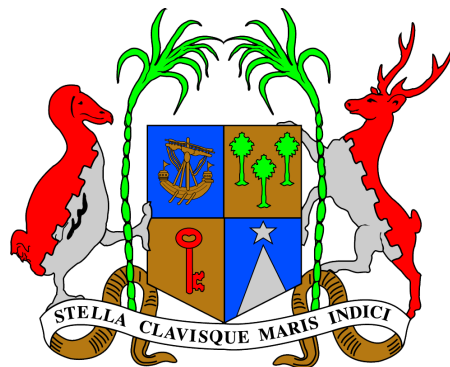


ARBITRATION UNDER ANNEX VII OF THE 1982 UNITED NATIONS  
CONVENTION ON THE LAW OF THE SEA

**REPUBLIC OF MAURITIUS**

**v.**

**UNITED KINGDOM OF GREAT BRITAIN  
AND NORTHERN IRELAND**



**MEMORIAL OF THE REPUBLIC OF MAURITIUS**

VOLUME II

ANNEXES 1 – 80

1 August 2012

## LIST OF ANNEXES

- Annex 1** United Nations General Assembly Resolution 1514 (XV), 14 December 1960
- Annex 2** Robert Newton, Report on the Anglo-American Survey in the Indian Ocean, 1964, CO 1036/1332
- Annex 3** “British Indian Ocean Territory” 1964-1968, Chronological Summary of Events relating to the Establishment of the “B.I.O.T.” in November, 1965 and subsequent agreement with the United States concerning the Availability of the Islands for Defence Purposes, FCO 32/484
- Annex 4** Extracts from Non-Aligned Movement Declarations:
- NAM Declaration, “Programme for Peace and International Co-operation”, adopted at the NAM Conference held on 5-10 October 1964 in Cairo, Egypt, pp. 25-26
  - NAM Summit Declaration, 7-12 March 1983, New Delhi, India, para. 81
  - NAM Summit Declaration, 1-6 September 1986, Harare, Zimbabwe, para.137
  - NAM Summit Declaration, 4-7 September 1989, Belgrade;
  - NAM Summit Declaration, 1-6 September 1992, Jakarta, Indonesia, NAC 10/Doc.2/Rev.2, para.14
  - NAM Summit Declaration, 18-20 October 1995, Cartagena, Colombia, para.171
  - NAM Summit Declaration, 2-3 September 1998, Durban, South Africa, para. 227
  - NAM Summit Declaration, 20-25 February 2003, Kuala Lumpur, Malaysia, para. 184
  - NAM Summit Declaration, 11-16 September 2006, Havana, Cuba, NAM 2006/Doc.1/Rev.3, para. 155
  - NAM Summit Declaration, 11-16 July 2009, Sharm el Sheikh, Egypt, NAM2009/FD/Doc.1, para. 213
  - NAM Ministerial Conference Declaration, 23-27 May 2011, Bali, Indonesia, paras. 260-262
  - NAM Ministerial Meeting Final Document, 7-10 May 2012, Sharm el Sheikh, Egypt, paras 285-287
- Annex 5** Letter dated 14 January 1965 from the Counselor for Politico-Military Affairs at the US Embassy in London to the Head of the Permanent Under-Secretary’s Department, UK Foreign Office
- Annex 6** Letter dated 15 January 1965 from the British Embassy, Washington to the UK Foreign Office



- Annex 7** Letter dated 10 February 1965 from the Counselor for Politico-Military Affairs at the US Embassy in London to the Head of the Permanent Under-Secretary's Department, UK Foreign Office
- Annex 8** Permanent Under-Secretary's Department (Foreign Office), Secretary of State's Visit to Washington and New York, 21-24 March, Defence Interests in the Indian Ocean, Brief No. 14, 18 March 1965, FO 371/184524
- Annex 9** Foreign Office Telegram No. 3582 to Washington, 30 April 1965, FO 371/184523
- Annex 10** Colonial Office Telegram No. 198 to Mauritius, No. 219 to Seychelles, 19 July 1965, FO 371/184526
- Annex 11** Colonial Office Telegram No. 199 to Mauritius, No. 222 to Seychelles, 21 July 1965, FO 371/184524
- Annex 12** Mauritius Telegram No. 170 to the Colonial Office, 23 July 1965, FO 371/184526
- Annex 13** Mauritius Telegram No. 175 to the Colonial Office, 30 July 1965, FO 371/184526
- Annex 14** Colonial Office Telegram No. 214 to Mauritius, 10 August 1965, FO 371/184526
- Annex 15** Mauritius Telegram No. 188 to the Colonial Office, 13 August 1965, FO 371/184526
- Annex 16** Record of a Meeting in the Colonial Office at 9.00 a.m. on Monday, 20th September, 1965, Mauritius – Defence Issues, FO 371/184528
- Annex 17** Colonial Office, Note for the Prime Minister's Meeting with Sir Seewoosagur Ramgoolam, Premier of Mauritius, 22 September 1965, PREM 13/3320
- Annex 18** Record of a Conversation between the Prime Minister and the Premier of Mauritius, Sir Seewoosagur Ramgoolam, at No. 10, Downing Street, at 10 a.m. on Thursday, 23 September 1965, FO 371/184528
- Annex 19** Record of a Meeting held in Lancaster House at 2.30 p.m. on Thursday 23rd September [1965], Mauritius Defence Matters, CO 1036/1253
- Annex 20** Record of UK-US Talks on Defence Facilities in the Indian Ocean, 23-24 September 1965 (FO 371/184529):
- List of Officials who took part in U.S./U.K. talks on Defence Facilities in the Indian Ocean, 23-24 September, 1965
  - Record of a Meeting with an American Delegation headed by Mr. J.C. Kitchen, on 23 September, 1965, Mr. Peck in the Chair, Defence Facilities in the Indian Ocean

- Record of a Meeting of U.K. and U.S. Officials on 24 September, 1965, to Discuss Draft B, Mr. Peck in the Chair, Defence Facilities in the Indian Ocean
- Summary Record of ‘Plenary’ Meeting between the United Kingdom and United States Officials (led by Mr. Kitchen), Mr. Peck in the Chair on 24 September, 1965, Defence Facilities in the Indian Ocean
- Note on Further Action

- Annex 21** Colonial Office Despatch No. 423 to the Governor of Mauritius, 6 October 1965, FO 371/184529
- Annex 22** Letter dated 8 October 1965 from the UK Colonial Office to the UK Foreign Office, FO 371/184529
- Annex 23** Foreign Office Telegram No. 4104 to the UK Mission to the United Nations, New York, 27 October 1965, FO 371/184
- Annex 24** UK Mission to the United Nations, New York, Telegram No. 2697 to the UK Foreign Office, 28 October 1965
- Annex 25** Mauritius Telegram No. 247 to the Colonial Office, 5 November 1965, FO 371/184529
- Annex 26** Minute dated 5 November 1965 from the Secretary of State for the Colonies to the Prime Minister, FO 371/184529
- Annex 27** Colonial Office Telegram No. 267 to Mauritius, No. 356 to Seychelles, 6 November 1965, FO 371/184529
- Annex 28** Foreign Office Telegram No. 4310 to the UK Mission to the United Nations, New York, 6 November 1965, FO 371/184529
- Annex 29** Colonial Office Telegram No. 298 to Mauritius, 8 November 1965, FO 371/184529
- Annex 30** Foreign Office Telegram No. 4327 to the UK Mission to the United Nations, New York, 8 November 1965
- Annex 31** UK Mission to the United Nations, New York, Telegram No. 2837 to the UK Foreign Office, 8 November 1965
- Annex 32** “British Indian Ocean Territory” Order No. 1 of 1965
- Annex 33** Foreign Office Telegram No. 4361 to the UK Mission to the United Nations, New York, 10 November 1965
- Annex 34** Colonial Office Telegram No. 305 to Mauritius, 10 November 1965
- Annex 35** UK Mission to the United Nations, New York, Telegram No. 2971 to the UK Foreign Office, 16 November 1965

- Annex 36** UK Mission to the United Nations, New York, Telegram No. 2972 to the UK Foreign Office, 16 November 1965
- Annex 37** Mauritius Telegram (unnumbered) to the Secretary of State for the Colonies, 17 November 1965
- Annex 38** United Nations General Assembly Resolution 2066 (XX), 16 December 1965
- Annex 39** Despatch dated 7 January 1966 from C. G. Eastwood, Colonial Office to F. D. W. Brown, UK Mission to the United Nations, New York
- Annex 40** Despatch dated 2 February 1966 from F.D.W. Brown, UK Mission to the United Nations, New York to C.G. Eastwood, Colonial Office
- Annex 41** Letter dated 8 February 1966 from K.W.S. MacKenzie, Colonial Office to A. Brooke-Turner, UK Foreign Office, FO 371/190790
- Annex 42** UK Mission to the United Nations, New York, Telegram No. 1872 to the UK Foreign Office, 9 September 1966, CO 936/972
- Annex 43** UK Mission to the United Nations, New York, Telegram No. 1877 to the UK Foreign Office, 12 September 1966, CO 936/972
- Annex 44** Statement by Mr. Francis Brown in the Committee of 24: Mauritius, the Seychelles and St. Helena (Report of Sub-Committee I), 6 October 1966
- Annex 45** United Nations General Assembly Resolution 2232 (XXI), 20 December 1966
- Annex 46** Exchange of Notes Constituting an Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of United States of America Concerning the Availability for Defence Purposes of the “British Indian Ocean Territory”, in force 30 December 1966, 603 *U.N.T.S.* 273 (No. 8737)
- Annex 47** UK Mission to the United Nations, New York, Telegram No. 60 to the UK Foreign Office, 21 April 1967
- Annex 48** Minute dated 12 May 1967 from the Secretary of State for Defence to the Foreign Secretary, FO 16/226
- Annex 49** Minute dated 22 May 1967 from a Colonial Office official, A. J. Fairclough, to a Minister of State, with a Draft Minute appended for signature by the Secretary of State for Commonwealth Affairs addressed to the Foreign Secretary, FCO 16/226
- Annex 50** Letter dated 12 July 1967 from the UK Commonwealth Office to the Governor of Mauritius, FCO 16/226

- Annex 51** United Nations General Assembly Resolution 2357 (XXII), 19 December 1967
- Annex 52** Despatch dated 28 April 1969 from J. W. Ayres, Foreign and Commonwealth Office to J. R. Todd, Administrator, “BIOT”, FCO 31/2763
- Annex 53** “British Indian Ocean Territory” Proclamation No. 1 of 1969
- Annex 54** Note Verbale dated 19 November 1969 from the Prime Minister’s Office (External Affairs Division), Mauritius to the British High Commission, Port Louis, No. 51/69 (17781/16/8)
- Annex 55** Note Verbale dated 18 December 1969 from the British High Commission, Port Louis to the Prime Minister’s Office (External Affairs Division), Mauritius
- Annex 56** Pacific and Indian Ocean Department (Foreign and Commonwealth Office), Visit of Sir Seewoosagur Ramgoolam, Prime Minister of Mauritius, 4 February 1970, Speaking Note, 2 February 1970
- Annex 57** Despatch dated 24 March 1970 from A. F. Knight, Foreign and Commonwealth Office to J. R. Todd, “BIOT” Administrator
- Annex 58** Telegram No. BIOT 12 dated 30 May 1970 from the Governor of Seychelles to the UK Foreign and Commonwealth Office
- Annex 59** Minute dated 5 June 1970 from J. Thomas (Defence Department) to J. W. Ayres (Aviation and Marine Department), UK Foreign and Commonwealth Office, FCO 32/716
- Annex 60** “British Indian Ocean Territory” Ordinance No. 2 of 1971
- Annex 61** Despatch dated 3 June 1971 from M. Elliott, UK Foreign and Commonwealth Office to F.R.J. Williams, Seychelles, FCO 31/2763
- Annex 62** Despatch dated 16 June 1971 from F.R.J. Williams, Seychelles to M. Elliott, UK Foreign and Commonwealth Office, BIOT/54/61
- Annex 63** Despatch dated 2 July 1971 from M. Elliott, UK Foreign and Commonwealth Office to R. G. Giddens, British High Commission, Port Louis, FCO 31/2763
- Annex 64** Note from R. G. Giddens, British High Commission, Port Louis, 15 July 1971
- Annex 65** Despatch dated 26 May 1972 from J. R. Todd, “BIOT” Administrator to P. J. Walker, UK Foreign and Commonwealth Office, FCO 31/2763
- Annex 66** Letter dated 26 June 1972 from the British High Commission, Port Louis, to the Prime Minister of Mauritius

- Annex 67** Letter dated 4 September 1972 from Prime Minister of Mauritius to British High Commissioner, Port Louis
- Annex 68** Press Communiqué dated 9 February 1973, Prime Minister's Office, Mauritius
- Annex 69** Letter dated 24 March 1973 from Prime Minister of Mauritius to the British High Commissioner, Port Louis
- Annex 70** Mauritius Legislative Assembly, 9 April 1974, Speech from the Throne – Address in Reply, Statement by Hon. G. Ollivry
- Annex 71** Mauritius Legislative Assembly, 26 June 1974, Committee of Supply
- Annex 72** Memorandum by the UK Secretary of State for Foreign and Commonwealth Affairs, "British Indian Ocean Territory: The Ex-Seychelles Islands", 4 July 1975
- Annex 73** Briefing note dated 14 July 1975 from John Hunt to the UK Prime Minister
- Annex 74** Office of International Security Operations Bureau, Politico-Military Affairs, United States Department of State, "Disposition of the Seychelles Islands of the BIOT", 31 October 1975
- Annex 75** Anglo/US Consultations on the Indian Ocean: November 1975, Agenda Item III, Brief No. 4: Future of Aldabra, Farquhar and Desroches, November 1975
- Annex 76** British Embassy, Washington, November 1975, Minutes of Anglo-US Talks on the Indian Ocean held on 7 November 1975 (Extract)
- Annex 77** Record of Conversation between the UK Parliamentary Under Secretary of State for Foreign and Commonwealth Affairs and the Mauritius High Commissioner, London at the Foreign and Commonwealth Office on 8 March 1976 at 4 p.m.
- Annex 78** Letter dated 15 March 1976 from Parliamentary Under Secretary of State, UK Foreign and Commonwealth Office, to the Mauritius High Commissioner, London
- Annex 79** Heads of Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland, the Administration of the "British Indian Ocean Territory" and the Government of Seychelles Concerning the Return of Aldabra, Desroches and Farquhar to Seychelles to be Executed on Independence Day, FCO 40/732
- Annex 80** Telegram No. 43 from the UK Foreign and Commonwealth Office to the British High Commission, Port Louis, 19 March 1976
- Annex 81** Mauritius Legislative Assembly, 15 March 1977, Speech from the Throne – Address in Reply, Statement by Hon. M.A. Peeroo

- Annex 82** Mauritius Legislative Assembly, 8 November 1977, Reply to PQ No. B/539
- Annex 83** Mauritius Legislative Assembly, 29 November 1977, Reply to PQ No. B/634
- Annex 84** Mauritius Legislative Assembly, 5 July 1978, Committee of Supply
- Annex 85** Mauritius Legislative Assembly, 11 April 1979, Speech from the Throne – Address in Reply, Statement by the Prime Minister of Mauritius
- Annex 86** Mauritius Legislative Assembly, 10 July 1979, Reply to PQ No. B/754
- Annex 87** Mauritius Legislative Assembly, 13 November 1979, Reply to PQ No. B/844
- Annex 88** Mauritius Legislative Assembly, 20 November 1979, Reply to PQ No. B/967
- Annex 89** Mauritius Legislative Assembly, 27 November 1979, Reply to PQ No. B/982
- Annex 90** Mauritius Legislative Assembly, 13 May 1980, Second Reading of the Fisheries Bill (No. IV of 1980), Statement by the Minister of Fisheries and Cooperatives and Co-operative Development
- Annex 91** Mauritius Fisheries Act 1980, Act No. 5 of 1980
- Annex 92** Mauritius Legislative Assembly, 26 June 1980, Interpretation and General Clauses (Amendment) Bill (No. XIX of 1980), Committee Stage, Statement by Sir Harold Walter
- Annex 93** Resolution on Diego Garcia, AHG/Res.99 (XVII), adopted by OAU Summit, 1-4 July 1980, Freetown, Sierra Leone
- Annex 94** Hansard, House of Commons Debates, 11 July 1980, vol. 988 c314W
- Annex 95** Extracts from Annual Statements Made by Mauritius to the United Nations General Assembly (Chagos Archipelago)
- Annex 96** Mauritius Legislative Assembly, 25 November 1980, Reply to PQ No. B/1141
- Annex 97** Extracts from the Mauritius Legislative Assembly, Report of the Select Committee on the Excision of the Chagos Archipelago, June 1983
- Annex 98** “British Indian Ocean Territory” Notice No. 7 of 1985
- Annex 99** Note Verbale dated 23 July 1991 from British High Commission, Port Louis to Government of Mauritius, No. 043/91

- Annex 100** Note Verbale dated 7 August 1991 from Ministry of External Affairs, Mauritius to British High Commission, Port Louis, No. 35(91) 1311
- Annex 101** “British Indian Ocean Territory” Proclamation No. 1 of 1991
- Annex 102** “British Indian Ocean Territory” Ordinance No. 1 of 1991
- Annex 103** Letter dated 1 July 1992 from the British High Commissioner, Port Louis to the Prime Minister of Mauritius
- Annex 104** Note Verbale dated 9 May 1997 from High Commission of India, Port Louis to Ministry of Foreign Affairs, International and Regional Cooperation, Mauritius
- Annex 105** Letter dated 10 November 1997 from the UK Secretary of State for Foreign and Commonwealth Affairs to the Prime Minister of Mauritius
- Annex 106** Letter dated 9 January 1998 from the Prime Minister of Mauritius to the UK Secretary of State for Foreign and Commonwealth Affairs
- Annex 107** Note Verbale dated 13 April 1999 from the British High Commission, Port Louis to the Ministry of Foreign Affairs and International Trade, Mauritius, No. 15/99 and Speaking Notes, “Chagos – Inshore Fisheries Licences”
- Annex 108** Note Verbale dated 11 May 1999 from the Ministry of Foreign Affairs and International Trade, Mauritius to the British High Commission, Port Louis, No. 29/99 (1197/25)
- Annex 109** Note Verbale dated 1 July 1999 from the Ministry of Foreign Affairs and International Trade, Mauritius to the British High Commission, Port Louis, No.37/99 (1100/20)
- Annex 110** Letter dated 16 August 1999 from the Mauritius High Commissioner, London to Mr. G. Hoon MP, UK Foreign and Commonwealth Office
- Annex 111** Note Verbale dated 5 July 2000 from the Ministry of Foreign Affairs and International Trade, Mauritius to the British High Commission, Port Louis, No. 52/2000 (1197)
- Annex 112** Decision on Chagos Archipelago, AHG/Dec.159(XXXVI), adopted by OAU Summit, 10-12 July 2000, Lomé, Togo
- Annex 113** Note Verbale dated 6 November 2000 from the Ministry of Foreign Affairs and Regional Cooperation, Mauritius to the British High Commission, Port Louis, No. 97/2000 (1197/T4)
- Annex 114** Statement by Hon. A.K. Gayan, Minister of Foreign Affairs and Regional Cooperation, to the National Assembly of Mauritius, 14 November 2000

