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## Diego Garcia: Troubling Past, Uncertain Future

How disputed islands, an Anglo-American military base, and an exiled people's fate reflect a transforming world.

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By **David Vine**

In May, the United Kingdom received eviction orders to leave contested islands in the Indian Ocean. The largest of the Chagos Islands, Diego Garcia, hosts a secretive U.S. military base that has played key roles in every U.S. war in the Middle East over the last 40 years. In a diplomatic defeat that media outlets described as “embarrassing,” “humiliating,” “a disgrace and a disaster,” Britain and

its U.S. ally were “routed” 116-6 in a UN General Assembly vote that underlined the global isolation of a Brexit-ing Britain and Donald Trump’s United States.

The UN vote affirmed a recent 13-1 verdict at the International Court of Justice (ICJ) in The Hague that found Britain’s rule in the Chagos Archipelago – its last-created colony – “unlawful.” Echoing the International Court, the subsequent UN resolution ordered Britain to “withdraw its colonial administration” within six months and acknowledge that Chagos “forms an integral part” of the victor in the ICJ case: The small western Indian Ocean island nation of Mauritius. The UN “urge[d]” the U.K. “to cooperate with Mauritius in facilitating the resettlement” in Chagos of Mauritians and Chagossians, the indigenous people callously evicted by British and U.S. officials during construction of the base on Diego Garcia.

The only ICJ judge to rule in Britain’s favor was a U.S. justice – an indication that both nations were losers in the case. While Britain claims sovereignty and while the base may be a joint installation technically, it is a U.S. base and *de facto* U.S. territory at the center of the Indian Ocean.

U.K. and U.S. officials regularly assert that the base on Diego Garcia protects the two nations. They say the base “plays a critical role in the maintenance of regional and global peace and security,” citing threats from terrorism, piracy, and other powers. Officials provide little evidence to support such claims. What’s clearer is that the base has enabled the launching of U.S.-led wars in Iraq (twice), Afghanistan, and Libya, among other disastrous and deadly military incursions since 1980.

U.K. Ambassador to the UN Karen Pierce warned that the UN resolution could “set an unwelcome precedent” over sovereignty disputes. That only four countries – Hungary, Australia, Israel, and the Maldives – joined the United Kingdom and the United States in voting against the resolution suggests, contrarily, that the precedent was largely welcomed. Other than Hungary, the entire EU abandoned Britain by voting for the resolution or abstaining. Prominent supporters of Mauritius’ claim included India, Argentina, and Spain.

The ICJ ruling and UN resolution have broader implications for

everything from economic competition to military strategy to international law, spanning major powers and small island nations, the Western Pacific to the South Atlantic.

For Britain and the United States, the twin defeats at the UN and ICJ are a blow delivered at a time of rising geopolitical competition in the Indian Ocean and an eastward shift in global power dynamics. The judgments have exposed oft-forgotten, ongoing forms of colonialism (Britain and the United States retain 14 and five colonies, respectively) and provide strong support for complete decolonization and the right to self-determination under international law.

Still, Britain looks set to ignore the eviction orders. “The United Kingdom is not in doubt about our sovereignty,” asserted Pierce. As the UN and ICJ have, as the saying goes, no army to enforce their judgments, the future of the base, control over Chagos, and whether the exiled Chagossians will be able to return home is far from clear.

### **A Long and Tangled History**

The history of the Chagos saga dates to the 18th century, when the United States was declaring its independence from Britain, and France and Britain were competing for Indian Ocean islands to control the spice trade with India. Around 1776, the French empire colonized the previously uninhabited Chagos Islands, not long after colonizing Mauritius. Franco-Mauritian plantation owners transported enslaved people from southeast Africa and Madagascar to build the islands’ copra-based economy. Over time, the enslaved, their free descendants, and Indian indentured laborers created a unique society in the islands with its own traditions and language, Chagos Creole.

After defeating France in the Napoleonic Wars, the British Empire took over Chagos, Mauritius, and other Indian Ocean islands in 1815. Britain ruled the islands as part of the colony of Mauritius. By the mid-20th century, there were around 1,500-1,750 *Ilois* – the Islanders – as the people were initially known.

