

Dropping the key to the Indian Ocean: British blunder or strategic masterstroke?

Just over a month ago, the United Kingdom struck a deal with Mauritius, agreeing to hand over sovereignty of the Chagos Islands, an archipelago barely larger than the Vatican located in the middle of the Indian Ocean. Britain has agreed to pay an as-of-yet undisclosed yearly payment to Mauritius, and while the islands may seem insignificant, they host a major joint Anglo-American military base central to a longstanding strategic, moral and legal dispute between the United Kingdom and Mauritius. Throughout the decades, this dispute has involved both the European Court of Human Rights, the International Court of Justice, and not least the islands' original inhabitants: the Chagossians.

The Chagossians, a people in exile

The Chagossians are descendants of African slaves brought to the then uninhabited islands in the mid-18th century. They became British subjects following the islands' annexation in 1814, having spent the next 150 years living on the islands as subsistence plantation workers. The islanders relied on rations provided to them by the plantation companies which were the islands' sole authority. As the islands themselves were too small to be administered independently, they were instead governed from the nearby colony of Mauritius. This changed in 1965, when the islands were excised from Mauritius and reorganised into the new British Indian Ocean Territory (BIOT). Mauritian politicians did not raise concerns of this move as they feared it would obstruct Mauritius' imminent path to independence. Instead, they accepted compensation of some £150 million in 2022's monetary value. The purpose of BIOT became clear in 1968 following Mauritian independence. Diego Garcia was to be used for an Anglo-American military base, resulting in the relocation of its former inhabitants.

The relocation was carried out over a five-year period between 1968 and 1973, which began when British authorities acquired and closed the plantation company *Chagos Agalega Ltd.* The islanders were then given the option of either accepting transportation to Mauritius or being stranded on Chagos without supplies. The islanders accepted the offer and would later go on to endure the journey's conditions which were described by the European Court of Human Rights as "miserable". Before leaving Chagos, all the islander's pets were killed and subsequently burnt. After the relocation was concluded, the BIOT administration made entry to or abode in the territory illegal. The Chagossians would spend over five decades seeking financial compensation and legal recourse from the UK.

Four courts – four decades

The decades-long legal battle between the Chagossians and the UK was fought in British domestic courts, the European Court of Human Rights and the International Court of Justice. The Chagossians were seeking compensation for their treatment and the right to return to the islands while the UK was protecting the integrity of its new military base.

In British domestic courts were the *Bancoult I* and *Bancoult II* cases in 2001 & 2008 as well as the *Ventacassen* case in 1975. The *Bancoult* cases were attempts to repeal the prohibition on the right of entry or abode in BIOT. Although *Bancoult I* successfully repealed the travel ban, it was immediately replaced by new restrictions which only allowed Chagossians access to the outlying islands, not Diego Garcia itself. This prompted the case *Bancoult II* which was initially successful but was later successfully appealed by the British government.

The *Ventacassen* case in the London High Court resulted in the Government settling for financial compensation with the Chagossians. This was conditioned on them forever renouncing their right of return to Chagos. Out of the nearly 1400 islanders who were offered renunciation forms, only 12 refused to sign. The majority who signed, did so by stamping their thumbprint due to being illiterate, receiving compensation equivalent to 170,000 SEK each in 2024's monetary value. This settlement had other consequences than forever renouncing their right of return, by accepting monetary compensation from the British Government, they legally lost their "victim status" which would lead to them losing against the British Government in the case *Chagos Islanders v. United Kingdom* [2012] in the European Court of Human Rights.

Finally, in a 2017 court case between Mauritius and the United Kingdom, the International Court of justice declared Britain's original excision of the Chagos Islands from the colony of Mauritius as illegal and called for "end to British administration over the islands" in a (non-binding) advisory opinion.

These events culminated on October 3rd 2024 when Britain agreed to hand over sovereignty of the islands to Mauritius. According to the agreement, the military base will remain under Anglo-American control under a 99-year lease, similar to British arrangements for colonial Hong Kong in the 1990's. Supposedly, London can choose to extend the 99-year period through as-of-yet unspecified terms. The importance of the Diego Garcia base for Anglo-American security cannot be overstated. Its strategic position in the Indian Ocean enables force projection over vital waterways like the Gulf of Aden, the Suez passage and the Straits of Malacca, with its geographic isolation making it safe from direct assault. More recently, it served as a critical base for British and American air-based combat and surveillance missions in the Iraq and Afghanistan wars.

A tiny territory with massive stakes

Given their location, the islands clearly have immense strategic importance, which begs the question: *If the islands are such an important asset, why give them away to Mauritius?* After all, Britain still has a strong claim to the islands compared to Mauritius, which has no tangible cultural or historic connection to Chagos other than the two being part of the same colonial administration. The Mauritian government even agreed to the island's excision by accepting monetary compensation for it following their independence but has still spent the past decade in lawfare with the UK, positioning itself as the underdog fighting for the Chagossians' cause.