- Annex 115** Letter dated 21 December 2000 from the Minister of Foreign Affairs and Regional Cooperation, Mauritius to the UK Secretary of State for Foreign and Commonwealth Affairs
- Annex 116** Letter dated 6 July 2001 from the UK Secretary of State for Foreign and Commonwealth Affairs to the Minister of Foreign Affairs and Regional Cooperation, Mauritius
- Annex 117** OAU Council of Ministers, Decision on the Chagos Archipelago, including Diego Garcia, CM/Dec.26 (LXXIV), 5-8 July 2001, Lusaka, Zambia
- Annex 118** Letter dated 14 May 2002 from the Prime Minister of Mauritius to the President of the United States
- Annex 119** Letter dated 8 July 2003 from the Director of Overseas Territories Department, UK Foreign and Commonwealth Office, to the Mauritius High Commissioner, London
- Annex 120** Letter dated 13 August 2003 from the Director of Overseas Territories Department, UK Foreign and Commonwealth Office, to the Mauritius High Commissioner, London
- Annex 121** “British Indian Ocean Territory” Proclamation No. 1 of 2003
- Annex 122** Letter dated 7 November 2003 from the Minister of Foreign Affairs and Regional Cooperation, Mauritius to the UK Secretary of State for Foreign and Commonwealth Affairs
- Annex 123** Joint Statement Issued on the Occasion of the Visit of the Prime Minister of Mauritius to India, 19-24 November 2003
- Annex 124** Letter dated 12 December 2003 from the Minister responsible for Overseas Territories, UK Foreign and Commonwealth Office to the Minister of Foreign Affairs and Regional Cooperation, Mauritius
- Annex 125** Hansard, House of Lords, 31 March 2004, col. WS62, Statement of Baroness Symons of Vernham Dean
- Annex 126** Note Verbale dated 14 April 2004 from the Permanent Mission of the Republic of Mauritius to the United Nations, New York, to the Secretary General of the United Nations, No. 4780/04 (NY/UN/562)
- Annex 127** Note Verbale dated 20 April 2004 from the Mauritius High Commission, London to the UK Foreign and Commonwealth Office, Ref. MHCL 886/1/03
- Annex 128** Note Verbale dated 13 May 2004 from UK Foreign and Commonwealth Office to Mauritius High Commission, London, No. OTD 016/05/04



- Annex 129** Letter dated 22 July 2004 from the Prime Minister of Mauritius to the Prime Minister of the United Kingdom
- Annex 130** Letter dated 22 October 2004 from Minister of Foreign Affairs, International Trade and Regional Cooperation, Mauritius to the UK Secretary of State for Foreign and Commonwealth Affairs
- Annex 131** Mauritius Maritime Zones Act 2005
- Annex 132** Letter dated 1 December 2005 from the Prime Minister of Mauritius to the Prime Minister of the United Kingdom
- Annex 133** Letter dated 4 January 2006 from the Prime Minister of the United Kingdom to the Prime Minister of Mauritius
- Annex 134** Note Verbale dated 26 July 2006 from the Permanent Mission of the Republic of Mauritius to the United Nations, New York, to the UN Secretary General, No. 4678/06
- Annex 135** Letter dated 13 December 2007 from the Prime Minister of Mauritius to the Prime Minister of the United Kingdom
- Annex 136** Note Verbale dated 20 June 2008 from Permanent Mission of Mauritius to the United Nations, New York to the Secretary General of the United Nations, No. 10260/08 (NY/UN/395)
- Annex 137** Joint Communiqué, Bilateral talks between Mauritius and the UK on the Chagos Archipelago, 14 January 2009
- Annex 138** “Giant marine park plan for Chagos”, The Independent, Sadie Gray, 9 February 2009
- Annex 139** Note Verbale dated 5 March 2009 from the Ministry of Foreign Affairs, Regional Integration and International Trade, Mauritius to the UK Foreign and Commonwealth Office, No. 2009(1197/28)
- Annex 140** Note Verbale dated 13 March 2009 from the UK Foreign and Commonwealth Office to the Ministry of Foreign Affairs, Regional Integration and International Trade, Mauritius, No. OTD 04/03/09
- Annex 141** Note Verbale dated 19 March 2009 from the United Kingdom Mission to the United Nations, New York to the Secretary General of the United Nations, No. 26/09
- Annex 142** Note Verbale dated 10 April 2009 from the Ministry of Foreign Affairs, Regional Integration and International Trade, Mauritius to the UK Foreign and Commonwealth Office, No. 1197/28
- Annex 143** National Assembly of Mauritius, 14 April 2009, Reply to PQ No. B/185

- Annex 144** Preliminary Information Submitted by the Republic of Mauritius Concerning the Extended Continental Shelf in the Chagos Archipelago Region Pursuant to the Decision Contained in SPLOS/183
- Annex 145** Note Verbale dated 6 May 2009 from the UK Foreign and Commonwealth Office to Ministry of Foreign Affairs, Regional Integration and International Trade, Mauritius, No. OTD 06/05/09
- Annex 146** Cable from US Embassy, London, on UK Government's Proposals for a Marine Reserve Covering the Chagos Archipelago, May 2009: Mauritius Application, 20 December 2010, Annex 2
- Annex 147** Note Verbale dated 9 June 2009 from Permanent Mission of the Republic of Mauritius to the United Nations, New York to the Secretary General of the United Nations, No. 107853/09
- Annex 148** Joint Communiqué, Second round of bilateral talks between Mauritius and the UK on the Chagos Archipelago, 21 July 2009, Port Louis, Mauritius
- Annex 149** Declaration of Nueva Esparta, 2nd Africa-South America Summit, 26-27 September 2009, Isla de Margarita, Venezuela (extract)
- Annex 150** Note Verbale dated 5 November 2009 from Ministry of Foreign Affairs, Regional Integration and International Trade, Mauritius to the British High Commission, Port Louis, No. 46/2009 (1197/28/4)
- Annex 151** Note Verbale dated 10 November 2009 from the Ministry of Foreign Affairs, Regional Integration and International Trade, Mauritius to the UK Foreign and Commonwealth Office, No. 1197/28/10
- Annex 152** UK Foreign and Commonwealth Office, Consultation on Whether to Establish a Marine Protected Area in the "British Indian Ocean Territory", November 2009
- Annex 153** Note Verbale dated 10 November 2009 from the Ministry of Foreign Affairs, Regional Integration and International Trade, Mauritius to the British High Commission, Port Louis, No. 48/2009 (1197/28/10)
- Annex 154** Note Verbale dated 11 November 2009 from the British High Commission, Port Louis, to the Ministry of Foreign Affairs, Regional Integration and International Trade, Mauritius, No. 54/09
- Annex 155** Note Verbale dated 23 November 2009 from the Ministry of Foreign Affairs, Regional Integration and International Trade, Mauritius to the UK Foreign and Commonwealth Office, No. 1197/28/10
- Annex 156** Letter dated 15 December 2009 from the UK Secretary of State for Foreign and Commonwealth Affairs to the Minister of Foreign Affairs, Regional Integration and International Trade, Mauritius

- Annex 157** Letter dated 30 December 2009 from the Minister of Foreign Affairs, Regional Integration and International Trade, Mauritius to the UK Secretary of State for Foreign and Commonwealth Affairs
- Annex 158** Note Verbale dated 30 December 2009 from the Ministry of Foreign Affairs, Regional Integration and International Trade, Mauritius to the UK Foreign and Commonwealth Office, No. 1197/28/4
- Annex 159** Letter dated 30 December 2009 from the Mauritius High Commissioner, London to *The Sunday Times*, published on 10 January 2010
- Annex 160** Written Evidence of the Mauritius High Commissioner, London, on the UK Proposal for the Establishment of a Marine Protected Area around the Chagos Archipelago, to the House of Commons Select Committee on Foreign Affairs
- Annex 161** Note Verbale dated 15 February 2010 from British High Commission, Port Louis, to the Ministry of Foreign Affairs, Regional Integration and International Trade, Mauritius, No. 07/2010
- Annex 162** Letter dated 19 February 2010 from the Secretary to Cabinet and Head of the Civil Service, Mauritius to the British High Commissioner, Port Louis
- Annex 163** Letter dated 19 March 2010 from the British High Commissioner, Port Louis to the Secretary to Cabinet and Head of the Civil Service, Mauritius
- Annex 164** Note Verbale dated 26 March 2010 from British High Commission, Port Louis, to the Ministry of Foreign Affairs, Regional Integration and International Trade, Mauritius, No. 14/2010
- Annex 165** UK Foreign and Commonwealth Office Press Release, 1 April 2010, “New Protection for marine life”
- Annex 166** “British Indian Ocean Territory” Proclamation No. 1 of 2010
- Annex 167** Note Verbale dated 2 April 2010 from the Ministry of Foreign Affairs, Regional Integration and International Trade, Mauritius to the British High Commission, Port Louis, No. 11/2010 (1197/28/10)
- Annex 168** African Union Assembly of Heads of States and Government, Decision on the Sovereignty of the Republic of Mauritius over the Chagos Archipelago, Assembly/AU/Dec.331(XV), 27 July 2010, Kampala, Uganda
- Annex 169** Hansard, House of Commons Written Answers, 21 October 2010
- Annex 170** African Union Assembly of Heads of States and Government, Resolution adopted at the 16th Ordinary Session,

Assembly/AU/Res.1(XVI), 30-31 January 2011, Addis Ababa, Ethiopia

- Annex 171** Hansard, House of Commons Written Answers, 16 May 2011
- Annex 172** Letter dated 20 October 2011 from the Minister of Foreign Affairs, Regional Integration and International Trade, Mauritius to the UK Secretary of State for Foreign and Commonwealth Affairs
- Annex 173** Letter dated 21 March 2012 from the Minister of Foreign Affairs, Regional Integration and International Trade, Mauritius to the UK Secretary of State for Foreign and Commonwealth Affairs
- Annex 174** Ministerial Declaration of the Group of 77 and China on the occasion of UNCTAD XIII, 21 April 2012, Doha, Qatar
- Annex 175** Hansard, House of Lords Debates, 11 June 2012, c149W
- Annex 176** National Assembly of Mauritius, 12 June 2012, Reply to Private Notice Question
- Annex 177** National Assembly of Mauritius, 10 July 2012, Reply to PQ No. B/457

**ANNEX 57**

Despatch dated 24 March 1970 from A. F. Knight, Foreign and Commonwealth Office to J. R. Todd, “BIOT” Administrator

RESTRICTED

Pacific and Indian Ocean Department,  
Foreign and Commonwealth Office  
London S.W.1

24 March, 1970.



HPN 7/3

65  
65

Dear John,

Fishing LimitsSeychelles and B.I.O.T.

X/ You will recall that the matter of fishing limits was to be discussed here by Mr. Sauzier. This meeting took place and the outcome is that the draft legislation will be referred to our Legal Advisers and Mr. Sauzier will then be advised by Savingsram of the necessary alterations. Those alterations were discussed with Mr. Sauzier in broad outline and he has no objection to them. Mr. Sauzier will then provide final drafts to us and we will then formally give approval for the issue of the two Ordinances.

2. Discussion then took place on the question of enforcement. As previously agreed, it is planned that for the first 12 months after the proclamation of the Ordinances, they will not be enforced but that steps will be taken to bring the Ordinances to the notice of those concerned. Our Marine and Transport Department here have advised that no general international notification is required, only notification to those foreign fishing vessels habitually or frequently fishing in the 12-mile limits. As it is thought that most of these vessels put in at Mahé from time to time in order to take on fresh water etc., it was agreed that the most effective method (and free of cost) of notification would be to instruct the Harbour Master at Mahé to draw the attention of the Masters of such foreign fishing vessels to the Ordinances, particularly the date of enforcement.

3. Discussion then ranged over the problem of enforcement itself. This is ~~usually~~ done, of course, by a fisheries protection vessel (or cutter) depending upon the scale of the operation. It is recognised that Seychelles and B.I.O.T. pose differing problems in respect of fisheries protection. It was agreed at this meeting that this was a rather distant problem at this point in time, particularly as the purchase of any vessel would require funds which might have to be sought from the O.D.M. or elsewhere. I thought that you might wish to consider this problem at your leisure and at some later date let us have your views on the nature and scope of the fisheries protection which will be required, both in Seychelles and in B.I.O.T. It would be useful to know whether the present

/Government

J.R. Todd, Esq.,  
The Administrator,  
British Indian Ocean Territory,  
Mahé,  
Seychelles.

RESTRICTED

The National Archives		ins	1	2
Ref: FCO 31 / 8763		459517		
Please note that this copy is supplied subject to the National Archives' terms and conditions and that your use of it may be subject to copyright restrictions. Further information is given in the 'Terms and Conditions of supply of the National Archives' leaflets				



RESTRICTED

Government vessels could cope with this extra duty or whether a special purpose vessel would be required.

4. There are two factors which may affect this issue namely, the projected nature and size of the Seychelles fishing fleet and secondly, the powers which will be granted to the Governor under both Ordinances to grant exemption to any foreign fishing vessel or fleet as he feels is appropriate. You may consider that no useful assessment on protection measures could be made until these other two factors have become much clearer. If we can be of any further assistance, by say, providing information on protection measures carried out in other dependent territories, please let us know.

Yours ever,

(A.F. KNIGHT)

RESTRICTED

1	2	ins	1	2
The National Archives				
Ref: FCO 31/2763 459517				

Please note that this copy is supplied subject to the National Archives' terms and conditions and that your use of it may be subject to copyright restrictions. Further information is given in the 'Terms and Conditions of supply of the National Archives' leaflets.

## **ANNEX 58**

Telegram No. BIOT 12 dated 30 May 1970 from the Governor of  
Seychelles to the UK Foreign and Commonwealth Office



CONFIDENTIAL

Cypher/Cat A

PRIORITY SEYCHELLES TO FOREIGN AND COMMONWEALTH OFFICE

Telno BIOT 12 30 May, 1970

CONFIDENTIAL

Your telegram No.108 [to Bahamas]. Territorial Waters and Fisheries Jurisdiction.

Existing Seychelles and BIOT limits are 3 miles and 12 miles for territorial waters and fishing jurisdiction respectively. Proclamations of 12 mile fishing limits were made in July 1969 and it is hoped to introduce fishery limits ordinances later this year. Seychelles and BIOT's isolated position make action by other states unlikely to affect our interests. Our dependence on fisheries is such that it may later be in our interests to extend fisheries limits beyond 12 miles.

2. We therefore have no objection to proposed course of action.

Sir B. Greatbatch

FCO/WH DISTRIBUTION

M. &amp; T.D..

ADDITIONAL DISTRIBUTION

Law of the Sea.

88888

CONFIDENTIAL

1	2 cms	The National Archives	ins	1	2
Ref.: FCO 32		716	C458270		

Please note that this copy is supplied subject to the National Archives' terms and conditions and that your use of it may be subject to copyright restrictions. Further information is given in the 'Terms and Conditions of supply of the National Archives' leaflets

## **ANNEX 59**

Minute dated 5 June 1970 from J. Thomas (Defence Department) to  
J. W. Ayres (Aviation and Marine Department), UK Foreign and  
Commonwealth Office, FCO 32/716



~~CONFIDENTIAL~~Reference: *WPN 7/3* *(S)*

Aviation and Marine Dept. (Mr. Ayres)

*Miss [unclear]?*  
*Am [unclear]?*  
*MC*BIOT Fishing Limits

Seychelles Telegram No. 12 BIOT of 30 May (copy attached) prompts me to ask whether you ever received a reply to your letter MUS 9/527/1 of 28 April 1969 to Mr. Todd about the new fishing régime for BIOT.

2. The proposed BIOT fishing régime is exceedingly complicated and before it is enacted by the BIOT Administration, I think our Embassy in Washington and the High Commission in Port Louis should forewarn the United States and Mauritian Governments, particularly the latter as we undertook at the Lancaster House Conference in September 1965 to use our good offices to protect Mauritian fishing interests in Chagos waters.

LAST PAPER

(J. Thomas)  
5 June 1970Defence Department

copy to:

PIOD (Mr. Carter) ✓  
EAD (Mr. Counsell)  
Mr. Urwick

file copy: (DP 15/1)

*Mr Carter -*

*I attach P.I.D file on this matter. There may however be later comment. With A.M. Dept. to whom Mr. Sangier said he would send draft legislation for approval by their legal advisers. Final enactment may not now be delayed too long and subject to the view of A.M. Dept. I suggest this action as proposed by Mr. Thomas in his para 2 should proceed.*

CONFIDENTIAL*10.6**Register**Vh. Port by**6/7/70**Spoke*

*Mr. Ayres also with copy to his minute to us.*

*Perhaps you would keep in touch with [unclear] + [unclear] Dept on this?*

*Mc 10/6*

1

2 cms

The National Archives

ins

1

2

Ref.: **FCO 32****716****C458270**

Please note that this copy is supplied subject to the National Archives' terms and conditions and that your use of it may be subject to copyright restrictions. Further information is given in the 'Terms and Conditions of supply of the National Archives' leaflets

## **ANNEX 60**

“British Indian Ocean Territory” Ordinance No. 2 of 1971

{19th April}

Official Gazette

7



## THE BRITISH INDIAN OCEAN TERRITORY

Ordinance No. 2 of 1971.

Official  
Stamp

An Ordinance to make provision for the control of fishing and the taking of marine products by foreign fishing boats within the fishery limits of the British Indian Ocean Territory and for matters incidental thereto and connected therewith.

ENACTED by the Commissioner for the British Indian Ocean Territory.

17th April, 1971.

B. GREATBATCH,  
Commissioner.

1: This Ordinance may be cited as the Fishery Limits Ordinance, 1971, and shall come into operation on such day as the Commissioner may, by notice in the Official Gazette of the Territory, appoint.

Short title  
and  
commence-  
ment,



Interpretation.

2. In this Ordinance, unless the context otherwise requires—

"contiguous zone" means the zone contiguous to the territorial sea of the Territory which was established as a fisheries zone for the Territory by Proclamation No. 1 of 1969;

"fish" means fish of any kind found in the sea and includes crustacea and mollusca;

"fishing" means taking fish or marine products;

"fisheries inspector" means a person appointed by the Commissioner to be a fisheries inspector for the purposes of this Ordinance;

"fishery limits" means the territorial sea of the Territory together with the contiguous zone;

"fishing boat" means a vessel of whatever size, and in whatever way propelled, which is for the time being employed in sea-fishing;

"foreign", in relation to a fishing boat, means a fishing boat whose owner or one of whose owners is not resident in the Territory;

"marine product" means a turtle, sponge or any other natural product of the sea;

"take" and "taking" with reference to fish or marine products includes collecting, capturing, killing and destroying.

"the Territory" means the British Indian Ocean Territory.

Fishing from  
foreign  
fishing boats  
controlled  
in fishery  
limits.

3.—(1) Subject to the provisions of this section and of section 4, where any person on board a foreign fishing boat takes any fish or marine product within the fishery limits, then that person and the person in charge of the boat and, if he is on board that boat, the owner shall each be guilty of an offence and shall be liable on conviction to a fine not exceeding five thousand rupees or to imprisonment for a term not exceeding two years or to both such fine and imprisonment and in addition the boat used in such taking shall be liable to forfeiture.

