

CROWN OFFICE LIST

IN THE MATTER OF AN APPLICATION FOR JUDICIAL REVIEW

**THE QUEEN -v- THE SECRETARY OF STATE FOR THE FOREIGN &
COMMONWEALTH OFFICE (1)**

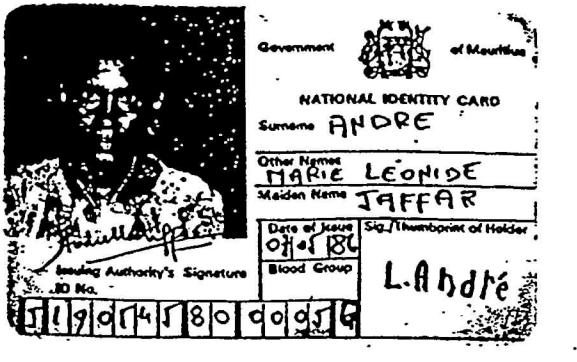
**HM COMMISSIONER FOR THE BRITISH INDIAN
OCEAN TERRITORY (2)**

EX PARTE LOUIS OLIVIER BANCOULT

STATEMENT OF LEONIDE JAFFAR

I, LEONIDE JAFFAR , of Bain des Dames, Cassis, Port Louis, Mauritius, make this Statement in support of the application for Judicial Review herein.

1. I was born on 18 May 1945 on the island of Saloman in the Chagos Islands. I lived and worked there in the coconut processing plant.
2. I travelled to Mauritius as part of a holiday during the month of May in 1967. I was then nearly term carrying a child who was in fact born two days after my arrival in Mauritius on 19 May 1967. The reason why I needed to travel was because another child of mine was sick and had a fever as a result of a leg injury.
3. When my baby was about 10 months old, I went to the offices of Rogers & Co in Mauritius to arrange for a return passage. I was informed by an official of



the Company that the Islands had been sold to the Americans and that it was no longer possible to return to the Chagos Islands.

4. I very much wish to return to Saloman Islands. I have six children aged between 26 and 36 years, and I believe that they all wish to return to the Chagos Archipelago also. I believe that their skills would be useful there, for example one of my children works in a tuna canning factory in Mauritius, and I am aware that tuna are caught in the waters around the Chagos Archipelago.
5. I was extremely distressed at being marooned in Mauritius far from my home, and I have never been able to return there as I very much wish to do.
6. I believe that the facts contained in this witness Statement are true.

SIGNED :JAFFAR LAndré
LEONIDE JAFFAR

DATED :10-11-99.....

CERTIFICATE

I certify that I, Roland CONSTANTIN, Notary Public, of Saint James Court, Port-Louis, Mauritius, have read over the contents of this witness statement and the Declaration of Truth to the witness and explained the nature and effect of the exhibits referred to in it who appeared to understand:

- (a) the statement and approved its contents as accurate, and
- (b) the Declaration of Truth and the consequences of making a false witness statement

and signed the said Statement or made his/her mark in my presence


Roland CONSTANTIN
Authorised under the Laws of Mauritius to Administer Oaths



Dated ..10.11.99.....

CO/3775/98

IN THE HIGH COURT OF JUSTICE
QUEENS BENCH DIVISION
DIVISIONAL COURT

CROWN OFFICE LIST

IN THE MATTER OF AN
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THE QUEEN -v- THE SECRETARY OF
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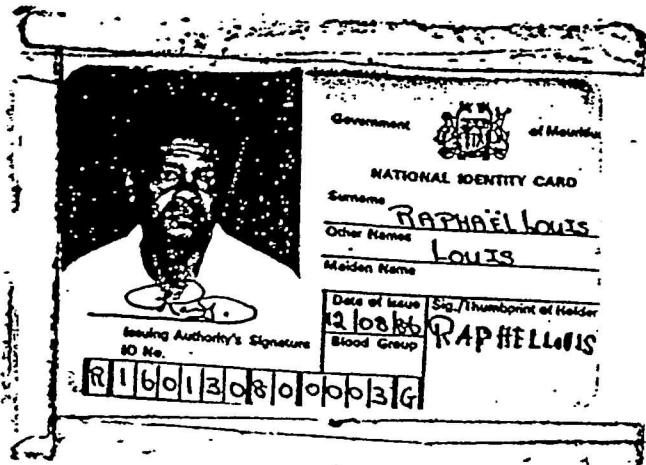
HM COMMISSIONER
FOR THE BRITISH
INDIAN OCEAN
TERRITORY (2)

