

**Forum:** GA4

**Issue:** The question of the Chagos Archipelago

**Student Officer:** Dalia Karrain

**Position:** Deputy Chair



---

## Introduction

In the late 18th century, the idyllic Chagos Archipelago, untouched by human habitation, became a focal point of historical significance with the establishment of copra plantations by the French in 1793, marking the genesis of its complex narrative (Human Rights Watch). Over time, the archipelago evolved into a crucial component of British territorial dominion, formalized in 1814 through the Treaty of Paris, where it was ceded to Britain alongside Mauritius. The islands, initially devoid of human presence, witnessed a transformative phase as they became part of the British Empire, administered from the shores of Mauritius for administrative convenience, mirroring French colonial practices.

The demographic landscape of the Chagos Archipelago underwent dynamic changes. Following the emancipation of slaves, a transitioning workforce transformed into contract employees, shaping a population that continually evolved through the import of labor, initially from Mauritius and later, in the 1950s, from Seychelles. By the late 1960s, those residing on the islands were predominantly contract employees of copra plantations. This population, lacking land or permanent residences, navigated the islands at the discretion of plantation owners. A pivotal juncture in the archipelago's history occurred in 1965, when the British Indian Ocean Territory (BIOT) was established through an Order in Council under the Royal Prerogative. This territorial entity encompassed the entirety of the Chagos Archipelago and, until June 1976, extended its boundaries to include Aldabra, Desroches, and Farquhar, which were subsequently ceded to Seychelles. The governance framework bestowed substantial powers upon a Commissioner, including the authority to legislate for the "peace, order, and good government" of the Territory.

The geopolitical significance of the islands was underscored by the establishment of a military base on Diego Garcia, as outlined in a 1966 Exchange of Notes with the US Government. This strategic partnership allowed U.S. utilization for an initial 50 years, extendable for an additional 20 years, with subsequent updates in 1972 and 1976. This marked the inception of a military presence that would shape the destiny of the Chagos Archipelago and its inhabitants. However, this geopolitical shift was not without consequences for the local population. Between 1965 and 1973, the Chagossian community, predominantly descendants of enslaved individuals, faced a forced displacement from their ancestral lands. The closure of copra plantations, coupled with the enactment of immigration ordinances in 1971, formalized the removal of the existing civilian population from the territory to Mauritius or Seychelles. This created a legal barrier to their return and laid the foundation for a prohibition that endures to this day.

The UK granted recognition to Mauritius and detached the Chagos Archipelago in exchange for a £3 million gift, with the understanding that the islands would be ceded when they were no longer needed for defence. The Chagossian diaspora still exists today, with communities in Crawley, Sussex, Manchester, Seychelles, and Mauritius, notwithstanding these assurances. The Chagos Archipelago conflict embodies historical injustices, and this study report attempts to examine the many facets of the Chagossians' predicament, including the socio-historical nuances and long-term effects of their forced relocation.

## Definition of Key Terms

### Decolonization

The process by which colonies gain independence from their colonial rulers. As part of the decolonization process, Mauritius separated from the Chagos Archipelago.

### Independence Process

The process by which colonies gain independence from their colonial rulers. As part of the process leading up to independence, the Chagos Archipelago was divided from Mauritius.

### Involuntary Displacement

The removal of a population from their homes against their will. The people living in the Chagos Archipelago were forced to relocate in order to create room for a military base.

### Territorial Entity (TE)

A colonial entity created in 1965 that includes the Chagos Archipelago. It is ruled by the British and has a military base on Diego Garcia.

### Executive Authority

The discretionary powers and privileges historically held by the British monarch, often exercised by the government. In the context of TE, executive authority was used to establish the territory and make key decisions.

### Bilateral Agreement

A diplomatic agreement between two countries, often detailing terms and conditions. In this context, it refers to the 1966 agreement between two nations regarding the use of Diego Garcia for a military base.

### International Arbitration Body (IAB)

An intergovernmental organization providing dispute resolution services. The IAB made a ruling regarding the legitimacy of a nation's marine protected area in the Chagos dispute.

### International Judicial Body (IJB)

The main court system within an international organisation. In 2019, released a recommendation concerning the validity of the Chagos Archipelago's separation from Mauritius.

### Seychelles

A nation and chain of islands in the Indian Ocean. Aldabra, Desroches, and Farquhar islands were a part of BIOT until 1976, when they were given to the Seychelles.

### **Marine Protected Area (MPA)**

A section of the ocean that has been set aside and where human activity is restricted to safeguard marine ecosystems. The UK established an MPA around the Chagos Archipelago. (NOAA 2019)

### **Copra Plantations**

Agricultural estates where coconuts are grown for the production of copra, the dried meat of the coconut, historically significant in the Chagos Archipelago.

### **British Indian Ocean Territory (BIOT)**

A colonial entity created in 1965 that includes the Chagos Archipelago. It is under British sovereignty and hosts the U.S. military base on Diego Garcia.

### **Royal Prerogative**

The discretionary powers and privileges historically held by the British monarch, often exercised by the government. In the context of BIOT, the Royal Prerogative was used to establish the territory and make key decisions.

### **Exchange of Notes**

A diplomatic agreement between two countries, often detailing terms and conditions. In this context, it refers to the 1966 agreement between the UK and the U.S. regarding the use of Diego Garcia for a military base.

### **Permanent Court of Arbitration (PCA)**

An intergovernmental body that offers assistance with conflict resolution (Cour Permente D'Arbitrage 1899). The PCA made a ruling regarding the legitimacy of the marine protected area that the UK had established in the Chagos dispute.

