.[1] The Department has checked. The seven B-2s of 21-22 June 2025 flew from Whiteman Air Force Base in Missouri and back, about thirty-seven hours in the air, with a decoy flight westward;[27] a squadron had been at Diego Garcia in the spring, and none was seen there by 17 June.[27] Figure 7.1 gives the distances. The President's point, that the base is where one would rather start from, is correct to within a factor of two.

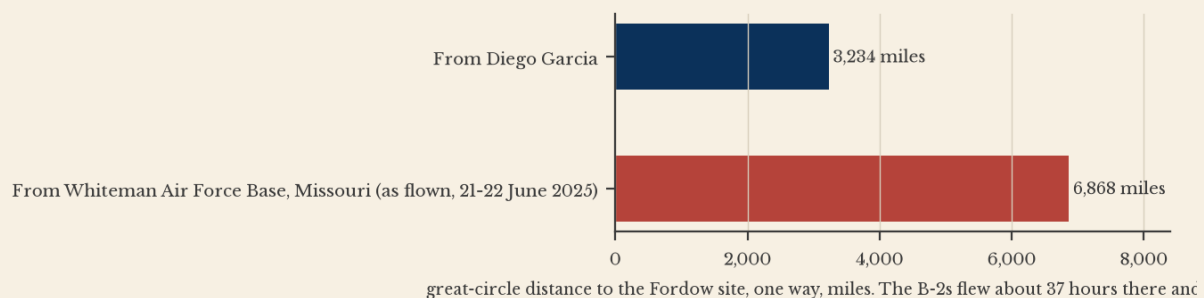


Figure 7.1: The distance to Fordow from the base the Agreement is about and from the base that was used. Sources: reference 27; Appendix A.

7.2 Beijing, and the other view

China abstained in the General Assembly in 2019 and, the shadow foreign secretary wrote, 'has welcomed the treaty since it was signed'; Iran and Russia issued supportive statements to Mauritius.[6,18] A document published by the Conservative Post in January 2026 and attributed to a Chinese whistleblower describes the transfer as a 'window of opportunity' to be worked over five to ten years by patience, finance and the African nuclear-weapon-free-zone treaty; its authenticity has not been confirmed by anybody and the Department reports it as what it is, a document somebody published.[28] The treaty in question, Pelindaba, covers Mauritius and the outer islands; neither Britain nor the United States accepts that it covers Diego Garcia, the Minister assured the Lords that it will not, and the Lords replied that 'the basis for this assurance was not clear'.[5,29]

The Department is obliged by its own rules to give the other view its room, and the other view is not weak. The International Institute for Strategic Studies wrote in July 2025 that fears of Chinese access are 'misplaced': India, not China, is Mauritius's closest partner, Indian nationals hold the

posts of national security adviser and coast guard commander in Port Louis, Mauritius has not joined the Belt and Road, and the Agreement gives Britain a veto on development and a ban on foreign forces in the outer islands.[17] Witnesses to the Lords put China's interest in Diego Garcia as secondary to the Western Pacific and noted that satellites already watch the base whatever the flag.[5] The Department accepts all of it and observes that none of it is an argument for the Agreement. It is an argument that the Agreement's risk is small, which is a different thing from its point, and a small risk of losing the pivot of two oceans, taken on for the benefit of a filing arrangement, is still a risk taken on for a filing arrangement. Major MacTavish, shown the point about satellites, observed that being watched has never been the problem with a position. The problem is being asked to leave it.

7.3 Port Louis

Mauritius signed a free-trade agreement with China in 2019 and, in March 2026, during the American war with Iran, issued a communiqué calling for an immediate ceasefire and noting the view of 'various international lawyers' that the American attack had no legal basis; the same communiqué observed that there was 'no visibility as to when' the Agreement would come into effect.[30] In September 2026 Mauritius threatened to sue over the delay, and the Prime Minister reassured it that Britain remained committed, before flying to New York to be told by the President that the deal was terrible.[1,31] The Department notes that under the Agreement Britain must 'expeditiously inform' Mauritius of any attack launched from the base on a third state, and that Mauritius has now told the world what it thinks of the last one.

7.4 Buenos Aires

The reader's brief says Argentina is watching. The Department has not found an Argentine statement on the Agreement among the sources it read, and will not invent one. It observes that it does not need to. A country that has argued proximity and historical title over 486 miles of sea for a hundred and ninety years, and has been answered by a referendum of 1,513 to 3, does not need to be told when the same arguments have been accepted over 1,336 miles without a vote. The College's fourth South Atlantic paper priced Argentina's next submarines at 2.3 billion dollars.[32] The precedent is cheaper.

Finding. Washington has held every view and settled on 'terrible'. Beijing welcomed the deal and may or may not have written a memorandum about it. Port Louis has taken Iran's side on the last strike from the base and is suing over the delay of the next one. Buenos Aires does not need to be told. Upper Piddlington has opened a drawer.