EX PARTE LOUIS OLIVIER
BANCOULT

STATEMENT OF LEONIDE JAFFAR

SHERIDANS
14 Red Lion Square
London
WC1R 4QL

Tel : 0171 404 0444
Ref : C/010969/9801
WP Ref : PKC00002300



CROWN OFFICE LIST

IN THE MATTER OF AN APPLICATION FOR JUDICIAL REVIEW

THE QUEEN -v- THE SECRETARY OF STATE FOR THE FOREIGN & COMMONWEALTH OFFICE (1)

HM COMMISSIONER FOR THE BRITISH INDIAN OCEAN TERRITORY (2)

EX PARTE LOUIS OLIVIER BANCOULT

STATEMENT OF LOUIS RAPHAEL LOUIS

I, LOUIS RAPHAEL LOUIS, of 152 Cassis Road, Cassis, Port Louis, Mauritius make this Statement in support of the application for Judicial Review herein:

1. I refer to my Affidavit sworn herein on 7 September 1998
2. My late mother, ELISIA BOTMAN, was born on Diego Garcia. My mother never left the Chagos Islands until we were forced to do so in or around 1971, and accordingly when we were removed to Mauritius, this was the first time she had been to any foreign country or any other part of the world.
3. I have seen the film *Peaks of Limuria* shot by the Colonial Office. I confirm that I am depicted amongst the fishermen. I recall the film being made in or around 1965. It was shot and organised by sailors in British Navy uniforms.
4. I wish to return to the Chagos Islands.

5. I believe that the facts contained in this witness Statement are true.

SIGNED : RAPHAEL LOUIS
LOUIS RAPHAEL LOUIS

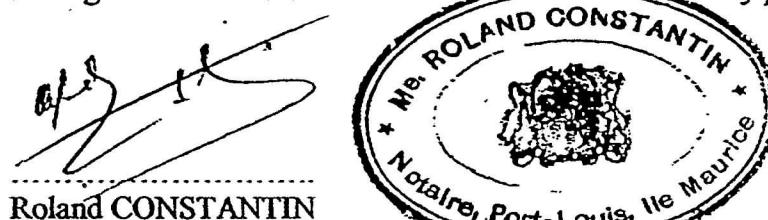
DATED :10.11.99.....

CERTIFICATE

I certify that I, Roland CONSTANTIN, Notary Public, of Saint James Court, Port-Louis, Mauritius, have read over the contents of this witness statement and the Declaration of Truth to the witness and explained the nature and effect of the exhibits referred to in it who appeared to understand:

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Roland CONSTANTIN
Authorised under the Laws of Mauritius to Administer Oaths

Dated 1c. 11.99

CO/3775/98
IN THE HIGH COURT OF JUSTICE
QUEENS BENCH DIVISION
DIVISIONAL COURT

CROWN OFFICE LIST

IN THE MATTER OF AN
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THE QUEEN -v- THE SECRETARY OF
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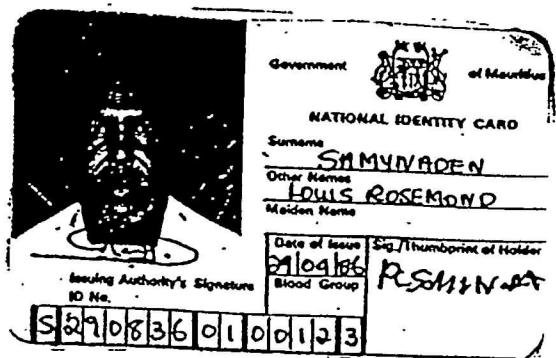
HM COMMISSIONER
FOR THE BRITISH
INDIAN OCEAN
TERRITORY (2)

EX PARTE LOUIS OLIVIER
BANCOULT

STATEMENT OF LOUIS RAPHAEL
LOUIS

SHERIDANS
14 Red Lion Square
London
WC1R 4QL

Tel : 0171 404 0444
Ref : C/010969/9801
WP Ref : PKC00002299



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IN THE MATTER OF AN APPLICATION FOR JUDICIAL REVIEW

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HM COMMISSIONER FOR THE BRITISH INDIAN OCEAN TERRITORY (2)

EX PARTE LOUIS OLIVIER BANCOULT

STATEMENT OF ROZEMONT SAWMYNADEN

I, ROZEMONT SAWMYNADEN, of Cite Ilois, Baine des Tombeau, Port Louis, Mauritius make this Statement in support of the application for Judicial Review herein:

1. I was born on 29 August 1936 on the Island of Boddam Saloman in the Chagos Archipelago (my father was born on Peros Banhos and my mother was born in Mauritius).
2. I was employed by Chagos Agalega Limited from the age of 13 years as a blacksmith, making tools, on the island of Peros Banhos and, later, on Diego Garcia. I never needed a Contract of Employment with the Company. It was not the practice to offer native Ilois written Contracts of Employment.
3. It was not until 1973 that I was told that we would have to leave. Mr Dauphe, an Administrator of Chagos Agalega Limited called us to a meeting and said that the Islands had been sold to the Americans and we would all have to leave. He said that we would receive compensation if we went to Agalega.

