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Subject: MEDIA REACTION IN MAURITIUS TO BRITISH HIGH COURT RULING ON CHAGOS ISLANDS CASE

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SUBJECT: MEDIA REACTION IN MAURITIUS TO BRITISH HIGH COURT

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RULING ON CHAGOS ISLANDS CASE

1. SUMMARY: The Mauritian media has given extensive coverage to the November 3 ruling by the High Court in London, which nullified previous measures exiling Chagossian islanders from the Chagos archipelago. The media coverage and editorial commentary generally praised the court's decision, hailed Olivier Bancoult (the Chagossian who brought the lawsuit) as a liberator, asserted Mauritius' claim to sovereignty over the islands, and questioned the justification for the continued presence of the U.S. military base on Diego Garcia. END SUMMARY.

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UNITED STATES DEPARTMENT OF STATE
REVIEW AUTHORITY: FRANK H PEREZ
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2. A summary of Mauritian media news coverage follows:

-- Afternoon daily "Le Mauricien," November 3: The London Royal High Court of Justice has given its verdict, at 1.30 p.m. Mauritian time Friday, in the court case filed by Olivier Bancoult, Chagossian leader, against the British Government. Justice John Laws and his assessor, Justice Gibbs, have quashed the Immigration Ordinance of April 16, 1971, which had secretly been passed to prevent Chagos islanders from returning to their native land one day, calling it an "abject legal failure". The British government will have six months to refurbish the islands to the state in which they were at the time, and this should now also pose a problem to the Americans who have a military base on Diego Garcia, the main atoll on the archipelago.

-- Mauritius Broadcasting Corporation (MBC) Radio, morning newscast on November 4: Quoting reports from the BBC and the French news agency AFP, the MBC announced that Great Britain would not appeal against the High Court's decision to allow Chagos islanders to retrieve their native land in the archipelago. Olivier Bancoult, leader of the Chagos Refugee Group, was interviewed by BBC, stated that it was "a great day for the Chagossian community" and that he was "the happiest man on earth".

-- Morning daily "L'Express," November 4 (essentially the same language was also used by "Le DQfi-Plus," a satirical weekly in its edition the same day): The return of the Chagos islanders to the archipelago could be delayed if the British decide to exercise the right of appeal, for which the Court has given them one week. Great Britain has six months to provide the archipelago with amenities like roads, an airport, hospitals, etc. In a reported reaction, MSM/MMM government leaders were "happy" about the judgment and convinced that it would not threaten Mauritian claims of sovereignty over the Chagos. This opinion is not shared by Mr. Herve Lassemillante, spokesman for rival Chagossian group, Chagos Social Committee (CSC), who said that, although the UK has suffered a blow in terms of human rights, the judgment has confirmed more than ever UK sovereignty over the archipelago. The agenda for last Friday's Mauritian Cabinet meeting included the question of Mauritian claims over foreign territories like Chagos and Tromelin, a question to which the government is currently giving greater attention.

-- Sunday weekly "Week-End," November 5: British Foreign Secretary Robin Cook has confirmed Great Britain would not appeal against the Court's decision. Great Britain was getting considerable pressure from the U.S. to ensure that no one could access the other islands of the archipelago, as that could mean a threat to the U.S. military base on Diego Garcia. The UK would have to spend some 10 million to refurbish the islands. It appears that Olivier Bancoult will also ask for public apologies as well as financial compensation from Great Britain. President Cassam Uteem referred to the Chagossian islanders as the "Palestinians of the Indian Ocean," and said this "victory" would permit them to "retrieve their native land." Referring to the U.S. military base on Diego Garcia, the President said that he believes Mauritius is a peaceful country with no enemies and that only the UN has the right and duty of keeping

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world peace. PM Sir Anerood Jugnauth and Opposition Leader Navin Ramgoolam agree in saying that this is a great victory for the Chagos islanders, who are Mauritian nationals, and that Mauritian claims of sovereignty over the archipelago would not be jeopardized by the judgment. The Nuvo Lizour Party's Joceline Minerve says the judgement is a blow to Deputy-PM Paul Berenger who had evoked the possibility of asking for "big money" from the British to compensate the Chagos islanders. Herve Lassemillante, legal advisor of rival Chagossian group CSC warns against direct negotiations between Chagos islanders and the British

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government only, as governments of Mauritius and the U.S. should also be involved. Mr. Robin Mardemootoo, a young lawyer who studied in the U.S. is the Mauritian who worked with Sheridans law firm to file the case in London and he highlights, in an interview to Week-End, the allegation that the U.S. and Great Britain used the "fiction" that the Indian Ocean islands of Chagos were empty before establishing communications facilities there. MMM Secretary General Ivan Collendavelloo says that it was time things were moving on the Chagos dossier and accused the former Labor government of too much passive diplomacy and slackness in claiming the territory back.

