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B.I.O.T. WORKING PAPERS

Paper No. 2: H.M.G.'s Undertakings to the
Mauritius Government

The 1965 negotiations with the Government of Mauritius (then of course a dependent territory) for the detachment of the islands were complicated, and extended over several months. This note is not intended to cover the whole field but only to deal with the undertakings of direct relevance in the present context, in particular those relating to resettlement, reversion of the islands to Mauritius if they were not needed for defence purposes, and the 'benefit' of minerals or oil discovered in or near the Chagos Archipelago.

Agreement reached with Government of Mauritius

2. After discussions the British Government's proposals were finally put forward in Colonial Office Despatch No. 423 of 6 October, 1965 to the Governor of Mauritius to which was attached the agreed record of a meeting with Mauritius Ministers on 23 September, 1965. The discussion was summarised in paragraph 22 of the record and this can be read with the Despatch as constituting H.M.G.'s definitive proposals. A copy of the Despatch and an extract of paragraphs 22 and 23 of the record is attached at Annex A.

3. On 5 November, 1965 the Governor reported (Mauritius telegram No. 247) that the Mauritius Council of Ministers agreed to detachment of the Chagos Archipelago on the conditions enumerated by H.M.G. on the understanding quoted below:-

- "(1) statement in paragraph 6 of your despatch 'H.M.G. have taken careful note of points (vii) and (viii)' means H.M.G. have in fact agreed to them.
- (2) As regards (vii) undertaking to Legislative Assembly excludes
 - (a) sale or transfer by H.M.G. to third party or
 - (b) any payment or financial obligation by Mauritius as condition of return.
- (3) In (viii) 'on or near' means within area within which Mauritius would be able to derive benefit but for change

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sovereignty. I should be grateful if you would confirm this understanding is agreed."

4. In part reply to this telegram the Governor was informed as follows:-

"As already stated in paragraph 6 of my despatch No. 423, the Chagos Archipelago will remain under British sovereignty. The islands are required for defence facilities and there is no intention of permitting prospecting for minerals or oils on or near them. The points set out in your paragraph 1 should not therefore arise but I shall nevertheless give them further consideration in view of your request."

(C.O. telegram No. 298 dated 8 November)

5. On 12 November the Governor asked to what extent Mauritius Ministers could make reference in public to the points in paragraph 22 of the enclosure to Despatch No. 423. He added "In this connection I trust further consideration promised ... will enable categorical assurances to be given."

6. The text of the Colonial Office reply (C.O. telegram 313 of 19 November, 1965) was as follows:-

"U.K./U.S. defence interests.

There is no objection to Ministers referring to points contained in paragraph 22 of enclosure to Secret despatch No. 423 of 6th October so long as qualifications contained in paragraphs 5 and 6 of the despatch are borne in mind.

2. It may well be some time before we can give final answers regarding points (iv), (v) and (vi) of paragraph 22 and as you know we cannot be at all hopeful for concessions over sugar imports and it would therefore seem unwise for anything to be said locally which would raise expectations on this point.

3. As regards point (vii) the assurance can be given provided it is made clear that a decision about the need to retain the islands must rest entirely with the United Kingdom Government and that it would not (repeat not) be open to the Government of Mauritius to raise the matter, or press for the return of the islands on its own initiative.

4. As stated in paragraph 2 of my telegram No. 298 there is no intention of permitting prospecting for minerals and oils. The question of any benefits arising therefrom should not

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therefore arise unless and until the islands were no longer required for defence purposes and were returned to Mauritius." It will be seen that while the Colonial Office reply was not a simple acceptance of the Mauritian 'understanding' it did not differ on any point of substance and agreed to publication by Mauritius Ministers of the points listed in paragraph 22 of the record. The reply did however (i) lay emphasis on British sovereignty over the islands, (ii) make it clear that a decision on their retention must be for Britain alone, and (iii) reiterate that there was no intention of permitting prospecting for minerals and oil and that the question of benefits therefrom should not therefore arise unless the islands "were no longer required for defence purposes and were returned to Mauritius".