However I did not wish to go to Agalega. We were told that we would be abandoned if we refused to leave the islands of Peros Banhos.

6. I would very much like to return to the Chagos Islands. Although I am retired in Mauritius, it was not normal for elderly people to cease work entirely. I would be willing and able to resume work as a blacksmith if permitted to do so in the Chagos Islands, or undertake other mechanical work. I have a wife and six children (four of whom were born on the Chagos Islands). They are all ready to quit their jobs in Mauritius if it were possible to return to the Chagos Islands. I would prefer to live on Diego Garcia, but if necessary would be willing to return to Peros Banhos.
7. I believe that the facts stated in this witness Statement are true.

SIGNED : R. SAWMYNADEN

ROZEMONT SAWMYNADEN

DATED : 10.11.99

CERTIFICATE

I certify that I, Roland CONSTANTIN, Notary Public, of Saint James Court, Port-Louis, Mauritius, have read over the contents of this witness statement and the Declaration of Truth to the witness and explained the nature and effect of the exhibits referred to in it who appeared to understand:

- (a) the statement and approved its contents as accurate, and
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and signed the said Statement or made his/her mark in my presence


.....
Roland CONSTANTIN

Authorised under the Laws of Mauritius to Administer Oaths



Dated 10.11.99....

CO/3775/98

IN THE HIGH COURT OF JUSTICE
QUEENS BENCH DIVISION
DIVISIONAL COURT

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IN THE MATTER OF AN
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THE QUEEN -v- THE SECRETARY OF
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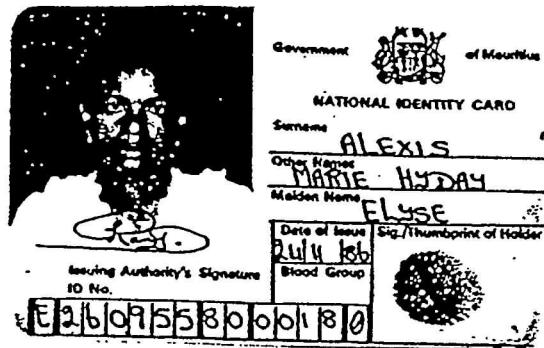
HM COMMISSIONER
FOR THE BRITISH
INDIAN OCEAN
TERRITORY (2)

EX PARTE LOUIS OLIVIER
BANCOULT

STATEMENT OF ROZEMONT
SAWMYNADEN

SHERIDANS
14 Red Lion Square
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WC1R 4QL

Tel : 0171 404 0444
Ref : C/010969/9801
WP Ref : PKC00002297



CROWN OFFICE LIST

IN THE MATTER OF AN APPLICATION FOR JUDICIAL REVIEW

THE QUEEN -v- THE SECRETARY OF STATE FOR THE FOREIGN & COMMONWEALTH OFFICE (1)

HM COMMISSIONER FOR THE BRITISH INDIAN OCEAN TERRITORY (2)

EX PARTE LOUIS OLIVIER BANCOULT

STATEMENT OF MARIE HYDEE LEMAITRE

I, MARIE HYDEE LEMAITRE, of Tagore Street, Cite Valighee, Cassis, Mauritius make this Statement in support of the application for Judicial Review herein.

1. I was born on 5 October 1955 on Peros Banhos in the Chagos Islands. Both my mother and father had been born on Peros Banhos also.
2. I started school at the age of 6 years, and confirm that the village school which I attended had also been attended by my elder brother for six years before me.
3. I have been shown a photograph from an index of Illois photographs prepared by the Applicant herein. I refer to Photograph 46, which is a picture of children attending a school. I confirm that it is a picture of my class at Peros Banhos School, and I am the pupil situated to the far left of the picture.
4. I was 17 years of age upon leaving Peros Banhos in 1972. Before leaving, I had worked for some years as a babysitter for an administrative family from Mauritius, Mr and Mrs Guillemin. They had one baby, and I worked full-time

at their home from 8.00am to 5.00pm. My wages were paid by Mr Guillemin who kept an account of pay due to me. I worked for him for a period of about 3 years, before he himself left Peros Banhos in about 1971. Until that time I had had no dealings with any official of Chagos Agalega Limited or any other company running the Islands. I worked only for Mr and Mrs Guillemin in a private domestic capacity. After Mr Guillemin and his family left I did take work in the coconut plantations for about six months before I, and other Ilois, were required to leave.

