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Draft Report Executive Summary

The Former Inhabitants of the Chagos Archipelago as an Indigenous People: Analyzing the Evidence

Overview

The former inhabitants of the Indian Ocean's Chagos Archipelago, known as Ilois or Chagossians, have been identified as an "indigenous people" by individuals inside and outside the group. To date no one has detailed systematically how and if this label fits these people who lived in Chagos until their forced removal from the archipelago between 1965 and 1973. This report reviews a large body of evidence about the Ilois, compares this evidence to contemporary understandings of the term *indigenous peoples* in international law, anthropology and related social sciences, and concludes that **the evidence strongly suggests categorization of the Ilois as an indigenous people.**

Ilois Self-identification as an Indigenous People

Many Ilois identify themselves as an indigenous people. For numerous experts, this is evidence enough that the Ilois qualify as an indigenous people, given a growing consensus that self-identification as an indigenous people is the fundamental evidence demonstrating a group is an indigenous people. Many non-Ilois observers, most notably the British High Court (*Bancoult* 2000), have also described the Ilois as an indigenous people, lending further support to the Ilois claim.

The Analysis

In addition to self-identification, many experts still look to other criteria to determine if a group constitutes an indigenous people. This report bases its analysis around five such major definitions and frameworks of the indigenous peoples concept: the 1994 Draft United Nations Declaration on the Rights of Indigenous Peoples, 1989's International Labour Organisation Indigenous and Tribal People's Convention No. 169, the work of UN special rapporteurs José Martínez Cobo and Erica-Irene A. Daes, and that of legal scholar Benedict Kingsbury. Each of these frameworks, as well as other major definitions, is reviewed in detail in the report.

The report analyzes five major criteria shared by the representative definitions: 1) Self-identification as an indigenous people; 2) Identification by others as an indigenous people or as a distinct collectivity; 3) Historical and temporal evidence; 4) Evidence of sociocultural distinctiveness; and 5) Evidence of societal non-dominance.

Main Findings from the Evidence

The report presents evidence about the Ilois relevant to these five criteria, concluding:

1) Self-identification as an Indigenous People

Many Ilois individually and collectively self-identify as an indigenous people and as a group distinct from other peoples in Mauritius and Seychelles, where most Ilois live.

2) Identification by Others as an Indigenous People or as a Distinct Collectivity

Statements and findings from the British High Court, scholars, the Mauritian and British governments, the UN, non-governmental organizations, and others demonstrate that **many non-Ilois find the Ilois are an indigenous people and, more widely, a distinct collectivity.**

3) Historical and Temporal Evidence

The Ilois have an **ongoing historical, ancestral connection with the Chagos Archipelago and its first inhabitants dating to 1783-84**, only interrupted (geographically, not ancestrally) by their expulsion from Chagos. Crucially, **no other group can claim a prior historical or ancestral relationship to Chagos** and trump the Ilois as Chagos's first inhabitants.

4) Evidence of Sociocultural Distinctiveness

An overview of Ilois society and culture, before and after the expulsion from Chagos, shows that **the Ilois are in many ways a socially and culturally distinct people**, clearly distinguishable from other peoples in the Indian Ocean and elsewhere.

5) Evidence of Societal Non-dominance

Considerable evidence demonstrates the poverty of the Ilois since their expulsion and their position at the bottom of the social, economic, and political hierarchies in Mauritius and Seychelles. As a group, **the Ilois are undoubtedly non-dominant in Mauritian and Seychellois society.**

General Conclusion

With few minor exceptions, the Ilois fulfill all criteria in all five of the major representative frameworks of the indigenous peoples concept. **Thus, the collected evidence about the Ilois and current understandings of the indigenous peoples concept in international law, anthropology and related social sciences strongly suggest categorization of the Ilois as an indigenous people.**