# Downing Street accused of delaying Chagos Islands handover amid political and legal tensions



Downing Street is currently facing scrutiny over its handling of the Chagos Islands’ sovereignty transfer to Mauritius, with accusations of procrastination driven by fears of backlash from Labour MPs. Since ministerial declarations at the beginning of April indicated that negotiations for the handover were nearing completion, expectations shifted towards a swift resolution. However, recent updates reveal ongoing discussions that suggest a deliberate delay, possibly linked to the estimated £9 billion associated with the deal, which could prove politically perilous amidst the backdrop of Labour’s contentious budgetary cuts.

Sources indicate that government officials are acutely aware of the potential backlash from Conservative and Reform Party factions, who are likely to oppose the notion of relinquishing control over the islands. The sensitivity surrounding this transfer is heightened by its implications for the Diego Garcia military base, pivotal for Anglo-American military operations. A Prime Ministerial spokesman confirmed that efforts to secure a deal concerning the base are still in progress, signalling the complexity of the negotiations involved.

Criticism has also emerged from within the Labour Party itself. Shadow Foreign Secretary Dame Priti Patel accused the leadership of failing to act in the national interest, declaring that “when Labour negotiates, Britain loses.” This internal dissent reflects broader concerns regarding the implications of the handover, particularly in light of the historical context of Chagossian displacement. Between 1968 and 1973, the British government forcibly removed the islands' entire population to facilitate the establishment of the military base, a move that has since drawn widespread condemnation.

In parallel to domestic political manoeuvring, legal challenges are brewing over the proposed deal. Earlier this year, prominent Conservative peers issued a pre-action protocol against the Foreign Office, alleging that the government is unlawfully proposing to cede British territory to a foreign entity. Their claims hinge on the assertion that the government lacks the prerogative power to make such a concession, coupled with concerns over the legality of the financial arrangements tethered to the deal.

Despite the legal posturing, historical precedent suggests that courts generally refrain from intervening in foreign policy matters. This underscores the political minefield that the government finds itself navigating. Sir Michael Ellis, a former attorney-general, has voiced opinions suggesting that the legal foundation underpinning the deal is shaky, raising questions about its long-term viability.

The implications of this proposed treaty extend beyond mere sovereignty. It envisions a framework wherein Mauritius secures control over the archipelago, while the UK retains a long-term lease on Diego Garcia. This strategic arrangement, which includes significant annual payments, aims to preserve vital military interests amid shifting geopolitical dynamics. Yet, the Chagossians, who are estimated to number over 10,000 and are largely dispersed across Mauritius, the Seychelles, and the UK, remain at the heart of this contentious narrative, with many expressing a desire to return to their ancestral homes.

Recent legal actions by two Chagos-born women, Bernadette Dugasse and Bertrice Pompe, reflect the ongoing struggle for recognition and restitution. Their case challenges the UK government's planned transfer, asserting a claim to the islands that resonates deeply within the context of broader decolonisation efforts. Protests by Chagossians outside the UK Parliament have underscored the community's frustration over perceived failures to consult them during negotiations.

As these discussions unfold, the ramifications of the Chagos Islands' handover will likely crucially reflect the UK's colonial past and its continuing influence on international relations. This complex situation not only raises significant ethical questions regarding the treatment of displaced populations but also highlights the ongoing geopolitical challenges faced by the UK as it seeks to navigate a post-Brexit world.

The path forward remains fraught with uncertainty, balancing national interests against historical injustices, as the debate continues over the British government's approach to the Chagos Islands.

Source: [Noah Wire Services](https://www.noahwire.com)

