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TELEGRAM

August 03, 2001

RELEASED IN PART
B1, 1.4(B), 1.4(D)

P106.

To: SECSTATE WASHDC - ROUTINE

Action: AF

From: AMEMBASSY PORT LOUIS (PORT LOUIS 911 - ROUTINE)

TAGS: PREL, MASS, MP

Captions: SENSITIVE

Subject: DIEGO GARCIA TO THE FRONT BURNER

Ref: STATE 125111

1. (SBU) Summary. The current government of Mauritius has signaled its intent to pursue its long-standing claim to the Chagos Islands more vigorously in months to come. Mauritius' pitch is that U.S. base right will not be threatened. Therefore, the U.S. ought to sit down with the GOM and the British government in order to find a workable solution. This message provides background on the issue, reports the current state of play and suggests some areas for further consideration. End summary.

2. (SU) Background: Although administered as part of Mauritius during most of the colonial era, Britain obtained Mauritian approval just prior to independence to create the British Indian Ocean Territory comprised, inter alia, of the Chagos islands. The U.K. judged, and the U.S. agreed, that this act safeguarded British sovereignty over the islands. The British said at the time that the islands would be ceded to Mauritius when they were no longer needed "for defensive purposes." Meanwhile, the British had already agreed to the establishment of a U.S. base on Diego Garcia. In order to effectuate construction of the base, all of the islands' four or five hundred residents were removed. Most were disembarked in Mauritius or Seychelles without property or prospects. They quickly became impoverished.

3. (SBU) Shortly after independence Mauritius advised that its agreement to the creation of the BIOT had been

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UNITED STATES DEPARTMENT OF STATE

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REVIEW AUTHORITY: FRANK H PEREZ

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forced as a condition of its own independence and reasserted its claim of sovereignty over the Chagos. All subsequent Mauritian governments have adhered to that claim. Paralleling the claim has been an effort by or on behalf of the islanders to return or to seek compensation. The British government has formally settled islanders' claims, at least once with U.S. funds, on two occasions. Nonetheless, both problems have persisted at low heat for the past thirty years.

4. (SBU) In 2000 the heat turned up. Sir Anerood Jugnauth won elections in September and appointed Anil Gayan Foreign Minister. The Jugnauth coalitions have historically pushed the Diego Garcia issue more than the Rangoolam coalitions. Gayan in particular sees the issue as a nationalist one where he can make a mark. Jugnauth and Gayan subsequently raised the issue forcefully with Ambassador Erwin shortly after their electoral victory and again with Secretary Albright last December. In response, they heard the long-standing American party line; i.e. we acknowledge British sovereignty. We are a tenant. Issues of sovereignty and issues regarding the islanders should be discussed with the U.K.

5. (SBU) A group of islanders won a judgement in a British court late last year, which permits them to return to the outer islands - not Diego Garcia - when conditions permit. The British government is currently studying what this would entail, but seems to be preparing to comply with the court order. The timing of any returns is at least a year away. The British have advised us that they might seek U.S. involvement in effectuating the returns. Although the court decision does permit the islanders to remain excluded if the outer islands are used for defensive purposes, it does not appear that the U.K. will use that escape clause. Meanwhile a bill is moving through Parliament, which will grant islanders the right of residence in the U.K. This is probably too little too late and, in any event, has no impact on the Mauritian claim.

6. (SBU) Buoyed by success in England, the same group of plaintiffs is maneuvering to litigate claims in U.S. courts or before a naval claims settlement commission. We understand that the grounds for doing so are marginal and the likelihood for success remote. The plaintiffs' lawyer has publicly called for Mauritius to

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file a supporting brief to such a suit. End Background.

7. (SBU) FM Gayan told CDA Gribbin on July 2 that he intended to raise the issue when in Washington in mid-July along the same lines as was done with Secretary

Albright. He reiterated assurances that the U.S. lease and base rights would be respected in full under Mauritian sovereignty. Gayan added that he was frustrated with circular arguments. The British say talk to the Americans. The Americans say it is a British problem. He implied that a little or even a lot of negative publicity - PM Jugnauth heading to the Chagos by ship, for example - might push matters along.

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10. (SBU) Following his return to Port Louis CDA Gribbin spoke with the minister on several occasions. Gayan said that he had been well received and listened to in Washington on this topic, but he got the impression that interlocutors there were not as engaged in the issue as he had hoped and that their response was repetitive of previous positions. the minister thought more education would be merited and said he had asked Ambassador Jeetah to widen the circle of people Mauritius talked to about the Chagos to include NSC and DOD personnel. Gayan reiterated to Gribbin that Mauritius has no objection to continued U.S. presence on Diego Garcia, which he acknowledged, guarantees Mauritius' security.