7. The reply appears to have been accepted by Mauritian Ministers as fully satisfying the conditions they had put forward. In December the Governor cleared with the Colonial Office a draft answer to a Question put down in the Mauritius Legislature and at the suggestion of the Colonial Office a reference in the draft to possible mineral benefits reverting to the Government of Mauritius ^{was omitted}, thus reflecting the line noted in paragraph 6 (iii) above.

Published Statements

8. The main U.K. statement was made by the Secretary of State for the Colonies in the House of Commons on 10 November, 1965. This statement was subsequently issued in Mauritius with an addition which was cleared with us by the Governor before issue. The full text of the Mauritius statement is at Annex B. More information was disclosed in the Mauritius Legislative Assembly in answer to a Question on 21 December. The full text of the Question and Answer is given in Annex C.

9. We have not traced any further statement by the Mauritius Government, which adds to the ones attached and is of relevance in the present context; but without exhaustive research we cannot be certain that other points covered by the original agreements have not been made public.

Summary

10. The public statement made in Mauritius by the Mauritius Government in answer to a Question in the Legislature on 21 December, 1965 can be taken as a definitive statement of their

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position on the three points of particular interest at present.
The relevant parts of the statement are as follows:-

(a) Resettlement

"The British Government has undertaken to meet the full cost of the resettlement of Mauritians at present living in the Chagos Archipelago."

(b) Reversion of Islands

"If the British Government decides that the Chagos Archipelago is no longer required for defence purposes, the islands will be returned to Mauritius."

(c) Oil and Minerals

"The Honourable Member's question is, again, a hypothetical one and I should make clear that there has never been any indication of minerals in the Chagos Archipelago, which is a string of coral atolls. The British Government has no intention of allowing prospecting for minerals while the islands are being used for defence purposes. For the position thereafter, I would refer the Honourable Member to the first sentence of the reply to Question (e)." /This is quoted at (b) above/

It should however be noted that it was agreed at the time that Mauritius Ministers could make public any of the points listed in paragraph 22 of the record of the meeting on 23 September, 1965. We have not traced publication by them of condition (viii) of that paragraph - "that the benefit of any minerals or oil discovered in or near the Chagos Archipelago should revert to the Mauritius Government" - but there is no reason why they should not publish this at any time.

Pacific and Indian Ocean Dept,
March 1969

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ANNEX A

Colonial Office Despatch to Governor of Mauritius
No. 423, dated 6 October, 1965

"Sir,

I have the honour to refer to the discussions which I held in London recently with a group of Mauritius Ministers led by the Premier on the subject of U.K./U.S. Defence Facilities in the Indian Ocean. I enclose a copy of the record prepared here of the final meeting on this matter with Mauritius Ministers - this record has already been agreed in London with Sir S. Ramgoolam, and by him with Mr. Mohamed, as being an accurate record of what was decided.

2. I should be grateful for your early confirmation that the Mauritius Government is willing to agree that Britain should now take the necessary legal steps to detach the Chagos Archipelago from Mauritius on the conditions enumerated in (i) - (viii) in paragraph 22 of the enclosed record.

3. Points (i) and (ii) of paragraph 22 will be taken into account in the preparation of a first draft of the Defence Agreement which is to be negotiated between the British and Mauritius Governments before independence. The preparation of this draft will now be put in hand.

4. As regards point (iii), I am arranging for separate consultations to take place with the Mauritius Government with a view to working out agreed projects to which the £3 million compensation will be devoted. Your Ministers will recall that the possibility of land settlement schemes was touched on in our discussions.

5. As regards points (iv), (v) and (vi) the British Government will make appropriate representations to the American Government as soon as possible. You will be kept fully informed of the progress of these representations.

6. The Chagos Archipelago will remain under British sovereignty, and Her Majesty's Government have taken careful note of points (vii) and (viii).

I have the honour to be,
etc."

