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This message includes 45 pages, including this cover sheet.

Message: Diego Garcia Judgment

Attached is the High Court's Nov. 3 judgment in the Diego Garcia case. Key paras are 36, 57-59, 61, 71.

In short, court held that the exclusion ordinance went beyond the order setting up BIOT because the BIOT order (though using the standard language to convey the widest possible legislative discretion by the Commissioner) did not allow going as far as removing the whole the population from the territory. The judges expressed doubts whether a government could, in any case, send citizens of the Queen's dominions, not just to another part of the dominions, but out of them altogether (since Mauritius is an independent country).

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