## Bibliography

1. <https://www.dailymail.co.uk/news/article-14721105/Downing-Street-accused-delaying-surrender-Chagos-Islands-fear-MP-backlash.html?ns_mchannel=rss&ns_campaign=1490&ito=1490> - Please view link - unable to able to access data
2. <https://www.ft.com/content/e03ab89d-42fc-44ab-89fe-7ed086f0ab3a> - In October 2024, former U.S. President Donald Trump approved a deal between the UK and Mauritius concerning the Chagos Islands. The agreement involves the UK transferring sovereignty over the islands to Mauritius while leasing Diego Garcia, the largest atoll, back to the UK for 99 years, with an option for an additional 40 years. This arrangement is crucial for the UK-US military base on Diego Garcia. Despite opposition from senior Republicans concerned about enhancing China’s regional interests and political resistance in the UK, Trump expressed his support for the deal during discussions with Keir Starmer. The agreement, formalized after an advisory opinion from the International Court of Justice and waning UK support at the UN, requires further negotiations between the UK and Mauritius but no additional US approvals. The UK is expected to pay £90 million annually to lease Diego Garcia, although specific details and departmental funding for the deal remain undisclosed.
3. <https://www.lemonde.fr/en/international/article/2024/10/06/with-the-handover-of-the-chagos-islands-the-uk-cedes-part-of-its-colonial-past-in-the-indian-ocean_6728380_4.html> - On October 3, 2024, the United Kingdom transferred sovereignty of the Chagos Islands to Mauritius, concluding a long-standing colonial dispute. Mauritius, which had claimed the archipelago for over 50 years, committed to maintaining the military base on Diego Garcia leased to the US, essential for global security and preventing illegal migration. The decision followed international tribunal rulings between 2019 and 2021 favoring Mauritius, prompting the UK government to negotiate the return of the islands. The agreement allows the Chagossians, displaced during the base's establishment in the 1960s, to return and ensures environmental protection. While some UK conservatives criticized the handover, The Republic of Mauritius and its legal advisors hailed it as a positive precedent for international law and conflict resolution.
4. <https://www.elpais.com/internacional/2024-10-03/el-reino-unido-pone-fin-a-decadas-de-disputa-y-devuelve-a-mauricio-el-archipielago-de-chagos.html> - The United Kingdom has decided to return the Chagos Archipelago to Mauritius, ending an international dispute of more than 50 years. In exchange, London and Washington will maintain control of the strategic joint military base on Diego Garcia Island for 99 years. This base is crucial for monitoring maritime routes and controlling illegal immigration. The return follows a UN resolution in 2019, supported by the International Court of Justice, which urged the UK to cede the islands. Although this has provoked criticism in the UK, especially among conservatives, the agreement includes compensations and aid for the displaced Chagossians, excluding reintegration in Diego Garcia. The UK's Foreign Ministry has emphasized that this agreement does not set precedents regarding other British territories like Gibraltar or the Falklands.
5. <https://theweek.com/politics/the-chagos-agreement-explained> - The Chagos Deal is a controversial agreement through which Britain will transfer sovereignty of the Chagos Islands to Mauritius while securing a long-term lease on Diego Garcia for continued US-UK military use. The Chagos archipelago, ceded to Britain by France in 1814, was separated from Mauritius in 1965 and leased to the US, leading to the forced removal of over 2,000 Chagossians. Mauritius has long contested Britain's control, with UN rulings and General Assembly votes supporting its claim. The deal, reportedly worth £90 million annually for 99 years, aims to rectify colonial injustices and maintain strategic military assets. However, it has sparked political backlash in the UK due to its high cost and perceived betrayal of British Chagossians, many of whom oppose Mauritian governance due to historical mistreatment. Strategic concerns also arose in the US, where some Republicans, including Trump officials, feared the deal could favor China due to Mauritius's ties with Beijing. Despite these concerns, the deal has been endorsed by allies like the US and India. Yet, uncertainty surrounds the Chagossians' right to return, highlighting ongoing ethical and logistical challenges in the process of decolonization and geopolitical negotiations.
6. <https://apnews.com/article/c5816d6b5cf79dedf4fc6b37376298f8> - The Chagos islanders, displaced half a century ago to accommodate a U.S. military base, protested outside the U.K. Parliament against a recent deal between the British government and Mauritius. This agreement was made without consulting the displaced islanders, sparking outrage among them. The Chagos Islands have been under British control since 1814 and were separated from Mauritius in 1965. The U.N. General Assembly and the International Court of Justice previously ruled against Britain's control of the islands. The new Labour government justified the deal, citing legal threats to the military base's status, while Conservatives worry this might set a precedent for other territories. The agreement includes a resettlement fund for Chagossians but excludes Diego Garcia. Islander Jemmy Simon expressed frustration over the lack of consultation, emphasizing that the islands are their home.
7. <https://www.lemonde.fr/international/article/2024/10/04/avec-la-retrocession-des-chagos-islands-le-royaume-uni-cede-une-partie-de-son-passe-colonial-dans-l-ocean-indien_6343260_3210.html> - On October 3, the United Kingdom handed over the Chagos Islands to the Republic of Mauritius, ending a colonial history in exchange for the guarantee that the American military base would remain at Diego Garcia. Mauritius had claimed these islands for more than fifty years. The agreement was hailed by British Foreign Secretary David Lammy for its global security and long-term relationship with Mauritius. Labour Prime Minister Keir Starmer accelerated negotiations initiated by Rishi Sunak under the leadership of Sir Jonathan Powell. The British right criticized this agreement, but the decision is viewed favorably by the Chagossians, evacuated from the islands in the 1960s and 1970s, who can now return home.