### **Exclusive Economic Zone (EEZ)**

An oceanic area extending up to 200 nautical miles from a coastal country's shoreline. The coastal state is the only one with the authority to explore, exploit, and manage resources that are living (like fish) or non-living (like minerals and oil) within this zone. While the coastal state enjoys special economic privileges, other nations are free to pass through the zone in peace. The idea seeks to strike a balance between the rights of the coastal state to its resources and the interests of other countries in maintaining freedom on the high seas.

### **The United Nations Convention on the Law of the Sea**

(UNCLOS) is an international treaty that establishes guidelines for nations regarding their use and management of the world's oceans. It addresses issues like the extent of a nation's maritime jurisdiction, rights to resources like fish and oil, and strategies for safeguarding the marine ecosystem. The goal of UNCLOS is to guarantee that various nations use the oceans fairly and peacefully. (UNCLOS 1982)

## Background Information

When the first group of settlers arrived on Diego Garcia in 1776, they were sent to the Chagos Islands. The population grew to 300 by the end of the 18th century. From 1773 to 1810, Chagos became more important than Rodrigues Island. Chagos received 81 visits from commercial ships from Ile de France (Mauritius) during this time, compared to only 30 visits from Rodrigues. The Treaty of Paris gave the British official authority over the French colony in 1814. Britain began to periodically send slaves to Chagos to live there permanently around 1828. The cultural legacy of the exiled Chagossians in Mauritius and the Seychelles comes from West Africa, where a significant number of the original slaves probably came from Senegal. This includes traditional music and plays. The population of Chagos grew quickly; 334 people were counted in the 1851 census. The population increased to 789 by 1881, with 60% of the population being of African and Madagascar descent and 40% being Tamil from South India. Native Americans made up the bulk of the population. Former Mauritius Governor Sir Robert Scott characterised Chagos as a picture-perfect island in the 1950s, mirroring the words of English captain James Horsburgh, who was shipwrecked there in 1786. Diego Garcia, Peros Banhos, and Salomon were among the 54 inhabited main islands of Chagos.

The plight of the Chagossians began in 1965. Concerns about upsetting giant tortoises and other wildlife led to the military base's original location being considered as being near Aldabra island, according to Robin Cook, a British MP and later Britain's Foreign Minister. However, Cook later stated that this idea was dropped. In the end, Diego Garcia was selected as a middle ground between the US Navy and Air Force. To avoid political complications, Admiral Elmo Zumwalt stressed that it was preferable if there were no "indigenous" labourers on the island. The welfare of giant tortoises was given precedence over the welfare of Chagossians in this decision. Due to the United States and Britain's preference for the welfare of giant tortoises over that of Chagossians, the island of Chagos was forcibly cleared of its inhabitants. In a historically rare action, the United States of America forced Britain to drive the native British subjects from Chagos and send them into exile abroad. This action presented a singular and potentially unprecedented case in British colonial history, as it went against the fundamental tenets of the United Nations, human rights, and the Magna Carta.

Before the outcome of the constitutional conference for Mauritian independence was determined, British Foreign Secretary Anthony Greenwood travelled to Mauritius in April 1965. Dr. Seewoosagur Ramgoolam and Anthony Greenwood made a secret agreement during this visit that stated Mauritius would become independent without the Chagos Islands. Britain would give Mauritius a pitiful 3 million pounds in return for ceding the Chagos, an area of 60 square kilometres on land and 54,400 square kilometres of ocean. Harold Wilson was happy with the agreement and later hailed Dr. Ramgoolam as his finest prime minister. Dr. Ramgoolam is said to have proposed during talks that Britain could claim all of the Chagos islands in exchange for Mauritius expressing interest in acquiring the Seychelles. In spite of these talks, Mauritius became independent three years later, but Chagos and its people continued to be governed by the British. After the British Indian Ocean Territories (BIOT) were established in

November 1965, including Chagos, Britain separated the three islands (Desroches, Aldabra, and Farquhar) from its colony, Seychelles, to create a new colony. Following its independence in 1976, the Seychelles reclaimed sovereignty over these three islands. Negotiations over the islands' return to Seychelles were not hampered by the status of BIOT citizens born on these islands between 1965 and 1976. Interestingly, only one birth took place in Aldabra during the time it was still under BIOT, and that person is currently in Brussels trying to get a BIOT passport. Britain decided to forcefully relocate its own citizens, the Chagossians, to Mauritius in small groups not long after BIOT was established in 1965. This relocation was first mostly ignored until the beginning of 1971, when most Chagossians expressed a wish to return to their native country, only to be told that there were no boats available. As a result of the media attention, the authorities chose to send them to Agalega via the Seychelles.

First group of people, called "human cargo," sailed into the Seychelles on board the 500-ton cargo ship Nordvaer, also called "the boat of shame," on September 30, 1971. The boat could legally accommodate only 12 passengers in its cabin, but it carried 146 people. After the flight, unpleasant experiences followed. The Nordvaer cared for the four horses it had been transporting to Mahé, leaving the "Créole des îles" and their possessions on the jetty. They were then imprisoned in Her Majesty's prison and given prisoner's food to eat. After years of employment on Chagos, Seychellois workers were left unpaid and destitute on the jetty due to unfulfilled contracts. They had no choice but to sleep beneath shop verandahs until their kin could be reached. In an attempt to take a picture of the Chagossians, Mr. Philibert Loizeau of the opposition party, the "Seychelles Peoples United Party," had his camera taken away by jail officials. Even though the British Governor afterwards permitted the camera to be returned without the films, the incident illustrates attempts to manage information. On October 8, 1971, the Chagossians departed Mahé, Mauritius, following nine days of captivity. In order to conceal their deportation, Paul Moulinie and Company, who manage BIOT and Agalega, offered them a job on Agalega Island prior to boarding. After being tricked by the company, they refused, and were subsequently transported to Mauritius. "Human cargo" was transported by boat from Chagos to Mauritius via the Seychelles on multiple occasions. During port calls, passengers on the "Isle of Farquhar" were permitted to sleep beneath a shed at the end of the Long Pier. When the Nordvaer arrived in port on June 1, 1973, it refused to let the "human cargo" off. Mrs. Raymonde Desir gave birth on board the Nordvaer on June 2, 1973, on her own. She left the boat the same day to head to Mauritius, following a quick visit to the hospital. The difficulties Chagossians encountered during these forced relocations are best illustrated by this incident.

