

A Brief History of the Ilois Experience 1962 - 2008

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... groups may make disastrous decisions for a whole sequence of reasons: failure to anticipate a problem, failure to perceive it once it has arisen, failure to attempt to solve it after it has been perceived, and failure to succeed in attempts to solve it.

- Jared Diamond, US ecologist

If you've ever been to Diego Garcia, you have probably wondered what happened to the people who lived and worked at "The Plantation". The quick answer is they were shipped out in the fall of 1971. But, as with all seemingly simple answers, there lies a long story. If you are truly interested in the details of the Ilois since 1962, you should spend a few hours reading the following documents and books. Combined, they detail thousands of facts about the history of the island, the creation of the British Indian Ocean Territory (BIOT), the events leading up to and the evacuations, the compensation provided to the Ilois as the plantations closed to make way for the establishment of the US base, and the Chagossians' historical and current claims and desires. This essay is a short summary of that complex story.

- 1975 US Congressional Hearings on Diego Garcia and the Ilois. (<http://www.zianet.com/tedmorris/dg/uscongresshearings1975.pdf>).
- 1999 England and Wales High Court of Justice, Queen's Bench Division, Crown Office List ruling. (<http://www.bailii.org/ew/cases/EWHC/Admin/1999/192.html>).
- 2000 England and Wales High Court of Justice Queens Bench Division (The Administrative Court) ruling. (<http://www.bailii.org/ew/cases/EWHC/Admin/2000/413.html>).
- 2003 England and Wales High Court of Justice Queens Bench Division ruling and The appendix to that ruling. (<http://www.hmcourts-service.gov.uk/judgmentsfiles/j1970/chagos.htm>).
- 2004 England and Wales Supreme Court of Judicature Court of Appeal (Civil Division) ruling, upholding the 2003 judgment. (<http://www.bailii.org/ew/cases/EWCA/Civ/2004/997.html>).
- 2004 US District Court for the District of Columbia ruling. (<http://www.zianet.com/tedmorris/dg/usdistrictcourtcase2001.pdf>).
- 2006 Judgment by the England and Wales High Court. (<http://www.bailii.org/ew/cases/EWHC/Admin/2006/1038.html>).
- 2006 US Court of Appeals for the District of Columbia Circuit. (<http://www.zianet.com/tedmorris/dg/usappealscourtcase2006.pdf>).
- 2007 England and Wales Supreme Court of Judicature Court of Appeal (Civil Division) ruling, upholding the 2006 judgment (<http://www.bailii.org/ew/cases/EWCA/Civ/2007/498.html>).
- 2008 House of Lords – Opinions of the Lords of Appeal for Judgment in the Cause (<http://www.publications.parliament.uk/pa/ld200708/ldjudgmt/jd081022/banc-1.htm>) (last accessed Nov. 20, 2008).
- “Under Two Flags” by David Melville (<http://www.zianet.com/tedmorris/dg/realhistory-2.html>)
- “History of Diego Garcia” by Steven Forsberg (<http://www.zianet.com/tedmorris/dg/realhistory-2.html>)
- Peak of Limuria* by Richard Edis (available at <http://www.chagos-trust.org>)

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Footnoting of UK Court Rulings found in the following document:

- (2000, + number) - Paragraph number in England and Wales High Court of Justice Queens Bench Division (The Administrative Court), Case No: CO/3775/98, Judgment, 2000.
- (2003, + number) - Paragraph number in The High Court of Justice Queens Bench Division, Case No: HQ02X01287, Approved Judgment, 2003.
- (2003A, + number) - Paragraph number in The High Court of Justice Queens Bench Division, Case No: HQ02X01287 (Appendix), Approved Judgment Appendix.
- (2006, + number) - Paragraph number in England and Wales High Court, Case No: CO/4093/2004, 2006, Handed Down Judgment.
-

2007 monetary equivalents were calculated in each countries currency, using the inflation calculators as follows:

For £ (based on RPI increases): -

<http://www.measuringworth.com/ppoweruk/?redirurl=calculators/ppoweruk/>

For \$ (based on CPI increases): - <http://www.westegg.com/inflation/>

For Rs (based on CPI increases): - Republic of Mauritius Central Statistics Office Historical Series Comparative annual Consumer Price Index, (Base January – December 1963 = 100), 1963 - 2007 (available on line at:

http://www.gov.mu/portal/site/cso/menuitem.e252e3fb5d85cdde965c062ca0208a0c/?content_id=8a39e924d448a010VgnVCM1000000a04a8c0RCRD.

Using Official Exchange Rates of 1965-1978 as £1 = Rs 13.333 = \$2.40; 1982 was £1 = Rs 19 = \$1.75. Although not used in this document, the rates in December 2007 were £1 = \$2.01 = Rs 56.

IN THE BEGINNING...

The Chagos Archipelago lies on the probable migration route of the Austronesian Diaspora that populated Madagascar, and it is entirely possible that those explorers landed and possibly settled the Chagos between the 5th and 7th centuries A.D. Unfortunately, coral islands don't preserve archaeological evidence very well, so we'll probably never know.

At any rate, the Chagos was found to be uninhabited when discovered by Europeans in the early 1500s. In 1785 and 1786 both the French and British attempted to settle Diego Garcia, and the French began marooning lepers there about the same time. However, it wasn't until 1793 that a successful French colony was established, composed of Franco-Mauritians, consisting of 50-60 "men" and "a complement of slaves".¹

THE BEGINNING OF THE ILOIS CREOLE SOCIETY:

The Ilois (a French-Creole dialect word meaning islanders), also called "Creoles des Iles" (2003, 86), and more recently "Chagossians" or "Chagos Islanders," are the descendants of those slaves. Based on linguistic vestiges and certain social practices, such as the "Sega Party", these slaves are generally considered to have come originally from what is now Mozambique.² They retained their Franco-Creole nature through the centuries as the plantations of the Chagos were typically administered by Franco-Mauritians.

The Ilois are of predominantly African descent. There are several claims that the Ilois included a heavy dose of racial mixing from India, or were in fact, Indo-Ilois.³ As always in mobile (whether voluntary or in servitude) populations, there can be little doubt that there were liaisons between the Ilois and the Franco-Mauritians and Brits who managed the plantations, visiting ships' crews and passengers, the Indians, Somalis and Chinese who were employed at the coaling stations in the late 1800s, other residents of Mauritius - to which individual Ilois and their families traveled and spent time (2003, 9) - and the Empire's soldiers stationed on the islands during the Second World War. But look at the names - there are few Hindi derived surnames, and anyone who has met a Chagossian, or seen their faces in photographs, sees Africa, not the subcontinent.

The written reports of almost every visitor to the island during the nineteenth and twentieth centuries routinely described an uninhibited population. In the 1830s, a visitor noted that the lack of a moral or religious framework resulted in considerable promiscuity since "Frenchmen, when removed from the public eye, have a strong tendency to degenerate into savages."⁴

Little seemed to have changed by 1960, when another visitor wrote: "[The islands are populated by] a society which is notably partial to alcoholic refreshment and broad minded with regards to marriage".⁵ Certainly this societal attitude led to an admixture of races to some degree.

THE ILOIS PEOPLE ON THE PLANTATIONS:

England gained sovereignty over the Chagos Archipelago in The Treaty of Paris in 1814, along with Mauritius and the Seychelles. England administered the Chagos and the Seychelles from Mauritius initially, and immediately outlawed the slave trade and subsequently abolished slavery in August 1834.⁶ Following a six year period of "apprenticeship" to their former masters, the former slaves became free men and women in 1840.⁷

Individual freed slaves undoubtedly migrated out of the Chagos following their emancipation, but there is no question that some stayed or returned (2003, 7), and became the ancestors of contract workers for the various commercial enterprises on Diego Garcia and the other plantations of the Chagos (2003, 9).

During the entire period of continuous civilian habitation (1793 - 1973), the land of the islands was owned by various commercial enterprises, and this effectively meant by coconut plantation owners (2000, 7). These businesses were granted “concessions” first by the French, and then by the British Colonial Government located in Mauritius (until 1965 when the islands' administration was moved to the Colonial Government of the Seychelles). In 1962, the Chagos Agalega Company, Limited, based in the Seychelles, bought up the existing plantations and commercial enterprises throughout the Chagos from the Societe Huiliere de Diego et Peros, which was registered in Mauritius.⁸ The entire Chagos, except for six acres on Diego Garcia previously transferred to the Crown by previous plantation owners in lieu of taxes, became the property of Chagos-Agalega, which in turn sold it all to the Crown in March and April 1967 (2003A, 95).

At no time did anyone living on the islands, including the Ilois, actually own a piece of real property there (2000, 7; 2003A, 221, 385-386). Even the “resident” managers of the plantations were employees of absentee landlords. These employees, including the Ilois and other workers are reported to have owned their personal possessions, but lived in what in the USA is called “a company town” with assigned housing, and some basic amenities such as rudimentary medical care, and most importantly, rations (2003A, 215-216). There were no self-sustaining individual commercial enterprises such as family farms, or independent or communal farming or fishing communities (2003A, 216-217). Historically, ships putting in to Diego Garcia routinely found that there was never a surplus of supplies to purchase, nor were there any entrepreneurs on the island with whom they could work a deal for the support of subsequent voyages.⁹

Since full emancipation in 1840, the Ilois were employed on individual contracts valid for one or two years at a time. These contracts required witness by a Magistrate from Mauritius, although visits by administrators to formalize these contracts were often few and far between (2003, 9, 214). For those who chose to stay on the islands between Magistrate visits, employment was normally continued informally until such a time as the contracts could be ratified. The powers of the managers of the plantations were virtually feudal, right up to the end of the era in 1973, and “misbehaving” residents were shipped out (2003, 4).