5. I now have five children aged between 13 and 27 years. The youngest child is in school but the others are unemployed. I confirm that all my children would wish to go to the Chagos Islands if given the opportunity to do so, as would I. They particularly feel that since they are unemployed in Mauritius, they would much prefer to take the opportunity of employment on the Chagos Islands and to take up residence, if the opportunity were available to them.
6. I believe the facts contained in this Statement are true.

SIGNED :  
MARIE HYDEE LEMAITRE

DATED : *10.11.91*

CERTIFICATE

I certify that I, Roland CONSTANTIN, Notary Public, of Saint James Court, Port-Louis, Mauritius, have read over the contents of this witness statement and the Declaration of Truth to the witness and explained the nature and effect of the exhibits referred to in it who appeared to understand:

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Roland CONSTANTIN
Authorised under the Laws of Mauritius to Administer Oaths

Dated ..10.11.99....

CO/3775/98

IN THE HIGH COURT OF JUSTICE
QUEENS BENCH DIVISION
DIVISIONAL COURT

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IN THE MATTER OF AN
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HM COMMISSIONER
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EX PARTE LOUIS OLIVIER
BANCOULT

STATEMENT OF MARIE HYDEE
LEMAITRE

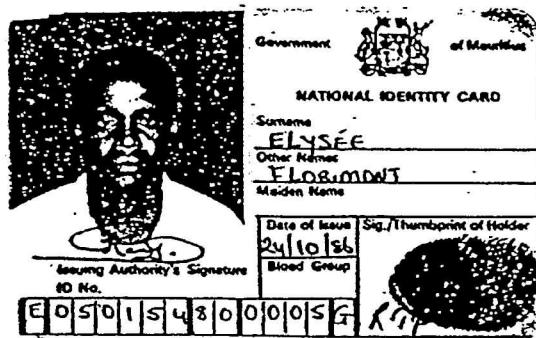
SHERIDANS
14 Red Lion Square
London
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Tel : 0171 404 0444
Ref : C/010969/9801
WP Ref : PKC00002685

JRT
OF JUSTICE
DIVISION
JRT

LIST
ATTER
OF AN
JUDICIAL

CO/3775/98



CROWN OFFICE LIST

IN THE MATTER OF AN APPLICATION FOR JUDICIAL REVIEW

THE QUEEN -v- THE SECRETARY OF STATE FOR THE FOREIGN & COMMONWEALTH OFFICE (1)

HM COMMISSIONER FOR THE BRITISH INDIAN OCEAN TERRITORY (2)

EX PARTE LOUIS OLIVIER BANCOULT

STATEMENT OF FLORIMENT ELYSEE

1. I, FLORIMENT ELYSEE of 15 Cite Ilois, Baie du Tombeau, Mauritius make this Statement in support of the application for Judicial Review herein.
2. I was born on 5 January 1954 on the Island of Diego Garcia.
3. From the age of around 10 I undertook light housework duties for one of the Assistant Administrators of Chagos Agalaga Limited, M. Guillemin. Mr Guillemin was later replaced by Mr Dauphe, and I continued working for him in a domestic capacity.
4. When I was about 17 years old I began working for Mr Raymond Mein, one of the Assistant Administrators at Peros Banhos.
5. On each occasion I was working in a purely personal capacity for the Administrator who arranged to pay my wages without reference to his superior in the company, so far as I was aware. I never had a written contract of employment of any kind. Whilst engaged in this domestic work I did not work for the company in any other capacity, and was not part of the workforce

on the plantations. I remained in Mr Mein's employment until he left Peros Banhos in 1972.

6. I believe that the facts contained in this Statement are true.



SIGNED :

FLORIMENT ELYSEE

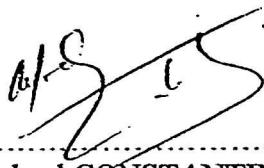
DATED :
Ac. 14. 99

CERTIFICATE

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Roland CONSTANTIN

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Dated ...16.11.99....

CO/3775/98

IN THE HIGH COURT OF JUSTICE
QUEENS BENCH DIVISION
DIVISIONAL COURT

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EX PARTE LOUIS OLIVIER
BANCOULT

STATEMENT OF FLORIMENT
ELYSEE

SHERIDANS
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Ref : C/011581/9901
WP Ref: PKC00002791.doc