

## **EXILED FROM DIEGO GARCIA: A SHORT HISTORY OF THE CHAGOSSIANS**

Shortly after the end of the American Revolution, enslaved peoples from Africa became the first settlers in the Indian Ocean's Chagos Archipelago, when they were brought to work on the archipelago's largest island, Diego Garcia. Followed by their free descendants and indentured labourers from India, a diverse mixture of peoples, religions, and traditions merged to create a unique society in Chagos. Today, the only people living in Chagos are soldiers and civilian contractors working on the billion-dollar U.S. military base on Diego Garcia. Between 1965 and 1973, the U.S. and U.K. governments forcibly removed the inhabitants of Chagos to create the military base. The people, known as Chagossians, were left in impoverished exile on the western Indian Ocean islands of Mauritius and the Seychelles.

In a setting of idyllic white sand beaches and fertile green vegetation, the ancestors of today's Chagossians built a society that by the 20<sup>th</sup> century included numerous villages complete with hospitals, roads, churches, and schools. The people began to speak their own language, Chagos Creole. The population grew to over 1,000. Life was not luxurious, but in exchange for their labor on Chagos's coconut plantations, Chagossians enjoyed guaranteed employment, regular salaries in cash and food, free housing and land for gardens and animals, health care, vacations, pensions, schooling, and free access to Chagos's abundant fishing grounds and flora. Life was peaceful and easy in Chagos. Poverty and misery were unknown, and Chagossians enjoyed good health.

In the 1960s, this life transformed. The Kennedy and Johnson administrations convinced the British to detach the Chagos Archipelago from colonial Mauritius to create a new colony solely for military use, called the British Indian Ocean Territory (BIOT). As part of a confidential 1966 agreement, U.S. officials ordered the removal from the new territory of what were then about 1,500 Chagossians. The U.S. Government secretly paid the British \$14 million to create the BIOT and remove the Chagossians.

Beginning in 1968, any Chagossians leaving Chagos for vacations or medical treatment were denied their customary return passage to their homes and left stranded—often without their families and their possessions—in Mauritius. At the turn of the decade when the British restricted the number of regular supply ships visiting Chagos, others left as food, medicines, and other necessities dwindled.

In 1971, officials of the British Government, acting on U.S. orders and with some assistance from U.S. soldiers, unlawfully forced the remaining inhabitants of Diego Garcia to board overcrowded cargo ships and leave their homes forever. The ships dumped some of the Chagossians 150 miles away in Chagos's far-off Peros Banhos and Salomon islands and others 1,200 miles away on the docks of Mauritius and the Seychelles. In the process, British Government agents and U.S. Navy Seabees first shot, then poisoned, and finally gassed and burnt the islanders' pet dogs in sealed sheds. By 1973, the Chagos Archipelago had no more permanent inhabitants as the last Chagossians were deported to Mauritius and the Seychelles.

In Mauritius and the Seychelles, the Chagossians received no resettlement assistance and quickly found themselves living in what the *Washington Post* called "abject poverty." To this day, Chagossians living in Mauritius and the Seychelles face impoverishment and unemployment. Many live in homes of corrugated metal and wood with poor or nonexistent water and sanitation services. Many suffer from poor health and low levels of education. Many have been the victims of ethnic discrimination from Mauritians and Seychellois, and many have suffered through other forms of daily harm and humiliation accompanying life as a marginalized underclass in exile. In their own words, their life is one of *sagren*—the grief of being exiled from their natal lands—and *lamizer*—a miserable, abject poverty beyond that of low incomes alone.

But Chagossians have also resisted their treatment at the hands of the great powers. From the very moment they were deported, many demanded to be returned to Chagos or to be properly resettled. In the 1970s and 1980s, many suffered through hunger strikes and arrest to win small compensation payments from the

British Government. The money totaled around \$6,000 per person. For most, it was only enough to pay off substantial debts incurred since the expulsion or to get what for many was their first formal home in the slums of the Mauritian capitol, Port Louis. Chagossians in the Seychelles received nothing at all.

The Chagossian struggle was reinvigorated in 1997 when the Chagos Refugees Group launched a historic lawsuit against the U.K. In November 2000, Chagossians were victorious: The British High Court ruled the Chagossians' removal illegal. Initially, the British Government accepted the ruling and issued laws allowing Chagossians to return to all of Chagos except Diego Garcia, although the Government provided no assistance to facilitate resettlement. Living in poverty 1,200 miles away and with their old society in ruins, the Chagossians had little means with which to return, let alone to rebuild sustainable lives there.

In 2001 and 2002, most Chagossians joined new lawsuits in U.K. and U.S. courts demanding the right to return to Chagos and compensation for their removal and to rebuild their societies. Lawyers filed a class action suit in U.S. District Court for the District of Columbia against the U.S. Government and several Government officials, including Robert McNamara and Donald Rumsfeld. The suit accused the defendants of acts including forced relocation; racial discrimination; cruel, inhuman, and degrading treatment; and genocide. In 2005, the suit was dismissed on the grounds of the political question doctrine—or the inability of the judiciary to overrule the executive on matters of military and foreign policy. The D.C. Circuit Court upheld the ruling, and the Supreme Court declined to hear the case.

In Britain, Chagossians were victorious twice more in suits against the U.K. On the government's final appeal, however, Britain's highest court, the House of Lords, upheld the Chagossians' exile in a 3-2 decision. The ruling effectively reaffirming colonial law and concluding that the government's military and financial interests trump the Chagossians' right to live in their homeland. An appeal to the European Court of Human Rights was dismissed on the grounds that many Chagossians accepted compensation in the 1980s when in reality only 471 Chagossians received monies totaling around \$6,000 per recipient.

Recently, support for the Chagossians has gained momentum worldwide. The European Parliament has passed a resolution calling on the EU to support a return. The African Union has also condemned the unlawful deportation of the Chagossians. At least three Nobel laureates have called for their return. In Britain, dozens of members of Parliament and other politicians have joined an all-party group supporting the Chagossians' struggle. In 2013, more than 30,000 people signed a petition to the White House asking President Obama to redress the wrongs Chagossians have suffered. Sadly, the Obama administration refused to accept U.S. responsibility for wrongfully expelling the Chagossians.

Pressure on the U.S. and U.K. Governments is mounting as new developments have left Chagossians and their supporters believing that the right of return is imminent. In January, a British Government study found no significant legal barriers to resettling the islands (where U.S. military personnel have lived for more than four decades). In March, a UN court ruled that the U.K. Government acted illegally in creating a Marine Protected Area (MPA) in the Chagos Archipelago after a State Department cable showed the U.S. and Britain saw the MPA as the best way to prevent Chagossians from ever returning home. At the same time, a 2-year period to renegotiate the Diego Garcia base agreement has just commenced, with the initial 50-year term expiring in 2016. While the bilateral agreement is subject to an automatic 20-year renewal, the renegotiations offer a pivotal moment to redress the injustices done to the Chagossians.

The plight and struggle of the Chagossians has been widely documented. The Chagossians are determined to pursue all avenues for justice to prevail and for their fundamental rights to be restored.

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