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ANNEK A
(continued)

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Extract from Record of Meeting held in
Lancaster House on Thursday 23 September, 1965
between the Colonial Secretary (Mr. Greenwood)
and Mauritian Ministers

Paragraphs 22 and 23

22. Summing up the discussion, the SECRETARY OF STATE asked whether he could inform his colleagues that Dr. Ramgoolam, Mr. Bissoondoyal and Mr. Mohamed were prepared to agree to the detachment of the Chagos Archipelago on the understanding that he would recommend to his colleagues the following:-

- (i) negotiations for a defence agreement between Britain and Mauritius;
- (ii) in the event of independence an understanding between the two governments that they would consult together in the event of a difficult internal security situation arising in Mauritius;
- (iii) ~~compensation totalling up to £3m. should be paid to the Mauritius Government over and above direct compensation to landowners and the cost of resettling others affected in the Chagos Islands;~~
- (iv) the British Government would use their good offices with the United States Government in support of Mauritius' request for concessions over sugar imports and the supply of wheat and other commodities;
- (v) that the British Government would do their best to persuade the American Government to use labour and materials from Mauritius for construction work in the islands;
- (vi) the British Government would use their good offices with the U.S. Government to ensure that the following facilities in the Chagos Archipelago would remain available to the Mauritius Government as far as practicable:
 - (a) Navigational and Meteorological facilities;
 - (b) Fishing Rights;
 - (c) Use of Air Strip for emergency landing and for refuelling civil planes without disembarkation of passengers.

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ANNEX A
(continued)

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- (vii) that if the need for the facilities on the islands disappeared the islands should be returned to Mauritius;
- (viii) that the benefit of any minerals or oil discovered in or near the Chagos Archipelago should revert to the Mauritius Government.
23. SIR S. RAMGOOLAM said that this was acceptable to him and Messrs. Bissoondoyal and Mohamed in principle but he expressed the wish to discuss it with his other ministerial colleagues.

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Annex B

Embargoed for release until 2000 hours local timeWednesday 10th November, 1965Defence facilities in the Indian Ocean

In reply to a Parliamentary Question the Secretary of State made the following statement in the House of Commons on Wednesday November 10th:-

"With the agreement of the Governments of Mauritius and the Seychelles new arrangements for the administration of certain islands were introduced by an Order in Council made on the 8th November. The islands are the Chagos Archipelago, some 1,200 miles north-east of Mauritius, and Aldabra, Farquhar and Desroches in the western Indian Ocean. Their populations are approximately 1,000, 100, 172 and 112 respectively. The Chagos Archipelago was formerly administered by the Government of Mauritius and the other three islands by that of the Seychelles. The islands will be called the British Indian Ocean Territory and will be administered by a Commissioner. It is intended that the islands will be available for the construction of defence facilities by the British and U.S. Governments, but no firm plans have yet been made by either Government. Compensation will be paid as appropriate."

The cost of compensating the Company which exploits the plantations and the cost of resettling elsewhere those inhabitants there who can no longer remain/will be the responsibility of the British Government. In addition, the British Government has undertaken in recognition of the detachment of the Chagos Archipelago from Mauritius, to provide additional grants amounting to £3m. for expenditure on development projects in Mauritius to be agreed between the British and the Mauritius Governments. These grants will be over and above the allocation earmarked for Mauritius in the next period of C. D. & W. assistance.

The population of the Chagos Archipelago consists, apart from civil servants and estate managers, of a labour force, together with their dependants, which is drawn from Mauritius and Seychelles and employed on the copra plantations. The total number of Mauritians in the Chagos Archipelago is 638, of whom 176 are adult men employed on the plantations.

Chief Secretary's Office

Port Louis,

10th November, 1965.

ANNEX C

Extract Debates of the Legislative Assembly
(Mauritius)

21st December, 1965

Excision of the Chagos Archipelago from Mauritius

(No. B/266) Mr. C.G. Duval (Curepipe) asked the Premier and Minister of Finance:

Whether, in exchange for the agreement of this Government to the excision of the Chagos Archipelago from Mauritius, the following obligations have definitely been undertaken by the British Government:-

