

# Indian Ocean: The repercussions for France of Chagos islands battle

Tuesday 2 July 2019, by [SARTRE Julien](#) (Date first published: 22 June 2019).

**In May this year, the United Nations General Assembly adopted a motion that condemned British rule over the remote Indian Ocean archipelago of the Chagos Islands and which gave London a six-month deadline to return their sovereignty to Mauritius. That followed an advisory judgment in February by the International Court of Justice that Britain's annexation of the islands after Mauritian independence in 1968 was illegal. Central to the case is the brutal deportation of islanders to make way for a US military base on the archipelago, at Diego Garcia. As Julien Sartre reports, the developments also have ramifications for France, whose occupation of Indian Ocean islands, notably those surrounding its former colony Madagascar, is under heightened dispute.**

During a visit to France last month by Madagascan President Andry Rajoelina, he and his French counterpart Emmanuel Macron announced that a bilateral commission of experts is to study the future statute of a group of small and distant islands that circle Madagascar - which has long laid claim to them - and which are currently under French rule.

The Scattered Islands are made up of five small coral islands, three of which (Juan de Nova, Europa and the atoll Bassas de India) lie in the Mozambique Channel, between the African continent and Madagascar, and two others, Glorioso (made up small islets) and Tromelin, are situated, respectively, to the north and north-east of the island state.



*The Scattered Islands, sitting above oil and gas reserves in an ocean rich in fishing resources. © Creative commons - Wikimedia*

At a joint press conference at the Élysée Palace on May 29<sup>th</sup>, President Macron said that the expert commission would find “a solution for common development in the current economic zone” by the end of next year.

In Madagascar, itself a former French colony, the media have already begun speculating about a

future “common management” of the islands or even their “restitution” to Malgache rule. The islands have been under French administration since 1896, when Madagascar came under French rule, but Madagascar’s claim to them was officially launched in the 1970s, and the dispute was first taken to the United Nations (UN) in 1979.

France has long kept a small military presence and scientific bases on the islands, which are otherwise uninhabited by civilians, and claims an exclusive economic zone around each - which by UN convention represents a circle of 200 nautical miles. Importantly, the Scattered Islands are believed to sit above significant oil and gas reserves in this south-west quarter of the Indian Ocean which is also rich in resources for the fishing industry.

The optimistic calendar set by Macron and Rajoelina is a timely one. On February 25<sup>th</sup>, the UN’s highest court, the International Court of Justice (ICJ), based in the Hague, ruled that Britain’s occupation of the Chagos Islands, a group of seven Indian Ocean atolls, was illegal, and that they should not have been annexed from Mauritius after it gained independence in 1968.

The ICJ ruling was an advisory one, and prompted a new debate on the issue by the UN General Assembly in May, which again found against Britain.

In March 12<sup>th</sup>, two months after his election, the Malgache president, visiting Mauritius during its celebrations to mark the 51 years since its independence, congratulated his Mauritian counterpart, Barlen Vyapoory, over the ICJ ruling, telling him: “The victory of your combat serves us as an example of courage and reinforces our will to lead the same combat for the restitution to Madagascar of the Scattered Islands.”

By the early 1970s, around 1,500 Chagossian islanders were deported by Britain, principally in order to lease the Diego Garcia atoll to the US for use as a vast military base. After years of legal challenges by Chagossian groups seeking to return to their homeland, the February 25<sup>th</sup> judgement was their first legal victory. In 2016, the British government rejected a demand by Chagossian campaigners for the right to resettlement in their homeland - which London officially describes as British Indian Ocean Territory -, citing “feasibility, defence and security interests and the cost to the British taxpayer”.

The case was heard by the ICJ after its referral there in 2017 by the UN General Assembly, after an overwhelming vote in favour of a resolution submitted by Mauritius. A number of EU countries abstained in that 2017 vote, including France.

One of those who testified before the ICJ was Chagossian Lisby Élysée. “I was four months’ pregnant when the boats came to collect us, she told the court. “We were treated like animals. I was ill during the journey all the way to Mauritius.”