In 2022, it assisted a number of islanders in reaching one of the outlying islands where the Mauritian flag was raised. It is a mistake however, to think that Mauritius is fighting for the

Chagossians and their homeland. It is easy here to take mental shortcuts by thinking of the UK as a European coloniser and Mauritius as an African liberator in a clear dichotomy. But the islands have been a European overseas territory for as long as they have been inhabited, at no point in history has Mauritius as an independent political entity ever controlled the islands. What is worrying is that the ICJ in their ruling, have completely disregarded the historical and cultural reality on the ground. Instead, their ruling is suggestive of a fundamentally flawed and binary view on relations between the global north and south. Namely, if a dispute involves palm trees and sandy beaches, its probably the Europeans who are wrong about it, history be damned. . .

Because it is important to note that the handover will not be a victory for the Chagossians' rights. Under the new deal, the base on Diego Garcia will be in operation for at least the coming 99 years and so far, the Chagossians have not been offered the right to return to anything other than the strategically insensitive outlying islands. Rather than having a concern for justice, this deal is only an opportunity for Mauritius to gain leverage over regional actors such as Britain, the US, China, and India, something of vital importance to the island nation calling itself "the Star and Key of the Indian Ocean".

For Britain, the deal appears to be the surrender of a crucial piece of land without improving either its own national security or the lives of the people who used to call the islands home. The British government claims that the deal is a way to secure the military base on Diego Garcia, but why would they, in an increasingly unpredictable world, trade the certainty that sovereignty provides with a bilateral treaty bound to expire? The answer is a great deal of international credibility and trust, which may prove to be vital in the coming decades.

Handing over Chagos could be seen as a way for Britain to shed the last of its colonial past. This would ring especially true among African and Commonwealth nations. With the European Union's slow response to the Ukraine war and the possibility of a second Trump term, trust in Europe and America has been shaken. This shift gives post-Brexit Britain the opportunity to shoulder greater responsibility for leadership of the liberal west. As more and more African countries are looking to China for economic investments and diplomatic manoeuvrability vis-à-vis the west, the possibility of American isolationism may create a power vacuum. This power vacuum could be filled by whichever power can position itself as a viable alternative to Chinese cooperation. This is a role Britain, with historical Commonwealth-ties to east Africa and a newfound isolation from its engagements in the European project could fill. For Britain, being in opposition to the ICJ is an immense blow to London's credibility and prestige as Britain is an integral, supporting part of the United Nations system. All in all, London finds itself in a situation where credibility would be a greater currency than strength-of-arms, a currency purchased through adherence to international law.

The islands' future

Such adherence may however be motivated by a more cynical conclusion than the desire to foster credibility. Many British MP's have criticised the deal as shortsighted and an open invitation for Chinese influence once the base's 99-year lease expires. Ignoring the fact that

the treaty includes the possibility of extension, this would still place the base under British-American control until earliest 2123. Now the consequences to national security that losing the base to a foreign power would entail, are dire. That fact is abundantly clear, meaning that London is likely not intending to ever suffer those consequences. As sea levels are rising with no signs of slowing down, most of the Chagos Islands' strategically important land masses will likely be under water by the time the 99-year lease to the base expires. By handing over de-jure control of Chagos while retaining the base just long enough for the islands to become strategically useless, Britain ensures its interests in the region are maintained while avoiding post-colonial scrutiny. If this reasoning is true, then the handover may be a strategic masterstroke rather than a desperate bid for time, as was the case with the British 99-year lease of Hong Kong.

No matter Britain's reasons for handing formal sovereignty of the islands over to Mauritius, the Chagossians have once again seen their homeland bartered away without their consent. For although Britain has opted for diplomatic reconciliation with Mauritius rather than dogged gunboat diplomacy, it seems to be little more than a strategic calculation of regional interests rather than a genuine desire to reconcile with the Chagossians. As of the time of writing, the Chagossians will not be allowed back to Diego Garcia despite the transfer of sovereignty and are once again being denied the right to determine the fate of their homeland. Not even the ICJ has managed to be the voice of the Chagossians, instead becoming mired in a power struggle falsely framed by a colonial dichotomy.

If the ruling's original purpose was to give the Chagossians a semblance of self-determination, every party involved has utterly failed. Britain has failed by not granting the Chagossians' right to their home and by sending funds to a foreign state rather than improving the lives of Chagossians living in the UK. Mauritius has failed by weaponizing the Chagossians to champion their own self-interest while remaining complicit with the military base's arrangement that prevents them from returning. Finally, the ICJ has failed to procure a just ruling, instead lazily and haphazardly assuming that since Mauritius is closer to Chagos than mainland Britain, they must clearly be a colony. In doing so, they have completely disregarded the cultural, historic and ethnic realities of the Chagossians and the Chagos islands.

In the end, we may be seeing a post-Brexit Britain trying to build connections and credibility in order to fill a potential regional power vacuum and shoulder greater international responsibility. The handover appears on the surface to be a British exercise in diplomatic bridge-building, but closer inspection reveals strategic calculations rather than a genuine attempt at reconciliation with its colonial past. Even the ICJ has contributed to this by presenting an incorrect and oversimplified view of the situation by misconstruing the relationship between the Chagossians' and Mauritius as well as the relationship between Britain and the islands. This handover encourages us to reflect on the dynamics between modern powers, their colonial legacies, and the populations once ruled by them while climate change is becoming increasingly instrumental in shaping long-term decision making. In the end, the Chagossians have once again been deprived of the right to decide the future of their homeland.

Joseph Ejnelind