Although during the Coaling Station period (1882-1888) some laborers were imported from Somalia, India, and China, for the entire period of the non-slave “Plantation Era” (1840 - 1973) population counts typically show 95% or more were Creole farm laborers, although at various times the workers were described as Africans or Malagashes (someone from Madagascar).¹⁰ The workers were typically contracted in Mauritius, although by the 1930s, Father Dussercle reported that 60% of the plantation workers were “children of the islands”, i.e., Ilois.¹¹ After the purchase of the plantation by Chagos Agalega Co., most workers came under contract from the Seychelles.¹² In the latter half of the 20th century, there were “three strands” to the population - Mauritian contract workers, Seychellois contract workers, and the Ilois. (2003, 10).

Regardless of their origins, there were many Creoles who were born in the Chagos or to parents born in the Chagos, who identified themselves as “Creole des Iles.” There are several hundred graves dating back to the 1800s on Diego Garcia (personal observation). Although many of these graves mark the final resting place of workers who died by accident or from disease, and most appear to be of children, some are undoubtedly those of elderly, perhaps life-long, inhabitants. However, there is little evidence that death by old age was common. For example, in 1877 Diego Garcia had a total population of 326, and only one of the 22 deaths that year was attributed to old age.¹³

Population figures also indicate that the Chagos experienced continuous emigration. For example, the birth rate in the Chagos was consistently recorded at about 35-40 per 1,000

annually, with death rates of about 15-20 per 1,000.¹⁴ Elsewhere in the world this discrepancy led to significant population growth; it did not in the Chagos. Overall we would expect to see population growth of as much as 3.5% annually, but in fact the population remained remarkably stable over time. This can be most readily explained by steady emigration of those no longer desiring employment or otherwise denied employment - the Ilois were never the masters of their own destinies in the Chagos.

Even though they lived on the Chagos, the Ilois were not considered “belongers” until 1966 (2000, 13). Certainly, the plantation owners looked at the workers as nothing more than contracted laborers. With the exception of the marooned French lepers in the 1780s, it is safe to say that every adult who has ever lived in the Chagos for any period of time was an employee of an agribusiness, its associated commercial enterprises, a coaling station, or a distant government. That employer always had headquarters elsewhere. This employee status included the attempted colonizers from the East India Company in the 1700s, the plantation managers, the workers, priests, visiting colonial administrators, law enforcement officials, and today, the resident multi-national force of military members, government employees, and associated contractors.

After emancipation, the now-contracted workers on the plantations were free to leave their employment, and travel elsewhere, and this practice of spending some time in the Chagos under contract, and some time visiting relatives, seeking medical attention, or working on Mauritius was common and repeatedly documented right up to the final days of the Plantation Period. Indeed, Olivier Bancoult, the Plaintiff in all the lawsuits between 1999 - 2008, was one such person, leaving Peros Banhos as a child in 1968 (2003A, 130). Bancoult claims that he and his family, as well as other Ilois were prevented from returning to the Chagos Archipelago by the British authorities before 1971, but that was determined to be untrue since there was no restriction to such travel before the passage of the BIOT Immigration Ordinance of April, 1971. The last inhabitants were removed from Diego Garcia in 1971, from Salomon atoll in 1972 and from Peros Banhos in 1973 (except as noted, this entire paragraph is from 2000, 6).

Few non-employees stayed in the Chagos. Although it was common for local plantation managers to allow “pensioners” and the disabled to remain in the islands and continue to receive rations in exchange for light work, children after the age of 12 were required to work (2003, 217, 344). For example, a detailed census found in the Newton Report of 1964 showed a total population in the Chagos of 963 (including children) of whom only three adults were unemployed (2003A, 12).

It is important to understand that during the Plantation Period, rations provided in-kind were critically important to the survival of the workers. Significantly, carbohydrate crops such as maize and rice would not grow well¹⁵ in the islands, but are essential to a working population. Carbohydrate rations, mainly in the form of 2 pounds of rice per person per day, more or less, were provided from the earliest records.¹⁶ In the modern era, witnesses testified that they “got lots of rice and foodstuffs given to them” (2003A, 195, 215, 427). The workers supplemented the rations with vegetables grown in small gardens, poultry or pork from the semi-wild company flocks and herds, and fishing (2003A, 25).

Recently, many have claimed the Ilois were systematically starved through the withholding of rations before the last ships left the Chagos during the 18 months of the evacuation, but testimony in court shows this to be untrue. The actual complaints were that the ration of rice was replaced with 1/2 rice and 1/2 wheat flour - which was unpopular - due to a scarcity of rice in Mauritius (2003A, 129, 314). Even so, the withholding of rations was no doubt a serious inducement for the unemployed to leave the Chagos. In the final closures it came down to this: If they didn't get on the boat when it left, they would slowly starve (2003A, 353).

This has serious implications for re-settlement of the islands as proposed in the 21st Century. Even the relatively small populations of the 19th and 20th Centuries (no more than

about 700 on Diego Garcia, and no more than 350 on either Peros Banhos or Salomon atolls) proved unable to feed themselves from island resources. Even so, the Chagos Refugee Group and their British surrogates, the UK Chagos Support Association, proposed to resettle 2,500 people on Peros Banhos and Salomon atolls.¹⁷ This represents a 350% increase over historic population numbers, and food will certainly prove to be a major logistical concern.

Unfortunately for the Ilois, their laborer status, and their historical reliance on in-kind food and services, worked against the integration of the Ilois into Mauritian society in the late 1960s and early 1970s. As has been pointed out repeatedly by Chagossian testimony in court, and in the press, the Ilois had virtually no education or technical skills, and when ultimately evicted from the Chagos, they had extremely limited ability to adapt to even the non-industrial economy of Mauritius (2003, 50).

HOW MANY ILOIS?

Although there were anecdotal reports of people in the Chagos meeting the criteria for indigenous, it appears none of the governments involved initially understood that to be a particular problem. The governments relied heavily on the report of the 1964 Anglo-American “Newton Survey” for the Colonial Office in making their initial plans. In that report, the Plantation Manager was quoted to believe that “most of the inhabitants of Diego Garcia would gladly work elsewhere if given the opportunity... [and] that there were grounds for concluding that the evolution of life on Diego Garcia was fostered by the easy-going ways of the old company [the Societe Huiliere de Diego et Peros] rather than by an attachment to the island itself” (2003A, 15). The report went on to say “it may be accepted as a basis for further planning that if it becomes necessary to transfer the whole population there will be no problem resembling, for instance, the Hebridean evictions. Alternative employment on a new domicile under suitable conditions elsewhere should be acceptable” (2003A, 16). It did note that the Ilois were not ignorant of life on Mauritius, but that they would require “supervision and guidance” in relocating, and that the cost would be heavy (2003A, 17).

At the time, it appears that the British believed the number of Ilois was indeed very small and that the vast majority of workers in the Chagos were indeed transient, contract workers and their families (2003, 653). In the Newton Report of 1964, the population of Diego Garcia was listed as 483, of whom 172 were Mauritians and 311 Seychellois (2003A, 12). Newton estimated that there were 61 adults and 154 children on Diego Garcia that “might be accepted as Ilois [sic]” but that only three men and 17 women “could really be regarded as having their permanent homes on the island.” (2003A, 16).

In addition, the failure of the British government to immediately understand that there was an indigenous population may be traced to the fact that not until 1967 did anyone list the numbers of “Ilois” in the Chagos - they were always listed on population counts as Mauritians or Seychellois (2003A, 23).

The problem the UK government did see in the indigenous nature of the Ilois were the requirements of Chapter XI of the United Nations Charter¹⁸ which required that the peoples of a non-self governing territory be assisted in developing self-governance and ultimately, independence. If the Chagos-born could be resettled elsewhere, that issue would go away (2006, 11).

The fact that there were people born in the Chagos who held a feeling of belonging to those islands that could draw the attention of the UN slowly dawned on the British government between the summer of 1964 and February, 1966 (2000, 10 - 12). However, although the Ilois may have thought of themselves as distinct, no one in the bureaucracies of Mauritius or Great Britain did so until it was too late to affect the US-UK agreement to depopulate the islands.

Those governments then they tried to hide the fact for the political reasons mentioned above (2000, 13 - 14).

Beginning in 1966, the number of Ilois in the Chagos was determined by asking the workers if they were Mauritian, Seychellois, or Ilois (2006, 35). In March 1968 the British government settled on a firm number of 434 Ilois in the Chagos and accepted that there was an unknown number living in Mauritius (2003A, 134).

There is abundant evidence from population surveys taken by the Colonial government in Mauritius that there were never more than about 1,100 people in the Chagos at any given time during the post-war period. The UK's Foreign and Commonwealth Office compiled the existing population, health and mortality records of the BIOT in 2000 and these show the highest population was 1,142 in 1953.¹⁹ Population dropped rapidly in the late 1950s to just 747 in 1962, and between 1965-1971 the highest population recorded of the Chagos was 924 in 1967, which is consistent with the economic decline of the plantations (2003A, 23). These population counts showed the population maintaining a 1:2 split between adults and children. For example, in 1964 Newton estimated there were 80 adult Ilois and 154 children on Diego Garcia. In the 1967 count, 487 people in the BIOT classified themselves as Ilois, of whom 274 were children. Remembering that persons over the age of 12 were required to be employed to receive rations, this indicates a family-structured society among the Ilois in the Chagos.

How many Ilois were there at the time of the evacuation? There is no agreement as to the numbers of Ilois living in the BIOT prior to 1971 (2000, 6). However, the UK and Mauritius agreed in 1972 that there were 426 Ilois families who left the Chagos for Mauritius between 1965 and 1973 (2003A, 417). In 1977, the Mauritian government listed a total of 557 Ilois families totaling 2,323 people - 1,068 adults and 1,255 children - as eligible for compensation, a number which included families that left voluntarily before the creation of the BIOT and never returned to the Chagos (2003A, 523). The number reported by the Mauritian government in 1978 to have received compensation was 2,365 - 1,081 adults and 1,284 minor children (2003A, 421). The total number of people certified as Ilois by the Ilois Trust Fund Board in 1982 was 1,579 individuals (2003, 629). So the best estimate is somewhere in the range of between 1,579 - 2,323.