11. (SBU) Gayan also reported that return of the Chagos had been the centerpiece of his speech to the OAU,

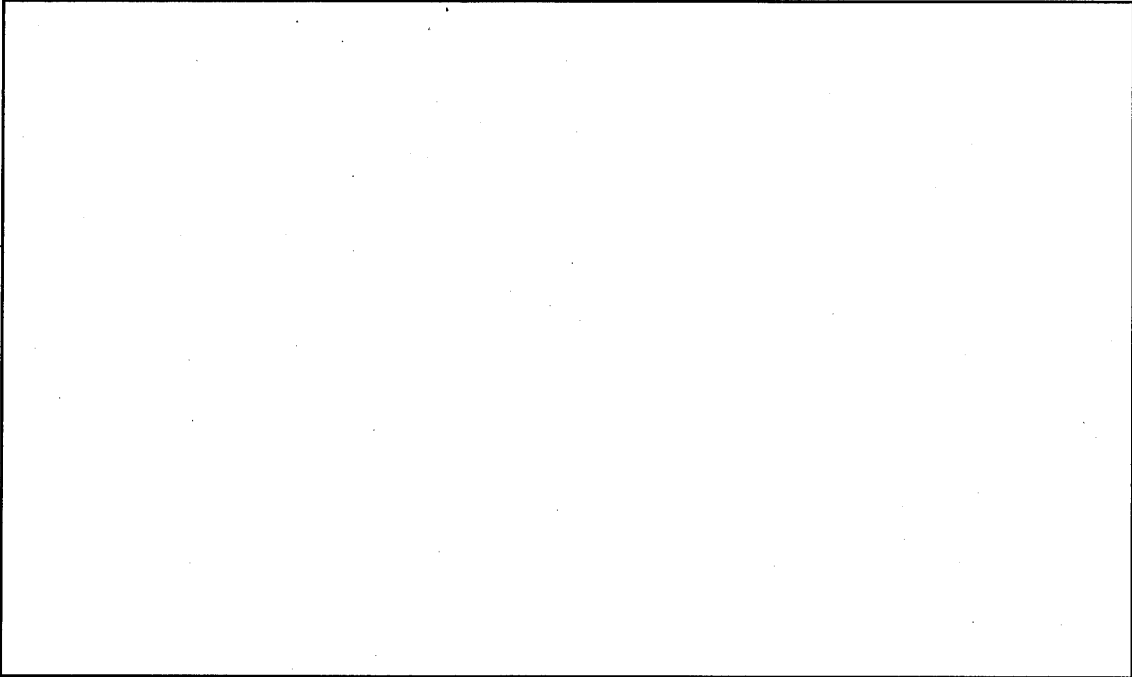
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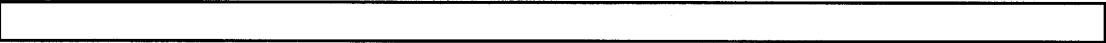
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which was well received, and that Mauritius would push the issue more forcefully at the UN in the General Assemble and/or in the Decolonialization Committee this fall.

12. (SBU) Asked more specifically about the pending return of the islanders, Gayan said the fact that they had been authorized to return to the outer islands indicated that there was no need to maintain the outer islands "for defensive purposes" (which is the phrase which justifies continued British sovereignty). Although Mauritius wants the whole group, Gayan hinted that reassertion of sovereignty over the outer island would be sufficient for the time being. Asked about economic viability, Gayan blithely noted that copra production, eco-tourism and fishing would provide sustainable livelihoods for the illois. Comment: it is certainly unclear as to how many islanders, especially those who were born or raised in Mauritius, would be willing to return to an austere lifestyle on islands they don't really remember. End comment.



14. (SBU) On account of this latter issue Gayan and other Mauritian figures have been quite vocal in stating that new British citizenship provisions have no impact on Mauritian claims.



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16. (SBU) Obviously there is no easily discernable win-win solution to this problem, but the islanders' new status and newly acquired ability to return will test the premise that the outer islands are "needed for defensive purposes." On the U.S. side we believe that we ought to remain open minded about the outer islands (which are more than a hundred miles away from Diego Garcia). In order to be sure of our ground under changed circumstances, we recommend a comprehensive policy review by all concerned agencies. Above all we should seek to avoid being blamed by the various sides for the continuing impasse. Gribbin

Additional Addressees:
None

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