(2) Where any fish or marine product is found on board a foreign fishing boat within the fishery limits or where any fish or marine product is landed from a foreign fishing boat at any island within the Territory such fish or marine product shall be deemed until the contrary be proved to

[19th April]

Official Gazette

9

have been taken within the fishery limits by a person on board such foreign fishing boat.

(3) A taking by a person on board a foreign fishing boat shall be deemed not to be in contravention of sub-section (1) of this section if such taking was made for commercial research, scientific research or sporting purposes under the authority and in accordance with the terms and conditions of a licence in that behalf granted by the Commissioner to the person who owns or operates the boat.

4.—(1) For the purpose of enabling fishing traditionally carried on in any area within the contiguous zone by foreign fishing boats to be continued, the Commissioner may by order designate any country outside the Territory and the area in which and descriptions of fish or marine product for which fishing boats registered in that country may fish.

Exemption for  
certain foreign  
fishing boats.

(2) Nothing in section 3 shall prohibit or restrict fishing by or from a foreign fishing boat in an area or for any description of fish or marine product designated by an order made under sub-section (1) of this section in relation to a country so designated in which such fishing boat is registered.

5.—(1) A fisheries inspector and any person whom he may call to his assistance may at any time stop, go on board and search any fishing boat within the fishery limits, and if the fisheries inspector has reason to suspect that any person on board such boat has contravened any of the provisions of this Ordinance he may without warrant or other process seize the boat and detain any person found on board.

Powers of  
seizure,  
arrest and  
detention.

(2) A fisheries inspector and any person whom he may call to his assistance may arrest and detain without warrant any person who such inspector has reason to suspect has committed an offence against this Ordinance.

(3) Any person who assaults, resists or obstructs any fisheries inspector or any person whom he may call to his assistance in the exercise of any of the powers conferred by this section shall be guilty of an offence and shall be liable on conviction to a fine not exceeding five thousand rupees or to imprisonment for a term not exceeding two years or to both such fine and imprisonment.

## Trial of offences.

6.—(1) Where an offence against any of the provisions of this Ordinance is committed within the contiguous zone then, for the purposes of the jurisdiction of any court in the Territory or in Seychelles, that offence shall be deemed to have been committed in the Territory.

(2) The jurisdiction conferred by sub-section (1) of this section shall be in addition to, and not in derogation of, any jurisdiction or power which is enjoyed by any court in the Territory or in Seychelles apart from the provisions of the said sub-section.

## Regulations.

7. The Commissioner may make regulations to carry out the objects and purposes of this Ordinance, and, without prejudice to the generality of the foregoing, such regulations may make provision as respects—

(a) any person, vessel or thing detained under this Ordinance;

(b) the forfeiture of any fish or marine product taken in contravention of section 3;

(c) the forfeiture of any foreign fishing boat used in taking any fish or marine product in contravention of section 3;

(d) the fees to be paid on the issue of any licence under this Ordinance.



**ANNEX 61**

Despatch dated 3 June 1971 from M. Elliott, UK Foreign and  
Commonwealth Office to F.R.J. Williams, Seychelles,  
FCO 31/2763



Foreign and Commonwealth Office  
London S.W.1

MRS 9/477/1

3rd June, 1971.

F R J Williams Esq.,  
Office of the Minister of  
Agriculture, Natural Resources & Marketing,  
SEYCHELLES.

*Dear Williams,*

FISHING LIMITS: SEYCHELLES AND B.I.O.T. (77)

1. Knight has passed on to me your letter of 29 April (BIOT/54/61), since Marine and Transport Department deal with questions of fisheries and territorial waters in general.

2. We were grateful to be reminded of the need to give advance notice in various quarters of the new limits, and have been discussing how this should be done. One question has arisen in the course of these discussions, on which I should be grateful for your advice. It is clearly important that the Mauritian Government in particular should be informed, and presumably given an assurance that the Commissioner for the B.I.O.T. will use his discretion under the ordinance to permit Mauritian vessels to fish in the waters of the Chagos Archipelago (see Ayres' letter of 28 April 1969). Two points arise: first, can you confirm that the Commissioner will use his discretion in this way? and second, can you either suggest a form of words in which this assurance can be conveyed to the Mauritians, or (perhaps preferably, as representing a relatively low-key approach) undertake to inform the Mauritian authorities yourselves by local means which may be at your disposal?

3. As soon as you can answer these questions - which I hope can be soon, as the effective date of the new limits is approaching - we shall inform other posts accordingly. It would help us in this if you could let us have copies of the ordinances as they were finally issued, and of the 1969 Proclamation. Any additional views which you may have on the way in which the notification might be carried out, or about ways in which, for example, the Japanese should apply for traditional fishing rights, would also be useful.

*Yours ever,*

*M Elliott*

M Elliott  
Marine & Transport Dept

## **ANNEX 62**

Despatch dated 16 June 1971 from F.R.J. Williams, Seychelles to  
M. Elliott, UK Foreign and Commonwealth Office, BIOT/54/61



# ANNEX 62

Ref. No. DTOT/54/61.

(38)

16th June, 1971.

Fishing Limits : Seychelles & B.I.O.T.

(18)

Thank you for your letter MRS 9/471/1 of 3 June 1971. I enclose copies of the 1969 proclamations defining the fisheries zones, and copies of the B.I.O.T. and Seychelles Fishery Limits Ordinances, as requested.

2. With regard to the questions in your second paragraph I confirm that the Commissioner who has approved this letter in draft, will use his powers under section 4 of the Ordinance to enable Mauritian fishing boats to fish within the contiguous zone in the waters of the Chagos Archipelago. I suggest that you consult with Knight of A.I.O.D. on the best method of conveying this information to the Mauritians. He would also know if there are any general difficulties of which we are not aware.

3. We cannot see how we could convey this message locally to the Mauritians except through Peter Cester in Mauritius and this would presumably best be done by the F.I.C.O.

4. With regard to the point in your third paragraph about the way in which notification of other governments might be carried out, and the way in which, for example, the Japanese might apply for traditional fishing rights, it is very doubtful whether any foreign countries can claim traditional or other fishing rights in our territorial waters; it is suggested therefore that they should merely be informed that from 1st July 1971 fishing will be controlled within the 12 mile limit specified in the proclamation of 1969. So far as Seychelles is concerned, in case there is any fear that section 3(2) of the Ordinance will be applied unreasonably, it might be added that nothing in the Ordinance should be interpreted as discouraging fishing vessels from using the bunkering or other facilities of Port Victoria, as they have done hitherto.

5. Copied to Knight in A.I.O.D. without attachments.

(F.R.J. Williams)

M. Elliott, Esq.,  
Marine and Transport Dept.,  
Foreign and Commonwealth Office,  
London, S.W.1.

Copy to: A.P. Knight, Esq.,  
Atlantic and Indian Ocean Department,  
Foreign & Commonwealth Office,  
London, S.W.1.

FRJW/JN

Copy to: File PM/77.

The National Archives		ins	1	2
1	2	Ref.: FCO141/1437 C506390		
Please note that this copy is supplied subject to the National Archives' terms and conditions and that your use of it may be subject to copyright restrictions. Further information is given in the 'Terms and Conditions of supply of the National Archives' leaflets				

### **ANNEX 63**

Despatch dated 2 July 1971 from M. Elliott, UK Foreign and Commonwealth Office to R. G. Giddens, British High Commission, Port Louis, FCO 31/2763

p. 1-6

A LAH

MRS 9/477/1

2 July 1971

88

R G Giddens Esq  
British High Commission  
PORT LOUIS

## SEYCHELLES AND BRITISH INDIAN OCEAN TERRITORY FISHERY LIMITS

1. Sir Bruce Greatbatch, who as you know is both Governor of the Seychelles and Commissioner of the British Indian Ocean Territory (BIOT), issued two Proclamations in 1969 establishing a 9-mile fisheries zone contiguous to the 3-mile territorial sea of the Seychelles and BIOT respectively. Two Ordinances, Seychelles Ordinance No 3/1971 and BIOT Ordinance No 2/1971, have now been enacted, establishing the detailed regime to be observed within the respective fishing zones; these Ordinances came into force on 1 July 1971. I enclose copies of both Proclamations and Ordinances.

2. Included within the BIOT fishing zone are certain waters which have been traditionally fished by vessels from Mauritius. As you will see from paragraph 2 of the letter (copy attached) dated 16 June from Williams in the Seychelles, the Commissioner of BIOT will use his powers under Section 4 of BIOT Ordinance No 2/1971, to enable Mauritian fishing boats to continue fishing in the 9-mile contiguous zone in the waters of the Chagos Archipelago. This exemption stems from the understanding on fishing rights reached between HMG and the Mauritius Government at the time of the Lancaster House Conference in 1965, although Mr Forget's reply to Mr Duval's question in the Mauritius Legislative Assembly on 21 December 1965, would seem to indicate that nothing very much is at stake. We would be most grateful if you would inform the Mauritius Government of the foregoing at whatever level you consider appropriate.

3. There is some evidence that fishing vessels from Japan and Taiwan have also traditionally fished in the vicinity, but you will see from Williams's letter that it is unlikely that they would be able to claim traditional fishing rights within the new fishing zones. Nevertheless, Gorham in Tokyo, to whom I am sending a copy of this letter, may think it courteous to inform the Japanese authorities of the new regime. I am also sending a copy of this letter to the Consulate in Tamsui for information only.

UNCLASSIFIED

- 1 -

1	2	1	2
The National Archives		459517	
Ref: FCO 31/2763			

Please note that this copy is supplied subject to the National Archives' terms and conditions and that your use of it may be subject to copyright restrictions. Further information is given in the 'Terms and Conditions of supply of the National Archives' leaflets.



- 2 -  
UNCLASSIFIED

4. I am also sending a copy of this letter and its enclosures to Chancery in New Delhi to enable them to answer any inquiries, although we believe that Indian vessels have not traditionally fished in BIOT or Seychelles waters.

R Elliott  
Marine and Transport Department

Encls:

copied to:- R S Gorham Esq TOKYO  
Chancery NEW DELHI  
British Consulate TAMSUI  
F R J Williams Esq SEYCHELLES

UNCLASSIFIED

1	2	cms	The National Archives	ins	1	2
ref: FCO 31 / 8763			459517			

Please note that this copy is supplied subject to the National Archives' terms and conditions and that your use of it may be subject to copyright restrictions. Further information is given in the 'Terms and Conditions of supply of the National Archives' leaflets

**ANNEX 64**

Note from R. G. Giddens, British High Commission, Port Louis,  
15 July 1971



## ANNEX 64

### Annex V

Copy of a Note from the

British High Commission

15th July 1971

Two Proclamations were issued by Sir Bruce Greatbatch, Governor of the Seychelles and Commissioner of the BIOT, in 1969 establishing a 9 mile fisheries zone contiguous to the 3 mile territorial area of the Seychelles and BIOT respectively. Two Ordinances have now been enacted establishing the detailed regime to be observed within the fishing zones: these Ordinances came into force on 1st July 1971. I enclose a copy of each.

Included within the BIOT fishing zone are certain waters which have been fished traditionally by vessels from Mauritius. You will wish to know therefore that bearing in mind the understanding on fishing rights reached between HMG and the Mauritius Government at the time of the Lancaster House Conference in 1965, it is the intention of Sir Bruce Greatbatch to use his powers under section 4 of the BIOT Ordinance to enable Mauritian fishing boats to continue fishing in the 9 mile contiguous zone of the Chagos Archipelago.

(sd) R.G. GIDDENS

**ANNEX 65**

Despatch dated 26 May 1972 from J. R. Todd, "BIOT"  
Administrator to P. J. Walker, UK Foreign and Commonwealth  
Office, FCO 31/2763

RESTRICTED

Our Ref: PM/77 VOL III

our Ref:



OFFICE OF THE DEPUTY GOVERNOR,

P. O. Box 237,  
Victoria,  
SEYCHELLES.

26th May 1972

RECEIVED IN  
REGISTRY No. 17  
- 5 JUN 1972

HKT 7/1

Dear Sir,

HGB7/1  
(21)

I am replying on behalf of both the Seychelles and BIOT to your Saving Telegram No 8 of the 6th April 1972.

2. Mauritians have been declared as traditional fishermen in BIOT as the islands formerly formed part of Mauritius.

3. There have been no Mauritian traditional fishermen in Seychelles waters and they have not been declared as traditional fishermen in these waters, nor is there any intention of so declaring them.

4. We would not wish to allow Japanese vessels to fish within the Fishery limits in either the Seychelles or BIOT. So far as BIOT is concerned, you are aware of the desirability of reducing inshore traffic to the minimum. So far as Seychelles is concerned, Japanese fishing within the area would affect the interests of local fishermen and would give rise to considerable ill feelings and protest. The benefit to the Japanese would not be great and certainly would not offset the disadvantage to us. The Japanese fishing fleet has, for long, been using the facilities afford by Port Victoria, and are welcome to continue to do so. I am afraid, I cannot see any justification for allowing them to fish within our new Fishery limits. To do so would give rise to the danger of over fishing, should Japanese's interests increase, which is exactly what the Fishery Limits Ordinance was enacted to prevent.

(J.R Todd)

P.J. Walker, Esq  
Hong Kong and Indian Ocean Dept  
Foreign and Commonwealth Office  
LONDON SW 1

JRT/MCR

1	2	The National Archives		Ins	1	2
Ref: FCO 31 / 8763			459517			
Please note that this copy is supplied subject to the National Archives' terms and conditions and that your use of it may be subject to copyright restrictions. Further information is given in the 'Terms and Conditions of supply of the National Archives' leaflets.						

**ANNEX 66**

Letter dated 26 June 1972 from the British High Commission, Port  
Louis, to the Prime Minister of Mauritius

CONFIDENTIAL



BRITISH  
HIGH COMMISSION  
CHAUSSÉE · PORT LOUIS · MAURITIUS

32/1

26 June 1972

Dr the Rt Hon Sir Seewoosagur Ramgoolam Kt MLA  
Government House  
PORT LOUIS

*My dear Prime Minister.*

I refer to the meeting in London on 23 February, 1972, between yourself, Sir Harold Walter and Lord Lothian, and to your meeting with Baroness Tweedsmuir on 23 June, 1972, at which the Mauritius Government scheme for the resettlement of the persons displaced from the Chagos Archipelago was discussed.

2. The scheme has been fully appraised in London and I have been authorised to inform you that the British Government are prepared to pay £650,000 (the cost of the scheme) to the Mauritius Government, provided that the Mauritius Government accept such payment in full and final discharge of my Government's undertaking, given at Lancaster House, London, on 23 September, 1965, to meet the cost of resettlement of persons displaced from the Chagos Archipelago since 8 November, 1965, including those at present still in the Chagos Archipelago.

3. Accordingly, I should be most grateful if you would confirm that you are willing to accept the payment of £650,000 in full and final discharge of my Government's undertaking, and to agree that the British Government may state this in public, should the need arise.

4. When replying, perhaps you would indicate the date and manner in which the Mauritius Government wish payment to be made.

*Yours very sincerely*  
*R. Giddens*

R G Giddens

CONFIDENTIAL

**ANNEX 67**

Letter dated 4 September 1972 from Prime Minister of Mauritius to  
British High Commissioner, Port Louis

ANNEX 67

C O P Y

(Original at f.(29) in M.P. 1138)

4th September, 1972

With reference to the communication No. 32/1 dated the 26th June, 1972, by the then Acting High Commissioner, I confirm that the Mauritius Government accepts payment of £650,000 from the Government of the United Kingdom (being the cost of the scheme for the resettlement of persons displaced from the Chagos Archipelago) in full and final discharge of your Government's undertaking, given in 1965, to meet the cost of resettlement of persons displaced from the Chagos Archipelago since 8 November, 1965, including those at present still in the Archipelago. Of course, this does not in any way affect the verbal agreement giving this country all sovereign rights relating to minerals, fishing, prospecting and other arrangements.

In regard to the date and manner of the payment to be made I presume it will be in British pounds sterling made to the Government of Mauritius at the earliest date convenient to your Government.

The Government of Mauritius has no objection to the Government of United Kingdom making a public statement to this effect, should the need arise.

With my warmest regards.

(SD) S. RAMGOOLAM)  
Prime Minister

His Excellency Mr. Peter A. Carter, CMG  
British High Commissioner,  
PORT LOUIS.

/VS

**ANNEX 68**

Press Communiqué dated 9 February 1973, Prime Minister's Office,  
Mauritius



## ANNEX 68

### PRESS COMMUNIQUE

The Government of Mauritius has received a compensation of Rs 8.6 million from the British Government to meet the cost of resettling the inhabitants displaced from Chagos Archipelago. As agreed with the British Government, this amount will be utilized for the construction of houses for all the Ilois and also for the provision of the necessary amenities such as access roads, water, electricity, schools, community centres and playing fields. Animal sheds will also be constructed for breeding purposes. Each family will be given sufficient land to enable them to earn their livelihood by vegetable gardening and/or animal breeding.

2. Last year a survey was carried out amongst the displaced persons and it was found that the majority would prefer to reside in Roche Bois area. Others have indicated either Cassis or Pointe aux Sables. Land is available in Roche Bois and Pointe aux Sables and it is proposed to construct a housing estate at these two places. A Committee is examining the whole project in detail and it is hoped to finalize it during the course of this month. Preliminary works for the construction of the buildings will start shortly.

Prime Minister's Office,  
Port Louis.

9th February, 1973

**ANNEX 69**

Letter dated 24 March 1973 from Prime Minister of Mauritius to the  
British High Commissioner, Port Louis



24th March, 1973

Please refer to the second paragraph of your letter 32/1 of the 7th February.

This is to acknowledge, with thanks, receipt of £650,000 by the Mauritius Government in full and final discharge of your Government's undertaking, given in 1965, to meet the settlement of persons displaced from the Chagos Archipelago since 8 November, 1965, including those at present still in the Archipelago.

The payment does not in any way affect the verbal agreement on minerals, fishing and prospecting rights reached at the meeting at Lancaster House on the 23rd September, 1965, and is in particular subject to:

- (i) the British Government using their good offices with the U.S. Government in support of Mauritius' request for concessions over sugar imports and the supply of wheat and other commodities
- (ii) the British Government doing their best to persuade the U.S. Government to use labour and materials from Mauritius for construction work on the islands
- (iii) the British Government using their good offices with the U.S. Government to ensure that navigational and meteorological facilities in the Chagos Archipelago would remain available to the Mauritius Government.
- (iv) Mauritius reserving to itself:
  - (a) fishing rights
  - (b) use of air strip for emergency landing and for refuelling civil aircraft without disembarkation of passengers.
- (v) the right of prospection and the benefit of any minerals or oil discovered in or near the Chagos Archipelago reverting to the Mauritius Government.
- (vi) the return of the islands to Mauritius without compensation, if the need for use by Great Britain of the islands disappeared.

(sd)

(S. Ramgoolam)  
Prime Minister

His Excellency Mr. P.A. Carter, CMG,  
British High Commissioner,  
Port Louis.

Copy to:-

Ministry of Finance

## **ANNEX 70**

Mauritius Legislative Assembly, 9 April 1974, Speech from the  
Throne – Address in Reply, Statement by Hon. G. Ollivry



## EXTRACT

261 Public Bill 9 APRIL 1974

Public Bill

262

dans la loi pour aller se cacher derrière un *writ of certiorari*, un writ qu'on n'est même pas sûr d'obtenir, qui est très difficile à obtenir. C'est le juriste qui devrait faire attention au droit administratif.