What these numbers clearly show is that since the population of Ilois in the Chagos during the late plantation era was repeatedly noted at less than 500, the Ilois population was and had always been highly nomadic, with 70% to 80% of the Ilois population residing outside the Chagos - primarily on Mauritius - at any given time.

How many Chagossians are there in 2008? Counting only those "born in the Chagos" usually results in a number of about 2,000 individuals, although after 35 years The Times in an article on May 24, 2007²⁰ estimated just 500 survive, the remainder having died in the interim. Today it is more common to identify all descendants of those born on the islands as Chagossian, and that number is generally considered to be about 4,000 - 5,000. The Ilois Support Trust (a UK charity)²¹ states on their website that there are 8,000 Ilois on Mauritius, of whom 60% are unemployed, compared with the national figures of 4% for men and 11 % for women, and 45% are illiterate, compared to 15% in Mauritius as a whole - statistics that point out the continuing failure of the government of Mauritius to "supervise and guide" the Ilois after 35 years of exile.

THE CREATION OF THE BIOT FOR US/UK DEFENSE PURPOSES:

Beginning in the early 1960s, the UK and the US began talks with the objective of establishing a military base in the Indian Ocean region. Such a base would of necessity need to be situated on British territory, as the US did not have any possessions in that region.

One must consider (as the UK and US Courts have in the 21st Century) the geopolitical realities of the time. This was at the height of the Cold War, and the outcome was by no means certain as evidenced by the spread of communist insurgencies in Latin American, the East Indies,

Africa, and Southeast Asia. The US bases in Ethiopia and Pakistan had been closed as relationships with those countries had deteriorated.²² The Soviet Navy had vastly increased its presence in the Indian Ocean and US Naval operations in the Indian Ocean to counter that presence were extremely difficult to support from the nearest bases in Greece and the Philippines.²³ Although the Nixon Doctrine spelled out the concept that the US would not maintain a presence where its interests were not directly threatened, the west began to realize that the flow of oil from the middle east, so necessary for the industrial democracies, was threatened by the Soviet Navy in the Indian Ocean, where it had more than four times the presence of the US Navy.²⁴

The US was also deeply concerned with the stability of the host nation of any potential base, and sought an unpopulated territory to avoid the UN's decolonization requirements and the resulting political issues of sovereignty or anti-western sentiment. At the time, the 'non-aligned' status of the littoral nations of the Indian Ocean did not appear 'non-aligned' at all to the west.²⁵ The political posture of an independent Mauritius was not clearly known, but was of a nature expected to work against the security of the base (2000, 11, 14; 2003, 15).

This proved to be the case, and remains so to this day. Between 1973 and 1975, Mauritius welcomed 38 Port Calls by the Soviet Navy.²⁶ In December 1976, the hard-line anti-British, nationalist Mouvement Militant Mauricien (MMM), led by Paul Berenger, won 34 of the 70 seats in the Mauritian parliament, and became the largest single party. With the collapse of a shaky coalition composed of the Labour and Social Democratic parties, the MMM achieved power. It promptly joined the "non-aligned" block of Tanzania, India, the Malagasy Republic (Madagascar) and the Seychelles and called for the demilitarization of the Indian Ocean.²⁷ Cassam Uteem, president of Mauritius from 1992 to 2002, is quoted in a May 12, 2008 article in *The Guardian* "[Diego Garcia] is no place for a base. The Indian ocean should be a zone of peace," as he pressed Mauritian claims to the Chagos.²⁸ *The Guardian* earlier reported on July 7, 2004, that Paul Berenger, once again Prime Minister of Mauritius, was reasserting Mauritius' claim to the Chagos and the demilitarization of the area.²⁹ And so it goes.

Such political realities highlight the value to the west of the unpopulated, British island for the US base. In addition, fiscal realities in the UK led its leaders to welcome American fill of the void following the UK military withdrawal "East of Suez", and the presence of a US base on British territory was welcome by both governments, and the west in general.

As a direct result of these geopolitical concerns, the British Colonial Office recommended to the UK government in October 1964 to detach the Chagos from Mauritius to enable the development of the defense facilities free from interference by a future independent Mauritius (2003A, 27; 2006, 22). In January 1965, the US Embassy in London formally requested the detachment of the Chagos as well (2003, 28) and on November 8, the UK created the BIOT by an Order in Council (2003, 17). Administration of the BIOT was moved to the Seychelles, the impending independence of Mauritius in 1968 militating against any attempt to continue long-term administration from Port Louis, and the governor of the Seychelles became the BIOT Commissioner (2003, 17).

The BIOT was formally created by The Queen through her Privy Council, exercising an ancient legal prerogative to govern non-self-governing Colonies through laws called "Orders in Council". This Order, and indeed the very concept of an Order in Council, plays an important role in the lawsuits of the 21st Century. Section 11 of the 1965 Order stated, among other things, that:

“(1) The Commissioner may make laws for the peace, order and good government of the Territory, and such laws shall be published in such manner as the Commissioner may direct” (2000, 3).

The second law created by the Commissioner under the authority of the BIOT Order in Council was BIOT Ordinance No. 2, which permitted the UK to purchase any and all real estate in the BIOT for Crown Purposes (2003, 21). In April 1967 the Crown proceeded to do just that by purchasing all the assets of the Chagos Agalega Company (i.e., the entire land mass, all the buildings, trees, etc., of the Chagos) for £660,000 - worth Rs 8,799,780 at the time and about £8.637 million, \$9.736 million, or Rs 23,235,514,000 in 2007 (2006, 41).

The Crown immediately leased back the properties to Chagos-Agalega (2003A, 96) but that company terminated the lease at the end of 1967 (2003A, 106). In January 1968 the former Chagos Agalega manager for all the plantations, Paul Moulinie, incorporated a new management company in the Seychelles (Moulinie and Company, Limited) and took over management of the plantations on behalf of the British government, in exchange for 8% of the gross sales (2003, 118). Although a contract or lease was never signed (2003, 119) this management arrangement continued through the end of the Plantation Era in 1973.

THE DEPOPULATION OF THE CHAGOS.

With the scrutiny applied during the creation of the BIOT, there was an eventual understanding of the existence of the semi-permanent Ilois population, and the UK began to realize that the removal and relocation of the plantation workers was going to evolve into a messy affair.

The decision to depopulate the entire Chagos archipelago was considered as early as 1964, although it took years to finally put into action, and it is not entirely clear why it was done. In January 1965, the UK estimated the cost of resettlement at £350,000 (2003A, 29), but by June 1965, it was clear no such number was remotely reasonable and the UK re-estimated the cost of resettlement, to include a very generous financial package for the Ilois, to be about £10 million (2007 - £139 million or \$156.2 million) (2003A, 30). At the same time, the US discounted the accrued R&D surcharge on its sale of Polaris missiles to the UK, reportedly in the amount of £14 million (2007 - £195 million; \$218 million) in what is generally considered to be a quid pro quo regarding the costs of separating the BIOT from Mauritius and the Seychelles, including compensation for the population³⁰ (also 2003A, 30).

Why was the entire Chagos evacuated? Some say that the US insisted, and point to an Agreed Minute of December 1966 stating that administrative measures to prepare the Chagos for the US base included “resettling any inhabitants” (2006, 37). Whether this meant evacuation of selected islands or the whole archipelago was not clear. Earlier, in January 1965 the US Embassy stated that there was no reason to re-locate population prior to an island's coming into use for defense purposes (2003A, 28), and in the end, only Diego Garcia was used for military facilities. Did the US intend for the entire Chagos to be evacuated? In 1969 the US Embassy wrote to the FCO that it would be politically unwise to re-locate workers from Diego Garcia to Mauritius because of the serious unemployment problems there, and stated that the US agreed to the workers' relocation from only Diego Garcia to Peros Banhos and Salomon atolls in the BIOT (2003A, 211). In December 1970, the US did request the evacuation of Diego Garcia (2003, 31), but it appears (from lack of any other evidence) that this was the only US request for evacuation of the Chagos (2003A, 296, 391).

Beginning in 1966 the UK government is repeatedly quoted as anticipating an American demand to depopulate the entire BIOT (2000, 13). It does not appear that the eventual evacuation of Diego Garcia was ever withheld from the Chagos Agalega Company, Moulinie and Company, or from the Ilois themselves. As early as January 1966 officials of Chagos Agalega told the workers on Diego Garcia that they might be asked to leave (2003A, 102). In 1969, the FCO agreed with the Americans that only Diego Garcia required evacuation (2003A, 216) and developed various strategies to keep the plantations on Peros Banhos and Salomon open “for 20 years”, i.e., through 1989 (2003A, 212). In January 1971 the BIOT Administrator told the

inhabitants of Diego Garcia that they intended to close the island in July, but that Peros Banhos and Salomon would remain open for some time (2003, 32). However this plan quickly changed to one of depopulating the entire Chagos as the BIOT and FCO struggled with the cost of keeping the plantations open in the face of declining coconut oil prices and the cost of adding or repairing infrastructure on the plantations (2003A, 267, 277). However, available evidence eventually led the UK Courts to decide that the UK government ultimately decided to depopulate the Chagos to avoid scrutiny by the UN's Special Committee on the Situation with Regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, known as the "Committee of Twenty-four"³¹ (also 2003A, 233-234, 267). The solution to avoid UN attention regarding the remaining populated islands of the BIOT - Farquhar and Desroches - was to return them to the Seychelles, which they were when that country gained its independence in 1976 (2003A, 415).