The brutal deportation of the islanders on Diego Garcia, men, women and children sent mostly to Mauritius and also the Seychelles, gave the US a strategic military base that has become one of its most important outside America, lying in the middle of the Indian Ocean at equal distance between Yemen and Indonesia. Apart from the airbase on the atoll, there are also naval facilities that can handle nuclear submarines and surface vessels the size of aircraft carriers. During the two Gulf Wars it played a key military role, and there is evidence it was used in extraordinary rendition flights during the secret abduction of terrorist suspects after the September 2001 terrorist attacks in the US.

While staff of various nationalities work at the base, which has a staff of several thousand, the expelled Chagossians have never obtained the right to return. Some of those deported ended up in

poor social conditions, whether in the Mauritian capital Port-Louis or London, where a large Chagossian community resides.

“The advice that the International Court of Justice pronounced on February 25<sup>th</sup> 2019 is very clear and represents real thunderbolt,” commented André Oraison, a specialist in international law and a lecturer at the University of La Réunion, the French Indian Ocean island. “The court has decided that the process of decolonisation was not managed properly during the *[passage to]* independence of Mauritius in 1968. By separating the Chagos Islands from Mauritius with the creation of the British Indian Ocean Territory, the United Kingdom violated the principle of the [respect] of colonial borders, which prohibits a colonial power from detaching a part of the territory for its own ends. Great Britain must stop administering the Chagos archipelago and restore the sovereignty of Mauritius over these islands.”

On May 22<sup>nd</sup>, The UN General Assembly adopted a resolution, drafted by Senegal, which, following the ICJ ruling, gave Britain six months to withdraw from the Chago archipelago and hand it over to Mauritius. The resolution was supported by 116 countries out of the assembly’s 193. Only five - Australia, Hungary, Israel, the Maldives and the US - voted with the UK against, while 56, including France, abstained.

If Britain does not abide by the resolution, which appears highly likely, there will be a fresh debate by the General Assembly in November.

“We are going to return home,” said Olivier Bancoult [1], leader of the Chagos Refugee Group, commenting on the recent developments. Bancoult was four-years-old when he was deported from his island home to Mauritius, where he is now based. “We are working with several international specialists on questions of re-housing and we will submit propositions to the Mauritian government after our general assembly. The plan which we are elaborating, and which we will also submit to the United Nations, includes an important part on protection of the environment.”

One of the issues still to be agreed is the question of political organisation after a return.

“Autonomy, council, independence, all options are on the table,” said Bancoult. Our victory is not complete but our example will serve other peoples. We are the hope for those who live apart from their land.”

The fact that the recent advances in the Chagossians’ campaign have inspired the president of Madagascar in his own campaign over the Scattered Islands is significant for France whose continued administration of the islands is similar to the status of the British Indian Ocean Territory; the islands, a vestige of French colonial rule of Madagascar, are part of French territory known as the “French Southern and Antarctic Lands”, or TAAF, which has its administrative base on France’s Indian Ocean island of La Réunion.

As in the case of the Scattered Islands, the claims of sovereignty over Indian Ocean islands that were unlawfully annexed by colonial powers from territories they granted independence to is a highly sensitive issue for Paris as well as London. Well before the recent success of the Chagossian refugees’ case at the UN and the ICJ, France was condemned in numerous resolutions adopted by the UN over its continued rule of Mayotte (which is officially a French *département*, administratively equivalent to a county). Sovereignty over this fourth major island in the Comoros island chain, lying north-west of Mozambique, is claimed by the Union of the Comoros, the neighbouring three-island state itself once ruled by France.

Contacted several occasions, neither the TAAF administration nor the French foreign ministry agreed to answer questions submitted by Mediapart. The scientific and military missions on the

Scattered Islands also declined to offer any comment.

**Julien Sartre**

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• MEDIAPART. JUNE 22, 2019 :

<https://www.mediapart.fr/en/journal/international/220619/repercussions-france-chagos-islands-battle>

The French version of this article can be found on ESSF (article 49507), [Les bras de fer diplomatiques et postcoloniaux reprennent dans l'océan Indien](#).

This English version includes added reporting.

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**Footnotes**

[1] <https://www.theguardian.com/theguardian/2000/jul/13/guardianweekly.guardianweekly1>