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Indian Ocean

Britain Slammed in UN Court Judgment over Illegal Occupation of Chagos and Diego Garcia

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On 25 February 2019, the International Court of Justice at The Hague found that Britain had acted unlawfully in its decolonization of Mauritius.

It found that the excision of part of Mauritius, the Chagos Archipelago including Diego Garcia which the UK then sub-let to the US military, was unlawful.

In a strong judgment (13-1 of the Judges) argued closely that Britain now has to leave Chagos as soon as possible and that all other UN member states have a responsibility to monitor this. Mauritius, to complete its decolonization, will therefore be re-unified with Chagos in the Republic of Mauritius.

The colony British Indian Ocean Territories, set up with the dismembered bit of Mauritius in the 1960s, is equally unlawful. Its days are now numbered. Not that any country other than the USA and UK ever recognized this rump colony, set up so as to make possible a US military base that was outside of all social control.

The judgment and argumentation immediately change the balance-of-forces against the imperialist occupation by the UK-USA of Chagos and Diego Garcia.

The victory is total for the UN General Assembly which, on a Resolution proposed by the entire African union and voted massively 94-15, called for this Advisory Opinion from the ICJ. After fascinating input last year from many states, including Mauritius, judgment was handed down yesterday. The dissenting judge is not totally surprisingly a USA judge, who maintains the fiction that the dispute was a bilateral one between the UK and Mauritius, thus denying the UN Charter's role in assuring decolonization on the basis of self-determination of nations without any interference in their territorial integrity. And her line, of course, covers up for the USA military base set up there.

This judgment vindicates 40 years of LALIT's struggle. It was finally, first a Mauritian Labour Government that took a case to the UN Tribunal under the law of the sea and won it in 2015, and then the present MSM Government with Sir Aneerood Jugnauth taking the lead, that finally went to the General Assembly via the African union and in its own right, for the ICJ case. This was what LALIT called for from the 1980s.

So, the judgement is also a political victory for LALIT's long-term struggle, showing how, even a small political party like ours, if it acts in a principled way, and keeps up the pressure over time, and gathers allies on the substance of the struggle, builds up a momentum that can bring to book even the most outrageously domineering powers like the UK and its ally in this illegal project, the USA.

LALIT has, since it was a tendency around a magazine called Lalit-de-Klas from 1976 onwards made the struggle on the Chagos-Diego Garcia issue one of its flagship ongoing campaigns. We were consistently opposing the abject line, mainly in Mauritius, that "Chagos was already ceded to Britain" or "Chagos was already sold to the English". Thus we were "wasting our time", at best. Two of our members were amongst the eight women arrested in the Diego Garcia women's demonstrations, for example, at the peak of early confrontations with the Mauritian police in this struggle. It was in March 1981, Ragini Kistnasamy and Lindsey Collen, together with LALIT supporter Roselee Pakion, and Chagosians like Charlesia Alexis, Lilette Goyaram, Philinne Frivole, Marie Louise Armoogum were arrested during a big street demonstration that was the culmination of struggles from 1977 onwards. And from then, LALIT has continued the struggle both in Mauritius, and internationally. We have built massive support for the triple aim of closing of the US military base, decolonizing Mauritius (now a mainstream possibility since yesterday), and winning the right of return of all Chagossians, heads held high in a decolonized reality.

LALIT's participation in the No Bases movement gave an international dimension to the struggle, and our members

spoke to the entire world Anti-War Movement, for example, in Mumbai in the wings of the World Social Forum in the name of the No Bases Movement. In 2010 and 2016, LALIT held international Action Conferences – which further added to the international dimension.

LALIT members have also run two other parallel campaigns – one in relation to all British MPs. We have won over many. And, the other, which was very difficult, was winning over the first mainstream reporter, the first mainstream news outlet, to take up the issue, which was, curiously, being hidden by some kind of tacit omerta. Once the silence was broken, news literally gushed out. The hegemony of silence is that fragile. To his credit the first to hit the mainstream press was The Guardian reporter who broke the silence on 17 November 2016 at the time Mauritius was threatening to go to the UN General Assembly for a case, and has kept ahead of the pack in this important reporting. He is Owen Bowcott.

In Mauritius, LALIT worked sometimes alone, but also in common fronts, with the Chagos Refugees Group, in Rann nu Diego Committee, in Ad Hoc fronts, and in the Komite Diego in recent years together with unions like the CTSP, the women's association the Muvman Liberasyon Fam, a Village Council group in Baie du Tombeau and the neighbourhood group MPRB.

A Warning To our Government and About our Government

LALIT calls on the Mauritian Government to beware of its strategy of trying to make money out of renting Diego Garcia to the USA, instead of calling for the decision to dismantle the base in the interests of peace.

LALIT also calls on the Mauritian Government to continue to work in alliance with all anti-colonial forces, especially the African union. We mention this because at the recent summit, the Mauritian Government sent a low-level delegation, which is potentially harmful to future developments in the decolonization of Chagos and in African solidarity on decolonization. The key point in the future strategy is to get the base closed by now relying on the Pelindaba Treaty for a Nuclear Arms Free Africa which is being infringed by the presence of a US base on Diego Garcia, in Chagos.

LALIT calls for the Government to act so as to in practice administer Chagos. This entails:

1. Organize to affreight a ship for an official state visit – with government and opposition parties, with Chagossians' delegations, with local and international press.
2. Organize to purchase a Government fishing vessel to begin fishing in these Mauritian waters, and organize to have prospection for minerals set in operation. This is in any case already enforceable after the UNCLOS judgment of 2015, which is binding.
3. Set up a Chagos Constituency Number 22 with a representative in the National Assembly.

Victories are never total victories. They change the balance of forces. In times when there are strong right wing currents – with Trump, Duterte, Putin, Bolsonaro, Salman, Orban, Netanyahu all in power – there are also progressive currents growing stronger. We have not just Bernie Sanders on a socialist line in the USA, but a whole array of young members of Congress, many women amongst them. In the UK, we have the Jeremy Corbyn tendency having ousted the Blair line in Labour. And this victory for the anti-colonial philosophy strengthens the line which sees

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working people's interests before those of the capitalist class and of their State apparatuses. This is what we mean by its contribution to the changing of the balance of forces.

We are publishing the entire judgment for you to get easy access. See our ["Documents" section](#). Just click on the title of the document. Its argumentation is important.

26 February 2019

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