By 1970, the Foreign Office was tired of waiting for an American decision regarding evacuation of the whole archipelago, apparently in accordance with its own interpretation of the December 1966 Minute. By 1970, the UK preferred a complete evacuation rather than a two-stage event - Diego Garcia then the rest of BIOT (2003A, 266). Whichever was to come to pass required a law to put into effect, and as US Navy SEABEES landed on Diego Garcia in March 1971 to begin construction of the base on Diego Garcia, the BIOT Commissioner issued the "BIOT Immigration Ordinance" of April 1971. The Ordinance basically said that no one except UK and Seychellois colonial administrators and military personnel were allowed into the Chagos without a permit. This provision, and the concept itself plays a major role in the lawsuits of the 21st Century. Section 4 of the Ordinance stated (2000, 3):

"(1) No person shall enter the Territory or, being in the Territory, shall be present or remain in the Territory, unless he is in possession of a permit or his name is endorsed on a permit in accordance with the provisions of section 5 and section 7 of this Ordinance respectively.

"(2) The provisions of this section shall not apply to members of Her Majesty's Forces, or to persons in the public service of Seychelles or the Territory or in the service of any of Her Majesty's Departments of State, while on duty, or to such other persons as may be prescribed."

This effectively resulted in the exclusion from the BIOT of all plantation personnel and their dependents, whether Ilois, Mauritians, Seychellois, or of European descent. As one plantation after another was closed, their permission to be in the Chagos in the form of labor contracts on government owned plantations was rescinded, the depopulation was completed.

In the end, a two-stage evacuation did occur, beginning with the evacuation of Diego Garcia in September 1971 (2003A, 334). At that time the policy was that no-one was to be repatriated to Mauritius compulsorily, and the Ilois were offered employment on Peros Banhos, Salomon or Agalega (then part of the BIOT, later returned to the Seychelles). Only a small number of Ilois families chose to leave the Chagos Archipelago of the BIOT immediately, and those who transferred to the other islands received a dislocation allowance of Rs 500 (2006, 60), which represented 14 months of salary for men, and 50 months for women (please see the salary and in-kind payment figures further down).

Meanwhile, the operation of the coconut plantations and copra production on Peros Banhos and Salomon atolls was becoming economically unsupportable (2006, 63). In February 1972, Mr. Moulinie, the Plantation Manager, asked the Commissioner that the Peros Banhos and Salomon facilities be closed as they were no longer profitable to him (2003A, 379) and asked for an evacuation of the workers to be completed by March or April 1973 (2006, 65). It is important to note that the UK and BIOT administrations had no other coconut plantation managers available, so Moulinie's request was taken very seriously. However, the government of Mauritius

refused to take any more displaced workers until the UK funded their relocation, and the UK agreed to provide £650,000 for that purpose (2003A, 387). In November 1972 the plantation on Salomon was closed and most of the Ilois were transported to Mauritius (2006, 64). On May 26, 1973, Peros Banhos closed, and the last of the plantation workers were shipped out of the Chagos (2003A, 396).

WHERE DID THE ILOIS GO?

It should be remembered that the Ilois routinely left the Chagos for Mauritius (and to a much lesser extent, for the Seychelles) often for long periods of time. However, beginning with the scheduled sailing of the *MV MAURITIUS* from Port Louis in March 1968, workers who had left the islands for Mauritius were unable to return to the Chagos (2003A, 195-199). The reasons were complex.

In 1968, the UK granted Independence to Mauritius. The *MV MAURITIUS* was operated by Rogers and Company, the Moulinie and Company agent in Port Louis. Half the cost of its operation was paid by the Mauritian government, and it typically made two trips per year to the Chagos (2003, 26). By June 1967, the Mauritian government saw no need to continue paying for voyages to islands it no longer controlled (2003A, 107) and in July 1968 the BIOT administration in the Seychelles secured resupply from the Seychelles via the *MV NORDVAER* operating from Mahe. This effectively closed the Chagos-to-Mauritius route (2003, 26). In July 1971, the schooner *ISLE OF FARQUHAR*, owned by Moulinie and Company, was chartered as well (2003, 36).

With the pending cancellation of the *MV MAURITIUS*' sailings to the Chagos, Moulinie and Company began recruiting needed workers from the Seychelles. In May 1967, Moulinie told the BIOT Commissioner that he would not be recruiting additional laborers from Mauritius. At that time, the government of Mauritius asked that 75 workers on Mauritius be re-employed when the *MV MAURITIUS* made its next trip to the Chagos, scheduled for March, 1968. The BIOT Commissioner referred the question to Moulinie and Company, which at the time had no need for the workers. Neither the UK government nor the BIOT Commissioner instructed or advised Moulinie to prevent the Ilois from returning to the Chagos - it was simply a management decision on the part of Moulinie - and on February 29, 1968, Moulinie sent a telegram to Rogers and Company to cease recruitment on Mauritius. Even so, Moulinie proposed in November 1968 to recruit 100 Ilois from Mauritius, and was authorized by the BIOT Commissioner to do so, although in the end the recruitment did not occur (all of this paragraph is referenced from 2003, 300-303).

With no direct regular transportation between the Chagos and Mauritius, the number of Mauritian workers in the Chagos fell as their contracts expired and they departed on a circuitous trip home via the Seychelles, while the number of Seychellois workers grew, until they outnumbered Ilois and Mauritian workers three to one or more. As early as 1967 for example, on Diego Garcia there were 35 Ilois men, 38 women and 93 children, and just 10 Mauritian workers. By contrast, the Seychellois contingent comprised 172 men, but only 53 women and 102 children, indicating a 2:1 preponderance of single, male Seychellois (2003A, 12).

As the time came to close the plantations, many Ilois were not prepared or interested in leaving the Chagos. The final boat out of each of the plantations carried the last reluctant people, and their memories of the departures and voyages were emotionally painful (2003A, 353-370). The Ilois left behind their homes, their pets and domestic animals, their larger items of moveable property, taking only a small quantity of personal possessions (2003, 36). However, claims made by the Chagossians today that they were forced to leave by British officers, or that individuals committed suicide by jumping overboard, have been shown in Court to be untrue (2003A, 358, 359, 399). There can be no doubt that the weather, overcrowding, and the "deck

passenger” status of many made the week-long voyages dreadful (2003, 38; 2003A, 332) but they were not barbaric.

As the Americans arrived on Diego Garcia in March 1971 and began construction of the naval and air base, the decision to close the Diego Garcia plantation was finally implemented. The last ship, the *ISLE OF FARQUHAR*, sailed (literally - it was a schooner) from Diego Garcia on October 15, 1971, ending 178 years of civilian occupation of the island (2003, 29). There was still no plan to close Peros Banhos or Salomon, so most of the Ilois families on Diego Garcia resettled on those atolls. Only eight families chose to continue on to Mauritius (2003A, 345).

Meanwhile, schemes were developed for resettlement of the Ilois on Agalega Island and on Mauritius. These were complex and should be read in the Court documents. The Mauritian Government's internal political difficulties with the receipt of funds which might appear to favor one group of residents over another (2003, 42), the island's 20% unemployment rate (2003A, 221), the UK's apparent interest in avoiding scrutiny by the UN's Committee of Twenty-four (2006, 29), Moulinie and Company's desire to keep costs under control (2003A, 390), and the unskilled nature of the Ilois workers themselves (2003, 25) all share in the tragedy that evolved. The bottom line is that plans for re-settlement and distribution of adequate compensation were incomplete when the last ship from the Chagos departed Peros Banhos on April 27, 1973.

Up until that time, the UK's primary strategy for resettlement of the Ilois and other contract workers seems to have been obtaining the concurrence of the governments of Mauritius and the Seychelles to repatriate their own citizens (2003, 16). In 1965, in preparation for the creation of the BIOT, the UK paid those countries to take the Ilois.

These payoffs were agreed by the then-colonial governments to be “compensation to the governments, compensation to the landowners and the payment of resettlement costs” of the workers on the plantations, including the Ilois (2003, 16, 31). The self-governing colony of the Seychelles was to be provided with a new civil airport planned to cost £4.1 million (but eventually costing £6 million) which would generate significant employment and other economic benefits (2003, 31). In 1966, the Labour government of Chief Minister Ramgoolam of the self-governing colony of Mauritius agreed to accept £3 million (2007 - £40.24 million; \$45.55 million; Rs 107.589 billions) in essence selling the Chagos to the UK (2003, 16).

It seems that the governments of Mauritius and the Seychelles accepted vast amounts of money, yet did nothing to help the Ilois re-settle as they were evicted from the Chagos a few years later. There is no record of Mauritius using any of its £3 million to assist the Ilois in any way (2003, 458). Instead, as late as 1972, it was still pointing to the poverty of the Ilois and demanding more money from the UK. In 1972, as the plantation at Salomon atoll was closing, the Mauritian government accepted an additional £650,000 (2007 - £6.181 million; \$7.652 million; Rs 346 million) as payment specifically to resettle the “Mauritian” Ilois (2006, 56). Even after receiving a total of £3,650,000 (worth £46.419 million or Rs 19.354 billions in 2007), they did nothing to help the Ilois as they arrived in Mauritius, and paid nothing to any of the evacuees until 1978 (2003, 51).

The citizenship of the Mauritian workers in the Chagos was not in question - they were Mauritian, as were the Ilois born in the Chagos prior to Mauritian Independence on March 12, 1968 (2003, 23). But the citizenship of the Ilois born before that date was vague. The fact that anyone was born in the BIOT was also a British Territorial citizen under the British Nationality Act of 1948 was not publicized and therefore not well understood by the Ilois (2006 44), many of whom therefore held dual citizenship, which was appropriate, as the evidence shows many spent as much as half their lives on Mauritius (2003A 16).

As the plantations closed, the Seychellois workers and a few Ilois returned to the Seychelles. These workers received a pay out of the remainder of their contract, but received no other compensation, ever (2003, 44). None of the money used to construct the airport at Mahe was available to assist the Seychellois workers or the Seychellois Ilois. Despite this, these workers appear to have been re-absorbed quickly into mainly Afro-Seychellois society.