8 THE DEPARTMENT'S TRIAL

8.1 Method

This chapter is fiction, as is the College. The Department reasoned that the Calais test is a test of rules, and that the College should submit to the Mauritian rule itself before recommending that the country decline it. It therefore invited the Parish Council of Upper Piddlington to consider whether any part of the College had, at some moment of constitutional change, been administered as a unit with the Parish, and if so to claim it.

8.2 The Parish's claim

The Parish found one. Between 1643 and 1660 the Porters' Lodge, then the only building at the gate, was administered by the Parish Vestry, which had the key, along with the pound, the stocks and the College's boating lake, the last of which the Vestry used for the ducking of scolds. At the Restoration the College took the key back without, the Parish says, the free and genuine expression of the will of the Vestry, which had been offered three pounds. The Parish therefore claims the Lodge, the lake and the stocks, and offers to lease the Lodge back to the College for ninety-nine years at eleven guineas a year, indexed, with an option to extend for forty, on condition that the College expeditiously informs the Parish of any porter dispatched from it to a third parish.

8.3 The College's response

The Bursar costed the lease three ways and produced £3,260 in cash, £1,143 in 2026 prices and £320 at net present value, and recommended announcing the third. Mr Stobbs, asked whether the lake had been the Vestry's, said that the lake had been the lake's, that the Vestry had merely ducked people in it, and that he would not be handing over the sluice. Major MacTavish took up a position in the Lodge with a brew. Professor Fortescue applied the rule and found that the people who live in the Lodge are the porters, that they had not been asked, and that when asked they had said no, in the manner the College teaches in DE103. Governing Body, sitting as the Falklands, voted 1,513 to 3 against; the three were the Parish's observers, whom the Professor of Large Numbers has asked to meet.

Element of the claim	The Parish	Mauritius	The College's rule
Administered as a unit	1643 to 1660, with the key	1814 to 1965, with a magistrate	A file
Distance of the claimant	Across the road	1,336 miles	Not decisive; the Falklands, 486
Consent at the change	Three pounds	Three million pounds	Not the same as asking the people
The people who live there	The porters: not asked; asked; no	The Chagossians: not asked	Ask them
The rent	11 guineas, indexed, 99 + 40 years	£120 million, indexed, 99 + 40 years	'If you pay rent on it, it is not yours'
Result	Declined. The porter has the key	Signed. Not in force	Retain, and ask

Table 8.1: The Department's trial. Declared fiction. The Parish has appealed to the Vice-Chancellor, who has one appeal before him already, about a trench.



Figure 8.1: The Parish presents its claim at the Porters' Lodge. The Department's reconstruction. The porter has the key and is not moving.

Departmental observation. A rule you would not accept at your own gate is not a rule you should accept at anybody else's. The College tested the Mauritian rule on the Porters' Lodge and kept the key. It recommends the same to the country, with the difference that the country should first find the people who lived in its Lodge, and ask them.

9 CONCLUSIONS

The Department was asked whether the United Kingdom should retain the Chagos Archipelago. It finds as follows.

- The islands were administered as a dependency of Mauritius from 1814 to 1965. That is a file, not a country, and the reader's brief was wrong to say they were never part of Mauritius and right about everything that follows from the distinction.
- The weight of legal authority is against Britain; no judgment yet given compels a transfer on a date. The Opinion is advisory and has no clock; the case reached the Court by the only door Britain leaves open, and Britain is the one permanent member that leaves one open.
- The Agreement gives the islands away and rents one back for £3.4 billion, £10 billion or £34.7 billion, depending on the method, from a landlord who may end the lease on two stated grounds, after a dispute procedure. A base is not secured by acquiring a landlord.
- By the College's own rule, from the Falklands, a place belongs to the people who live in it. The Chagossians, removed by this country, have been asked by nobody, and the one United Nations body that began with them has told both governments to stop and ask. Their views are divided and uncounted; the islanders themselves have asked for a referendum.
- Mauritius has a weaker history and a longer sea than Argentina, whose claim the College has rejected on those grounds. The rule the Agreement accepts, run through the Calais test, gives France Jersey.
- Washington's settled view, as of 22 September 2026, is 'terrible'. Port Louis has taken Iran's side on the last strike from the base. The other view, that the risk from China is small, is fairly put and is not an argument for the Agreement.
- The islands should be retained; the Agreement should not be ratified; the Chagossians should be asked, by referendum, what they want, and the answer honoured, including on Diego Garcia; and the £40 million should go to them and not through Port Louis. The Department expects the country to be sued, and notes that the last time it was, the result was advice.

Mrs Partridge's ruling. If you are paying rent on it, it is not yours.

Professor Fortescue's ruling. Ask the people who live there. There were people who lived there.