Mr. Y. Mohamed : How many times have I seen him condemning past administrators at the Municipality without giving them a chance to defend themselves ?

M. Ollivry : Il ne s'agit pas de condamner les agissements des Municipalités. Il s'agit d'une question de principe. Nous vous donnons le droit de faire appel et vous en tant que juriste, vous dites : « Allez lire Basu ».

M. Duval : En tant que juriste, je déclare que les deux partis ont tort.

L'amendement que propose le premier député de Rodrigues (M. Ollivry) pourrait sauver ce projet de loi. C'est pourquoi le troisième député de Quartier Militaire et Moka (M. Y. Mohamed) devrait au contraire être pour le projet de loi, pour l'amendement et le premier député de Rodrigues (M. Ollivry) contre. Quant à moi, je resterai sur mes positions.

Sir Harold Walter : Sir, there are three points which have been completely overlooked by the last speaker. The first one is the right of appeal. The right of appeal is inherent to it. At any moment if anybody feels that there has been an omission or a commission which makes an inroad in the provision of the law, he can go to Court by way of writ. What is the difficulty in this ? I cannot see the difficulty.

The second thing which no one has dared mention : we are trying to repair a big mistake of the last administration of the Municipality of Port Louis. They

forgot to pass the law and collect the rates for 1972/1973. We have done it now.

The third thing : how are those Commissions going to get the loans from Government ? You have to mortgage everything or go on your knees to the bank to ask for overdrafts.

Mr. Ollivry : Sir, is the hon. Minister speaking on the amendment which is to give a right of appeal to the Municipality which has been suspended ?

Sir Harold Walter : You are right on a point of order because the other one is a point of disorder which...

Clause 2 ordered to stand part of the Bill.

Clause 3 (Appointment of commissions).

Motion made and question proposed « that the clause stand part of the Bill ».

Mr. Ollivry : Sir, I move the amendment as circulated.

Question put on the amendment of the hon. First Member for Rodrigues (Mr. Ollivry).

The Chairman : The Noses have it.

Mr. Ollivry : I move for a division, Sir.

The Chairman : I have put the question on the amendment which has been circulated to hon. Members and I have said that the Noses have it. Will those who support my decision rise in their places.

(Members rose in their places)

Thank you. Now will those who challenge my decision rise in their places.

263 Public Bill 9 APRIL 1974

Motion

264

(Members rose in their places)

Thank you. The Noses have it.

Amendment defeated.

Clause 3 ordered to stand part of the Bill.

Clauses 4 and 5 ordered to stand part of the Bill.

Clause 6 (Rates and taxes).

Motion made and question proposed : « that the clause stand part of the Bill ».

Mr. Ah Chuen : Sir, I move according to the amendment which has been circulated.

Amendment agreed to.

Clause 6, as amended, ordered to stand part of the Bill.

Clause 7 (Charges of administration).

Motion made and question proposed : « that the clause stand part of the Bill ».

Mr. Duval : This morning, the reply of the Minister to a Question which reads thus :

« Whether he will say if the Chairman and Members of the Administrative Commissions of the Municipalities of Port Louis, Beau Bassin-Rose Hill, Quatre Bornes, Curepipe and Vacas-Phoenix are remunerated. If so, will he give details thereof. »

was : « No ». I want again to ask the Minister, specially as regards the Municipality of Vacas-Phoenix, whether he still maintains that the Chairman is not being remunerated.

Mr. Ah Chuen : Not for the time being. The former President of the Municipality of Vacas-Phoenix declined.

Clause 7 ordered to stand part of the Bill.

Clauses 8 and 9 ordered to stand part of the Bill.

The title and the enacting clause were agreed to.

The Bill, as amended, was agreed to.

On the Assembly resuming with Mr. Speaker in the Chair, the Deputy Speaker reported accordingly.

## Third Reading

On motion made and seconded the Local Government (Special Provisions) Bill (No. VI of 1974) was read the third time and passed.

## MOTION

SPEECH FROM THE THRONE  
— ADDRESS IN REPLY

Order read for resuming adjourned debate on the following motion of the hon. Deputy Chairman of Committees (Mr. S. Biyyat) :—

« That an Address be presented to His Excellency the Governor-General in the following terms :—

« We, the Members of the Mauritius Legislative Assembly here assembled, beg leave to offer our thanks to Your Excellency for the Speech which Your Excellency has addressed to us on the occasion of the Opening of the Eighth Session of the Third Legislative Assembly ».

## Question again proposed.

M. G. Ollivry (First Member for Rodrigues) : M. le président, les premiers mots de ce discours du trône en matière de politique étrangère couvrent de ridicule ce Gouvernement qui agit comme la



265

Motion

9 APRIL 1974

Motion

266

grenouille de la fable qui voulait se faire aussi grosse que le bœuf :

**Sir Harold Walter :** Revient à vous !  
**M. Ollivry :** Revient à moi ? Comment ?

**Sir Harold Walter :** Pour avoir opposé l'indépendance !

« In pursuance of its policy of détente and peaceful co-existence... » « Its » policy of détente ! Ainsi donc le Gouvernement se croit être devenu le gouvernement des Etats Unis ou de la Russie Sovétique ! C'est le gouvernement de Maurice qui parle de sa politique de détente, comme si l'île Maurice était engagée dans la guerre froide ! A moins, M. le président, que le Premier ministre sache qu'il allait alimenter la guerre froide en vendant Diégo Garcia pour rien et pour des raisons électorales, à moins que le Premier ministre sachant cela, veut maintenant faire une politique de détente puisqu'il a lui-même vendu Diégo Garcia pour en faire une base, alors que la majorité de la population du pays s'est opposée. La politique de détente du Gouvernement ! Il aurait fallu y avoir songé en 1965 quand on a, pour des raisons de stratégie et de tactique électorales, donné Diégo Garcia pour Rs. 40m, alors que la population s'y opposait. Aujourd'hui le Gouvernement, voyant que Diégo Garcia est utilisé comme une base, peut-être nucléaire, ne fait que des protestations très faibles ou pas de protestations tout simplement, parce que le Gouvernement sait que c'est le Premier ministre lui-même qui a été complice de la vente de Diégo Garcia. Il a donc créé, dans l'océan indien, un foyer de guerre froide. Et aujourd'hui il veut parler de détente, de sa politique de détente ! Depuis quand est-il devenu le Président des Etats Unis ou le Premier ministre de la Russie Sovétique ? Mais à ce sujet il faut rappeler que si l'océan indien est transformé en une zone de confrontation entre les super-puissances, la responsabilité, la plus grande part de cette responsabilité, revient au Premier ministre et à son Gouvernement travailliste.

**M. Ollivry :** Quel avenu ! Nous apprenons maintenant du ministre de la santé que, parce que le Parti Mauricien s'était à l'époque opposé à l'indépendance, le Parti Travailliste, avec le ministre de la santé comme membre, a vendu, a donné une partie du territoire mauricien ! Voilà de quoi ils sont coupables ! Vendre le territoire mauricien tout simplement pour gagner des élections, pour gagner l'indépendance ! Mais quand on a affaire à ce genre de Gouvernement, à ce genre de mentalité, vraiment, M. le président, faudrait que cela soit su aux Nations Unies où le ministre de la santé se rend de temps en temps : que, pour de basses raisons électorales, vous avez vendu l'île Maurice !

**Sir Harold Walter :** Ce n'était ni vous, ni à moi : c'était à l'Angleterre. Elle avait le droit d'extirper !

**M. Ollivry :** Si c'était à l'Angleterre et que l'Angleterre avait le droit d'extirper comme vous dites, il ne fallait pas être complice de M. Greenwood ! Il fallait dire aux Anglais : « Extirpez ! » Non seulement vous n'avez pas fait cela, vous avez prêté l'île des Anglais...

(Interruption)

**Mr. Speaker :** I must tell Hon. Member that it is not a shouting match which taking place.

**M. Ollivry :** Je vous remercie, M. président. Je reprends mon discours mon calme pour répondre.

267

Motion

9 APRIL 1974

Motion

268

Ainsi nous apprenons du ministre de la santé que c'était aux Anglais et qu'ils avaient le droit de prendre une partie du territoire ; mais alors, pourquoi avoir été complice des Anglais en leur disant : « Prenez » alors qu'il y avait une protestation au Conseil des Ministres à Maurice, alors qu'il y avait des protestations dans la population à Maurice ? Pourquoi avoir accepté l'argent des Britanniques ? Tout simplement parce que le Premier ministre et le Parti Travailliste d'alors savaient que la situation était telle dans le pays qu'il fallait à tout prix céder au chantage, faire plaisir à M. Greenwood ! Voilà la vérité !

**Sir Harold Walter :** Vous jouissez de l'indépendance, hein ? Et vous avez voulu l'intégration de l'île Maurice avec la France !

**M. Ollivry :** L'indépendance est un fait et personne ne songerait à le contester mais seulement quand on compare, M. le président, la situation qui prévalait sur le plan des institutions avant l'indépendance, et ce que ces gens là ont fait de l'indépendance, on peut se demander si on n'avait pas un peu raison d'avoir peur et de craindre la dictature qu'ils allaient imposer dans ce pays.

**Sir Harold Walter :** Et de dire que votre temps de service comme ministre n'a servi à rien !

**M. Ollivry :** Oui, vous direz ce que vous voulez ! Mais vous n'avez qu'à venir, vous n'avez qu'à faire les élections ! Venez poser contre nous, quand vous voulez, là où vous voulez !

**Sir Harold Walter :** A time will come !

**M. Ollivry :** Non seulement le Gouvernement...

(Interruptions)

**Mr. Speaker :** If this sort of thing continues my patience will wear very thin.

**M. Ollivry :** Non seulement du Gouvernement, du propre avenu du ministre, pour gagner l'indépendance, pour faciliter la tâche du Parti Travailliste, a permis à une partie du territoire de s'en aller et a créé un foyer de la guerre froide dans l'océan indien, non seulement cela, il l'a fait avec la plus grande indécence sans protéger les intérêts de ceux qui s'y trouvaient : les malheureux Ilois. Le Premier ministre lui-même a dit que cette excision de Diégo Garcia du territoire mauricien a été faite sans aucun document pour tenir compte de la réalité, de la nationalité de ces malheureux, de leur sort, de leur reclassement ; et ces gens là sont venus, vers les années 1968, essayer de végéter dans les faubourgs de Port Louis. Et rien n'a été fait par le Gouvernement mauricien pour eux. Sans doute le Gouvernement britannique, sous la pression de certains — et qui n'étaient pas membres du Gouvernement d'alors — sous la pression de certains du Parti Mauricien avant la coalition, et de nous-mêmes et des autres après la coalition, a accordé une certaine aide. Et qu'est devenue cette aide ? Qu'a-t-on fait pour ces malheureux ? Est-ce qu'ils ont été reclassés ? Absolument rien n'a été fait pour ces malheureux qui n'ont absolument rien obtenu de la sécurité sociale et de l'assistance publique. Il n'y a aucun document concernant leur reclassement, aucun document concernant leur nationalité ; on leur permet de végéter dans les faubourgs de Port Louis, et c'est tout. Pourquoi ? On peut se poser la question. Un Gouvernement qui agit ainsi avec la plus grande désinvolture en permettant la création d'un foyer de tension dans notre océan indien et en permettant à ce que des mauriciens, des Ilois — mais qui ne votent pas nécessairement travailliste — soient traités de la façon dont ils





**ANNEX 71**

Mauritius Legislative Assembly, 26 June 1974,  
Committee of Supply



## EXTRACT

1931 Public Bills 26 JUNE 1974

Public Bills

1932

Mr. Ringadoo rose and seconded.

Question put and agreed to.

Bill read a second time and committed.

## COMMITTEE STAGE

(The Deputy Speaker in the Chair)

The Road Traffic (Amendment) Bill (No. XXXV of 1974) was considered and agreed to.

On the Assembly resuming with the Deputy Speaker in the Chair, the Deputy Speaker reported accordingly.

## Third Reading

On motion made and seconded, the Road Traffic (Amendment) Bill (No. XXXV of 1974) was read the third time and passed.

## COMMITTEE OF SUPPLY

(The Deputy Speaker in the Chair)

Consideration of the Appropriation (1974-75) Bill (No. XIX of 1974) was resumed.

Vote 13-1. Ministry of External Affairs, Tourism and Emigration was called.

Mr. Ringadoo : Sir, there is an amendment which has been circulated, and I move accordingly.

M. Ollivry : M. le président, je parle à l'item du ministre des affaires étrangères, du tourisme et de l'émigration pour déplorer, une fois encore, que le Gouvernement mauricien n'ait jamais défini quelle était la politique étrangère du pays, et pour déplorer aussi que les

affaires étrangères soient un secret pour le Parlement — ce domaine est entouré de mystère ! Ainsi, les tractations qui se passent entre le Gouvernement du Royaume Uni...

The Prime Minister : I am very sorry, I don't want to be difficult but I rise on a point of order. This is the general policy. We have discussed external affairs on the debates on the Speech from the Throne, on the second reading of the Appropriation Bill. Everything was discussed and everything was explained beyond limit. That is one. But if the hon. Member were to say under what item he wishes to speak, what is the specific matter he has in mind, I shall be helpful to him. It must be a specific thing; it cannot be a general debate. It must be a specific matter on which we will try and help our Friends. It is no good trying to come with general things which are vague and chaotic in their approach. I have risen on a point of order. The hon. Member says that external affairs are not known. It has been known in the newspapers, in the House and everywhere. I am rising on a point of order and I am explaining why there should be a restraint to a specified aspect of the subject, so that I may be able to be specific and reply to the point of the hon. First Member for Rodrigues.

M. Ollivry : M. le président, je propose que les salaires du ministre des affaires étrangères soient réduits de Rs. 25 ou de Rs. 100. Moi, j'aurais voulu l'enlever. Il n'existe même pas. Le Premier ministre est déjà payé pour cela. Je propose, M. le président...

The Prime Minister : I am always helpful. My Friend can talk on item 1. For the time being it exists. It has not been deleted, has it ? He can speak

1933 Public Bills 26 JUNE 1974

Public Bills

1934

on it, but I would pray and hope at the same time that he will be specific so that I can reply to it.

M. Ollivry : Ainsi, M. le président, des agences de presse étrangères rapportent qu'il y a un accord secret entre le Gouvernement mauricien et le Gouvernement soviétique. Cela est possible. Il est possible que le Gouvernement estime nécessaire d'arriver à un tel accord entre le Gouvernement mauricien et le Gouvernement soviétique. Les agences de presse étrangères rapportent, comme émanant de l'île Maurice, qu'il y a un accord secret entre le Gouvernement mauricien et le Gouvernement soviétique.

The Prime Minister : I can tell my Friend there is no such thing. All agreements that this Government has entered into have been laid on the Table of this Assembly.

(3.10 p.m.)

M. Lesage : M. le président, pour élargir mon champ de tir je vais choisir l'item que vient de choisir celui qui m'a précédé, en y ajoutant 13-1.10, 13-1.16 et 13-1.20. Je crois que cela nous donne une idée de la dimension de notre politique étrangère. Nous sommes membres des Nations Unies, de l'O.U.A., de l'OCAM, et je crois que, ne serait-ce que sous l'item Nations Unies, il est permis de parler sur tous les aspects de cette politique étrangère ou de l'absence de politique étrangère. Je voudrais aviser la Chambre en passant, comme l'a souligné mon Collègue le premier député de Rodrigues (M. Ollivry), que nous avons l'intention de demander la suppression de l'item 13-1.1(1) puisqu'il y a cumul de fonctions. Car ce n'est que suite à la décision du Gouver-

nement, qu'on pourra voir — puis- qu'il est entendu que la re-négotiation est une formule diplomatique très en vogue — s'il y aura possibilité de re-négotiation de la Coalition.

Le premier député de Rodrigues a évoqué cette question d'accord russe. Il est évident qu'aujourd'hui l'océan indien entre à nouveau dans l'histoire — il ne s'agit donc pas d'être myope — et cela depuis que la Grande Bretagne a décidé de décrocher à l'est de Suez. Il est tout-à-fait normal qu'un océan de 17 millions de milles carrés fasse l'objet de convoitise de la part des différentes puissances étrangères. En effet, il ne s'agit que de considérer la dimension des puissances qui vont s'affronter pour être en mesure de réaliser les sérieuses inquiétudes pour la paix, qui naissent. Tout d'abord, sans sortir du cadre, nous croyons que c'est une question très pertinente que de se demander à quels mobiles profonds la construction et la mise en service d'une super-flotte soviétique correspondent. Il est un fait troublant, et je résume en substance la déclaration du ministre des affaires étrangères de Tunisie, M. Mohamed Masmoudi, qui, à l'époque de la pénétration soviétique en Méditerranée parlait de myopie européenne. Il s'agit de préciser, qu'après avoir franchi les Dardanelles, les Russes ont érodé les prétentions de la sixième flotte à convertir la Méditerranée en *mare nostrum*.

Mais ils se sont aperçus dans le même souffle que pour pouvoir contrôler la Méditerranée, se souvenant sans doute de l'époque de la thalassocratie britannique de Gibraltar à Suez, qu'il fallait avoir un levier logistique dans l'océan indien.

Il ne faut certes pas faire la politique



1943 *Public Bills* 26 JUNE 1974 *Public Bills* 1944

Nous ne voudrions pas remonter au déluge, mais qu'il nous soit permis de rappeler, ne serait-ce que le discours qui a été prononcé à l'ONU par notre Premier ministre contre l'Ouganda. On aimerait savoir puisqu'il a eu l'occasion d'aller au sommet de Mogadiscio, s'il a réglé son compte au président Amin.

L'heure est arrivée pour nous de dénoncer ces gens et c'est le seul forum où nous puissions le faire sans acrimonie même si on hausse le ton par fois. Il est bon en effet de rappeler certaines choses. Nous n'avons rien à nous reprocher là-dessus.

Maintenant nous voudrions demander au Premier ministre comment il justifie notre contribution au SARTOC. *Membership fee to South African Regional Tourism Council.* Est-il conséquent avec lui-même ? Par ailleurs, lorsque le Premier ministre va à l'étranger, il fait aussi des déclarations mielleuses. Je me rappelle que cela se passait un peu après l'indépendance. Pendant une visite à l'étranger il avait déclaré que pour les Sud Africains, l'île Maurice était le paradis. Ces derniers y venaient pour regarder la télévision. Il doit se souvenir de tout cela. Et il n'avait peut être pas tort. Aussi nous considérons une diplomatie prudente, pour ne pas mettre en danger l'approvisionnement de toute une population qui compte 850,000 âmes aujourd'hui, plus même. Nous avions déjà prédit il y a quelque temps que notre pays allait devenir un trottoir pour les querelles idéologiques. Nous aimerions que le Premier ministre fasse une déclaration supplémentaire à celle déjà faite par le ministre des finances en décembre où en septembre 1973 sur cette question qui suscite tant d'inquiétude, je veux parler de l'aéroport du nord.

Mr. Virah Sawmy : Sir, I choose item 13-1.10 — Contribution to United Nations Organisation. I understand that, if my information is correct of course, that some twenty years ago, a resolution was passed in the United Nations which prevented any colonial country to deprive a colony on the verge of independence of any part of its territory. In other words no country could, prior to independence, remove from Mauritius any part of it. If this is true, is not the passing over of Diego to the famous British Indian Ocean Territory in conjunction with this resolution and if it is so, does the Minister of External Affairs intend to take the case to the International Court of the Hague and if not I would like to know why.