The “Mauritian Ilois”, including those who did not identify with any other place besides the Chagos, were returned to Mauritius. Their reception and integration by and into the primarily Indo-Mauritian society contrasted sharply with the experience of the Seychellois Ilois. For various reasons, from their unskilled worker status, to the general overpopulation and impoverishment of the island, to racial segregation (often cited in Ilois testimony in British Courts recently) many Ilois did not adapt to life in Mauritius, and the contrast with the life they had left could “scarcely have been more marked” (2003, 50).

THE MAURITIAN ILOIS COMPENSATION - WHERE DID THE MONEY GO?

In October 1972 the UK government paid the Mauritian government £650,000 “in full and final discharge of the obligation” to compensate the Ilois. This money was intended to be distributed to the 426 families identified as Ilois by the UK and Mauritian governments (one or more members born in the Chagos, and who had left the Chagos, voluntarily or involuntarily, since the creation of the BIOT in 1965). However, the Mauritian government did not distribute the money until a whole five years later, and only did so at the urging of the UK. By that time, the Mauritian government had un-pegged the Rupee from the Pound Sterling, and the 57% increase in the Mauritian Consumer Price Index³² during that time had significantly decreased the value of the compensation. This was partially offset by a cumulative 25% interest earned on the funds, thus making the compensation amount worth only £512,000. In addition, the Mauritian government also distributed the money to an additional 169 families who had left the Chagos voluntarily before 1965, and therefore were not affected by the evacuation (the preceding section of this paragraph uses this reference: 2003A, 417 - 419). This reduced the value of the compensation to £860 or Rs 11,466 per family (2007 - £8,178; \$10,124; Rs 25,607,049) just half of the compensation intended by the UK, which was planned to be £1,525 or Rs 20,332 in 1972 (2007 - £14,500; \$17,953; Rs 45,407,848).

How much was this worth to the average Ilois? Consider that the wages for labor on Diego Garcia in May of 1967 were 25 Mauritian Rupees per month for men and Rs 10 for a woman³³ (also 2003A, 97). At the time, a Mauritian Rs was worth 1 shilling 6 pence, making a husband and wife's wages £2.625, or \$6.30 per month (2007 - £25; \$30.90; Rs 78,163). There is no documented value of the cost of the plantation-provided living quarters, rations, and medical care in the Chagos, but in 1973, the BIOT Commissioner put the cost of salary and in-kind payments for a family of two on Agalega at Rs 2,000 annually (at the time, worth £150; \$360; in 2007 worth £1,426; \$1,765; Rs 4,466,457) (2003A, 375). At that time, the plantation on Agalega was managed by Moulinie and Company, the same manager of the Chagos plantations, and conditions were similar and therefore the costs were probably equivalent.

In other words, had the Mauritian government immediately paid out the UK compensation package to qualified Ilois, it would have represented 10 years worth of work to the average Ilois family. Years later, when finally paid at the inflated rate, it was equivalent to 5.75 years of labor in the islands.

Another way to consider the value of the compensation is to compare it to the per capita income on Mauritius in 1972, which was \$265, or £110.³⁴ Compared to the average Mauritian family's income of £220 per annum, the UK compensation should have been worth almost 7 years of income. At the inflated rate, it was worth almost 4 years of income.

The delay in paying out the £650,000, and the final pay out in inflated Rupees, was considered unacceptable by many Ilois. As a result, beginning in 1975, various Ilois individuals and groups began agitating for additional compensation.

In 1982, the UK, responding to lawsuits by Ilois for additional compensation, contributed a further £4,000,000 (2007 - £16.5; \$22 million; Rs 70.9 billions) for distribution directly to the Ilois as a “final” settlement for any claims in the Chagos (2003, 580). The Mauritian government supposedly added in £1,000,000 worth of land for resettlement (2003, 71, 580) and the Indian government added one million Indian Rupees (1982 year end exchange rate was 14.75 rupees to the pound, so worth about £68,000 at the time). The total value of this 1982 compensation was therefore £5.068 million. The Ilois Trust Fund Board (ITFB) composed of Mauritian government officials and appointed representatives of the Ilois, was established on July 30, 1982 to disburse the funds (2003, 74). The ITFB used as its sole criterion for eligibility whether someone had been born in the Chagos (2003A, 690). Therefore the numbers do not include descendants born on Mauritius so there is not as much disparity with the 1978 figures as would at first appear.

The money was distributed as follows:

Ilois who signed up to receive the funds: 1,419 adults and 160 minors (2003, 77).

December 1982: Rs 10,000 to 1,288 adults and 83 minors (total of Rs 13,710,000) (2003A, 630).

June 1983: Rs 36,000 to 1,220 adults, and 23,000 to 200 minors (total of Rs 43,920,000) (2000, 79). This was supposed to be for the purchase of a plot of land (2003, 79).

September 1983: Rs 8,687 to adults, and Rs 4,340 to minors. By this time, the ITFB had determined there were a total of 1,344 persons eligible for the compensation. Since there are no numbers of actual recipients in the documentation, I'll use the same numbers as the June 1983 pay out, thus estimating a total of Rs 11,466,000 distributed) (2003A, 644).

Spring, 1987: Rs 3,600 per adult and Rs 1,800 per minor (the ITFB distributed a total of Rs 5,000,000 in this disbursement) (2003A, 748).

Total payments: Rs 74,096,000. This checks closely with the 2003 Court Case, which says Rs 75 million was distributed to 1,344 Ilois, equaling £4 million at the prevailing exchange rate of Rs 19 to £1 (2003A, 80, 573). At the time, the US dollar was worth Rs 10.8725³⁵ and one Pound Sterling equaled \$1.75³⁴.

After the 1987 disbursement, there was still Rs 2.6 million, or £137,000 remaining in the coffers of the ITFB (2003A, 748). Even accounting for that amount, the math shows £818,000 / \$1,431,500 / Rs 15,542,000 unaccounted for (2007 - £2.081 million; \$3.038 million; Rs 6.190 billions).

We also know that the inclusion of Rs 1 million worth of land (promised by the Mauritian government) was based on the UK Government's initial offer of a total of £2.5 million, which the UK considered enough for each of the 426 families to buy a plot of land, build a house, and establish a business (2003, 69). However, the GOM never provided the land, and instead claimed it was provided in cash in the June 1983 disbursement (2003A, 638). According to the calculations of the total disbursement by the ITFB, no money from Mauritius was ever accounted for (2003, 80).

Many Ilois have claimed the money was never distributed equitably, quickly, or completely. They claim the money was mis-spent, that payments were made to dead persons (2003A, 639), that the political motives of the Mauritian government worked against the Ilois (2003A 640), and that the Ilois Trust Fund Board was corrupt. For example, an Ilois member of the ITFB, Mrs. Alexis, was convicted of making a fraudulent claim on behalf of two deceased

children and served a short custodial sentence (2003A, 641). Mrs. Alexis was also the first president of the Chagos Refugee Group, now headed by Olivier Bancoult (2003A, 655).

How much was the compensation actually worth to the average Ilois? If we assume the people receiving the compensation from the 1982 settlement comprised the original 426 families, the value of the 1982 compensation per family was £8,282 or \$14,494; Rs 157,358 (2007 - £21,068; \$30,758; Rs 62,663,260) in 1982 money. Had the entire £5.068 million pledged been distributed the value would have been £11,896 or \$20,819; Rs 190,336 (2007 - £30,261; \$44,180; Rs 75,795,792).

Between 1972 and 1982 Mauritius had suffered a 370% increase in the Consumer Price Index, making that Rs 2,000 year of labor in the Chagos in 1972 worth Rs 7,400 by 1982. It also cost 50% more to live on Mauritius than it had in the islands, so the value of a year's work was Rs 11,100. Therefore, the value of the 1982 distribution was 14 years of per capita family income on Mauritius. Had it all been distributed, it would have been worth over 17 years of per capita family income on Mauritius.

Combining the actual 1972 and 1982 compensations, they were worth 20 years worth of income for a family on Mauritius (and would have been worth 27 years worth had it all been distributed on time). Was 20 years of the median family income enough compensation? In the USA in 2007, that would be worth \$1,240,000 – what many would call “winning the lottery”.

But with the Chagossians, we can only guess. Certainly the Ilois did not consider it as enough, judging by the 2001 US court case and the 2003 UK litigation and their continuing litigation against the UK.

At any rate, the claims of misappropriation, the politics of the resettlement, the desire of some Ilois groups to reclaim the BIOT as their own, and continuing Mauritian territorial claims, have obscured the issue.

Not only that, to date the government of Mauritius still maintains an Ilois Welfare Fund to “support” the Ilois, using the assets of the ITFB, which were transferred to it in 1999. Instead of distribution to Ilois families, the money is today spent to maintain and manage “community centers”.³⁷

THE MAURITIAN GOVERNMENT'S SOVEREIGNTY ISSUE AND ITS EFFECT ON THE ILOIS:

In the 1980s, the Mauritian government's sovereignty issue regarding the Chagos was kept alive at the expense of the Ilois, according to Olivier Bancoult (2003A, 640, 742). That government almost quashed the 1982 compensation agreement (2003, 70), and Simon Vincatassin claimed that the Chagossians had been the victims of “Mauritian intellectuals” (2003A, 677).

As mentioned above, Mauritian leaders have never waived from their general position that the Chagos belongs to Mauritius and that the US base must be closed down. How does this affect the Ilois?

There have been repeated claims in the press that Ilois are excluded from employment on Diego Garcia by the UK. In fact, the Notes exchanged between the UK and US require the US to employ as many Mauritians and Seychellois as possible for civilian jobs on Diego Garcia.³⁸ Remember that these notes were written before the Ilois were identified as a separate group.

Where then are the Ilois contract employees on Diego Garcia? Typically about 200 of the contractors for the US base are from Mauritius. However, these employees have almost all been Indo-Mauritians, although in 1987 there was at least one Ilois in the work force on Diego Garcia, and his presence was trumpeted by the local US Navy television station at the time.