Through a film released in 1950, the British government claimed that Chagossians were "born and bred" in the Chagos, but in 1976, it contradicted itself and said that they were actually migrant labourers from Mauritius and the Seychelles. The ancestral ties of Chagossians are confirmed by records in Mauritius; however, records taken to England in 1976 present challenges for those in Seychelles. Chagossians' capacity to demonstrate their ancestry has been hampered by attempts to obtain these records. This cultural development is unlikely to be explained by migration labour, pointing to a longer

cultural evolution. Their cuisine reflects the distinct cultural fusion of the Chagossians even though it has Seychellois influences. Under pressure from Britain via lawyer Mr. Bernard Sheridan, about 900 Chagossians in Mauritius signed a form in 1979 accepting a small payment in exchange for giving up their claims and the ability to return to their home country. The Chagossians have fundamental human rights that cannot be ceded to any government, and this action goes against those rights. In order to compensate the Chagossians, Mauritius and Britain signed an agreement in 1982 that established the Iloi Trust Fund. The three-month registration period, however, was unworkable for people who were spread out around the world, demonstrating that Mauritius put profit before the welfare of the Chagossians. This antiquated contract could have been renegotiated because it was signed prior to Mauritius becoming a republic.

Chagossians in the Seychelles was not a topic of discussion at the 1975 Seychelles Independent Constitutional Conference in London. Many Chagossians were undocumented at the time of their independence in 1976, which made it difficult for them to get married, find work, and get religious confirmation. The situation was made worse by the 1979 Constitution, which demanded a large payment in order for Chagossians to become citizens of Seychelles. Some are still unable to vote because they do not have the required paperwork. Exiled Chagossians in the Seychelles sent a petition to the UN secretary-general on December 16, 1996. Copies were also sent to Queen Elizabeth II, John Major, the President, and the Prime Minister of Mauritius. Fair monthly compensation, retroactive from the date of forced exile until their return to their native country, was sought from Britain in the petition. The Chagossians of the Seychelles question the disparity in compensation compared to their fellow Chagossians and migrant labourers in Mauritius, and they want clarification on when equitable compensation will be granted, despite only receiving one response from the Foreign and Commonwealth office on January 24, 1997, stating that the UK government does not consider itself obligated to pay compensation.

Years after the forced relocation, the UK gave some Chagossians financial assistance through the Mauritian government, and they eventually received citizenship. However, the UK has consistently refused to engage in reparations talks for the Chagossians. By contrast, the United States, which benefits from the Diego Garcia military base, has continuously denied any responsibility to the people of Chagos. Supported by the O.A.U., the U.N., and the British Labour Party's 1970 declaration, which sought to return the Chagos to Mauritius, Mauritius has maintained its claim to the Chagos Islands. However, because the indigenous people were never consulted or given a vote on the issue, the historical and legal validity of these claims is disputed. Britain made initial payments to Mauritius, including £3,000,000, and further payments to the Iloi Trust Fund in 1972/1973 and 1982. Since it has never regarded itself as an archipelago, Mauritius has restricted the ability of the Chagos and Agalega people to vote in elections. Along with the 1,500 Falklanders, over 3,000 British citizens reside in the Chagos Islands, which are a part of BIOT (Britain). They support the right of the Chagossians to determine their own destiny.

## Sub-topic 1: Promoting regional peace and stability in Chagos Archipelago

Promoting regional peace and stability in the Chagos Archipelago is a multifaceted endeavor that involves addressing historical injustices, acknowledging human rights violations, and fostering diplomatic collaborations. The Chagos Archipelago, located in the Indian Ocean, has been a focal point of geopolitical and colonial disputes, particularly involving the United Kingdom, the United States, and Mauritius. The complex history of the Chagos Islands is marked by forced displacements, discriminatory policies, and strategic military interests.

In the past, the Chagossians inhabited the Chagos Archipelago and had established communities on a number of islands, including Diego Garcia, Peros Banhos, and Salomon. However, during the 1960s and 1970s, the UK and the US planned the forced relocation of the Chagossian population in order to create space for a US military base on Diego Garcia. This forced relocation, which has been widely documented as a grave human rights violation, led to the exile of the Chagossians to other nations, chiefly Mauritius and Seychelles.

Over the years, the Chagossians have advocated for the right to return to their homeland and have sought acknowledgment of the injustices committed against them. Litigation in domestic and international courts has been a central part of their struggle, with a focus on recognizing their right to return home. The international community has increasingly condemned the forced displacement and discrimination faced by the Chagossians, considering it a stain on the record of colonial powers involved. The geopolitical significance of the Chagos Archipelago, particularly the strategic military base on Diego Garcia, has added a layer of complexity to the situation. The US military base has been operational since the forced displacement, playing a crucial role in global military strategies. However, calls for demilitarization and the restoration of the Chagossians' rights have challenged the status quo, emphasizing the need to balance security concerns with human rights and justice.

In recent developments, the UK government, in 2022, announced negotiations with Mauritius over the future of the Chagos Islands. This significant development provides an opportunity to address longstanding issues, including the right of the Chagossians to return and the question of reparations for past injustices. However, the lack of transparency in the negotiations and concerns about the inclusion of the Chagossians in decision-making processes raise questions about the sincerity of the commitment to a just resolution.