Secondly, I would like to speak on item 13-1.16 and here I would like to know what contribution this Government gives to the liberation movement of Africa. The Prime Minister, in many speeches we know, has expressed his solidarity for all oppressed people of the world, but I would like to know whether when he makes these statements, he is not only paying lip service to the liberation movement, because we may make beautiful speeches expressing our solidarity when in fact what the freedom fighters in Africa need is help, medicine, guns, etc. I would like to know how much this Government gives to the liberation movement in Africa. The time when people would just listen to good speeches is over. We must know what is done in practice, what concrete help is being offered to our black brothers in Africa. There were quite a lot of accusations of racialism here. But one Minister once accused me of stupidity, because I expressed my solidarity for the black people of Africa. So I think the Prime Minister should look around him before he accuses

1945 *Public Bills* 26 JUNE 1974 *Public Bills* 1946

other people of racialism because there are racialists in his Government.

My third point. Sir, I would like to speak on item 13-1.33 (1) General Manager, Mauritius Government Tourist Office. There is an alarming situation which exists in this country. I am not going to make a detailed speech on tourism to show its good side and its bad side, but there is one aspect which worries me a bit. There was a nice beach in Trou-aux-Biches, now the public can no longer go there. Pointe aux Canonniers was a nice place, now there is Club Méditerranée. We hear of hotels in Belle Mare, hotels all over the place.

I would like to hear from the Prime Minister what is the policy of Government concerning the protection of Mauritians and the protection of the rights of Mauritians to go to the beaches whenever they want and to prevent hotels from depriving Mauritians from this inherited privilege. And while I am on this topic, I would like also to draw the attention of Government on another point. There are places in Mauritius where owners of campements have the habit of putting barbed wires to prevent people from walking along the beach. Hotel keepers may adopt this practice so that we Mauritians are prevented from enjoying things which are ours.

A last point which I would like to make is on the item concerning membership to South African Regional Tourism Council. Now there has been quite a lot of statements against South Africa and I agree that we should take a very firm stand against South Africa, but there is a contradiction here. We say that we must fight for total political and economic independence and we encourage tourism and the majority of tourists come from South Africa, so that the tourist

economy is dependent on South Africa and we are at the same time member of the South African Regional Tourism Council. The country of Kamuzu Hastings Banda too is a member of this Association. I think the Prime Minister knows that not only the white despots are the enemies of the black people, but there are also some black stooges of the white despots, and if we want to be honest with ourselves, I think this country should withdraw from SARTOC which is a South African controlled organisation. We cannot go on paying again lip service to the liberation of our black brothers in South Africa and at the same cooperating economically. We cannot do something valid on the political level if we are collaborating with South Africa on the economic level.

Thank you, Sir.

(3.45 p.m.)

The Prime Minister : First of all, Sir, with regard to the ceding of Diego by this Government, I will say actually it is not what my hon. Friends opposite are saying. I will refer them to the Colonial Boundaries Act of 1895 which confers on Her Majesty the Queen, then Queen Victoria, the power to alter the boundaries of colonies by order in Council, or letters patent, with the proviso that 'the consent of the self governing Colony, shall be required for the alteration of the boundaries thereof.'

It is by this that Seychelles and Mauritius were separated. It is by this that Diego was separated from Mauritius. By an Order in Council in 1965, dated the 8th November, Her Majesty the Queen ordered that the British Indian Ocean Territory be constituted consisting of certain islands hitherto included in the



1947 *Public Bills* 26 JUNE 1974*Public Bills* 1948

dependencies of Mauritius and of other territories.

The Government of Mauritius was nevertheless informed, after we had discussed in England, that this had taken place, and we gave our consent to it. It was done like this, but the day it is not required it will revert to Mauritius. But, Mauritius has reserved its mineral rights, fishing rights and landing rights, and certain other things that go to complete, in other words, some of the sovereignty which obtained before on that island. That is the position. Even if we did not want to detach it, I think, from the legal point of view, Great Britain was entitled to make arrangements as she thought fit and proper. This, in principle, was agreed even by the P.M.S.D. who was in the Opposition at the time; and we had consultations, and this was done in the interest of the Commonwealth, not of Mauritius only. This is all I can say about Diego.

With regard to the liberation movement, it is not lip service. We are contributing, in every way possible, to the liberation movement. Sometimes, there are papers which come here, to make good the amount that we pay.

With regard to tourism and beaches, Government, as far as possible, tries to strike a balance between our own requirements and the use to which we should put some of our beaches so that we can derive not only revenue, but also facilities which give a lot of employment to our own people, and at the same time earn foreign exchange for Mauritius. It is possible that sometimes we may not have discerned properly. That is another matter, but every request is examined very carefully, not by my Ministry. To begin with, it is examined

elsewhere, and it comes before everybody, and Government decides to follow this or that policy.

With regard to people trying to put fences in front of their bungalows at the seaside, if this is reported to the Government, we might look into it. I do not think people can do it. I say, on the spur of the moment, it should not be done.

With regard to SARTOC, we don't mix up politics with tourism in international organisation of this nature. We have not mixed up tourism with politics, and SARTOC is a tourism organisation. It is not mainly composed of South Africa or its representatives. It is not an organisation to include South Africa as such, as I can know, and we form part of it. But, I would like to point out to my Friend that it is not working as he thinks it is working. It is not giving satisfaction to the members themselves. They very rarely do. And as to tourism, we have no grievance against South African concerns. The South Africans who come to Mauritius are well behaved. There have been no incidents with them, and they accept the policies and the rules of conduct in our country. This is a free country: people come, they leave, they take what they want, what they require, and they go. I don't think there has been any complaint against South Africans as such. What we complain of is apartheid and the abuse of the black races which a minority of white Africa is trying to impose. That is what we are against! We are against the enslavement of the black man. This is not something that is new. My hon. Friend just now spoke about my insincere views. I moved even before we were independent a resolution in this country to sympathise with the black Africans who were shot at Sharpeville!

1949 *Public Bills* 26 JUNE 1974*Public Bills* 1950

And it was passed by this Legislature, even before independence. This is something that we cannot mix up. South African people themselves do not like many of the things their Government does. But, we cannot mix up the South African tourists or the South African people with the policy of the South African Government.

*(Interruption)*

Well, I don't know. My friend may think so. I don't know who supports and who does not support. South Africans are good tourists. They are well behaved gentlemen and ladies, and I take my hat off to them. They have always behaved well in Mauritius, and I don't think Mauritius has anything against them.

Commerce is international. I don't think it is based on colour or creed or anything of the sort. So, this is the stand on which this Government acts and we are contributing to the liberation movement in many forms, in education as well as by funds and we are satisfied that our Colleagues in O.A.U. are doing their utmost also to do the same thing. And there are no bones about all this.

But, as I said, as regards the Indian Ocean I have given part of it, but there is the other part and we are already trying to see what the Indian Ocean can produce for Mauritius itself. There is a great wealth down the bottom of the sea, wherever our territories are, and I have signed an agreement to the effect that Mauritius has 53,000 square miles of territory beyond the others, to which we have acquired rights, and in which we have the right to explore and exploit the resources that are available. So, we have tried to protect the rights of Mauri-

tius wherever we have been able to do it. But, if my hon. Colleagues on the other side say that we should oppose the great powers in the Indian Ocean, I would say that even great powers cannot oppose each other. They try to talk, they try to cajole one another, they talk at international forums to be able to come to some arrangement. Just now, they are talking in an impasse, but all the same they talk. I personally think, all the sea should be free to every nation. We, in our own life-time, have seen two world wars. The first world war was for the freedom of people and the freedom of nations. The second war also involved the same theme. So, I do not know why we should not say, Russia should not come this way, or the United States or any other nation should not come this way. I would like to know how can Russia traverse from one side of the world to the other without going through the Indian Ocean? Or, how can America go from this side to the other? Or how England or Holland or Iran can go from this side to the other unless they go through the Indian Ocean? I think, this is not a pragmatic approach to the problems with which we are faced; and peace and war — although small or big nations may have their say up to a point, — this is decided by big powers, and this is the grievance of smaller nations who seem to be now and again acting as pawns to big powers. We can say in the United Nations what we feel, we certainly say at the O.A.U. what we think, we can say it at O.C.A.M., we can say it at non-aligned meetings, at other international meetings, the W.H.O. the F.A.O. the UNESCO — all these are forums where we can vent the views of a country for peace and happiness, but still war is taking place. There is war in North and South Vietnam.



2007 *Public Bills* 26 JUNE 1974*Public Bills* 2008

fait ? Quand espère-t-on terminer ces travaux ?

M. le président, à l'item de Rodrigues je vois *housing for civil servants*. Il est certain que ce Gouvernement se doit de construire des résidences pour les fonctionnaires à Rodrigues mais la plupart des fonctionnaires habitent dans la région de Port Mathurin. Il n'y a vraiment pas beaucoup d'espace. Est-ce que la solution ne serait pas, au lieu de construire un très grand nombre de petites maisons avec une cour, etc., comme cela se fait d'habitude, est-ce que ce ne serait pas mieux de construire un ou deux immeubles avec un grand nombre d'appartements où les fonctionnaires pourraient occuper ces appartements ? Ce serait une meilleure utilisation des terrains.

Dans Port Mathurin presque toutes les maisons sont des maisons de fonctionnaires. Est-ce que dans le cadre du *planning* et de l'urbanisme on ne devrait pas songer à créer des blocs d'appartements pour les fonctionnaires à Rodrigues et qui feraient une meilleure utilisation de l'espace ?

Je vois qu'on prévoit une somme à l'item 31.4.70, pour l'aéroport. On aurait dû plutôt parler du *air strip* que du *airport*. On a annoncé qu'un avion de vingt places irait à Rodrigues. Est-ce que l'aéroport actuel peut recevoir cet avion ? Quelles sont les améliorations qu'il faudra faire ? Combien de temps faudra-t-il attendre pour que cet avion puisse y aller ? Est-ce que cette somme suffirait pour l'agrandissement éventuel de l'aéroport de Rodrigues ?

(6.35 p.m.)

M. Lesage : M. le président, je choisis

2009 *Public Bills* 26 JUNE 1974*Public Bills* 2010

donateur ont augmenté en l'espace de deux ans. On a commencé à ressentir les effets presque immédiatement, après la signature de l'accord. Il est certains gens qui savent bien faire les choses.

J'arrive maintenant à l'item 15.3. — Quatre Bornes, qui avait été tenu hors du circuit de développement car le gouvernement n'y permettait pas l'implantation de nouvelles usines, jusqu'à tout récemment a pourtant ses lettres de noblesse dans l'industrialisation de Maurice. Je veux parler de la scierie qui se trouve dans ma circonscription. Il y a eu un nouveau projet à partir de la scierie. D'autres industries vont être mises sur pied grâce à des investissements étrangers. Aussi, présentant cet accord éventuel entre le Gouvernement et des entrepreneurs libres, nous avons par voie d'interpellations demandé au ministre du commerce et de l'industrie d'alors si les droits des travailleurs seraient sauvegardés. Et avions même fait ressortir que ce serait une occasion unique pour lancer la participation, pas seulement entre les investisseurs et le gouvernement, mais également la possibilité d'une participation des travailleurs aux responsabilités, aux décisions et au capital de l'entreprise. C'était l'occasion rêvée.

On nous a répondu que les intérêts des travailleurs ne seraient pas lésés. Or, nos renseignements sont que tel n'est pas le cas. Il y a eu tout un chambardement dans les structures sans que les travailleurs ne soient consultés. Une fois encore le Gouvernement n'a pas permis aux travailleurs de s'exprimer sur une question qui va affecter leur avenir.

Mr. Ringadoo : Sir, the hon. First Member for Rodrigues (Mr. Olivry)

raised the question of the amount provided for the resettlement of the *Ilots*. I would like to inform the House that Government intends to have two housing estates, one at Pointe aux Sabes and another at Roche Bois and that the *Ilots* will be given all the facilities for pig breeding and mixed farming. The amount of Rs 725,000 we are providing would be for the relief of the *Ilots*.

He raised also the question of housing for civil servants in Rodrigues and suggested that we may perhaps build on a large scale in order to provide a lot of housing facilities for civil servants. As pointed out by the Minister of Economic Planning, Rodrigues will need a lot of infra-structure work before we can have houses which will not be just on the ground floor. I think there is a problem of water and roads which have to be looked into and certain works completed before we can embark on what he has suggested.

He has also raised the question of the air strip. I think the air strip is now being redone. I think it will be tarred and we are sending equipment in order to do extensive work to the air strip in order that the strip may be able to receive a plane larger than the one which is being used at present and that would increase the number of people who can travel to and from Rodrigues.

The hon. First Member for Belle Rose and Quatre Bornes (Mr. Lesage) raised again the question of the new airport. In my reply I informed the House that there were some technical problems which were discussed by technicians on both sides and that what there has been some delay on account of the nature of the ground and facilities to be provided and the size of the air strip.

**ANNEX 72**

Memorandum by the UK Secretary of State for Foreign and  
Commonwealth Affairs, "British Indian Ocean Territory:  
The Ex-Seychelles Islands", 4 July 1975



1	2 cms	The National Archives	ins	1	2
Ref: FCO 40/674		C458270			
Please note that this copy is supplied subject to the National Archives' terms and conditions and that your use of it may be subject to copyright restrictions. Further information is given in the 'Terms and Conditions of supply of the National Archives' leaflets					

Original submitted to SFS on 14 July  
Please destroy this copy when original is returned

SECRET

HK10D

TO ENTER BY 11 July 75

MS  
1/1

THIS DOCUMENT IS THE PROPERTY OF HER BRITANNIC MAJESTY'S GOVERNMENT

OPD(75)23

RECEIVED

COPY NO. 14

4 July 1975

- JUL 1975

CABINET

DEFENCE AND OVERSEA POLICY COMMITTEE

HKT1/1

BRITISH INDIAN OCEAN TERRITORY: THE EX-SEYCHELLES ISLANDS

Memorandum by the Secretary of State  
for Foreign and Commonwealth AffairsBackground

3a

1. In my memorandum OPD(75)9 of 27 February 1975, I argued that we should return the islands of Farquhar, Aldabra and Desroches to Seychelles on independence provided the United States agreed without difficulty. The Prime Minister commented that while this might well be right, OPD ought to discuss the issues, for instance the question whether our hold on the remaining islands (including Diego Garcia) will be made more or less secure. The Defence Secretary commented that while he accepted my conclusions, he attached great importance to consultation with the US Government and to the denial of the islands to the Russians. I consequently agreed to wait until after the Seychelles Constitutional Conference in March before speaking substantively to the Americans; and no hint of possible concessions was given to the Seychelles leaders at the Constitutional Conference.

Anglo/US Discussions

2. This matter was considered at the Anglo/US Consultations on the Indian Ocean at official level in May. The Americans accepted that René, the leader of the minority party, would almost certainly raise it at the resumed Constitutional Conference next January. They agreed that Mancham, the Chief Minister, would be anxious not to be outflanked; indeed in Washington in May he said that the matter was of great importance to him although he asked whether mineral, oil, fishing and tourist rights could be made available to Seychelles if the islands could not themselves be returned. The Americans' first reaction was that the status quo should be maintained for fear of an unravelling effect on BIOT endangering Diego Garcia. They have no prospective defence use for the three islands but they were valuable because they were denied to hostile powers.

3. The Americans agreed to think further about the matter. UK officials pointed out that handing back the islands:

- (i) might be presented as an earnest of good intent that the Chagos Archipelago also would be handed back to Mauritius if and when there was no further defence use for it;

-1-

SECRET

1	2 cms	The National Archives	ins	1	2
Ref.: FCO 40/674		C458270			
Please note that this copy is supplied subject to the National Archives' terms and conditions and that your use of it may be subject to copyright restrictions. Further information is given in the 'Terms and Conditions of supply of the National Archives' leaflets					

- (ii) might avert the danger of Seychelles and Mauritius making common cause on BIOT in the OAU and in the United Nations, who have already voiced support for the islands' return;
- (iii) might allay suspicion of American intentions in Diego Garcia and in the Indian Ocean more generally;
- (iv) might be traded for worthwhile concessions, particularly in the form of security for the American satellite tracking station in Mahé and denial to hostile powers.

British officials also suggested that Mancham might be persuadable to their remaining part of BIOT if Seychelles were offered generous payment for the satellite tracking station; financial and training assistance for an internal security force; mineral, fishing and tourist rights in the three islands; the promise of their eventual return when there was no further defence need for them; or some combination of these concessions. The Americans were also asked to consider the idea of our retaining sovereignty but leasing the islands back to Seychelles which on the face of it had the disadvantage of our retaining sovereignty without power.

4. Both sides agreed to consider their policy preferences in the light of the agreed aim of safeguarding the future of Diego Garcia; to discuss these at the next Anglo/US Consultations on the Indian Ocean, probably in October; and meanwhile to exchange papers setting out the options in order of national preference.

#### Options for HMG

5. These fall into two broad categories: handing back the islands in exchange for Seychelles undertakings on access for us, benefits for the Americans and denial to the Russians; and retaining the islands in return for concessions making the decision more palatable to Seychelles opinion. Both have merit but a solution within the first range is more likely to be negotiable with Seychelles and permit the peaceful transition to independence by June 1976, given René's determination to make an issue of the matter. Whatever can be obtained in return, and particularly denial to hostile powers, would be in the general Western interest. We know the Russians are interested in footholds in the area: she has already installed mooring buoys in international waters in the Chagos Archipelago.

6. If, however, the Americans are unable to agree, our best chance of ensuring unhindered progress towards independence while retaining the islands lies in American agreement:

- (i) to assist Seychelles e.g. by making generous payment for the satellite tracking station and providing help for the internal security forces;
- (ii) to offer Seychelles similar assurances to those given to Mauritius in 1965 i.e. a promise to return the islands when no longer needed and reservation to Seychelles of oil, mineral and fishing rights;

and, if necessary,



1	2 cms	The National Archives	ins	1	2
Ref: ECO 40 / 674			C458270		

Please note that this copy is supplied subject to the National Archives' terms and conditions and that your use of it may be subject to copyright restrictions. Further information is given in the 'Terms and Conditions of supply of the National Archives' leaflets

**SECRET**

- (iii) to offer Seychelles fishing and tourism rights in the islands now.

We cannot be sure how generous the Americans are willing to be under (i) given their initial secret contribution to the cost of setting up BIOT and the risk of demands by Mauritius for further payment for the use of Diego Garcia.

Conclusions

7. I therefore conclude that for the purpose of our paper to be given to the Americans at official level, as a basis for further discussion, we should express the options as follows:

- (a) Return of the islands to Seychelles in exchange for agreement on continued free American use of the satellite tracking station; denial of the three islands to hostile powers; denial of Seychelles proper to such powers; and British/American access to the three islands should we require it.
- (b) Return of the islands in exchange for most of the above concessions.
- (c) Retention of the islands in exchange for:
  - (i) undertakings similar to those given to Mauritius;
  - (ii) generous payment by the Americans for continued use of the satellite tracking station;
  - and, if necessary,
  - (iii) financial and training assistance for the internal security forces;
  - (iv) exploitation by Seychelles of some of the three islands' resources e.g. fishing and tourism.
- (d) Leasing the islands back to Seychelles.