Another Chagossian, John Bridiane, was employed on Diego Garcia in the late 1990s (personal observation and communications).

Nevertheless, the claim that the Ilois were excluded from available work is essentially valid, although the claim that this is a result of UK and US decisions is questionable, considering Mauritian employees are vetted by the Mauritian government and obtained through a government-licensed labor broker in Port Louis. In 2003, that brokerage was De Chazal Du Mee, and the Chagossians named that company as a defendant in their 2001 US court case, claiming discriminatory hiring practices. However, that company was dropped from the US lawsuit by the Chagossians when they filed their 2003 group-action lawsuit in the UK.³⁹ The reason is unclear.

Although few of the Ilois had suitable technical or language skills for the majority of jobs available on the base on Diego Garcia, there was (and is) unskilled work available (janitorial and house-keeping, food service, grounds maintenance, etc.). Had the government of Mauritius insisted on providing employment on Diego Garcia for Ilois, rather than Indo-Mauritians, dozens if not hundreds of jobs would have been available, which instead have gone to non-Ilois Mauritians and Filipinos.

This can only be explained by the Mauritian government's manipulation of the employment process, most probably to bolster its sovereignty claim to the Chagos.

Meanwhile, as in the late 60s and early 70s, and again in the compensation of 1982, the Mauritian government hasn't taken sufficient action to relieve the Ilois' poverty. As mentioned earlier, Chagossians have an unemployment rate 1500% higher than the rest of the population. Most telling is that 45% of Chagossians on Mauritius are illiterate. Using the generally accepted figure of 5,000 Chagossians, of which only 500 are still living who were born in the Chagos, this means that 3,000 are unemployed and 1,750 persons born on Mauritius have not received an education.

What has the Mauritian government been doing to alleviate these conditions for the last 40 years? Certainly not providing education or employment assistance. The GOM accepted £3 million in 1965, £650,000 in 1972, and another £4 million in 1982 (of which £818,000 is unaccounted for). You would think that much money could have been used as the UK intended - for the relief of the Chagossians. In March 2007, the Mauritian President, Sir Anerood Jugnauth, quoted by the BBC, threatened to pull the country out of the Commonwealth because of Britain's "repugnant" treatment of the Chagossians,⁴⁰ and the implication is that by keeping the Chagossians underprivileged, the Mauritian government gains in its bargaining position vis-à-vis sovereignty over the Chagos. It is interesting to note that President Jugnauth failed to say what (if anything) his administration was doing to help the Chagossians on Mauritius. The answer appears to be, nothing.

However, when it comes to obtaining more money, the Chagos Refugee Group (CRG) and its leader, Olivier Bancoult, looked not to the Mauritian government for redress, but instead to the 'deep pockets' of the UK and the US, and beginning in 1999, began a series of lawsuits to: 1) Obtain more individual compensation, 2) Allow Chagossians to return to the Chagos to live, and 3) Get the US and UK to pay for the development of the necessary infrastructure required for resettlement of the archipelago.

THE CHAGOSSIAN'S SEEK PERMISSION FROM UK COURTS TO RETURN TO THE ISLANDS AND OBTAIN ADDITIONAL COMPENSATION.

Almost immediately after its founding following the 1982 "full and final" settlement of Chagossian claims, one of the CRG's leaders, Olivier Bancoult, began agitating for additional compensation from the UK and the US, both in the form of additional money, and the right of the Ilois to return to the Chagos, as well as the right to emigrate to the UK as full British citizens

(which they began in 2002 when they became full-fledged British citizens). By the late 90s Bancoult gained ascendancy in the CRG and adopted the name “Chagossian” for the Ilois, claiming “Ilois” was a disparaging racial slur in Mauritius. The Diego Garcian Society (DGS), based in Crawley, England and founded in 2003, prefers the term “Chagos Islanders.” However, since the general media uses “Chagossian,” I will too.

Please refer to the individual court cases for the full text.

THE BANCOULT LITIGATION (in UK Court) (also known as “Bancoult 1”)

In 1999, accompanied by a media blitz bringing the Chagossian issue to the British public's attention, Bancoult brought suit against the UK to overturn the Immigration Ordinance of 1971, thus permitting resettlement of the Chagos. The UK government's position was that the case should be heard in BIOT Court, but the judge felt the case required a careful consideration of a difficult area of constitutional law, and therefore should be judged by a full Divisional Court. In 2000, England and Wales High Court of Justice Queens Bench Division (The Administrative Court) heard the case. The ruling was handed down on 3 November 2000. The issues and decisions were:

- *Whether the High Court had jurisdiction to rule on the validity of the Ordinance.* The government argued that Orders in Council applying to territories were beyond the reach of the courts. The Court held that it had jurisdiction.
- *Whether the BIOT Commissioner had exercised his power under Section 11 of the BIOT Order of 1965 lawfully.* The Court held that although he had not acted for an improper purpose, and that evacuating Diego Garcia was reasonable, the Immigration Ordinance 1971 was *ultra vires* (beyond his power), because sending a “belonger” to another part of the Queen's dominions was lawful, but to exile them completely (to the independent country of Mauritius) could not possibly be viewed as a law benefiting the population. The judge ruled that the authority under Section 11 of the BIOT Order of 1965 to make laws for the “peace, order, and good government” means nothing unless in reference to the territory's population. “They are to be governed: not removed,” he stated. Therefore Section 4 of the 1971 Immigration Ordinance was quashed, and the Chagossians could return to the Chagos, except to Diego Garcia which was justifiably off-limits due to its military status.

The UK government was permitted to appeal, but did not (2006, 76).

Instead, the UK government repealed the 1971 Ordinance and issued BIOT Ordinance No. 4 of 2000, a new Immigration Ordinance to permit the Chagossians to return to Peros Banhos and Salomon atolls. The relevant portions of the new Section 4 were:

- “4. (1) No person shall enter the Territory, or, being present in the Territory, shall remain there, unless he is in possession of a permit issued under section 6 or his name endorsed is on a permit under section 8 ...
- (3) Except in respect of his entry into, or his remaining in, Diego Garcia, this section does not apply to any person who –
 - (a) is, under the British Nationality Act 1981, ... a British Dependent Territories citizen and;
 - (b) is such a citizen by virtue of his connection with the Territory; and it also does not apply to the spouse or to the dependent child, under the age of 18 years, of such a person.”

The UK government also initiated a study to determine what would be required to construct sufficient infrastructure to permit resettlement of the islands of the northwest archipelago and permit the settlers to engage in sufficient commerce to support themselves. Ultimately, these

studies showed that the cost of permanent resettlement for the population numbers proposed would require continuous subsidies, and life would be precarious on the low-lying islands in light of sea-level rise due to global climate change.

BANCOULT ET AL vs. McNAMARA ET AL (in US Courts):

In 2001, Bancoult brought suit against the US, claiming 'genocide' and seeking \$2 million for each of the surviving 5,000 Chagossians – a total of ten billion (\$10,000,000,000.00) dollars in damages. In 2004 the Court found in favor of the US and the individuals named in the suit.

The plaintiffs were:

Olivier Bancoult, Mauritius, on his own behalf, and on behalf of all those similarly situated,

Terese Mein, Seychelles, on her own behalf, and on behalf of all those similarly situated,
Marie Isabelle France-Charlot, Mauritius, on her own behalf, and on behalf of all those similarly situated,

Chagos Refugee Group, Mauritius, on its own behalf, and on behalf of its members,
Chagos Social Committee, Seychelles, on its own behalf, and on behalf of its members

The defendants were:

Robert S. McNamara, former Secretary of Defense

Donald H. Rumsfeld, former and current Secretary of Defense

Admiral Thomas Moorer, former Chairman of the Joint Chiefs of Staff

Melvin R. Laird, former Secretary of Defense

James R. Schlesinger, former Secretary of Defense

George T. Churchill, former Director of International Security Operations, Department of State

Admiral James L. Holloway, III, former Chief of Naval Operations

Eric D. Newsom, former Special Assistant to the American Ambassador in London and current Assistant Secretary of State for Political-Military Affairs

The United States of America c/o United States Attorney General John Ashcroft

The United States of America c/o United States Attorney for the District of Columbia
Roscoe C. Howard, Jr.

Halliburton Corporation - Dropped from the suit by the plaintiffs in 2003

De Chazal Du Mee - Dropped from the suit by the plaintiffs in 2003

The US District Court in Washington DC granted the Individual Defendants' Motion to Dismiss; Granted the Defendant United States' Motion to Dismiss; and Denied the Plaintiffs' Second Motion for a Preliminary Injunction.

The dismissal against the individual defendants was based on the law that indemnifies public officials for official actions taken in office. The court granted the individual defendants immunity under the Westfall Act (28 U.S.C. § 2679), which provides that if the U.S. Attorney General certifies that an employee of the federal government was "acting within the scope of his office or employment" at the time of an incident, any claims arising out of that incident are converted into claims against the United States under the Federal Tort Claims Act (FTCA).

The Attorney General so certified, and the Chagossians did not rebut the certification or show that an exception to Westfall immunity should apply. Therefore, the claims against the individual defendants were converted into FTCA claims against the United States.

The district court then dismissed these claims, finding that the Chagossians had failed to exhaust their administrative remedies, as required by 28 U.S.C. § 2675(a), and that the claims

would be barred because the injuries were suffered on foreign soil, an exception established by 28 U.S.C. § 2680(k).

Additionally, the plaintiffs argued that the Court should interpret “federal common law and customary international law” involving torts. The Court ruled that the political nature of such a request barred judicial review, stating:

“The allegations made in the complaint would require the court to assess whether it was proper for Britain and the United States to enter an agreement for the construction of a military base in Chagos thirty years ago.

“This would also demand the court to second-guess the initial and continuing decisions of the executive and legislative branches to exclude civilians from Diego Garcia.

