

# DECOLONISING CHAGOS

Relevant for: International Relations | Topic: Effect of policies and politics of developed & developing countries on India's interests

The stunning opinion of the International Court of Justice in The Hague, that Britain's continued administration of the [Chagos archipelago](#) is unlawful, is a landmark in the effort to decolonise the Indian Ocean and return the islands to Mauritius. Britain's reaction, however, was predictable and disappointing. It said the ICJ's is an advisory opinion it will examine, and stressed the security significance of the islands. Since the late-1960s, the U.S. has maintained a military base on one of them, Diego Garcia. In 2016, Britain extended the lease to the U.S. till 2036 even as it said it would return the islands to Mauritius when no longer needed for defence purposes. Mauritius has made it clear that it does not intend to jeopardise the future of the military base. The agreement to allow Britain to administer the Chagos islands came in 1965, three years before Mauritius gained independence. Mauritius says Britain had made it a pre-condition for independence. This was endorsed by the ICJ, which noted that given the imbalance between the two, the agreement did not amount to "freely expressed and genuine will". It is a damning assessment of colonial legacies and the attempt by former colonial powers to justify or ignore the indefensible on the basis of 'agreements'.

Britain has tried to block Mauritius's claim to the islands at every stage, first by attempting to defeat a UN General Assembly vote in 2017 calling on the ICJ to deliver its opinion. When it lost this, London questioned the court's jurisdiction and Mauritius's version of how the deal had been thrashed out. However, Mauritius has had many countries on its side, including India. In written and oral submissions before the court, India has insisted that historical facts were not with Britain's interpretation and that its continued administration of the islands meant the process of decolonisation had not been completed. In an ideal world, Britain would be compelled to hand the islands to Mauritius. However, as the opinion against the construction of the separation wall in the Occupied Palestinian Territory in 2003 demonstrates, ICJ advisories are not always acted on. At the very least, Britain should show it respects the court's view and Mauritius's sovereignty, and make significant concessions — starting with matters ranging from fishing rights to compensation for the Chagossians, who have suffered through all of this. The ICJ 'opinion' draws the line on what is expected from Britain for it to be a global nation in tune with the new world order. It announces that the world has moved on from passive acceptance of the injustices of empire.

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