Promoting regional peace and stability in the Chagos Archipelago requires a comprehensive approach. This includes addressing the historical wrongs committed against the Chagossians, ensuring their meaningful participation in decisions about their homeland, and finding a balance between strategic military interests and the rights of an indigenous population. International organizations, such as the United Nations, play a crucial role in facilitating dialogue, advocating for human rights, and overseeing the implementation of agreements that prioritize justice and stability in the region. Ultimately, a successful resolution should pave the way for the Chagossians to return to their homeland, reclaim their rights, and contribute to a harmonious and stable future for the Chagos Archipelago. Addressing the

challenges in the Chagos Archipelago requires a nuanced understanding of peace, differentiating between negative peace and positive peace. Negative peace refers to the absence of overt violence or conflict, while positive peace delves deeper, aiming to address the root causes of tensions and create a sustainable, just, and equitable society. In the context of the Chagos Archipelago, a comprehensive approach that goes beyond merely halting hostilities is essential to foster long-term stability and justice.

Negative peace, in the absence of open conflict, might superficially suggest calm, but it does not inherently resolve underlying grievances or injustices. In the case of the Chagossians, negative peace would mean a cessation of hostilities, potentially by addressing the immediate issues such as allowing their return to the islands. However, this alone does not tackle the historical injustices, the trauma endured during forced displacement, or the deep-seated discrimination they faced. Positive peace, on the other hand, involves addressing the root causes of conflict and promoting social justice. In the Chagos Archipelago, this would require acknowledging historical wrongs, ensuring the Chagossians' right to return, and addressing the broader issues of colonialism, discrimination, and geopolitical power imbalances. A positive peace approach would delve into the economic, social, and political structures that perpetuate inequality and work towards dismantling these systems.

### **Sub-topic 2: Addressing the International Legal Framework and Sovereignty Disputes**

The Chagos Archipelago's sovereignty disputes and the international legal framework surrounding them are complicated and divisive issues with a strong historical, colonial, and geopolitical component. There are conflicting claims because of the archipelago's advantageous location in the Indian Ocean, especially between Mauritius and the United Kingdom. Examining historical background, legal agreements, and the viewpoints of important stakeholders are necessary when navigating the complexities of international law and sovereignty. The Indian Ocean contains the Chagos Archipelago, which is made up of more than fifty islands. When the UK took control of the islands during the colonial era, its geopolitical significance became apparent. In order to create room for a vital military base on Diego Garcia that the United States was renting, the locals, who were mostly Chagossians, were forcibly relocated in the 1960s and 1970s. A basic legal component of the Chagos Archipelago problem is associated with the decolonization process. The UK separated the Chagos Archipelago in 1965 as Mauritius was on the verge of becoming an independent nation, establishing the British Indian Ocean Territory (BIOT). This decision, which was contentiously reached in return for a monetary settlement, has been the main source of legal dispute. The UK and Mauritius have conflicting claims in the sovereignty dispute. Mauritius claims that during the decolonization process, the Chagos Archipelago's separation represented a breach of its territorial integrity. But the UK insists that its military agreements—especially those with the US—require the BIOT to remain sovereign.

The discourse is greatly influenced by the international legal framework, which includes the tenets of the International Court of Justice (ICJ) and the United Nations Charter. One tenet of international law, the right to self-determination, is frequently brought up in relation to the Chagos Archipelago. The forced relocation of the Chagossians, according to critics, goes against this idea.



The advisory opinion from the International Court of Justice (ICJ) in 2019 declared that the separation of the Chagos Archipelago from Mauritius was illegal under international law. The International Court of Justice (ICJ) emphasised the necessity of completing Mauritius' decolonization and the right of the Chagossians to return. The enforcement of the advisory opinion is contingent upon the political will of the parties involved, despite its moral weight. The existence of the US military base on Diego Garcia and its operations are further entwined with the sovereignty disputes. The military installation is strategically significant, especially in light of the geopolitics of the Cold War and the post-Cold War era. The resolution of sovereignty issues is complicated by the U.S.-UK agreements regarding the military base because security considerations are balanced against the principles of territorial integrity and self-determination.

Maintaining a careful balance between historical justice, respect for international law, and geopolitical realities is necessary when addressing the international legal framework and sovereignty disputes in the Chagos Archipelago. In order to resolve the conflict, diplomatic talks, observance of the Chagossians' rights, and adherence to the international law's tenets of self-determination are all necessary. The intricacy of resolving the Chagos Archipelago issue requires careful consideration of the intricate interplay of legal, historical, and geopolitical factors. The waters surrounding the Chagos Archipelago are part of the Chagos Marine Protected Area (MPA), which was created by the United Kingdom in 2010. With the goal of preserving the variety of marine life and ecosystems, it is one of the biggest marine protected areas on Earth. However, the establishment of this MPA has drawn criticism, especially in light of how it will affect the rights of the Chagossians.

The forced displacement of the Chagossians resulted in the disruption of traditional lifestyles and fishing practices that were in harmony with the local environment. The establishment of the Chagos MPA raised concerns about environmental conservation taking precedence over the rights and livelihoods of the displaced Chagossians. Striking a balance between ecological preservation and the rights of the Chagossians poses a unique challenge in the broader context of addressing the archipelago's complexities. Moreover, the Chagos Archipelago remains a subject of geopolitical interest, especially in the context of evolving global power dynamics. The presence of the U.S. military base on Diego Garcia has implications for regional security and influence. The geopolitical considerations add layers of complexity to negotiations and efforts aimed at finding a comprehensive and just resolution.

Recent developments, such as the 2019 International Court of Justice advisory opinion and subsequent discussions between the UK and Mauritius, indicate a renewed focus on addressing the Chagos Archipelago's status. However, challenges persist, and any resolution must navigate the intricate interplay of historical injustices, legal principles, environmental concerns, and geopolitical realities. As the international community grapples with promoting regional peace and stability in the Chagos Archipelago, a holistic approach that considers the diverse dimensions of the issue is crucial. Striving for a solution that respects the rights of the Chagossians, acknowledges environmental responsibilities, and addresses geopolitical dynamics is imperative for achieving lasting peace and justice in the region.