-- "L'Express," November 5: Minister of Foreign Affairs Anil Gayan has officially protested against the British decision not to appeal against the High Court judgment. The newspaper reproduces the press release issued by the British government through its High Commission in Port Louis on November 4. Mr. Gayan said, "We now know there were lies prepared jointly by the British and American governments to excise the Chagos territory from Mauritius prior to our independence."

-- English weekly "News on Sunday," November 5: The decision is an embarrassment for the U.K. Government, which may now have to ask the Americans to leave their military base on Diego Garcia, the principal island in the Chagos archipelago. Chagossian leader Bancoult said the islanders would not accept any compromise that might see them occupy the other islands in the archipelago, while the U.S. continues to operate from Diego Garcia. "In our demands we have asked for all our islands, including Diego Garcia. We have a fundamental right to return even if there is an agreement between America and UK. Why should people from Singapore and the Philippines and elsewhere be allowed to go to work on Diego Garcia and we are not allowed to return home to our motherland?"

-- Weekly "5-PLUS," November 5: Announced the news of the London High Court ruling and recaps the history of action led by Olivier Bancoult. The author, Michaela Seblin, also raises questions as to what will happen to the Diego Garcia American base since Bancoult wants all of the 65 islands of the archipelago to go to the Chagossian community. It also describes the festive atmosphere prevailing amid the

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Chagossian community upon announcement of the news. Dan Claffey, Public Affairs Officer at the U.S. Embassy is quoted as saying that Diego Garcia is of strategic importance to the Americans but that the court case was between the Chagos islanders and the British, therefore making it more appropriate for the USG to comment. Chris Tunncliffe, Press Officer at the British High Commission, is also quoted as saying that Britain was aware of the plight endured by the Chagos islanders.

-- Weekly "Le Dimanche," November 5: Olivier Bancoult is compared to Nelson Mandela for having freed the Chagossian community, who now consider themselves as independent. Various members of the Chagossian community in Mauritius speak about Bancoult's "courage", even calling him a "savior". One Chagossian native aged 56, Simon Vincatassin, tells how his father was the first one to have filed a case against the British Government in 1983, but was threatened by local political figures to remove his complaint eventually. Olivier Bancoult underlines that it would be out of the question to return to desert islands and that the British would be obliged to refurbish them before Chagos islanders eventually returned to live there. Former Mauritian MP Alain Laridon says the verdict is an arm stretched by Bancoult to the Mauritian government to move to the Hague and reaffirm its claims over Chagos. British Foreign Minister Robin Cook is also reported as announcing that a new Immigration Ordinance would be passed to allow Chagos islanders to return to their native land".

-- "L'Express," November 6: Full-page coverage is provided, reporting that the London High Court called the 1971 Immigration Ordinance an "abject legal failure". The report adds that the Chagos islanders will still have to wait until the islands are refurbished before returning to live there. Local Chagossian community rejoices and so do political leaders. Prime Minister Sir Anerood Jugnauth, Deputy-Prime Minister Paul Berenger and Foreign Affairs Minister Anil Gayan all agree that the claims of sovereignty from Mauritius over the Chagos are not threatened as Olivier

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Bancoult, GRC Leader, filed the case as a citizen of the British Indian Ocean Territory (BIOT), a territory Mauritius does not recognize. Opposition Leader Navin Ramgoolam said the acts of the British prior to the independence of Mauritius, namely the excision of the Chagos, were "illegal." He expressed concern the court ruling might jeopardize claims of Mauritius for sovereignty. Herve Lassemillante, legal advisor of rival Chagossian group CSC, firmly believes that winning the case in a British Court is equivalent to admitting that the archipelago does not belong to Mauritius. Robin Mardemootoo, GRC legal advisor, contradicts him and supports the idea that a return of Chagos islanders to the archipelago would eventually lead to a return of control to Mauritius.