- (a) the British Government will ensure the defence of Mauritius against external aggression and British troops would intervene in case of a 'coup d'etat' against the legal Government of Mauritius, if so requested by the Government;
- (b) all fishing facilities around Diego will be safeguarded;
- (c) all the meteorological data collected in Diego Garcia will be at the expense of Great Britain and made available to Mauritius free of charge;
- (d) an aerodrome will be constructed in Diego Garcia, which could be made use of by planes coming to and going from Mauritius, in case Plaisance Aerodrome is out of use, for one reason or another;
- (e) in case America and England do not for any reason make use of the Chagos Archipelago, the Archipelago will be returned to Mauritius with such installations as can be made use of by this country;
- (f) all the Mauritians now living in Diego will be resettled in Mauritius. The costs of repatriation will be met from the British Exchequer and all costs of rehousing them will be met by the British, and that work would be found for them by the British Government;
- (g) that Great Britain will buy all building materials required and use Mauritian labour for the construction of the base;
- (h) Mauritians trained at H.M.S. Mauritius will be employed at the telecommunications centre in Diego Garcia;
- (i) that if mines of bauxite and uranium were to be found in the Chagos Archipelago, Mauritius would be the only country entitled to exploit them; and

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- (j) that in exchange for the agreement for the excision of the Chagos Archipelago, Great Britain will grant Rs. 4 million for the Mauritius University and one million one hundred and fifty rupees annually for ten years.

If so, whether in view of the contradictory statement made by the Secretary of State for the Colonies on Wednesday the 10th November, circulated at the last sitting, Government will publish the correspondence between the British Government and the Mauritian Government in that connection?

If not, whether he will state which of the items have not been definitely agreed to by the British Government?

Mr. Forget (on behalf of the Premier and Minister of Finance):

- (1) (a) I would refer the Hon. Member to the penultimate paragraph of the closing speech by the Secretary of State for the Colonies at the end of the Mauritius Constitutional Conference in September, the Report of which was subsequently published in Mauritius as Sessional Paper No. 6 of 1965.
- (b) I am not clear what the Hon. Member means by the word "safeguarded". So far as I am aware the only fishing that now takes place in the territorial waters of Diego Garcia is casual fishing by those employed there and as the Hon. Member is aware, they will be resettled elsewhere.
- (c) The question of responsibility for the collection of meteorological data in Diego Garcia has not been discussed in detail, but the British Government is alive to the great importance of such data to Mauritius and no difficulty is foreseen. It may be of interest to the Hon. Member to know that members of the World Meteorological Organisation are required to supply each other with weather data and that the Director of the Meteorological Services has never heard of a charge being made.
- (d) No decision has yet been taken to construct any facilities on Diego Garcia. Any airfield which might be constructed on Diego Garcia would be intended for purely defence purposes but if an aircraft were obliged to have recourse to it in such an emergency as is indicated in the question, I have no doubt that permission would be granted.
- (e) If the British Government decides that the Chagos Archipelago is no longer required for defence purposes, the islands will be returned to Mauritius. The question what would happen in such circumstances to any installations in the Chagos Archipelago is, of course, a hypothetical one, and would no doubt be discussed between the interested Governments in the light of practical requirements and considerations at the time.

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- (f) The British Government has undertaken to meet the full cost of the resettlement of Mauritians at present living in the Chagos Archipelago.
- (g) The extent to which it would be practicable to use Mauritian labour and materials is a matter for further consideration when the respective requirements and responsibilities for construction of the British and American Governments have been defined. But the desire of the Mauritius Government that Mauritian labour and building materials should be used to the maximum extent has been brought to the notice of the British Government.
- (h) I refer the Honourable Member to the first sentence of my reply to question (d) above.
- (i) The Honourable Member's question is, again, a hypothetical one and I should make clear that there has never been any indication of minerals in the Chagos Archipelago, which is a string of coral atolls. The British Government has no intention of allowing prospecting for minerals while the islands are being used for defence purposes. For the position thereafter, I would refer the Honourable Member to the first sentence of the reply to Question (e).
- (j) No Sir. I would refer the Honourable Member to the statement on the Chagos Archipelago already issued by the Government and to what my colleague the Minister of Education and Cultural Affairs said in the House on Tuesday the 7th December 1965 in relation to financial aid from Great Britain for the University of Mauritius. The aid for the University does not form part of the £3,000,000 of additional aid referred to in the former statement and, like the detachment of the Chagos Archipelago, is an illustration of the mutual association between Mauritius and Britain to which the Government attaches importance.