The lives of Chagossians and Mauritius itself were transformed in the 1960s after U.S. military officials identified Diego Garcia as a prime location for a new military base. U.S. leaders were increasingly concerned about losing access to some of the more than 1,000 U.S.

military bases abroad; during decolonization, colonized nations were gaining independence and, in some cases, evicting U.S. installations.

U.S. officials liked that Diego Garcia was under British control and within striking distance of everywhere from southern Africa to the Middle East to Southeast Asia. They also liked that the local population was, as the CIA tellingly estimated, “NEGL” – negligible. During secret negotiations, U.S. representatives told British counterparts they wanted Diego Garcia under their “exclusive control (without local inhabitants).” To get a base free of Chagossians and a soon-to-be-independent Mauritian government, U.S. diplomats suggested the British government detach Chagos from Mauritius and create a new colony. In 1965, British officials agreed and created the British Indian Ocean Territory (BIOT).

To create the BIOT, British leaders gave Mauritian independence negotiators little choice: Give up the Chagos Islands and get independence or get no independence. Britain sweetened the proposal with what one official called a “bribe”: 3 million British pounds and a promise of future fishing and mineral rights around the islands.

As the ICJ found, this was hardly a consensual agreement between two equal parties. The new colony also violated the 1960 UN “Declaration on the Granting of Independence to Colonial Countries and Peoples,” which said colonial powers couldn’t chop up colonies during decolonization. Within weeks of the BIOT’s creation, the UN General Assembly passed a resolution instructing Britain “to take no action which would dismember” Mauritian territory “for the purpose of establishing a military base.”

British and U.S. officials ignored the UN. The Pentagon helped pay for the “bribe,” setting up the BIOT, and the Chagossians’ deportation by secretly transferring \$14 million to the U.K. via the cancellation of a British military debt.

Between 1971 and 1973, U.K. officials used overcrowded cargo ships to deport the Chagossians from Chagos 1,200 miles to Mauritius and the Seychelles. Reflecting broader Anglo-American attitudes, a British official called the Chagossians “some few Tarzans” and, in a racist reference to the novel *Robinson Crusoe*, “Man Fridays.” As

Chagossians on Diego Garcia awaited deportation, British agents and U.S. Navy personnel herded the Chagossians' pet dogs into sealed sheds, gassed them with exhaust from U.S. Navy jeeps, and burned the dogs' carcasses.

Exiled, Chagossians effectively received no resettlement assistance. In 1975, the *Washington Post* found Chagossians in Mauritius living in "abject poverty." For nearly 50 years, Chagossians have demanded the right to go home and proper compensation. In the late 1970s and early 1980s, some received compensation totaling about \$6,000 per recipient and, for some, a small, concrete-block house. Chagossians in the Seychelles received nothing.

Numbering several thousand people today, including generations born in exile, many Chagossians remain impoverished. Protests and two decades of Chagossian lawsuits against the U.K. and U.S. governments are ongoing. Three times, the British High Court has ruled their removal "unlawful." Each time, the British government has successfully appealed or circumvented the courts.

After passage of the UN resolution in May affirming the ICJ ruling, the British government indicated it has no intention of giving up the islands. Officials reiterated the long-standing position that Britain will "cede" Chagos to Mauritius when the islands are "no longer needed for defense purposes."

### **The Changing Geopolitical Climate**

That Mauritius, a small, middle-income nation of around 1.3 million, pursued a case against a world power and former colonial ruler with which it has generally enjoyed strong ties points to significant geopolitical shifts shaping the Chagos dispute. Mauritian government officials have talked publicly about regaining control of Chagos since the 1970s. Their efforts have been confined, however, to what left-wing Mauritian political party LALIT called, in a recent article, "sporadic, if timid attempts at claiming Chagos... limited to speeches or declarations of intent" at the UN and other international forums.