Principal finding. The United Kingdom should keep the Chagos Archipelago, not because the file says so, but because the College's rule says the file does not decide, and the people do, and the people have not been asked. The Agreement is a conveyance in which the vendor keeps the freehold and the purchaser pays for the sale; it settles a claim that binds nobody by creating a precedent that will bind everybody; and it was tested at the Porters' Lodge, where the porter kept the key.

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APPENDIX A - SAMPLE CALCULATIONS

A.1 Distances

Great-circle distances on a sphere of radius 3,958.8 miles, by the haversine formula. Positions: Diego Garcia 7.320 S, 72.423 E; Port Louis 20.161 S, 57.501 E; Malé 4.176 N, 73.509 E; Stanley 51.694 S, 57.858 W; Río Gallegos 51.623 S, 69.218 W; St Helier 49.187 N, 2.107 W; Carteret 49.372 N, 1.786 W; Whiteman AFB 38.730 N, 93.548 W; Fordow 34.885 N, 50.996 E; London 51.507 N, 0.128 W.

Port Louis to Diego Garcia 1,336 miles. Malé to Diego Garcia 798. Río Gallegos to Stanley 486. Carteret to St Helier 19. Diego Garcia to Fordow 3,234. Whiteman to Fordow 6,868. London to Diego Garcia 5,880.

A.2 The rent

Years 1 to 3: $3 \times 165 = 495$. Years 4 to 13: $10 \times 120 = 1,200$. Years 14 to 99: $120 \times (1.023 + 1.023^2 + \dots + 1.023^{86}) = 120 \times 269.3 = 32,320$ (at 2.3 per cent a year). Trust fund: 40 . Development: $25 \times 45 = 1,125$. Cash total about 35,200, in £ million; the actuaries' 34.7 billion uses their own index. In 2025-26 prices the indexed years are $86 \times 120 = 10,320$, plus $495 + 1,200 + 40 + 1,125 = 2,860$, about 13.2 billion before the deflator is applied to the flat years too; Full Fact's 'just over 10 billion' is the official deflation. The net present value of 3.4 billion discounts each year's payment by the Treasury's rate of 3.5 per cent, falling to 3 and 2.5 per cent in later decades.

$34.7 / 3.4 = 10.2$. The Telegraph's 'ten times' holds.

A.3 The votes

Falklands, 2013: $1,513 / 1,516 = 99.8$ per cent. Gibraltar, 2002: $17,900 / 18,087 = 99.0$ per cent. General Assembly, 2019: $116 / 122$ votes cast = 95 per cent, or $116 / 178$ present = 65 per cent. The Court: $13 / 14 = 93$ per cent. The Chagossians: $0 / 0$, undefined.

A.4 The Lodge

11 guineas = £11.55. Cash: $13 \times 11.55 + 11.55 \times 269.3$ (indexed from year 14 at 2.3 per cent) = $150 + 3,110 =$ about £3,260. In 2026 prices: $99 \times 11.55 =$ £1,143. Net present value at 3.5 per cent: $11.55 \times 27.7 =$ about £320. The ratio of the first to the third is ten, as in Section 4.2. The Bursar recommends announcing £320.

APPENDIX B - THE BURSAR'S CARD

Item	Figure	The Bursar's note
The islands, 1965	£3 million and a discount on Polaris	Cheap. We should have kept the receipt
The islands, 2025, cash	£34.7 billion	Dear
The islands, 2025, in today's prices	About £10 billion	Still dear
The islands, 2025, net present value	£3.4 billion	I see. May I use this method?
What the Americans pay for the sites	Nothing	Note the method
The Chagossian package, 2016	£40 million announced; £1.3 million spent	Three per cent. I have contractors like this
The Chagossian fund, 2025	£40 million, to a fund Port Louis will run	See above
The Parish's lease of the Lodge	11 guineas a year, indexed	Declined. The porter has the key
Argentina's next submarines	USD 2.3 billion	The precedent was cheaper

Table B.1: The Bursar's card. Figures from references 5, 6, 12, 18 and 32. He has initialled the fourth line three times.

APPENDIX C - DEPARTMENTAL NOTE

The Department of Strategic Geography, International Law, Crown Works and Applied Common Sense teaches the BA in Strategic Geography and Applied Common Sense (KE02), in which filing practice is taught in the South Atlantic Map Cupboard and every proposed rule is applied to Britain first. From Michaelmas 2026 module SG301, The Calais Test, will include the Agreement of 22 May 2025 as a set text, with the question: 'Run the Mauritian rule on the Channel Islands. Show your working. Do not forward the result.'

The Cupboard's Indian Ocean drawer remains under the Atlantic. The Department has been asked whether this is a comment on the Agreement and replies that it is a comment on the Cupboard, which is older than the Agreement, will outlast it, and has never given anything away.

Persevera Etelred