### Sub-topic 3: Human Rights violations and Forced Displacement of the Chagossian people

In recent years, the disclosure of official documents has brought to light the clandestine planning behind the forced displacement, revealing not only the plans themselves but also the evident racism displayed by UK officials towards the Chagossians. This underscores the discriminatory nature of their treatment. Chagossians across generations have persistently sought acknowledgment of the violations committed against them and the recognition of their rights, particularly the right to return to their homeland. While the UK government has admitted that the treatment of the Chagossians was "shameful and wrong," both the UK and the US have consistently refused to rectify the injustices committed over the past fifty years. They currently oppose the Chagossians' return, citing concerns about cost and security.

The forced displacement and ongoing abuses are framed as crimes against humanity perpetrated by a colonial power against an Indigenous people. Unlike its approach in other African colonies, UK colonial rule in the Chagos Archipelago extended beyond the 1960s, incurring significant costs to the Chagossian population. This colonial rule was marked by systemic racism and discrimination, as evidenced by derogatory remarks made by senior UK officials during the expulsion planning, referring to the Chagossians as "Men Fridays... whose origins are obscure." The UK's differential treatment of the predominantly African Chagossians compared to other islanders under their rule, as observed in Cyprus and the Falklands, suggests an attempt to exempt Chagos from the application of international human rights law. Meanwhile, the US continues to benefit from its strategically vital military base on Diego Garcia without acknowledging responsibility for the crimes against the Chagossians.

In 2012, the UK government initiated a policy review regarding the Chagossians, conducting a survey by KPMG that indicated a majority of Chagossians wished to return, deeming their return feasible, especially with US cooperation, with an estimated cost of approximately GBP£500 million. However, in 2016, the UK announced its decision to block the return, citing security and cost concerns. This stance persisted during negotiations with Mauritius starting in late 2022. In 2019, the International Court of Justice (ICJ) issued an advisory opinion, declaring the UK's detachment of Chagos from Mauritius and the establishment of the BIOT as unlawful. The ICJ emphasized the need for the United Nations General Assembly to address the resettlement rights of the Chagossians. Until November 2022, the UK disregarded this ruling. The perspectives of Chagossians in Mauritius, Seychelles, and the UK, reveal that, while there is no consensus on which country should control Chagos, there is unanimous agreement that Chagossians should have the right to return. Most individuals, spanning different generations, expressed a personal desire to return to Chagos as soon as possible. The request is not for the closure of the US base but for the ability to coexist with it on Diego Garcia and other habitable islands.

Intergovernmental organizations have been active in investigating and alleviating the situation. The Human Rights Watch, for instance, has identified the abuses against Chagossians as violations of international human rights and criminal law. These violations, spanning over 50 years, continue against

those forcibly displaced and their descendants, who are denied the right to permanently return. The ongoing forced displacement, prevention of permanent return, and persecution based on racial and ethnic grounds are deemed crimes against humanity. These crimes, including "deportation" and "persecutions" on racial grounds, are enshrined in the 1948 Charter, forming customary international law. The prohibition of crimes against humanity is a non-negotiable norm, applicable to all states without derogation, and is embedded in the statutes of international tribunals for the former Yugoslavia and Rwanda.

Crimes against humanity, outlined in the Rome Statute of the International Criminal Court, refer to specific acts conducted within a "widespread or systematic attack directed against any civilian population." This assault is described as a "course of conduct" encompassing multiple acts executed under a state policy aimed at "committing such an attack." Over time, it has become evident that the decisions to expel the Chagossians, hinder their return, and engage in racial and ethnic discrimination, treating them differently from other islanders under UK rule, constituted established policies of the UK. Both the UK and Mauritius are parties to the International Criminal Court, serving as a court of last resort to ascertain individual criminal responsibility for crimes within its jurisdiction when national authorities fail to conduct genuine proceedings (International Court of Justice 2019). UK authorities appear to have committed three potential crimes against humanity concerning the Chagossians: "deportation or forcible transfer of population" as an ongoing crime; "other inhumane acts," which may encompass preventing the return of a population to its home, similar to the situation with the Rohingya in Myanmar; and persecution based on racial, ethnic, or other grounds. The initial crime, at the very least, seems to have been jointly committed by UK and US authorities. The available information indicates a deliberate deprivation of rights inflicted on the Chagossians due to their race and ethnicity. This deprivation is evident not just in the manner of their expulsion from Chagos but also in the institutional and systematic treatment by UK authorities, portraying the Chagossians as individuals whose rights, particularly the right to return, have not been respected according to humanitarian standards.

## Major Countries and Organizations Involved

### United Kingdom

With the Chagos Archipelago, the United Kingdom has a complex and lengthy history, having ruled the British colony of Mauritius until 1965. The archipelago, which is strategically situated in the Indian Ocean, gained significant prominence in the 1960s when the US government applied for permission to build an important military base on Diego Garcia, one of the Chagos group's islands. The United Kingdom chose to divide the Chagos Archipelago from Mauritius in 1965, establishing the British Indian Ocean Territory (BIOT), after realising the archipelago's strategic significance. During the Cold War, the United States and the United Kingdom had geopolitical interests that were closely related to this decision. When the U.S. military requested to establish a base on Diego Garcia, the indigenous Chagossian people were forcibly removed from their homes. The Chagossians were forcibly relocated

between 1967 and 1973, and their communities were dismantled to create room for the military installation. For the Chagossian people, this depopulation of the Chagos Archipelago caused profound social, cultural, and economic upheaval. Legal and ethical concerns have been raised about the circumstances surrounding the creation of the BIOT and the forcible relocation of the Chagossian community. Concerns regarding the treatment of the Chagossian people and the legitimacy of the Chagos Archipelago's separation have been voiced by the international community, notably the United Nations. As efforts to resolve the grievances of the displaced Chagossian community and reevaluate the geopolitical implications of the BIOT continue, the consequences of these historical actions remain a subject of diplomatic and legal debate.