Following the Chagossians' first major legal victory in 2000, pressure from the Mauritian public and media pushed the government to be bolder. According to LALIT, fears that the British government might allow Chagossians to return, threatening Mauritius' claim to self-

determination over Chagos, also provided motivation. The unpopularity of the 2003 U.S. war in Iraq and the use of Mauritian territory – Diego Garcia – to launch the invasion further encouraged government officials to distance themselves from the Anglo-American alliance. In 2004, the Mauritian government threatened to take Britain to the ICJ and to leave the British Commonwealth to do it. The Tony Blair government responded by changing its recognition of ICJ jurisdiction to exclude suits by any current or former Commonwealth member. This reflected a pattern of the British and U.S. governments using threats as well as trade concessions to sidestep Mauritian attempts to assert sovereignty.

The tipping point came in 2010 when British officials announced the creation of the world's then-largest Marine Protected Area (MPA) in the Chagos Archipelago. As a “no-take” protected area, the MPA prevents nearly all fishing and other economic activity, with a notable exception for the base on Diego Garcia (and its long record of environmental damage).

Mauritians were outraged. The declaration came without their consultation and ended Mauritian fishing rights in Chagos, including free fishing licenses granted to Mauritians. In late 2010, the government of Mauritius sued the United Kingdom at the UN Permanent Court of Arbitration. Lawyers argued that the MPA violated the 1982 UN Convention on the Law of the Sea. In 2015, the Court ruled unanimously for Mauritius.

(Many Chagossians were suspicious the MPA was also a way to prevent their return. In 2010, a U.S. State Department cable released by WikiLeaks revealed British officials telling U.S. counterparts that Chagossians “would find it difficult, if not impossible, to pursue their claim for resettlement on the islands if the entire Chagos Archipelago were a marine reserve.” The cable quotes a British official saying the MPA would allow “no human footprints” or, repeating the decades’ old racist slur, “Man Fridays.”)

Because the Court of Arbitration took no position on sovereignty, Mauritius took Britain to the ICJ, backed by the African Union and the largest Chagossian organization, the Chagos Refugees Group. The Mauritian government’s decision to risk economic and political

retaliation from both Britain and the United States reflects declining Anglo-American influence and India's and China's growing power in Mauritius and the Indian Ocean.

“Mauritius is less reliant on the West given the recent attention it receives from China and most importantly India,” explains Mauritian political analyst Pawan Haulkory, an anthropology Ph.D. student at American University. “China and India are investing massively in infrastructure in Mauritius and are intensifying their pursuit of [bilateral] economic agreements.”

The Indian Ocean has become an increasingly important center of global trade and geopolitical competition. The ocean possesses some of the world's busiest trade lanes; around two-thirds of global petroleum supplies transit its waters. For several years, India has been pursuing a policy of aggressive economic and, to a lesser extent, military expansion in and around the ocean. This project includes attempts to deepen trade ties and create small new military bases, including in Mauritius and the Seychelles. China's Belt and Road Initiative has similarly allowed it to increase its economic influence among Indian Ocean island and littoral nations. This has meant financing infrastructure projects, including a major port facility in Pakistan and its first foreign military base in Djibouti.

To maintain Anglo-American dominance in the Indian Ocean, which dates to Napoleon's defeat, the United States and Britain are trying to hold onto their remaining colonial spoils: Chagos and Diego Garcia. The U.S. military's newly renamed “Indo-Pacific Command” is leading the U.S. government's shift from a Pacific Ocean-focused strategy to an “Indo-Pacific Strategy.”

In the Indian Ocean, multipolar competition is afoot. India, China, the United States, Britain, France, Australia, Pakistan, and even Japan are major economic and military forces with overlapping political, economic, and military alliances that rarely align along clear East-West lines. For example, India has an agreement with both the United States and France to use military bases in the Indian Ocean area for refueling. The United States retains trade agreements and generally good relations with Mauritius. The government of Mauritius has long said it does not wish to close the base; there is clear interest, however,

in securing U.S. rental payments. Mauritius surely also wants to exploit fishing, natural resources, tourism, and other economic activities across a Chagos exclusive economic zone that is more than twice the size of Great Britain.

