

CO/3775/98

**IN THE HIGH COURT OF JUSTICE
QUEENS BENCH DIVISION
DIVISIONAL COURT**

CROWN OFFICE LIST

IN THE MATTER OF AN APPLICATION FOR JUDICIAL REVIEW

BETWEEN

THE QUEEN

and

**(1) THE SECRETARY OF STATE FOR THE FOREIGN & COMMONWEALTH
OFFICE**

(2) HM COMMISSIONER FOR THE BRITISH INDIAN OCEAN TERRITORY

EX PARTE LOUIS OLIVIER BANCOULT

STATEMENT OF CLAUDE TALBOT

1. I, CLAUDE TALBOT of Albion Docks, Mauritius, make this Statement in support of the application for Judicial Review herein.
2. I was born on the 13 June 1933 on Peros Banhos in the Chagos Archipelago. My father, Louis Talbot, was born on Mauritius, and at the time of my birth, he was working as the Administrator and Manager of one 'La Compagnie des Huiles' - Diego Limited, the exploitation company which ran the coconut plantations. In 1955, I worked with my brother who had been appointed Manager of Diego Limited, and travelled to Diego Garcia where I stayed for several months.

3. Since the evacuation of the Chagos Archipelago between 1966 and 1973, we have established a family shipping company, Talbot Fishing Limited, which owns and operates several fishing vessels. I have now left Talbot Fishing Ltd to form my own company, Mecfish Limited. Each of our vessels is licenced to fish in the waters of the British Indian Ocean Territory. Talbot Fishing Ltd is run by other members of my family.
4. My vessels regularly operate in the waters of the great Chagos bank which are extremely rich in fish of many varieties, including Red Snappers. Additionally the waters are rich in seasonal fishing, such as Tuna, whose migratory path includes the Chagos Archipelago. My vessels average 150 tons of fish per voyage, which is a high average yield. I understand that approximately 5 to 6 licences are issued by the BIOT Authorities in any year, so that the overall yield of the BIOT Islands is extremely high.
5. If possible I would like to engage crew who are natives of the Chagos Islands, because of their greater familiarity with local conditions and weather patterns. The methods of fishing utilised are line and hooks. Each boat takes approximately 60 days on a round trip Mauritius/Chagos/Mauritius. Of this period, 10 days are spent travelling in both directions, and 50 days are actually spent fishing in and around the Archipelago. All our catch is returned to Mauritius from where it is processed, frozen, sold and/or re-exported.
6. I believe that a fishing industry could easily be based on the Chagos Islands, and this would create substantial revenues for any company that would be allowed to set up facilities there. In the event that a modest port facility were available, and refrigeration plants installed, fishing could be conducted far more efficiently and economically from the Islands themselves. Not only would there be a saving of voyage time, but also it would open up export markets to the neighbouring continents. There would also be a substantial requirement for fishermen to go out on the boats, and to process the catch back at port. I would estimate that there would be work for at least 100 men and their families if these basic facilities could be provided. Moreover, I believe that the present level of fishing under exploits this natural resource, and that with appropriate controls as to the level of catch, the industry could be expanded beyond what is presently permitted.
7. There are sources of work beyond fishing, which would be available to the Ilois in the event that they were permitted to return there. Although the traditional copra market has disappeared, there is still considerable demand in Mauritius and elsewhere both for coconuts themselves, and for coconut oil. Mauritius presently imports coconuts from India and Sri Lanka. Obviously, these could be more cheaply obtained from the Chagos Islands, which are closer than India and have for generations had a prolific coconut plantation industry. There is also a significant demand, worldwide, for coconut oil, and I believe that this product could be re-established on the Chagos Islands. To do this it would be necessary for the coconut plantations to be re-habilitated. It is obvious from my own observation that there are still thousands of

acres on the different islands of the Archipelago which are growing a dense forest of coconut trees.

8. There are other crafts which I believe could be successfully re-introduced to the Chagos Islands, such as basket-work (baskets made from coconut leaves), and the making of model ships which are presently distinctive of Mauritius and used to be typical of the Chagos.
9. I am aware that there are tourist development companies who would welcome the opportunity of establishing a tourist trade in the Chagos Islands, in the same way that neighbouring Archipelagos, such as the Maldives, and the Seychelles, have successfully introduced in the past decade or two.
10. I am aware that the Ilois possess skills in building homes and boats from traditional materials. I believe that these skills could be used to good effect in the event that a return to the Islands were permitted, and pending a longer term programme for bringing these Islands back into constructive use, of which they have been regrettably deprived for so many years.
11. I believe that the facts stated in this Statement are true.

SIGNED:


CLAUDE TALBOT

This 25th day of August, 1999