### France

The history of the Chagos Archipelago is closely linked to colonial control, particularly in the eighteenth century when France ruled the islands as a part of Mauritius. The Chagos Archipelago conflict began during this time when France started to intervene in the area. Plantations that produced copra, which was essential to the era's economic activity, were founded under French rule using slave labour. The signing of the Treaty of Paris in 1814 marks a dramatic shift in the course of history. This treaty, which gave Britain sovereignty over the Chagos Archipelago and Mauritius, was a turning point in French history. Now ruled by the British, the Chagos Archipelago began a new chapter that would determine its future. This change in leadership had a significant effect on the Chagos Archipelago. The archipelago remained important to the empire's strategic and economic goals while it was governed by the British.

The British government used the islands for copra production and strategic purposes, adopting some of the methods of the former French colonial authority. Under British administration, the Chagos Archipelago had a complicated history that included social dynamics, economic exploitation, and geopolitical concerns. The controversial decision to split the Chagos Archipelago from Mauritius in the 1960s, which resulted in the establishment of the British Indian Ocean Territory (BIOT) and the subsequent forcible expulsion of the indigenous Chagossian population, is one of the later developments that are set against this historical backdrop. The events that transpired after this point have come under intense legal and moral scrutiny on a global scale, underscoring the historical narrative of the Chagos Archipelago's lasting significance.

### The United States of America

The United States became a key player in the Chagos Archipelago conflict in the 1960s when it strategically established a military installation on Diego Garcia. Acknowledging the archipelago's geopolitical significance, the United States and the United Kingdom signed agreements that strengthened their cooperation. The first agreements were made in 1966, and the terms and conditions for the US military's long-term use of Diego Garcia were updated in 1972 and 1976. The geopolitical dynamics of the region have been significantly impacted by the construction and continuous operation of the military facility on Diego Garcia. The island's strategic value to American military operations in the

Indian Ocean has made it an invaluable tool for power projection and maintaining regional security. The United States' military presence on the island was formalised by agreements with the United Kingdom, which also highlighted the cooperative nature of their defence and security arrangements.

The presence of the U.S. military in Diego Garcia affects diplomatic ties and regional stability in addition to security concerns. The Chagos Archipelago conflict is complex and multifaceted due in part to the archipelago's role as a military hub that has shaped the larger geopolitical landscape in the Indian Ocean. The ongoing military presence on Diego Garcia is still a major topic of discussion in international forums and legal arguments, underscoring the connections between geopolitics, military strategy, and the historical background of the Chagos Archipelago. The agreements between the United States and the United Kingdom continue to be important parts of the story about the complicated history of the archipelago and how it affects diplomatic relations today.

### **Mauritius**

Mauritius is intricately involved in the Chagos Archipelago conflict, primarily through its ongoing territorial claim over the archipelago. The assertion is grounded in the argument that the archipelago's separation in 1965 was illegal, emphasizing its integral connection to Mauritius. Beyond the legal dimensions, Mauritius actively advocates for the rights of the forcibly displaced Chagossians, seeking their return to their homeland and underscoring the human rights aspect of the conflict. This multifaceted involvement positions Mauritius as a key player in the ongoing disputes surrounding the Chagos Archipelago.

### **Human Rights Watch**

Regarding the human rights aspects of the Chagos Archipelago conflict, Human Rights Watch (HRW) has been instrumental. The group has been actively recording and reporting on matters concerning the forcible relocation of the Chagossian people when the U.S. military base was being established on Diego Garcia. The violation of the Chagossians' right to a homeland and the detrimental effects on their well-being have been highlighted by HRW. The group has also taken part in advocacy work, pressuring the concerned governments to address the issues with human rights that have arisen from the fighting and to work towards providing justice and compensation to the displaced people. The engagement of HRW emphasises how crucial human rights factors are to comprehending and settling the Chagos Archipelago conflict.

### **United Nations**

Through its specialised agencies and bodies, the United Nations (UN) has served as a central forum for addressing the conflict in the Chagos Archipelago. The General Assembly and the Security Council have served as forums for the debate, decisions, and resolutions pertaining to the conflict. Mauritius is one of the member states of the UN that have a platform to present their cases and engage in diplomatic efforts to seek resolution. The United Nations has additionally supported legal actions and advisory opinions, including those issued by the International Court of Justice, which have added to the

global legal framework encompassing the Chagos Archipelago. The UN's engagement emphasises its function as an international body in resolving conflicts with wider geopolitical and human rights ramifications.

### International Court of Justice

Legal clarification on certain aspects of the Chagos Archipelago conflict has been made possible in large part by the International Court of Justice (ICJ). The ICJ affirmed in an advisory opinion published in 2019 that the Chagos Archipelago's separation from Mauritius was illegal under international law. The court highlighted the fundamental principle of the right to self-determination. The ruling of the ICJ advances our legal knowledge of Chagossian rights, decolonization, and territorial integrity. The advisory opinion has consequences for the current debates over the Chagos Archipelago's sovereignty and has established a standard for handling related matters in the context of decolonization and self-determination. The International Court of Justice's involvement emphasises how crucial legal processes are for settling intricate geopolitical conflicts.

### Permanent court of arbitration

The Chagos Archipelago conflict has been significantly impacted by the Permanent Court of Arbitration (PCA), which has offered a forum for conflict resolution. The PCA, which was created in accordance with the Hague Conventions, makes it easier for states and other parties to resolve conflicts. It has served as a venue for court cases and rulings pertaining to maritime disputes and the creation of marine protected areas within the context of the Chagos Archipelago.