The ICJ verdict also means the Mauritian government could sue Britain (and perhaps the United States) for compensation. Acceding to the ruling potentially would open the U.K. and U.S. governments to greater legal and financial liability. Just as in the 1960s, U.S. officials fear that if anyone except their closest ally has sovereignty, the base would be vulnerable to increasing rental payments, protest, and eviction. Both governments are also surely concerned about setting precedents for other sovereignty disputes, including Britain's clashes with Spain over Gibraltar and with Argentina over the Falklands/Malvinas. The UN and ICJ judgments raise questions about the legitimacy of ongoing U.K. and U.S. colonial rule in 19 remaining colonies (13 are on the UN's decolonization list).

### **Returning Home?**

The Mauritian government hopes the UN resolution and ICJ decision will put new pressure on the British government to return Chagos. Most Chagossians hope the developments will hasten their homecoming. One of Mauritius' lawyers, Philippe Sands, predicted that "the U.K. will try to tough it out, just as South Africa tried" after a similar 1971 decision over today's Namibia. The United States, China, Japan, and Iran also have ignored ICJ rulings.

On the other hand, the tumultuous state of British and U.S. politics means little is clear. British Labor Party leader Jeremy Corbyn has been the Chagossians' greatest champion in British politics since the 1970s; in May, he tweeted, "I strongly support the overwhelming vote in the UN yesterday to end this injustice." In the United States, given the current leftward shift among Democratic Party presidential candidates, a Democrat's victory in 2020 might dislodge existing policy.

According to lobbying disclosure documents, the Mauritian government has hired a lobbying firm in the United States "to promote [Mauritius'] objective to exercise its sovereignty over the Chagos Archipelago." At very least, Mauritius has boosted its regional



and international standing in future political and economic negotiations.

The Chagossians remain most vulnerable. While the Mauritian government has promised that “all Chagossians wherever they are staying... have a right to go back and return to their islands,” there is no guarantee Mauritian officials will protect Chagossians’ rights. “We are... very wary of the sincerity of the Mauritian government’s claim,” said the head of the Chagossian Committee in the Seychelles, Pierre Prosper. Many Chagossians feel they were mistreated by Mauritius in the past. Chagossians in the Seychelles and other parts of the Chagossian diaspora are particularly concerned that Mauritius might exclude them from a return. Despite the ICJ verdict, there is still ambiguity about who is sovereign in Chagos: Chagossians could claim rights to self-determination under international law given their status as the archipelago’s internationally-recognized indigenous people – a status long rejected by Mauritian authorities.

While the odds of Britain giving up the islands or allowing the Chagossians to return may seem long, there is precedent. The BIOT originally included islands that the British government detached from colonial Seychelles at the same time it separated Chagos from Mauritius. Britain returned the islands to the Seychelles upon its independence in 1976. The U.S. military has allowed displaced peoples to return to live next to bases, as civilians do worldwide. Although the Chagos Refugees Group has long said it is not demanding the base’s closure, the military has returned entire island installations, as in Vieques, Puerto Rico, and Kaho’olawe, Hawai’i. Compromises are also possible. For example, Britain or the U.S. military could agree to leave by a fixed date, as the United Kingdom did in Hong Kong in 1997 and the United States did in the Panama Canal Zone in 1999; the U.S.-U.K. lease for Diego Garcia ends in 2036.

Before year’s end, both the British government and the Mauritian government, backed by the Chagos Refugees Group, plan to organize voyages to Chagos. The Chagos Refugees Group has rejected the British offer to return on British boats and terms. The prospect of U.K. or U.S. forces at Diego Garcia blocking a Mauritian government vessel bearing Mauritians and mostly elderly Chagossians longing to go home could force a diplomatic solution in the months ahead. The

optics of the U.K. and U.S. governments physically blocking the decolonization process would be, in the words of Mauritian Prime Minister Pravind Jugnauth, a visible “endorsement of colonialism” likely requiring journalists to find stronger descriptions than “embarrassing,” “humiliating,” and “a disgrace and a disaster.”

## The Author

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