Options (a) and (b) are clearly preferable and should be pressed strongly in the discussions.

8. I invite my colleagues to endorse these conclusions. I will report further when we have had the American reaction.

L.J.C.

Foreign and Commonwealth Office

4 July 1975

**ANNEX 73**

Briefing note dated 14 July 1975 from John Hunt  
to the UK Prime Minister

1	2	cms	The National Archives	ins	1	2
Ref: PREM 16/226420				CU58270		

Please note that this copy is supplied subject to the National Archives' terms and conditions and that your use of it may be subject to copyright restrictions. Further information is given in the 'Terms and Conditions of supply of the National Archives' leaflets

SECRET

Ref. A09919

PRIME MINISTER

British Indian Ocean Territory: The Ex-Seychelles Islands

(OPD(75) 23)✓

Background

In February the Foreign and Commonwealth Secretary proposed (OPD(75) 9) to approach the Americans about returning to Seychelles three islands which are part of the British Indian Ocean Territory (BIOT). You commented (reported in Mr. Wright's letter of 3rd March to the Foreign and Commonwealth Office) that the issues involved should be discussed by OPD. The Secretary of State now seeks approval of a list of policy preferences to give to the Americans as a basis for further discussion at official level, probably in October, after which another report will be made to OPD. This will leave time to determine a policy before the Seychelles Conference resumes in January 1976, when the future of the three islands is certain to be raised by the Seychelles leaders.

2. The Choice. The paper presents two main options:

- (a) To return the islands in exchange for certain undertakings by the Seychelles - about continued free American use of the satellite tracking station; denial of the islands to hostile powers; and British/American access to them.
- (b) To retain the islands while making certain undertakings ourselves - about returning the islands when no longer needed; reserving oil, mineral and fishing rights to the Seychelles; and various forms of assistance.

It also refers to a third possible option, namely

- (c) Leasing the islands back to Seychelles.

3. The Foreign and Commonwealth Secretary expresses a clear preference for the first main option, which is more likely to be negotiable with Seychelles, and would be more acceptable to international opinion, e.g. in the Organisation of African Unity. This is understandable. But the Committee will need to consider two other questions also:-



1	2 cms	The National Archives	ins	1	2
Ref.: <u>PEM 16 / 226 420</u>			<u>CU58270</u>		
Please note that this copy is supplied subject to the National Archives' terms and conditions and that your use of it may be subject to copyright restrictions. Further information is given in the 'Terms and Conditions of supply of the National Archives' leaflets					

- (a) If we give up part of BIOT does this make our hold on what is left (including Diego Garcia) more or less secure? Might Mauritius not be encouraged, or even compelled by a need not to be seen to be outdone by the Seychelles, to press for the Chagos Archipelago to be handed back to her? Or would Mauritius, as suggested in paragraph 3a of the paper, accept our action as an earnest of our intention to hand back that archipelago in due course and be ready to wait patiently for that to happen?
- (b) If we return the three islands, could we rely on undertakings by Seychelles about denial to hostile powers? Are there sanctions we could apply if Seychelles reneged?

It is evident from the paper (paragraph 2 that these are both points of concern to the Americans. The Defence Secretary attaches importance to the second (and the paper, in paragraph 5, refers to Russian interest in footholds in the area).

#### Handling

4. After the Foreign and Commonwealth Secretary has introduced the paper, I suggest that you ask the Defence Secretary to comment, particularly on the importance of ensuring the denial of the three islands to hostile powers. The views of the Foreign and Commonwealth Secretary might then be sought on how undertakings on denial given by Seychelles could be made to stick, and on the danger of our action stimulating Mauritius to clamour for the return of the Chagos Archipelago.

#### Conclusion

5. The statement of options in the paper seems right. The order of preference between them shown in paragraph 7 of the paper would be logical if the Committee consider that priority should be given to what will be most acceptable to Seychelles and will be least likely to excite criticism in the United Nations and the Organisation of African Unity. If on the other hand the Committee are not satisfied that our position in Diego Garcia and the denial of the three islands to hostile powers will be sufficiently assured if the islands are handed back, it would be logical to promote option (c) above (a) and (b).

1	2 cms	The National Archives	ins	1	2
Ref.: PREM 16/226 420			CU58220		
Please note that this copy is supplied subject to the National Archives' terms and conditions and that your use of it may be subject to copyright restrictions. Further information is given in the 'Terms and Conditions of supply of the National Archives' leaflets					

Option (d) would involve our retaining a meaningless theoretical sovereignty and it seems right to leave it at the bottom of the list in either case. I suggest that you guide the Committee either to accept the order in paragraph 7 or to promote option (c) to top the list, depending upon the balance of the discussion.

*John*

(John Hunt)

14th July, 1975

## **ANNEX 74**

Office of International Security Operations Bureau, Politico-Military Affairs, United States Department of State, "Disposition of the Seychelles Islands of the BIOT", 31 October 1975



NOTE: This is a preliminary US consideration.

CONFIDENTIAL

NOFORN OTHER THAN BRITISH

742

# Disposition of the Seychelles Islands of the BIOT

This paper will present the United States view of the various options for disposition of the BIOT\* islands of Farquhar, Aldabra, and DesRoches, when the Seychelles achieve independence. The Seychelles evidently will seek to have their sovereignty over these islands restored.

## Background

2. The UK Order in Council No. 1920 dated 1965, designated the Chagos Archipelago formerly included among the Dependencies of Mauritius, and the Farquhar Islands, the Aldabra Group, and the Islands of Des-Roches, formerly part of the Colony of Seychelles, as the islands which formed the British Indian Ocean Territory. As the Seychelles approach independence, the question of the return of the three former Seychellois island groups has been raised by Seychelles opposition party leader Rene and in less insistent form by Prime Minister Mancham who apparently does not feel strongly that the islands should be returned but who wants to avoid being outflanked by the opposition on this issue. The British feel certain that the demand for the return of these islands will be pressed at the next Constitutional Conference scheduled for January 1976. The date for Seychelles independence is tentatively set for June 1976.

3. The former Seychelles Islands now in the BIOT are described as follows:

Farquhar Atoll - (Islands in the Farquhar Group other than Farquhar Atoll remain under Seychelles sovereignty) Farquhar Atoll consists of two main islands (North and South) and several islets around a shallow central lagoon. The aggregate land area is about 2 1/2 square miles. In 1960, a population of 172 contract laborers was reported, mostly living in a village at the west end of North Island. The islands are planted with coconut palms. One of the islets,

CONFIDENTIAL  
GDS

1975: 80

1	2	1	2
The National Archives		459517	
Ref: 500 40 / 686		459517	

Please note that this copy is supplied subject to the National Archives' terms and conditions and that your use of it may be subject to copyright restrictions. Further information is given in the 'Terms and Conditions of supply of the National Archives' leaflet.

CONFIDENTIALNOFORN OTHER THAN BRITISH

- 2 -

Goellette, has a large sea-bird population. Good anchorage is available westward of North Island, except during December to April. The entry to the lagoon is described as narrow and tortuous.

1975: 59 DesRoches - an atoll with a land area of 1.87 square miles and a population of 112 contract laborers (1964). The island rises to 14 feet and is covered with coconut palms. Excellent anchorage.

1975: 24 Aldabra - an atoll consisting of four main islands (West, Middle, South, and Polymnie) which surround a shallow central lagoon. There are two small islands within the lagoon (Euphrates and Coconut) and numerous islets. Total land area is 6.4 square miles; population was 100 in 1960, but dropped to 30 in 1967, all living on West Island. The inhabitants were reported to be contract laborers, occupied in the preparation of dried fish and turtle, fish oil, and a little copra. The island is remarkable for its population of giant tortoises (an endangered species) and abounds in green turtles. There are also wild goats as well as rats whose presence is reported to be excessive. There are guano deposits on South Island.

4. When the BIOT was formed in 1965, the British Government provided the Seychelles with 6.2 million pounds as compensation for the loss of sovereignty over Farquhar, DesRoches, and Aldabra. This funding was in the form of construction of Mahe Airport. (In comparison, Mauritius was given 3.0 million pounds for loss of sovereignty over the Chagos Archipelago). The US agreed to provide one-half the total cost of establishing the BIOT, but not to exceed \$14 million.

5. In 1966, the US reached agreement with the Seychelles for construction of a satellite tracking station. During his visit to Washington in May 1975, Manham stated that the tracking station was an economic benefit but a political liability for the Seychelles. He indicated that "positive assistance" would be required as a quid for the station and also stated that a settlement of the BIOT islands issue

CONFIDENTIAL

1	2	3	4	5	6	7	8	9	10	11	12
The National Archives											
Ref: FCO 40 / 686											
Please note that this copy is supplied subject to the National Archives' terms and conditions and that your use of it may be subject to copyright restrictions. Further information is given in the 'Terms and Conditions of supply of the National Archives' leaflets.											



CONFIDENTIALNOFORN OTHER THAN BRITISH

- 3 -

could minimize problems relating to the tracking station. Seychelles officials have subsequently indicated that this agreement must be renegotiated following independence, and that a substantial rental payment would be required.

6. Present US assistance to the Seychelles consists of five Peace Corps volunteers, approximately \$80,000 a year in PL 480 Title II, and about \$10,000 a year in Special Self-Help funds. Mancham stated in May that these programs were politically helpful, but not enough for the future.

Discussion

What military potential do we now see for Farquhar, DesRoches and Aldabra?

7 In 1967, the US and UK agreed on construction of a joint US/UK airfield in Aldabra. The plans were dropped for economic and ecological reasons (the threat to the endangered giant tortoise). In 1969, a USAF survey team decided that an airfield could be built on Farquhar Island, though at greater cost than on Aldabra. Thus in a technical sense the islands do have an established military potential.

8 However, considering the economic, political, and sociological aspects of developing these islands for military use, there seems to be no likelihood that they would be used under any conditions foreseen at least for the next 10-15 years. The decision to proceed with the Diego Garcia construction program, which meets all our current and foreseen needs in the area, makes development of other islands unnecessary. Further, our experience with the Diego Garcia project has brought an awareness of the political costs of developing military facilities in the Indian Ocean. Congress could be expected to oppose a move to build on other islands, as would most of the littoral countries. The three islands in question also have small populations, which would have to be displaced in the full glare of Congressional and public scrutiny. There are no current US (or UK) plans to use these islands.

CONFIDENTIAL

1	2	1	2
The National Archives			
Ref: FCO 40 / 686			
459517			

Please note that this copy is supplied subject to the National Archives' terms and conditions and that your use of it may be subject to copyright restrictions. Further information is given in the 'Terms and Conditions of supply of the National Archives' leaflets

CONFIDENTIALNOFORN OTHER THAN BRITISH

- 4 -

Should the islands be retained in the BIOT to deny their use to major powers other than the US and UK?

7. Retention of the islands in the BIOT would indeed deny them to the Soviets and others. On the other hand, if some post-independence Seychelles Government were to decide to allow the Soviets access to Seychelles territory, there are many other islands that could be used for this purpose. There is no indication at this time that the Soviets are interested in acquiring base rights in the Seychelles. It might indeed be argued that return of the islands would be more likely to keep the Seychelles more closely aligned with the US and UK, and would be a better guarantee that the Soviets are not given access among the Seychelles group.

Would the return of the BIOT islands to the Seychelles impel Mauritius to seek return of the Chagos Archipelago?

8. Return of these islands to the Seychelles might be taken as a precedent by Mauritius. At the least, Mauritius might make the case that since the Seychelles received 6.2 million pounds for islands that were given back, Mauritius should receive more than the 3 million pound payment for retention of the Chagos Islands in the BIOT. Whether, and how strongly, Mauritian Prime Minister Ramgoolam presses this case will depend on the political situation on the island and the broader relationship between Mauritius and the UK.

Would the offer of fishing, tourism, and mineral rights on the islands to the Seychelles be an appropriate solution?

9. Mancham mentioned this alternative during his Washington visit in May 1975, indicating that it would be "better than nothing." There is a precedent, in that Mauritius retained fishing and minerals (but not tourism) rights to the Chagos Archipelago. The offer of comparable rights might satisfy the Seychellois, while avoiding the disadvantages of removing the islands from the BIOT.

CONFIDENTIAL

2	1	2
The National Archives		
459517		
Ref: FCO 40 / 686		
Please note that this copy is supplied subject to the National Archives' terms and conditions and that your use of it may be subject to copyright restrictions. Further information is given in the 'Terms and Conditions of supply of the National Archives' leaflets		



CONFIDENTIALNOFORN OTHER THAN BRITISH

- 5 -

12. The transfer of these rights to the Seychelles could, however, be costly in terms of possible military uses and our unobstructed occupancy of Diego Garcia. The islands seem to have little touristic potential at present, but if such activities did develop we could find ourselves as effectively barred from defense usage as if the islands had been returned to the Seychelles. Touristic rights imply the right to develop tourist facilities; if there should be a future defense requirement, we could conceivably be faced with Seychellois demands for compensation for expropriated hotels and lost tourist income. Thus the granting of touristic rights is incompatible with the view that we should maintain the untrammelled option of defense use.

13. The offer of mineral rights is even more problematic. In 1969, the US and UK, realizing that any discovery of petroleum formations in the islands would create unmanageable pressures for exploitation, agreed to ban exploration or exploitation in the BIOT or its off-shore areas for fifty years. Since then, three international oil companies applied for licenses to explore in the BIOT and were turned down. In the eyes of the Seychellois, this limitation would diminish the value of the minerals rights offer -- perhaps to the vanishing point. Until the year 2019, not even guano can be mined under the US-UK agreement.

14. If we were to alter the US-UK agreement to allow minerals exploration and exploitation in the three Seychellois islands we could expect a clamor from Mauritius to do the same for the Chagos Archipelago. (In any case, if oil-bearing formations are found in off-shore areas north of Mauritius, as seems quite possible, we could expect strong pressure from both Mauritius and the Seychelles to permit minerals exploration in the BIOT).

What effect would return of the islands have on the overall concept of the BIOT?

15. The BIOT was conceived of as a territory available for both US and UK use for defense purposes, unencumbered by the problems of sovereignty and public pressure that

CONFIDENTIAL

1	2	ins	1	2
The National Archives				
Ref: FCO 40 / 686				
459517				
Please note that this copy is supplied subject to the National Archives' terms and conditions and that your use of it may be subject to copyright restrictions. Further information is given in the Terms and Conditions of supply of the National Archives' leaflets				

CONFIDENTIALNOFORN OTHER THAN BRITISH

- 6 -

had proven so troublesome in other overseas locations. In the event, the original concept has become less relevant than it was in 1965. The UK is withdrawing its military presence from all areas east of Suez, and has no further military use for the BIOT except insofar as the US defense posture is of concern to the UK. Our own basic needs in the area are met by Diego Garcia; with our presence there assured, we would have no further requirement for the BIOT, which now serves only as a buffer to protect our interests in Diego. Our problems in obtaining approval for the Diego Garcia project in the Congress and the sharp publicity it has received, suggest that the protective coloration we hoped for in joining with the British in use of the BIOT was illusory.

16. The question now is whether our presence on Diego Garcia is likely to be more exposed if the BIOT shrinks to the Chagos Archipelago alone. There are arguments on both sides of this question. A BIOT confined to the Chagos brings to the fore the status of this group as a former dependency of Mauritius, to which Mauritius still maintains economic rights. On the other hand, it can be argued that US-UK resistance to a strong Seychelles effort to reclaim the three Seychellois Islands could generate enough adverse publicity and Congressional antagonism to threaten our interest in Diego.

What connection is there between our tracking station at Mahe and the Seychellois Islands of the BIOT?

17. Mancham has made the point that return of the BIOT islands would ease the way for agreement on a quid for the tracking station. It can be assumed that Mancham's basic strategy is to get the greatest possible concessions from the US and UK, and that he will want a substantial recompense for the tracking station as well as the return of the islands. Conversely, we might view the BIOT islands as offering a bargaining counter for the Mahe station; if Mancham is reasonable on the rent question, we could be reasonable about returning the islands. This stance would be the more convincing if one of the islands afforded a feasible alternative site

CONFIDENTIAL

1	2	3	4	5	6	7	8	9	10	11	12
The National Archives											
Ref: 500 40 / 686											
459517											
Please note that this copy is supplied subject to the National Archives' terms and conditions and that your use of it may be subject to copyright restrictions. Further information is given in the 'Terms and Conditions of supply of the National Archives' leaflets											



CONFIDENTIALNOFORN OTHER THAN BRITISH

- 7 -

for the tracking station. We must assume, however, that the costs of relocation and the inaccessibility and remoteness of the islands would make such a move impossible even as a last resort. Even so, we could point out to Mancham that the BIOT was designed to provide a secure location for necessary facilities, and that we would have to be persuaded that Mahe was a stable and hospitable place for the tracking station before we would be willing to relinquish our rights to the BIOT islands.

What bearing do the politics of the Indian Ocean area have on a decision regarding the Seychellois BIOT islands?

18. Mancham is pro-western and affords the best leadership in sight, from our point of view, for the Seychelles. It is in our interest to support him, and to avoid letting his leftist opponent Rene outflank him on such issues as return of the BIOT islands or a "reasonable" quid for the tracking station.

19. In Mauritius, Ramgoolam maintains close ties with the UK, and closer ones with India. At least in his public statements, he sides with India and other littoral countries in opposing the development of military facilities on Diego Garcia. He can be counted on to keep a sharp eye out for Mauritian interests and to keep active the underlying Mauritian claim to the Chagos Islands.

20. Sparked by Sri Lanka, an Indian Ocean Zone of Peace proposal (launched in the UN) has gained considerable support among the littoral countries of the Indian Ocean, including Australia and New Zealand. We have been opposed to this concept, which embodies the principle that littoral states can impose regulations affecting use of an international body of water. Our Diego Garcia project has been a prime target of criticism from IOPZ advocates and the basic concept of the BIOT, is contrary to the objectives of the IOPZ program. The disposition of the three Seychellois BIOT islands, whichever way the decision goes, will not pass unnoticed by the littoral countries. If we do not return the islands to the Seychelles, the IOPZ advocates may challenge

CONFIDENTIAL

1	2	1	2
The National Archives		Ins	1
ref: FCO 40 / 686		45957	
Please note that this copy is supplied subject to the National Archives' terms and conditions and that your use of it may be subject to copyright restrictions. Further information is given in the Terms and Conditions of supply of the National Archives' leaflets			

CONFIDENTIALNOFORN OTHER THAN BRITISH

- 8 -

our position; if we do return them or give the Seychelles economic rights, they may be encouraged to campaign for return of the Chagos Islands to Mauritius. Retention of the islands would demonstrate our intention to maintain a presence in the Indian Ocean and to reject the principle that littoral states can govern an international sea, a stance which would, of course, not be likely to convince the IOPZ advocates of the correctness of our position.

Alternatives:

21. There seem to be three basic options open to us: (a) agree with the British on returning the islands; (b) state our opposition to returning the islands; (c) state our opposition to returning the islands, but agree to granting certain economic rights. None of these gives a clear-cut advantage.