“Neither our federal law nor customary international law provide standards by which the court can measure and balance the foreign policy considerations at play in this case, such as the containment of the Soviet Union in the Indian Ocean thirty years ago and today, the support of military operations in the Middle East.

“The court concludes that it is ill-equipped to review the conduct of the military operations challenged in this case because they implicate foreign policy and national security concerns, such as the current war on terror, which are best resolved by the political branches.”

In other words, redress is a Congressional and Executive Branch issue. Since the decisions regarding the Chagos involved departments of the Executive Branch, and the Congressional approval of the base by funding its construction and operation, the issues were beyond the scope of the court’s review. Of interesting note is that this is the opposite of the position taken in 2000 and 2006 by the British Courts regarding Orders in Council.

Bancoult et al appealed.

The US Court of Appeals, D.C. Circuit, dismissed the appeal in 2006, finding that the decision to establish a military base on Diego Garcia and the subsequent decisions were not subject to judicial review, stating: “... we conclude that all the claims in this case present nonjusticiable political questions. The judgment of the district court is therefore Affirmed.” The justices noted that the case “involves topics that serve as the quintessential sources of political questions: national security and foreign relations [and that] Matters intimately related to foreign policy and national security are rarely proper subjects for judicial intervention ... The conduct of the foreign relations of our government is committed by the Constitution to the executive and legislative – ‘the political’ - departments of the government, and the propriety of what may be done in the exercise of this political power is not subject to judicial inquiry or decision ... Foreign policy decisions are wholly confided by our Constitution to the political departments of the government, Executive and Legislative. They are delicate, complex, and involve large elements of prophecy. They are and should be undertaken only by those directly responsible to the people whose welfare they advance or imperil. They are decisions of a kind for which the Judiciary has neither aptitude, facilities nor responsibility and have long been held to belong in the domain of political power not subject to judicial intrusion or inquiry.”

Of particular interest is the opening paragraph of the Appeals Court decision:

“In his historic speech at Westminster College on March 5, 1946--the speech in which he first warned that an “iron curtain” had descended over Europe--Sir Winston Churchill described the “special relationship between the British Commonwealth and Empire and the United States.” Blood, Toil, Tears and Sweat: The Speeches of Winston Churchill 301 (David Cannadine ed., 1989).

Facing a looming Communist threat, Churchill argued that a key component of this special relationship needed to be military cooperation between the two nations, cooperation that included “joint use of . . . Naval and Air Force bases.” Id. The dispute we address today arose from one of many instances in which Churchill's call to collaboration was heeded: the construction of the United States Navy Support Facility Diego Garcia in the British Indian Ocean Territory (BIOT).”

In 2007, the US Supreme Court refused to hear additional appeals of this case, thus ending the lawsuit.

THE CHAGOSSIAN LITIGATION (in UK Courts)

In April 2002, Bancoult initiated a second lawsuit, this one in the High Court of Justice, Queens Bench Division (Case Number HQ02X01287). This suit was aimed at obtaining additional compensation for thousands of individuals and financing their return to the Chagos (i.e., building and maintaining the necessary infrastructure required by the returnees). The Chagos Social Committee of the Seychelles joined the suit.

Of particular note is the definition and number of “Chagossians” accepted by the court. The court determined a “Chagos Islander” is someone born in the Chagos or the descendant of one born in the Chagos. However, the number of Chagossians could not be determined and varied from 4,466 - 5,023. Between 24 - 58 were from Agalega Island, 546 - 573 from the Seychelles, and the remainder from Mauritius. Between 1072 - 1075 were born in the Chagos, of which 542 - 576 were deceased and therefore represented by their children. 461 - 475 of the Claimants were children under the age of 12.

The Chagossians claimed six wrongs had been committed against them: “Misfeasance in public office, a new tort to be called 'unlawful exile', negligence, infringement of property rights, infringement of rights under the Mauritian constitution and deceit.” To rectify these alleged wrongs, they asked for:

- “(i) Compensation and restoration of their property rights, in respect of their unlawful removal or exclusion from the Chagos islands by the Defendants; and,
- “(ii) Declarations of their entitlement to return to all Chagos islands and to measures facilitating their return.”

They also wanted financial damages for “personal injury created by diseases linked to poor living conditions and mental illnesses [on Mauritius after being exiled]” and to receive monetary and other assistance to return to the Chagos (“the steps necessary to make practicable the right of return to the Chagos Archipelago, such that the Chagossians may again live in each and all of the previously inhabited islands.”)

The judge in this case gave summary judgment *against* the claimants and *in favor* of the government on 9 October 2003. He found that the claims were not reasonably arguable and/or were time-barred and that those individuals who had signed or thumbed the renunciation forms in 1982 in order to receive the compensation package offered at that time, and who now gave oral evidence in this case, including Olivier Bancoult, were now abusing the legal process.

The Chagossians appealed that decision, but the appeal court rejected the application on 22 July 2004 (2006, 88-89).

Meanwhile, on June 10, 2004, the UK government repealed the previous 1965 BIOT Order in Council, and issued another, the BIOT “Constitution Order” of 2004. Section 9 of that Order declared that no person had the right to live in the BIOT without authorization, including

the Chagossians. To avoid the issue of whether the Commissioner of the BIOT exceeded his authority by issuing Ordinances about immigration, the government repealed the 2000 Immigration Ordinance, and created The Immigration Order (in Council) of 2004, which authorized permits lasting up to 4 years, and that anyone found in the BIOT without a permit could be fined £3,000 and/or imprisoned for 3 years. In the Lords' decision of 2008, the rationale given for this change to the immigration law was that an anti-British political movement on Mauritius called LALIT ("the fight") was planning to send a flotilla of small boats to "invade" and occupy islands of the Chagos. Bancoult was reported to have agreed to participate.

BANCOULT VS. THE FCO, 2004 (in UK Court) (also known as "Bancoult 2")

Following the enactment of the Constitution Order and the 2004 Immigration Order, Bancoult brought another lawsuit (Case Number CO/4093/2004) in August 2004, this time in the England and Wales High Court. The suit challenged the new 2004 Order, claiming that it was clear that no permit would be given to allow Chagossians to resume living in the islands.

The Court agreed, and issued its own order quashing Section 9 of the 2004 Constitution Order on May 11, 2006. They also required the Immigration Order 2004 to reinstate the wording of the 2000 Ordinance to permit Chagossians to live in the Chagos without a permit. The Court continued to prohibit resettlement of Diego Garcia.

The UK government appealed, but the England and Wales Court of Appeal (Civil Division) rejected the appeal. However, because constitutional issues are involved (i.e., whether the Courts had the right to interfere with Orders in Council) the defendants (in this case the UK government) have the right to Petition the House of Lords to re-hear the case and render a judgment. The UK government did so, and those arguments were laid out before the Law Lords from June 30 - July 4, 2008. A decision was issued on October 22, 2008.

The Lords of Appeal narrowed their focus to the validity of Section 9 of the BIOT (Constitution) Order of 2004. Of necessity, this required a determination of the justiciability of Orders in Council. Five Lords heard the appeal, and one ruled that Orders were not subject to judicial review, while two others ruled that Orders were in fact reviewable, but in the case of this Order, the lower court had ruled incorrectly on the validity of Section 9. Thus, by a majority of three to two, the Lords ruled in favor of the government, allowing Section 9 of the Constitution Order to stand as originally written.

The Lords of Appeal were invited to rule on the application of the Human Rights Act 1998 or international law, on the BIOT. Only two of the Lords commented and both opined that since the European Convention on Human Rights was never extended by Parliament to the BIOT following its creation in 1965, the Human Rights Act 1998 has no applicability. These Lords also opined that since international law does not form part of domestic law, it cannot apply to the Constitution Order.

This published Opinion of the Lords of Appeal ended the "Bancoult 2" litigation in favor of the government.

"BANCOULT VS. THE UK" in The European Court OF Human Rights

Regardless of the Law Lords' decision, it appears the Chagossian "issue" may not be fully settled for some time. In an opinion piece in the August 2008 issue of *Anthropology Today*, David Vine, states that Bancoult intends to file a case before the ECHR to seek additional compensation if the Lords rule in the Chagossians' favor, or as an appeal if they do not. Unique among international courts, the ECHR decisions are binding on the countries involved (which include the UK), and compensation and financial damages can be part of an award from that court.

CHAGOSSIAN ORGANIZATION TODAY

In 2001, a new Chagossian group with an apparently different agenda was started. The Diego Garcian Society (DGS) (<http://diegogarciansociety.org/default.aspx>) is headed by Dr. Allen Vincatassin (<http://allenvincatassin.com/default.aspx>) who was born on Diego Garcia in 1970, and who's grandfather Michel Vincatassin was from Diego Garcia and played a major role in obtaining compensation from the British Government in the 1982 settlement. The DGS' stated goal is to get the Chagossians out of their slums in Mauritius and settled in the UK as citizens (which they have been since the British Overseas Territories Bill of 2002). To date about 1,000 Chagossians have immigrated to the UK, settling in and around Crawley in West Sussex. There is an associated organization for those Chagossians in the Crawley area - The Chagos Island Community Association (<http://www.chagos.org.uk/>).

Vincatassin states that this group recognizes that the old plantation life-style, as well as the infrastructure the Chagossians knew before their expulsion, is long-gone, and although the old-timers may still want to return (after 40 years in exile, they are indeed old-timers), the future of the Chagossians is brightest as integrated citizens of the UK, and in an article in the New Statesman on Oct 4, 2007, said that decisions regarding return to the Chagos will be made by individuals, not by the majority.⁴¹ The DGS is also involved in the UK Courts, suing for the right of the Chagossians to begin receiving social welfare benefits immediately upon arrival in the UK (rather than waiting the required three months before becoming eligible). The British High Court rejected the claims in 2006, and the case has been appealed to the Court of Appeal.