### Tribunal for the law of the sea

Another significant court in relation to the Chagos Archipelago conflict is the International Tribunal for the Law of the Sea (ITLOS). ITLOS has jurisdiction over disagreements pertaining to how the United Nations Convention on the Law of the Sea (UNCLOS) should be interpreted and applied. ITLOS may deal with issues pertaining to maritime borders, coastal state rights, and other UNCLOS-governed legal issues in the Chagos case. The legal framework pertaining to the archipelago and its resources is influenced by the tribunal's rulings.

## Timeline of Events

Date (start - end)	Name	Description
18th Century	Chagos under French control in Mauritius	During the 18th century, the Chagos Archipelago became part of French-controlled Mauritius.
1814	Treaty of Paris and Cession of Mauritius	The Treaty of Paris in 1814 resulted in the cession of Mauritius, including the Chagos Archipelago, from French to British control as part of the broader decolonization process.

1965	Separation of Chagos from Mauritius	The Chagos Archipelago and Mauritius were divided by the United Kingdom in 1965 to create the British Indian Ocean Territory (BIOT). This change in geopolitics was accompanied by the forced relocation of the islanders to Mauritius and the Seychelles.
1966-1973	Negotiations for U.S. Military Base	The establishment of a military base on Diego Garcia, the largest island in the Chagos Archipelago, was the subject of negotiations between the United States and the United Kingdom between 1966 and 1973. At this time, the United States was granted a lease.
1971	Forced Eviction of Chagossians	In 1971, the last remaining Chagossians were forcibly removed from their homes on Diego Garcia and other islands to make way for the U.S. military base, marking a significant displacement event.
1976	Formation of British Indian Ocean Territory	The British Indian Ocean Territory (BIOT) was officially established as a distinct colonial entity by the United Kingdom in 1976.
1980s-2000s	Chagossian Advocacy	Throughout the 1980s and 2000s, Chagossians in exile actively advocated for their right to return to the Chagos Archipelago. Their efforts included seeking compensation and legal challenges against the forced eviction.
2000	UK High Court Decision	The UK High Court decided against the Chagossians in 2000, declaring that security concerns prevented them from returning to the Chagos Archipelago.
2004	Extension of U.S. Military Base Lease	The U.S. military's long-term presence in the Chagos Archipelago was cemented in 2004 when the base's lease was extended to 2036 on Diego Garcia.

2006	Legal Victory for Chagossians	Under the leadership of Olivier Bancoult, the Chagossians won a case in 2006 where the UK High Court declared the ban on their return to be illegal. However, the Royal Prerogative was used by the UK government to overturn this decision.
2008	House of Lords Upholds Government Decision	In 2008, the UK government used the Royal Prerogative to deny the Chagossians their right to return, and the House of Lords upheld this decision, keeping the ban in place.
2010	Establishment of Marine Protected Area	The Chagos Archipelago was surrounded by a marine protected area (MPA) created by the UK government in 2010, which prohibited commercial fishing there.
2015	PCA Ruling on MPA Legality	In 2015, the Permanent Court of Arbitration (PCA) declared that the MPA's establishment was illegal. This decision, however, did not deal with the more general question of the Chagossians' right of return.
2019	ICJ Advisory Opinion on Decolonization	In 2019, the decolonization of Mauritius by the UK, which included the detachment of the Chagos Archipelago, was ruled illegal by the International Court of Justice (ICJ) in an advisory opinion. The International Court of Justice stressed that UK rule over the region must end immediately.
2020	UK Rejection of ICJ Advisory Opinion	Despite the international legal viewpoint, the UK government rejected the ICJ advisory opinion in 2020 and maintained its sovereignty over the Chagos Archipelago.
2022	Renegotiations between the UK and Mauritius.	When the UK and Mauritius agreed to begin talks in November of last year, it gave Mauritius some hope. However, there are now a number of indications that the UK is likely to change its mind once more.



2023	Reclamation of Agency based on ruling by the ICJ	The Chagos Islands are a part of Mauritius, not the United Kingdom. An International Court of Justice ruling and a UN resolution have officially established this. There is also no disagreement about it and it is the general consensus of the global community.
------	--	--

## Relevant UN Treaties and Events

- Second International Decade for the Eradication of Colonialism, 8 December 2000, (RES/55/146)
- Fiftieth anniversary of the Declaration on the Granting of Independence to Colonial Countries and Peoples, 10 December 2010, (RES/65/118.)
- Third International Decade for the Eradication of Colonialism, 10 December 2010, (RES/65/119)
- Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, 23 December 2015, (RES/70/231)
- Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, 6 December 2016, (RES/71/221)
- Request for an advisory opinion of the International Court of Justice on the legal consequences of the separation of the Chagos Archipelago from Mauritius in 1965, 22 June 2017, (RES/71/292)
- Advisory opinion of the International Court of Justice on the legal consequences of the separation of the Chagos Archipelago from Mauritius in 1965”, 22 May 2019, (RES/73/295.)

## Previous Attempts to solve the Issue

The Chagos Archipelago case was handled in large part by the ICJ. It issued an advisory opinion in 2019 claiming that Chagos and Mauritius were illegally divided by the UK in order to create the British Indian Ocean Territory (BIOT). The International Court of Justice highlighted how important it is that the UN General Assembly address the rights of the Chagossians to resettlement. But the UK first disregarded this ruling, demonstrating the ICJ's weak enforcement powers.

Participating in discussions regarding the Chagos Archipelago, the UN has emphasised the importance of addressing the rights of the Chagossians. The ICJ's recommendation that the UN General Assembly get involved emphasises how important it is to help find a solution. However, the collective will of member states is necessary for UN interventions to be effective, and geopolitical concerns may

obstruct prompt action.