A. Agree with the British that the islands should be returned to the Seychelles upon independence.

22. This position would reflect our realistic assessment that we have no further defense need for these islands and that the broader BIOT no longer provides a buffer for our activities on Diego Garcia. With British cooperation, return of the islands could be helpful in obtaining a reasonable quid settlement for our tracking station at Mahe. The gesture would also strengthen pro-western Prime Minister Mancham, and deflate his leftist opposition by eliminating a key emotional issue. Additionally, we have said in the past that we would give back the BIOT if and when we determined we no longer needed it (jointly and separately). If we give back the three islands to the Seychelles, we can point out that we are dealing honestly with all parties, and that when we no longer need an island we will return it. This gesture might help to defuse the request from Mauritius.

23. The main disadvantage would be the possibility that Mauritius might press for return of the Chagos Archipelago. We have asked our Embassy in Port Louis for an assessment of the likelihood of such a move, and at some point it might be advisable to ask Ramgoolam what his reaction would be to a return of these islands to the Seychelles. The impact of the return of these islands (or their retention) on the IOPZ issue is debatable. It is safe to

CONFIDENTIAL

1	2	1	2
The National Archives		459517	
Ref: FCO 40 / 686		Please note that this copy is supplied subject to the National Archives' terms and conditions and that your use of it may be subject to copyright restrictions. Further information is given in the 'Terms and Conditions of supply of the National Archives' leaflets	



CONFIDENTIALNOFORN OTHER THAN BRITISH

- 9 -

say that whichever way we decide, the reaction of the littoral countries is bound to be unfavorable. If we return the islands we do, of course, forego the option of using them for future defense needs -- a consideration that seems now to be of minimal importance.

B. Oppose the return of the islands

24. The most convincing argument for retention of the islands in the BIOT is that we would avoid giving the Mauritian leadership a precedent for demanding the return of the Chagos Islands. We would also demonstrate our intention to maintain our Indian Ocean presence and reject the Zone of Peace concept, a stance which would probably stimulate resignation and antagonism in equal degree among the littoral countries. Retention of the islands would, of course, keep open the option of using them for defense purposes at some future time.

25. Refusal to return the islands could cause political problems for Manham, perhaps serious enough to bring about a shift to a regime less favorable to our interests. Whether or not the regime changed, negotiations for the USAF tracking station would be more difficult, if our position on the islands were unyielding.

C. Oppose return of the islands, but agree to grant fishing, touristic, and mineral rights to the Seychelles

26. This alternative would seem to offer an appropriate conciliatory gesture to Manham, keep the islands under UK sovereignty, and have the blessing of the precedent already set in granting to Mauritius various economic rights to the Chagos Archipelago.

27. The disadvantages of this solution center around the complications that might arise in the offer of touristic and mineral rights. Touristic rights are incompatible with the desire to retain the unhampered option of defense use. Minerals rights are either a negligible concession, or if the ban on exploration and exploitation is lifted, a potential threat to our position on Diego Garcia. Added to these problems is the possibility that the offer of these

CONFIDENTIAL

1	2	3	4	5	6	7	8	9	10	11	12
The National Archives											
Ref: FCO 40 / 686											
Please note that this copy is supplied subject to the National Archives' terms and conditions and that your use of it may be subject to copyright restrictions. Further information is given in the 'Terms and Conditions of supply of the National Archives' leaflets.											



CONFIDENTIALNOFORN OTHER THAN BRITISH

- 10 -

concessions might not remove the islands question from the Seychelles political scene, leaving the issue as an irritant in our relations with the Seychellois.

Conclusion

28. None of the alternatives reviewed here is likely to resolve the issue of the Seychelles BIOT islands in a fully satisfactory way.

29. The main considerations in deciding on the disposition of these islands concern the impact of our decision on: (a) future US-UK defense requirements; (b) the Seychelles political scene (and our negotiations for the tracking station); (c) the attitude of Mauritius toward the Chagos Archipelago; and, (d) the attitudes of littoral countries and in the United Nations.

30. The likelihood of either the UK or the US needing the three islands in question for future defense purposes seems remote enough at this point that we should assign a low priority to keeping this option open. While attitudes of the littoral countries have an important bearing on our presence in the Indian Ocean, we seem to be in a "no-win" situation in this regard, which effectively removes this factor as a relevant consideration in making this decision. Since our interests in the Indian Ocean now center on Diego Garcia, any threat to our presence there must be seen as a first-priority concern, outweighing the Mahe tracking station and our relations with the Seychellois in order of importance.

31. In this instance, a threat to our presence on Diego could arise from a Mauritian demand for return of the Chagos Islands, or for a removal of the ban on minerals exploration. Mauritius might be stimulated to make such demands if we return the three islands to the Seychelles or if we offer the Seychelles minerals rights with no restrictions on exploration and exploitation. Thus our priority interest seems to suggest retaining the islands in the BIOT, but only if we are persuaded that Mauritius will campaign for the return of the Chagos Archipelago, if we return them to the Seychelles.

CONFIDENTIAL

2	1	2
2	1	2
The National Archives		
459517		
Ref: ECO 40 / 686		
Please note that this copy is supplied subject to the National Archives' terms and conditions and that your use of it may be subject to copyright restrictions. Further information is given in the 'Terms and Conditions of supply of the National Archives' leaflets		

CONFIDENTIALNOFORN OTHER THAN BRITISH

- 11 -

32. If, on the other hand, we judge that a Mauritian campaign of this kind is unlikely, or that Ramgoolam could be bought off in some other way, we should take advantage of the benefits accruing on the Seychelles front by returning the islands. These benefits, including bargaining power in the tracking station negotiations, are substantial enough to warrant a close assessment of potential Mauritian reactions, and possibly the assumption of some degree of risk. At some point, it would seem advisable to discuss this issue with Ramgoolam, recognizing, however, the risk of giving Ramgoolam some leverage in his relations with Mancham, and vice-versa -- a situation in which we could be whip-sawed.

33. Under the right circumstances, the alternative of offering economic concessions to the Seychelles might prove the optimum solution. Mancham might, for example, be satisfied that a largely cosmetic arrangement would take the political heat from this issue, and he might be willing to settle for minerals rights comparable to those "enjoyed" by Mauritius in the Chagos Islands. Even so, if the Seychelles political situation is volatile in the post-independence period, such concessions might only be the prelude to pressure for full economic rights and restored sovereignty.

34. The uncomfortable balance of disadvantages described above argues for a further assessment along two lines before reaching a decision on the future of the three islands: (a) a careful analysis of the potential Mauritian response; and (b) a clearer picture of Seychellois political imperatives as seen by Mancham.

Office of International Security Operations  
Bureau, Politico-Military Affairs  
Department of State  
October 31, 1975

CONFIDENTIAL

2 cms	1	1	2
The National Archives			
Ref: FCO 40 / 686			
45957			
Please note that this copy is supplied subject to the National Archives' terms and conditions and that your use of it may be subject to copyright restrictions. Further information is given in the 'Terms and Conditions of supply of the National Archives' leaflets			

## **ANNEX 75**

Anglo/US Consultations on the Indian Ocean: November 1975,  
Agenda Item III, Brief No. 4: Future of Aldabra, Farquhar and  
Desroches, November 1975



LO/US CONSULTATIONS ON THE INDIAN OCEAN: NOVEMBER 1975

AGENDA ITEM III

BRIEF NO 4: Future of Aldabra, Farquar and Desroches

1. UK Ministers have considered this issue since we last met and our options paper, which you will have seen, sets out our agreed order of preferences.

Case for returning the islands

2. As we see it, the arguments in favour of the return of the islands, which is our first preference, are as follows (some of these arguments will be familiar to you from our discussions in May):-

- (a) It would virtually assure the peaceful and orderly transition of Seychelles to independence by next June, a matter to which our Ministers attach much importance. Whatever Blancham may say privately on the issue, he cannot afford to risk being outflanked in public by René and the chances are that the two of them will present a united front in pressing for "territorial integrity" at the resumed Constitutional Conference in January. In that event, a refusal to return the islands would give rise to a very awkward situation and a real risk that René, at least, might use it as a pretext to walk out of the Conference.
- (b) It would remove what would otherwise be a constant source of embarrassment in our relations with an independent Seychelles.
- (c) It might actually be counter-productive to keep the islands against the expressed wishes of the Seychelles government who might threaten to offer facilities to a hostile power in the Seychelles proper as a means of bringing pressure to bear on us.
- (d) It would be difficult to defend the retention of the islands on the off chance that we might need to use them for defence purposes at some stage. The fact that the islands are populated means that there will be no possibility of using them in the near future. After the outcry over the workers removed from the Chagos Archipelago, it would be extremely difficult politically to do the same thing in the ex-Seychelles islands.
- (e) It might be presented as a reassurance to Mauritius that, if and when there was no further defence use for the Chagos

SECRET

/Archipelago

1	2	ins	1	2
The National Archives				
Ref: FCO HQ / 687				
459517				

Please note that this copy is supplied subject to the National Archives' terms and conditions and that your use of it may be subject to copyright restrictions. Further information is given in the 'Terms and Conditions of supply of the National Archives' leaflets

- 2 -

SECRET

Archipelago, it too would be handed back.

(f) It might avert the danger of Seychelles and Mauritius making common cause on the BIOT generally in the OAU (whose summit meeting in July 1976 will be held in Mauritius) and in the UN, which have already voiced support for the return of the islands. (President Amin called for the return of the ex-Seychelles islands when he spoke in the plenary debate at the current session of the UN General Assembly and the question may come up again during the Fourth Committee's debate on small dependent territories).

3. The return of the islands might be traded for worthwhile concessions. An undertaking by an independent Seychelles to deny the islands, and even Seychelles proper, to hostile powers would not be a foolproof arrangement but it could afford more hope of denial of Seychelles to the Russians than if there were no such arrangement. Defined access to the islands, if required, by American and British forces would also be a useful concession. As for the tracking station, we think, as stated in our options paper, it might be desirable to pay for it in order to provide greater security for the facility and also to avoid giving Seychelles a pretext for a grievance which could be exploited in other ways. But we see that as a matter for you to negotiate direct with the Seychelles Government.

#### Case against returning the islands

4. We fully recognise that there are important arguments in favour of retention of the islands. These seem to us to be as follows:-

(a) The islands already serve a passive defence purpose since they are denied to hostile powers.

(b) The amputation of parts of the BIOT might encourage Mauritius, supported by the OAU and the Afro-Asian majority in the UN, to press for the return of the Chagos Archipelago. So far, while the Mauritius Government has objected publicly from time to time to the expansion of the facilities on Diego Garcia, their private reaction has been remarkably subdued. Ramgoolam had every opportunity to raise the question of the defence facilities on Diego Garcia and the return of the Chagos Archipelago during his visit to London in September. He said nothing on either matter. However, our High Commissioner

SECRET

/in Port Louis

1	2	1	2
The National Archives		Ins	
Ref: FCO 40 / 687		459517	

Please note that this copy is supplied subject to the National Archives' terms and conditions and that your use of it may be subject to copyright restrictions. Further information is given in the Terms and Conditions of supply of the National Archives' leaflets

SECRET

In Port Louis has recently advised that if the ex-Seychelles islands were returned and the Mauritian opposition parties mounted a strong campaign for the return of the Chagos Archipelago, Ramgoolam would be in a very awkward position. If there were to be an election in 1976 and if he were to conclude that not to press for the return of the Chagos Archipelago would lose him the election, he would undoubtedly do so. It seems certain, however, that there will be trouble anyway from Mauritius and the OAU generally whether we retain the islands or return them. With the OAU summit meeting taking place in Port Louis in 1976, it seems inevitable that Mauritius will be in the fore front in pressing Indian Ocean issues.

(c) By retaining the islands, while keeping open the possibility of returning them at some later date, we have a useful instrument for restraining Seychelles from offering facilities on Seychelles proper to a hostile power.

(d) Although we might have to make concessions for retaining the islands - right of reversion if and when the islands are no longer required for defence purposes and reservation of the benefit of mineral exploration - these would not be onerous. The future of the tracking situation is, as we have said, a separate matter.

(e) It is arguable that there is a continuing obligation on Seychelles to respect the agreement setting up the BIOT and they received generous compensation for loss of sovereignty. The trouble is that it is all too easy to win sympathy for the claim that we took advantage of the "colonial" status of Seychelles in the 1960's.

#### Other possible solutions

5. We do not regard leasing the islands back to Seychelles as a starter. We would end up retaining sovereignty without power and it would be a constant source of friction.

6. Another possibility, which has recently been put forward by the SPUP Minister for Education, Sinon, is that we should return sovereignty over the islands to Seychelles which would then lease them or make them available to us thereafter. We have not fully considered the possibility but we are not sure that it is a starter. It would depend on the terms on which the islands would be leased back to us, though some sort of lease, even if we never used the islands, might at least ensure denial to others.

/7. Subject

SECRET

1	2	ins	1	2
The National Archives				
Ref: FCO 40 / 687 459517				
Please note that this copy is supplied subject to the National Archives' terms and conditions and that your use of it may be subject to copyright restrictions. Further information is given in the 'Terms and Conditions of supply of the National Archives' leaflets				



SECRET

7. Subject to the further views which have been sought from the Governor of Seychelles, we now very much doubt whether Mancham would be prepared to accept our retaining the islands in return for such concessions as mineral, oil, fishing and tourist rights, assistance or defence matters and generous payment for the tracking station. Unless we agree to return the islands it seems, as stated in paragraph 2(a) that there is likely to be a breakdown at the reformed Constitutional Conference and severe damage to our relations with Seychelles.

#### Conclusion

8. As stated at the beginning, our preference remains that of returning the islands in exchange for all or most of the concessions set out in para. 3(a) of our options paper. We hope you will be able to agree that this is now the right course to follow.

9. On timing, we should be in a position to say what we are going to do by the time of the resumed Constitutional Conference. Ideally, there would be advantage in disposing of the issue in advance of the Conference. That would avoid the risk of subsequent allegations that independence was made conditional upon a decision on the future of the islands. If that decision is to be in favour of returning the islands, there would be presentational advantages in our being seen to do this in response to the expressed wishes of Seychelles and, in particular, of Mancham himself. This is a point which we could look into once a decision has been taken.

10. A copy of the UK options paper is attached.

11. A copy of the US options paper together with some comments is also attached. The paper was received too late to be taken properly into account when preparing the above.

1	2	ins	1	2
The National Archives				
Ref: FCO 40 / 687				
Please note that this copy is supplied subject to the National Archives' terms and conditions and that your use of it may be subject to copyright restrictions. Further information is given in the Terms and Conditions of supply of the National Archives' materials				

## **ANNEX 76**

British Embassy, Washington, November 1975, Minutes of Anglo-US Talks on the Indian Ocean held on 7 November 1975 (Extract)

EXTRACT

SECRET

(173)

ANGLO-US TALKS ON THE INDIAN OCEAN HELD ON 7 NOVEMBER 1975 AT THE  
STATE DEPARTMENT, WASHINGTON DC

PresentUnited States

Mr G S Vest, Director, Politico-Military Affairs Bureau, State Dept  
Mr J Noyes, Deputy Assistant Secretary of Defense for Near Eastern,  
African and South Asian Affairs, Dept of Defense  
Mr G T Churchill, Director, Office of International Security  
Operations, State Dept  
Mr T Thornton, Member, Policy Planning Staff, State Dept  
Mr J Crowley, Director, Office of Northern European Affairs,  
State Dept  
Captain G G Tate, USN, Far East/South Asia Division JCS, j-5  
Dept of Defense  
Captain M F Pasztalaniec, USN, PM/ISO, State Dept  
Commander N Smith, USN, INR/PMT, Dept of Defense  
Lieutenant Commander J L Combemale, ACDA, Dept of Defense  
Commander J Patton, USN S/P, Dept of Defense  
Mr W Coote, AF/E, State Department  
Mr S Barbour, AF/E, State Dept

United Kingdom

Mr J A Thomson, Assistant Under-Secretary, FCO  
Air Vice Marshall J Gingell, AGDS (Pol), MOD  
Mr K B A Scott, HM Embassy, Washington  
Mr P L O'Keefe, Head of Hong Kong and Indian Ocean Dept, FCO  
Mr R L L Facer, Head of DS 11, MOD  
Mr M E Pike, HM Embassy, Washington  
Mr R L B Cormack, Assistant Head of Defence Department, FCO  
Mr J P Millington, HM Embassy, Washington

Agenda Item 1 - Soviet Presence in the Indian Ocean

1. Commander Nepler-Smith of the US Navy briefed the two delegations on Soviet activities in the Indian Ocean area over the previous six months. Current indications were that Soviet ship days might be levelling off, or even falling, if present trends persisted. But this was not certain. [A tabulated list of Soviet Indian Ocean ship days, supplied by Commander Smith, is attached.]

2. In July, at the time of the Comoro Islands coup, two Soviet vessels (a Krivak and a Petya II) had remained close to Coetivy Island and had subsequently replenished at Chisimaio. This had been the first time Soviet ships had operated so far south in the Indian Ocean (apart from transmitting to, or out of, the Indian Ocean via the Cape of Good Hope). It was also the first Soviet naval visit to Chisimaio since 1971. Moreover, in August three further Soviet naval units had called at Chisimaio, staying for almost two weeks. The largest ship in the second group was a Kanin DDG.

/...

SECRET

1	2	ins	1	2
The National Archives				
Ref: FCO HQ 1687				
Please note that this copy is supplied subject to the National Archives' terms and conditions and that your use of it may be subject to copyright restrictions. Further information is given in the 'Terms and Conditions of supply of the National Archives' leaflets				



SECRET

- 13 -

extension of CSCE principles to other areas. The American side said that they had not noticed this expansion of Russian propaganda efforts, but took note of the recent Izvestia commentary on 3 October by Mr Kudriavsev. Mr Vest agreed that the British side could speak to the Australians, saying that they had raised the subject with the Americans. Mr Thomson mentioned that the Australian mission in New York had told us, on instructions from Canberra, that they wished to put it to us and the Americans that a less offhand attitude on our part would make the position of moderates in the Ad-Hoc Committee rather easier to sustain. The US side agreed that while neither the British nor the Americans need alter their attitude to the Committee, we might try to help the Australians in some way.

Agenda Item 5: Future of Aldabra, Farquhar, and Des Roches

48. Mr O'Keeffe said that each side had now had a chance to look at the option paper provided by the other. There were various options listed in the British paper, but several of them seemed now to be ruled out. One option was that we should keep the islands but make them available to the Seychelles tourist industry. But the American paper made it clear that this course would make the islands de facto unavailable for defence purposes. Mr O'Keeffe hoped that the American side could agree that it was not a worthwhile option to keep the islands and lease them back to the Seychelles. The opposite possibility posed by Sinon, the Seychelles Minister of Education, of handing them back to the Seychelles and then leasing them, was also ruled out since in fact neither Britain nor the United States had any use for the islands. The options were therefore reduced to two:

- a) we could either give them back to the Seychelles in return for maximum advantages for ourselves; or
- b) we could keep the islands in return for concessions to the Seychelles.