According to the same New Statesman article, Bancoult accuses Vincatassin of “selling out” because of Vincatassin's liberal views regarding individual choice and his unwillingness to join Bancoult's lawsuits. In addition, the CRG (reportedly with the collusion of the Mauritian government) excluded Chagossians in the UK from the visits to the Chagos made in 2006 and 2008. The Workers Revolutionary Party reported on April 7, 2008, that the UK Chagos Support Association, the front group for the CRG in the UK, also barred the Chagossians living in Crawley from the launch of their “Let Them Return” campaign and the presentation of the report “Returning Home” (<http://www.zianet.com/tedmorris/dg/returninghome.pdf>) at the House of Lords.⁴² To fully understand the history of the strained relationship between Bancoult and the Vincatassins, one should read the full history of the 1982 compensation distribution in the court documents, and the parts played by Bancoult (and the predecessors of the CRG) and the Vincatassin family.

Over the decades, other Chagossian individuals and groups have sought additional compensation, return to the Chagos, and/or the expulsion of the UK and US from the Chagos. Some Chagossian testimony (including that of Olivier Bancoult) has identified these smaller, more radical groups as pawns of the Government of Mauritius in its continuing quest for sovereignty over the Chagos.

As with any other political movements, “outsiders” (i.e., non-Chagossians) also formed various Chagos-oriented organizations with differing visions of the future of the Chagos and/or the Chagossians. Some of these include the Swiss Society on Behalf of The Chagossians (<http://www.chagos.org/>), the UK Chagos Support Association (<http://domain1164221.sites.fasthosts.com/>), the Chagos People's Homeland Campaign (<http://www.letthemreturn.com/index.html>), the Ilois Trust Fund (<http://www.iloistrust.org/>), and the Chagos Conservation Trust (<http://www.chagos-trust.org>).

END NOTE

We tend to relate events and movements almost exclusively by reference to the leaders who shaped the change. For that reason I've avoided identifying too many individuals in this essay and to instead focus on events. Granted that certain individuals have played important roles in the *history* of the Chagossians, we still must ask have they really played an important role

in the *daily life* of the individual Chagossian? After all, it really is the individual Chagossian who has been affected by the legal and political maneuvering to date, and it is they who will be affected by that taken on their behalf tomorrow.

It is appropriate to note that today, in the context of this essay, the CRG appears to concentrate on group action and control - even to the point of selecting possible returnees - in conjunction with the tourist industry and the government of Mauritius⁴³ and all that implies. Meanwhile, the DGS appears to seek to empower individual Chagossians as British citizens to do as they individually please, whether in the UK or on the islands. Considering the Lords' decision, and the apparent unwillingness of the UK Government to allow permanent resettlement, it may be time to ask "Which will prove most appropriate for enriching the future of the individual Chagossian?"

As noted earlier, an appeal to the European Court of Human Rights is promised, and regardless of that outcome, there can be little doubt that a political resolution will be sought in Parliament and possibly the US Congress.

The modern history of the Chagossians is therefore still to be completed.

NOTES:

Unless otherwise noted, all internet links were last accessed on September 4, 2008.

Footnotes in reference to the various UK Court rulings:

- (2000, + number) - Paragraph number in England and Wales High Court of Justice Queens Bench Division (The Administrative Court), Case No: CO/3775/98, Judgment, 2000.
- (2003, + number) - Paragraph number in The High Court of Justice Queens Bench Division, Case No: HQ02X01287, Approved Judgment, 2003.
- (2003A, + number) - Paragraph number in The High Court of Justice Queens Bench Division, Case No: HQ02X01287 (Appendix), Approved Judgment Appendix.
- (2006, + number) - Paragraph number in England and Wales High Court, Case No: CO/4093/2004, 2006, Handed Down Judgment.

- 1 Richard Edis, Peak of Limuria, Bellew Publishing, London, 1998, p. 32 – Available for sale at: (http://www.chagos-trust.org/component/option.com_virtuemart/page.shop.product_details/flypage.shop.flypage/category_id,1/product_id,1/Itemid,48/).
- 2 Ibid, p. 60.
- 3 David Vine on <http://www.iloistrust.org/8695.html>.
- 4 Richard Edis, Peak of Limuria, p. 35.
- 5 Robert Scott, Limuria, Oxford Press, London, 1961, p. 96.
- 6 Richard Edis, Peak of Limuria, p. 36.
- 7 Ibid, p. 37.
- 8 Ibid, p. 81.
- 9 Thomas Marsh, A Naval History on the East Indies Station, 1937 (<http://www.btinternet.com/~initiative.cafe/ThomasMarsh.pdf>).
- 10 David Melville, Under Two Flags, vanity press, 1976, Chapter 6. (<http://www.zianet.com/tedmorris/dg/historyunder2flags.html>).
- 11 Richard Edis, Peak of Limuria, p. 58.
- 12 Ibid, p. 82.
- 13 Foreign & Commonwealth Office, BIOT: Health & Mortality in the Chagos Islands, London, 2000 (<http://www.zianet.com/tedmorris/dg/chagosmortalityreport.pdf>).
- 14 Ibid.
- 15 Steven Forsberg, Master's Thesis, 2004, Chapter 5. (<http://www.zianet.com/tedmorris/dg/realhistory-2.html>).
- 16 David Melville, Under Two Flags, Chapter 5.
- 17 Returning Home – A Proposal for the Resettlement of the Chagos Islands, Chagos Refugee Group and the UK Chagos Support Association, 2008: <http://www.zianet.com/tedmorris/dg/returninghome.pdf>.
<http://www.un.org/aboutun/charter/>.
- 18 Foreign & Commonwealth Office, BIOT: Health & Mortality in the Chagos Islands, London, 2000.
<http://business.timesonline.co.uk/tol/business/law/article1832358.ece>.
- 19 <http://www.iloistrust.org/>.
- 20 US Department of State Telegram 118250, PR 181946ZJUN73 (<http://www.state.gov/r/pa/ho/frus/nixon/e8/97185.htm>).
- 21 Bryan Barilleaux, The United States on Diego Garcia - A Question of Limits, Air University Review, March-April 1978 (<http://www.airpower.maxwell.af.mil/airchronicles/aureview/1978/mar-apr/barilleaux.html>).
- 22 Selig Harrison and K. Subrahmanyam, Superpower Rivalry in the Indian Ocean, Oxford University Press, US, 1989, p. 22
- 23 US Department of State Telegram, New Delhi 5616, 262057ZAPR74 (<http://www.state.gov/r/pa/ho/frus/nixon/e8/c24610.htm>).
- 24 1975 Congressional Hearings on Diego Garcia, 5 July 1975, p. 24 (<http://www.zianet.com/tedmorris/dg/uscongresshearings1975.pdf>).
- 25 Peter Newell, Dirty Work In The Indian Ocean, 1998 (<http://www.hartford-hwp.com/archives/27b/041.html>).
- 26 <http://www.guardian.co.uk/world/2008/may/12/humanrights.foreignpolicy>.
- 27 <http://www.guardian.co.uk/world/2004/jul/07/politics.foreignpolicy>.
- 28 1975 Congressional Hearing on Diego Garcia, p. 43.
- 29 Steven Forsberg, Master's Thesis, 2004, Chapter 13.
- 30 Mauritius Ministry of Finance & Economic Development, Comparative annual Consumer Price Index (Base January - December 1963 = 100), 1963 – 2007
- 32

- (http://www.gov.mu/portal/site/cso/menuitem.e252e3fb5d85cdde965c062ca0208a0c/?content_id=8a39e924d448a010VgnVCM1000000a04a8c0RCRD).
- 33 1975 Congressional Hearing on Diego Garcia, p. 41.
- 34 Ibid., p. 61.
- 35 United Nations Statistics Division, Mauritius - All available Series, 2007
(<http://unstats.un.org/unsd/snaama/resultsCountry.asp?Country=480&SLlevel=99&Year=1982#XPop>).
- 36 Board of Governors of the Federal Reserve System, U.S./U.K. Foreign Exchange Rate, 2008
(<http://research.stlouisfed.org/fred2/data/EXUSUK.txt>).
- 37 Republic of Mauritius Ministry of Social Security, National Solidarity and Senior Citizens Welfare & Reform Institutions, Ilois Welfare Fund
(<http://www.gov.mu/portal/site/ssnsite/menuitem.5b07c6cea797b90e8f77861084d521ca/>).
- 38 US-UK Agreement, “Availability of Certain Islands for Defense Purposes”, December 30, 1966, para. 7
(<http://www.zianet.com/tedmorris/dg/uk-usnotes1966-1982.pdf>).
- 39 US District Court for the District of Columbia, Civil Action No. 01-2629 (RMU), 21 December 2004
(<http://www.zianet.com/tedmorris/dg/usdistrictcourtcase2001.pdf>).
- 40 <http://news.bbc.co.uk/1/hi/uk/6425675.stm>.
- 42 <http://www.newstatesman.com/200710040061>.
- 42 <http://www.wrp.org.uk/news/3065>.
- 43 Returning Home – A Proposal for the Resettlement of the Chagos Islands, Chagos Refugee Group and the UK Chagos Support Association, 2008.



Ted A. Morris, Jr.

Ted graduated from the University of Montana with a Bachelor of Arts, with Honors, in Environmental Biology, and entered the United States Air Force as a Distinguished Graduate of the Reserve Officer Training Corps. He served 20 years in the Air Force as an officer and pilot, including a tour of duty on Diego Garcia. During that tour, he developed a life-long interest in the Chagos Archipelago, its history, and its ecology.

Following his retirement from military service, he worked as an executive for the Boy Scouts of America and as the Manager of an International Airport. Following the attacks of September 11, 2001, Ted returned to government service and spent three years in combat operations in the Iraq and Afghanistan theatres.

Ted retired again in 2006 and rejoined his wife of 30 years. They have three children and three grandchildren.

The text of this brief history can be found on Ted Morris' web site
<http://www.zianet.com/tedmorris/dg/chagossians.pdf>
together with links to source documents.