

Apr 18 2016

## A Conversation on Race (Part 3): 'Race, UK Policy and the Chagos Islander's case post-2000'

Leila Nasr

*The following article is the third and final post in a three-week series on the LSE Human Rights Blog entitled 'A Conversation on Race'. This series has been compiled by MSc Human Rights candidate Allie Funk (A.Funk@lse.ac.uk).*

By Cat Gough\*

*"The Foreign Office is not acting in good faith to get things moving in our favour. It seems they are not interested in us, maybe because we're black skinned and African origin. If you take the Falklands, the problem was solved. If you take Montserrat, everything was solved."<sup>11</sup> – Olivier Bancoult, leader of the Chagos Refugee Group, in conversation with Mark Curtis in 2002.*

*"We were being asked [in the 2000 High Court ruling] to pick up the financial tab to allow, almost on an exploratory basis, for people to go back to the islands."<sup>12</sup> – Bill Rammel, MP Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs, BBC interview with John Pilger 2004.*

Utilising medieval legislation to overturn a [High Court ruling](#); commissioning reams of "[patently flawed](#)" reports and studies; [paying a University scientist to 'review' a 2002 feasibility study](#), ensuring much of the [initial scientific conclusions were scrapped](#); [and disregarding financial support from the US and the European Union to support British Chagossian victims](#). This is how a series of twenty-first century British governments have acted to remedy a British post-colonial [crime against humanity](#), treating those subject to Foreign and Commonwealth Office policy as expendable citizens.



*The Chagos Archipelago, British Territory. Licensed under Creative Commons.*

This was an illegal British foreign policy, a crime against humanity, pursued covertly by the British government. It began with the 1966 bilateral agreement, which would see Britain receiving a nuclear missile system from the United States in return for the USA's complete access to the Chagos Islands. As a result, beginning in 1968, the British government forcibly evicted around **1500 vulnerable British citizens** from their homes on the Chagos Islands in the South Pacific. This was done, as suggested by Lord Hoffman, **"with a callous disregard of their [the islanders] interests."** The Chagos Islands were promptly gifted to the United States by the British government as a brand new military base for America on the island Diego Garcia. In a post 9/11 context, the United States have since described Diego Garcia as an "indispensable" military base. Now a vital platform for "policing the world,"<sup>[31]</sup> **the base is used as a strategic launchpad for both the Afghanistan and Iraq invasions.**

Through examining the UK government's response to the extraordinary legal battle for basic human rights since the High Court ruling in 2000, questions arise regarding the ways in which the race of the Chagos islanders has informed the response of the government. Mark Curtis' analysis offers some insight: that the principal victims of Britain's foreign policies are seen by the government as Unpeople.<sup>[41]</sup> Unpeople, Curtis argues, are those whose lives are deemed worthless in the pursuit of power and commercial gain. Those subject to foreign policy are treated as either useful, or expendable, the modern equivalent "of the 'savages' of colonial days, who could be mown down by British guns in virtual secrecy."<sup>[51]</sup>

The deployment of the plethora of obscure measures used by successive governments to stifle the High Court ruling in 2000 has posed serious indictments about how race has informed and continues to influence the core of UK foreign policy. This includes using the Royal Prerogative to overturn the High Court ruling, carrying out numerous costly and flawed feasibility studies, and **using specious reasons** to justify their continued legal opposition to resettlement. Evidence that race has deeply and negatively tempered the decisions made by the societies in which we participate, particularly the prominent arms of our democratic system, are clear in this instance.

Just three months prior to the 2000 High Court ruling in favour of the islanders' right to return to the outlying Chagos islands, the Foreign Office made their opposition to the expected ruling clear. Foreign Office Minister, Peter Hain reminded the government that "any resettlement would present serious problems...in relation to our treaty obligations."<sup>[61]</sup> Whilst making no

mention of their obligations to the rights of the islanders, the priorities of the Foreign Office were made plain: their covert 1968 military agreement with the United States was most pressing. There was explicitly no priority given to the human rights of the forcibly exiled Chagossians.

The very fact that a key Foreign Office minister reminded the government of this priority, indicates the explicit sidelining of Chagossian human rights in favour of economic and military agreements. In a bold pursuit of diplomatic leverage, the lives of Chagossians were expendable.

Following this assertion by the Foreign Office for their preferred response to the High Court ruling, the government proceeded to overturn the High Court ruling via two Orders in Council under the Royal Prerogative. In doing so, the government utilised medieval legislation to obstruct their obligation to assist forcibly exiled Chagossians to return to their homes.<sup>[7]</sup> Using the Royal Prerogative, was *ultra vires* and was made without legal authority, according to a claim upheld by the Court of Appeal.

Going beyond conventional legal authority, the British government has utilised obscure royal powers to curtail the human rights of those subject to British policy; this seems reminiscent of a British colonial past, when racism was inherent within the coloniser's legal treatment of its subjects. It suggests how the Foreign Office has evidently taken exceptional measures, bypassing democratic means, and utilising all of its powers to capture the law, in order to stifle the human rights of some of its most vulnerable "black skinned and African origin" <sup>[8]</sup> citizens.

Whilst the government will proactively seek to veto basic human rights for those it has forcibly exiled, in order to maintain good relations and military favours with foreign powers, it seems quite clear that the principal victims of Britain's foreign policies are seen by the Foreign Office as Unpeople.<sup>[9]</sup> Further evidence of this continues to be uncovered. Foreign Office correspondence with an academic indicates that the Foreign Office paid an academic to "massage" the drafting of a key resettlement feasibility study, exposed via a [Freedom of Information request](#). This further underpins the arguments of Mark Curtis, and exhibits a post-colonial British government taking extraordinary measures to curb and limit the basic human rights of vulnerable black British citizens, in favour of a military agreement made under legally tenuous circumstances in 1968.

Notions of race, therefore, seem to have deeply and negatively influenced the decisions made by the societies in which we participate in this instance; meanwhile the British government continues to treat forcibly exiled Chagossian islanders as expendable citizens.

\* *Cat Gough can be reached at [catgough267@gmail.com](mailto:catgough267@gmail.com)*

<sup>[1]</sup> Olivier Bancoult, interview by Mark Curtis. *Web of Deceit: Britain's Real Role in the World*, (Vintage : London, 2003) p.426

<sup>[2]</sup> Bill Rammell, interview by John Pilger, "Stealing a Nation", produced by Carlton Television, 2004.

<sup>[3]</sup> Milmo, Cahal, "Chagos Islanders tell Britain they want to resettle their former home"

<sup>[4]</sup> Curtis, Mark, *Unpeople: Britain's Secret Human Rights Abuses*, (Vintage : London, 2004), p.2

<sup>[5]</sup> Ibid

<sup>[6]</sup> Curtis, *Web of Deceit*, p.428

<sup>[7]</sup> Ibid

<sup>[8]</sup> Olivier Bancoult, interview by Mark Curtis. *Web of Deceit: Britain's Real Role in the World*, (Vintage : London, 2003) p.426

<sup>[9]</sup> Curtis, Mark, *Unpeople: Britain's Secret Human Rights Abuses*, (Vintage : London, 2004), p.2

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