-- Afternoon daily "Tribune," November 6: Three pages of

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this pro-Labor Party newspaper are dedicated to the London High Court ruling and the consequences for the Chagossian community in Mauritius. None of the articles are written by local journalists but are all pulled from Internet websites such as BBC Online, The Guardian, The Daily Telegraph, The Times and Associated Press. These reports state that Indian Ocean islanders, who were moved to make way for the U.S. military base at Diego Garcia, won the court ruling that entitles them to return to their homeland. The islanders now face two huge challenges: to overcome American objections to their return and then to re-establish the Indian Ocean island homes they were evicted from 30 years ago. The UK government will not appeal against the High Court ruling. Olivier Bancoult, an impoverished electrician from Diego Garcia was relishing his triumph for his people over the British government. The islands were forcibly "sterilized" of their population - to use the Foreign Office euphemism - in 1965 as a result of an \$ 11 million bribe paid by Washington to the Wilson government.

-- "Le Mauricien," November 6: A press release, circulated by the British High Commission in Mauritius November 4, announced that the British government would not appeal against the decision of the London High Court to quash the Immigration Ordinance of 1971 that forbid the Chagossian natives from returning to their native islands.

-- "L'Express," November 7: Foreign Minister Anil Gayan met with British High Commissioner David Snoxell Monday to discuss claims by Mauritius for sovereignty over the Chagos archipelago. Mr. Gayan told H.C. Snoxell that the country dissociated itself from Mr. Bancoult's action as a British citizen. The Mauritian government wants negotiations on sovereignty to be opened "without further delay." Anil Gayan also warned against any possible claim for auto-determination by people who would settle Chagos again, underlining that the archipelago was open to all Mauritians alike. The timing of Mauritius claims for Chagos sovereignty coincides with the country's recent election at the UN Security Council. The Foreign Minister recognized that the presence of an American military base on Diego Garcia cannot be ignored, but averred that it has nothing to do with Mauritius sovereignty claims. Mauritius does not discard possibility of recourse to international tribunals if political and diplomatic channels fail to solve the issue.

3. A summary of Mauritian media editorial commentary follows:

-- "Week-End," November 5: Chief Editor Gerard Cateau saluted the work carried out by the GRC's Olivier Bancoult in filing the court case whose verdict was pronounced on November 2, stating that it is clearly time Diego Garcia was vacated by the Americans since the cold war is over.

-- "L'Express," November 5: Columnist "The Mad Hatter" wrote, "Mauritius actually temporarily lost the Chagos after a no less cynical deal whereby the archipelago was excised out of our national territory in an unseemly horse trade promising an easier path to independence. The Chagos islands were leased to the Americans smack in the middle of the Cold War, as long as it was necessary to the defense of the

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Western powers'. On this count, would anybody care to explain to me how, after 35 years of high tech military developments, ranging from the successful satellite guidance of missiles right into Saddam's pink boudoir, Stealth airplanes and Patriot (next on the list is Star Wars!) defense systems, the West still needs Diego Garcia, any more than it needed Subic Bay, for example?"

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-- "Le Dimanche," November 5: Chief Editor Raymond R. Nauvel wrote that Olivier Bancoult can be compared to "Moses, the liberator and legislator of Israel." Bancoult's action, he says, is rewarded by worldwide media coverage that questions the use of Diego Garcia by the Americans. The latter will continue to operate their base on Diego Garcia until 2016, until the lease covering the 65 islands of the archipelago expires. Time is now for rejoicing, but Mauritius should also seize the opportunity to strike the iron while hot and take the case to international justice.

-- "Le Mauricien," November 6: Jean-Clement Cangy wrote that there are about 5,000 Chagos islanders in Mauritius and about 2,000 in the Seychelles. It has been revealed that Great Britain deliberately lied to the UN and the international public about the fact that there were natives in the Chagos islands prior to the removal of that population. Although Mauritius initially considered its former colonists as old friends, right after independence, it was only in the seventies that opposition started voicing out about the conditions in which Chagos was excised so that Mauritius could be free, in total disrespect of the UN charter that forbids dismemberment of a colony prior to its independence. It is now up to the Chagos islanders to be imaginative in their claims for compensation and reinsertion into their native land.

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