International Community Engagement: Raising awareness and supporting the Chagossians' cause has been done by a number of international organisations, including advocacy groups and human rights organisations. The goal of these initiatives is to draw attention from around the world and exert diplomatic pressure on the US and the UK to address human rights abuses. Involving the international community is important, but it takes time and momentum to successfully change state policies.

The UK and Mauritius have negotiated the status of the Chagos Archipelago through diplomatic channels. The topics of discussion include the region's ecological concerns, sovereignty, and Chagossians' rights. The current talks, which got underway in late 2022, provide a diplomatic way to settle the long-standing dispute. However, the willingness of both sides to come to a mutually acceptable resolution will determine whether these negotiations are successful.

Prior attempts have yielded notable results; for example, the advisory opinion of the International Court of Justice raised awareness of the matter worldwide, and diplomatic negotiations provided a forum for discussion. The UK initially disregarded the ICJ ruling, and striking a balance between environmental preservation, geopolitical interests, and the rights of the Chagossians remains difficult. Future efforts to resolve the complex aspects of the Chagos Archipelago issue will be successful only if the international community and the relevant parties remain committed to this goal.

## Possible Solutions

### Sub-topic 1: Promoting regional peace and stability in Chagos Archipelago

Employing diplomatic endeavors with global mediators and key stakeholders, including the UK, the U.S., and Mauritius, can facilitate agreements on multiple fronts. These accords should tackle sovereignty issues, environmental preservation, and the Chagossians' rights. Involving impartial third parties could aid in mediating a just and all-encompassing resolution that advances regional peace and stability.

Instituting a governance structure inclusive of representatives from the Chagossian community, the UK, the U.S., and Mauritius can cultivate inclusive decision-making. This structure should guarantee the participation of all stakeholders in decisions concerning the Chagos Archipelago. By recognizing the interests of the Chagossians and integrating their viewpoints, a more equitable and steadfast governance model can be established.

Formulating collaborative initiatives centered on environmental conservation and sustainable development in the Chagos Archipelago. The distinct ecological importance of the region necessitates international collaboration to safeguard its biodiversity. Establishing joint ventures involving environmental groups, scientific communities, and governmental entities can address conservation issues while nurturing positive interaction among nations.

## Sub-topic 2: Addressing the International Legal Framework and Sovereignty Disputes

Engaging in legal processes such as international arbitration or adjudication can be instrumental in resolving sovereignty disputes. Encouraging the involved parties, particularly the UK and Mauritius, to submit their claims to an impartial judicial body or international court can bring about a legally binding resolution. This approach adheres to established legal frameworks and promotes adherence to international law.

Promoting diplomatic dialogues between the concerned nations, both bilaterally and through multilateral forums, can address sovereignty disputes. This involves fostering open communication channels to explore mutually agreeable solutions. By engaging in constructive negotiations and diplomatic discussions, the nations involved can work towards a consensus that respects the principles of international law and acknowledges historical and legal perspectives.

Encouraging the negotiation and establishment of comprehensive treaties or agreements can provide a structured framework for addressing sovereignty issues. Such treaties can outline clear boundaries, define shared responsibilities, and establish protocols for joint governance. By formulating legally binding agreements that respect the interests of all parties, this approach aims to create a stable international legal framework for the Chagos Archipelago.

## Sub-topic 3: Human Rights violations and Forced Displacement of the Chagossian people

Establishing Truth and Reconciliation Commissions can provide a platform for uncovering the historical truths behind the forced displacement of the Chagossian people. This approach involves conducting transparent investigations, acknowledging past human rights violations, and fostering a process of reconciliation. Through this, affected individuals and communities can achieve a sense of justice and healing.

Implementing international oversight mechanisms, possibly through organizations like the United Nations, can help monitor and ensure adherence to human rights standards. This involves continuous scrutiny of the treatment of the Chagossian people, guaranteeing their rights to return, compensation, and non-discrimination. The presence of international observers can act as a deterrent against further violations.

Providing reparations and restitution to the Chagossian people is crucial for addressing the harms caused by forced displacement. This involves compensating individuals for physical, psychological, and economic damages suffered during and after the displacement. Additionally, supporting the return of Chagossians to their homeland and restoring their rights can be integral components of the reparative process.

## Bibliography

*Chagos Archipelago: Legal Consequences of the Separation of the Chagos Archipelago from Mauritius in 1965. International Court of Justice, 2019. <https://www.icj-cij.org/case/169>*

Human Rights Watch. "That's When the Nightmare Started: UK and US Forced Displacement of Chagossians and the Exile in Seychelles." Human Rights Watch, 15 Feb. 2023.

<https://www.hrw.org/report/2023/02/15/thats-when-nightmare-started/uk-and-us-forced-displacement-chagossians-and>

The Chagos Archive. "Chagos Archipelago Timeline." American University.

<https://edspace.american.edu/chagosarchive/timeline-2/>

"Chagos Archipelago Timeline." YouTube,

[https://www.youtube.com/results?search\\_query=chagos+archipelago+timeline+](https://www.youtube.com/results?search_query=chagos+archipelago+timeline+)

Mondon, Aurélie. "Chagos Archipelago: History, Evolution, and Current Challenges." *Études Océan Indien*, 2003. <https://journals.openedition.org/oceanindien/2003>

"History of the British Indian Ocean Territory (BIOT)." BIOT Government.

[https://www.biot.gov.io/about/history/#:~:text=The%20islands%20of%20the%20Chagos,which%20then%20included%20the%20Seychelles\).](https://www.biot.gov.io/about/history/#:~:text=The%20islands%20of%20the%20Chagos,which%20then%20included%20the%20Seychelles).)