The British preference was for Option (a). Handing back the islands to the Seychelles had a major advantage to the UK in removing one of the obstacles to Seychelles independence. But there was sufficient common ground in the UK and US positions to make this the more desirable Option in any case. Recent Parliamentary and Congressional pressures in the matter of the former contract workers pointed to the undesirability of giving hostages to fortune. We were agreed that there was no real defence need to keep the three islands. Certainly they had a passive defence value in that they were at present denied to any hostile power; but of far more value would be the denial of Seychelles proper if we could obtain this. In any case we should try to get as much as possible if we were jointly agreed that Option (a) was preferable. Unfortunately, the Seychelles Government had already been led to believe that the US Government was prepared to offer a rent for the tracking station and it now looked improbable that they would accept continuing free use of this

/facility

SECRET

1	2	ins	1	2
The National Archives				
Ref: FCO 40 / 687				
Please note that this copy is supplied subject to the National Archives' terms and conditions and that your use of it may be subject to copyright restrictions. Further information is given in the 'Terms and Conditions of supply of the National Archives' leaflets				

SECRET

- 14 -

facility. He understood, however, that there was some pressure for a reduction, or indeed abolition, of the duty free privileges connected with the tracking station and retention of these privileges might be something we could ask for as a quid pro quo for the return of the three islands.

50. He recognised that the crux of the argument against Option (a) was the likely Mauritian attitude. Giving back the islands might well give rise to pressures within Mauritius for the return of the Chagos Archipelago, particularly in 1976 when Mauritius was host to the annual conference of the OAU and when there was also the possibility of elections there. As against this, it seemed clear that the retention of Chagos was not an issue for Sir S Ramgoolam, the Mauritian Prime Minister: during his talks on 24 September with Mr Ennals, the Minister of State at the Foreign and Commonwealth Office, he had been given every chance to raise the Diego Garcia issue but had not done so. Moreover, at his press conference later the same day, he had said that the British had paid for sovereignty over the Chagos Archipelago and now could do what they liked with it. Mr O'Keefe added that the British High Commissioner in Port Louis had advised that some agitation in Mauritius was probable over the next year but was containable. This seemed reasonable: essentially Mauritius had no leverage over Chagos whereas Seychelles did in the matter of the three islands, in that they were an obstacle in the present negotiations for independence.

51. Essentially, however, the question was whether returning the three islands to Seychelles improved our international posture over Diego Garcia or not. The British Government believed that handing back the three islands would be evidence of our commitment to return the BIOT islands when we had no further defence use for them. This had been publicly announced and any decision to retain the three islands when no evident defence need existed for them might legitimately cast doubts on the value of our commitments in this regard. Certainly, it was far better to meet pressures from Mauritius and elsewhere for the return of Chagos with the argument that we were proposing to hand back islands for which there was no defence purpose; and far better to deal with any Mauritian protests in isolation rather than to give Mauritius and Seychelles an opportunity to make common cause.

52. Mr Noyes on the American side said he found the arguments for Option (a) compelling. But did the British side not consider that there was a danger of "unravelling" the BIOT by handing the three ex-Seychelles islands back? If we did so, the BIOT would consist only of ex-Mauritian islands.

53. Mr O'Keefe said that in his opinion we should play on the fact that we were giving up something for which we had already paid. Unfortunately as far as the satellite station was concerned, the pass had already been sold.

/54.

SECRET

1	2	ins	1	2
The National Archives				
Ref: FCO 40 / 687				
Please note that this copy is supplied subject to the National Archives' terms and conditions and that your use of it may be subject to copyright restrictions. Further information is given in the 'Terms and Conditions of supply of the National Archives' leaflets				



SECRET

- 15 -

54. The US side said that in talks with Mr. Mancham he always talked in terms of the United States doing everything to make it possible for him to sell the idea of the tracking station in the Seychelles. We could use the giving back of the islands to cut down the rental Mancham would probably demand for the tracking station.

55. Mr Thomson said that the possibility of "unravelling" the territory would be crucial if it was likely. However, if domestic opinion in both Washington and London were satisfied on the question of Diego Garcia, there was little Mauritius could do physically to get back the islands. But the case of the Seychelles was different. We would be giving up something for which we had no use and we could probably get a good deal in exchange. This would tip the balance. Mr Churchill asked how the British side thought Option (a) might be presented to the Congress. Mr Thomson said that he saw little difficulty. If we were to give the islands back we could say that we no longer needed them for defence purposes, since we were getting certain defence advantages from the Seychelles. This would also be a defensible position for the Seychelles in the OAU, since it was already their policy that there should be no foreign bases on their territory.

56. The US side asked what we proposed to say about the rest of the Chagos Archipelago apart from Diego Garcia, if we were to hand back the Seychelles islands on the grounds that we had no defence use for them. Mr O'Keeffe said that we could retain the idea that they were a cordon sanitaire for Diego Garcia. Mr Thomson pointed out that once the offer to return the three islands to the Seychelles had been made it would be difficult to withdraw it even if what the Seychelles offered in return was not satisfactory. The US side said that there was one advantage in offering the islands back to the Seychelles. The US could not pay a high rental for the tracking station in the Seychelles:

- a) because funds were limited and
- b) because a high rental would form a precedent which would destroy negotiations being completed with other countries around the world.

57. Mr Thomson listed the various advantages which we would wish to get from the Seychelles in return for the three islands. They were:

- a) denial of the three islands to any hostile power;
- b) emergency access for US and UK forces to the three islands;
- c) denial of the Seychelles proper to hostile forces;
- d) duty-free privileges for the US tracking station;
- e) a middle to low rental for the tracking station.

Mr O'Keeffe said the question of returning the three islands to the Seychelles should be raised by the Seychelles. We should not make

/the

SECRET

1	2	ins	1	2
The National Archives				
Ref: FCO 40 / 687				
Please note that this copy is supplied subject to the National Archives' terms and conditions and that your use of it may be subject to copyright restrictions. Further information is given in the 'Terms and Conditions of supply of the National Archives' leaflets				



SECRET

- 16 -

7? the offer first. As for the attitude of Sir S Ramgoolam, the US Ambassador and the British High Commissioner at Port Louis and our own East African Department in London were agreed that he would acquiesce.

58. Mr O'Keeffe pointed out that there was a need to consider this question fairly quickly. He was going to the Seychelles on 8 December to discuss arrangements for the next constitutional conference. Mr Thomson said that it would be difficult for Ministers to defend a situation where they were forced to say there was no further British defence need to retain the islands if the Seychelles Constitutional Conference was breaking down because Britain would not return the islands. He asked if the US side thought we should inform Sir S Ramgoolam if we decided to return the islands. Mr Vest agreed that it was best that we should do so.

59. Mr Vest asked Mr O'Keeffe if the subject was likely to come up during his talks in the Seychelles on 8 December. Mr O'Keeffe said it undoubtedly would come up. It would be possible to put off the Seychellois. But it would be better to discuss the question in December than to allow it to be raised in the full glare of publicity during the Constitutional Conference. The Constitutional Conference was to take place on 19 January 1976. We would have to reach a decision on the three islands before then at the latest.

60. Mr Vest thanked the British side for this analysis of the problem and undertook to let the British side have a final American view on the question within three weeks.

Agenda Item 6: Tour d'Horizon (Singapore facilities, British Plans for Masirah and Gan, etc)

61. Mr Facer said that on the Singapore facilities, there was nothing to add to the British note of 22 October handed to the US Embassy in London. On Gan, there were no developments further to the Speaking Note which had been handed to the Americans by Mr Millington on 14 October. Progress was being made in Oman but the rebel forces were not yet broken. The rebels were still supported by the PDRY. On 17 October there had been an air strike against gun emplacements and other military targets at Hauf in the PDRY across the Oman border. According to Oman Government statements this had been in retaliation for heavy artillery fire in recent weeks. There was evidence that Sam-7 missiles were being used against the Sultan's air force for the first time in the Dhofar war. In addition, there had been a number of Iranian casualties, mainly due to the inexperience of Iranian officers serving with the Sultan's forces. On Masirah, Mr Facer said there was little to add. No conclusions had yet been reached about future plans. We would speak again with the US side when these were decided. In the meantime our public position on Masirah would not change.

62. The US side said that talks on Singapore facilities were still going on. So far, the position was satisfactory. The Americans understood that the British side did not think that agreement on Nuclear Powered Warships (NPWs) should be included in the agreement

/on

SECRET

1	2	ins	1	2
The National Archives				
Ref: FCO HQ / 687				
459517				

Please note that this copy is supplied subject to the National Archives' terms and conditions and that your use of it may be subject to copyright restrictions. Further information is given in the 'Terms and Conditions of supply of the National Archives' leaflets

SECRET

- 17 -

on facilities. Mr Thomson explained that the British side thought that better arrangements could be obtained if separate agreements were negotiated. One issue was technical (the NPWs), the other political. If we included the NPWs in the facilities agreement, negotiations might drag out indefinitely. Mr Vest agreed that on reflection it was probably better to separate the two issues.

63. Mr Vest said that the Americans had no comments to offer on the situation on Gan as it had been explained to them. The question of US use of Masirah was still being considered and an answer would be forthcoming. Air Vice Marshall Gingell said that once Salalah had been closed, we would look at Masirah with a view to effecting economies. But there was no time scale for this scenario. As for Mauritius, withdrawal terms had been completed satisfactorily and British forces would be out by March 1976.

64. Mr Vest said that on P3 (maritime reconnaissance) flights, it was the US intention to spread the area of operation and to complete more training for US pilots. The Americans were at present looking for additional alternative places to land and for different possible flight patterns. This study was taking place at the moment. It was not the intention to increase the number of flights.

British Embassy  
Washington  
November 1975

SECRET

1	2	ins	1	2
The National Archives				
Ref: FCO 40 / 687				
Please note that this copy is supplied subject to the National Archives' terms and conditions and that your use of it may be subject to copyright restrictions. Further information is given in the 'Terms and Conditions of supply of the National Archives' leaflets				

**ANNEX 77**

Record of Conversation between the UK Parliamentary Under  
Secretary of State for Foreign and Commonwealth Affairs and the  
Mauritius High Commissioner, London at the Foreign and  
Commonwealth Office on 8 March 1976 at 4 p.m.



## ANNEX 77

1	2	The National Archives		ins	1	2
Ref: FCO 40		731		C158270		

Please note that this copy is supplied subject to the National Archives' terms and conditions and that your use of it may be subject to copyright restrictions. Further information is given in the 'Terms and Conditions of supply of the National Archives' leaflets

LWT 040/1

(50)

~~SECRET~~

CONFIDENTIAL

p.2

RECORD OF CONVERSATION BETWEEN THE PARLIAMENTARY UNDER SECRETARY OF STATE FOR FOREIGN AND COMMONWEALTH AFFAIRS AND THE HIGH COMMISSIONER FOR MAURITIUS AT THE FCO ON 8 MARCH 1976 AT 4.00 PM

Present: Mr Ted Rowlands MP

HE Sir Leckraz Teelock CBE

Mr J R Young

Mr P A McLean

1. Sir Leckraz Teelock said that he had received a cable from his Prime Minister about the forthcoming tripartite talks between the Seychelles, the UK and the USA. When the British Indian Ocean Territory (BIOT) had been set up, the arrangements had been settled amicably with the UK. Now that detachment of the ex-Seychelles Islands from the BIOT was under consideration, the change in the nature of the BIOT would affect Mauritian interests and his country should, therefore, be represented at the talks. Mr Rowlands explained that the talks would be exclusively of concern to the three countries who would be party to them; the meeting's sole purpose was to confirm, and work out the detailed arrangements for, the transfer of the three islands in question and on which a decision in principle had already been taken. This could not impinge on Mauritian interests. Sir Leckraz drew attention to the wider issues involved, as the Mauritians saw them, eg Law of the Sea and mineral rights and the fundamental shift in relationships which would be brought about by British withdrawal of responsibility for a part of the BIOT. Mr Rowlands repeated that wider issues would not be under consideration at these talks. He repeated that finalising arrangements already agreed in principle with the parties directly involved would have no effect on the material interests of Mauritius. He could give his categorical assurance that the talks would not change in any shape or form the undertakings and understandings (eg as regards mineral rights) reached with the Mauritians at the time of their independence. He was puzzled as to why the Mauritian Government should think their interests might be involved; and as to the role the Mauritians sought to play at the forthcoming talks.

2. Sir Leckraz then produced an article by Gemini News Service headlined "BIOT Break-Up Isolates Diego Garcia". Worries about the future of Diego Garcia provided material for the Opposition parties in Mauritius to exploit. Their arguments were that the Mauritian Government had sold Diego Garcia for "nothing". As a friendly country, we should understand the Mauritian Government's problem, and allow them to be represented at the talks.

/ Surely

CONFIDENTIAL



1	2	cms	The National Archives	ins	1	2
Ref.: FCO 40/731			CU58270			

Please note that this copy is supplied subject to the National Archives' terms and conditions and that your use of it may be subject to copyright restrictions. Further information is given in the 'Terms and Conditions of supply of the National Archives' leaflets

CONFIDENTIAL

Surely the Seychelles leaders would not object? The Mauritians could even help at the talks.

3. Mr Rowlands said he understood the points which the High Commissioner had made. However, he saw dangers in the "presentational politics" which seemed to lie behind the Mauritian proposal. His own assessment was, and he would like the Mauritians to consider it, that their participation would only provoke unfair comparisons between the actions of the participant Governments in the arrangements over the BIOT islands. Discussion of the precise arrangements to be made with the Seychelles over the return of Desroches, Aldabra and Farquhar would only open up the issue of the terms for the detachment of Diego Garcia and be unhelpful to both HMG and the Mauritian Government. The fact remained that Diego Garcia would be returned to Mauritius when we no longer had a defence need for it; we were now returning the ex-Seychelles islands since we had no defence requirement for them. Moreover, Mauritian participation in the talks would complicate what Mr Rowland hoped would be a very brief exercise to achieve the limited end of confirming the arrangements with the Seychelles already made at the Constitutional Conference. He looked on the talks rather as he did upon the Bill which he would have to pilot through Parliament. They were both technicalities which had to be completed before the day of Seychelles' independence. To introduce questions about the future of the BIOT and of Diego Garcia could only impede the independence process. But he would study the High Commissioner's letter.

4. Before leaving, Sir Leckraz asked that we should have an open mind about this question. He repeated that Diego Garcia was always a problem for the Mauritians but they had been careful not to make difficulties for HMG. They did not wish to prejudice our talks with the Seychelles, or our friendship. But they needed to be there at the talks, and would like us to ask the Seychelles leaders whether they had any objection.

CONFIDENTIAL



ANNEX 77

1	2	cms	The National Archives	ins	1	1	2
Ref:		ECO 40 731		CUS8270			
<small>Please note that this copy is supplied subject to the National Archives' terms and conditions and that your use of it may be subject to copyright restrictions. Further information is given in the 'Terms and Conditions of supply of the National Archives' leaflets</small>							

CONFIDENTIAL

DISTRIBUTION:

- PS/Mr. Ennals
- PS/Mr Rowlands
- HKIOD (2) ✓
- Mr Rushford, Legal Advisers
- Mr Batstone, Legal Advisers
- NAD
- Defence Department
- AC & DD
- RAD (2)
- Mr Facer, DS11, MOD
  
- High Commission, Port Louis
- Governor, Seychelles
- Chancery, Washington



## **ANNEX 78**

Letter dated 15 March 1976 from Parliamentary Under Secretary of  
State, UK Foreign and Commonwealth Office, to the Mauritius  
High Commissioner, London

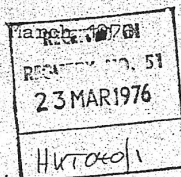
1	2	cms	The National Archives	ins	1	2
Ref.: FCO 40 / 732			C458270			
Please note that this copy is supplied subject to the National Archives' terms and conditions and that your use of it may be subject to copyright restrictions. Further information is given in the 'Terms and Conditions of supply of the National Archives' leaflets						



From the Parliamentary Under Secretary of State

Foreign and Commonwealth Office

London SW1A 2AH



*Dear High Commissioner*

I have studied with great care your letter of 5 March conveying your Prime Minister's views about the possibility of a Mauritian delegation attending the forthcoming talks on the return to Seychelles of the islands of Aldabra, Farquhar and Desroches. I have also reflected on the points you made to me orally when you called on 8 March.

As I explained to you, the meeting next week will be of a technical nature between British and American officials and a delegation from Seychelles. As stated in the communique issued at the end of the resumed Seychelles Constitutional Conference in January, a copy of which I enclose, its purpose is to conclude the necessary arrangements for the transfer of the islands in question.

It would not, in Her Majesty's Government's view, be appropriate for other Governments to be represented at the talks for the purposes we have in mind. It is not our intention to discuss matters such as mineral rights or the law of the sea. I quite take the point that matters involving the British Indian Ocean Territory generally are of interest to your Government and for this reason I will be glad to keep your Government fully informed of the outcome of the talks. I also take this opportunity to repeat my assurances that Her Majesty's Government will stand by the understandings reached with the Mauritian Government concerning the former Mauritian islands now forming part of the British Indian Ocean Territory; and in particular that they will be returned to Mauritius when they are no longer needed for defence purposes in the same way as the three ex-Seychelles islands are now being returned to Seychelles.

I hope that our talk and this letter will not only serve to reassure your Government that their interests will not in any way be affected by the forthcoming meeting but will also enable your Government to correct any misconceptions that might arise.

*Bert Rowlands*  
*Ted Rowlands*

Ted Rowlands

His Excellency  
Sir Leckraz Teelock  
High Commissioner for Mauritius

## **ANNEX 79**

Heads of Agreement between the Government of the  
United Kingdom of Great Britain and Northern Ireland,  
the Administration of the “British Indian Ocean Territory” and  
the Government of Seychelles Concerning the Return of Aldabra,  
Desroches and Farquhar to Seychelles to be Executed on  
Independence Day, FCO 40/732



# ANNEX 79

1	2	cms	The National Archives	ins	1	2
Ref.: FCO 40		732		C458270		

Please note that this copy is supplied subject to the National Archives' terms and conditions and that your use of it may be subject to copyright restrictions. Further information is given in the 'Terms and Conditions of supply of the National Archives' leaflets

81

## HEADS OF AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND, THE ADMINISTRATION OF THE BRITISH INDIAN OCEAN TERRITORY AND THE GOVERNMENT OF SEYCHELLES CONCERNING THE RETURN OF ALDABRA, DESROCHES AND FARQUHAR TO SEYCHELLES TO BE EXECUTED ON INDEPENDENCE DAY

The Government of the United Kingdom of Great Britain and Northern Ireland, the Administration of the British Indian Ocean Territory and the Government of Seychelles agree to the return to Seychelles on 29 June 1976 (Independence Day) of Aldabra, Desroches and Farquhar ("the islands") subject to the following conditions:-

1. The Government of Seychelles shall not permit the entry into or use of the territory, territorial waters or air space of Seychelles for any purpose by any of the armed forces of any State or the establishment by any State of rights or facilities of a military character. Provided that any State immediately before the date of this agreement having rights of entry, use or establishment ("the current users") may continue to have rights of entry, use or establishment in accordance with any agreements or consultations between any such State and Seychelles and that the right of access to the islands shall continue for the current users in the event of emergency defence needs after agreement with Seychelles, which agreement shall not be unreasonably withheld.
2. The provisions of sub paragraph 1 shall not apply to courtesy visits by aircraft and by vessels of war in accordance with normal international law and practice.
3. Seychelles shall continue its policy of strict nature conservancy in the islands in accordance with its current legislation and in respect of Aldabra will do so in close consultation with

# ANNEX 79

1	2 cms	The National Archives	ins	1	2
Ref.: FCO 40/732		C458270			
Please note that this copy is supplied subject to the National Archives' terms and conditions and that your use of it may be subject to copyright restrictions. Further information is given in the 'Terms and Conditions of supply of the National Archives' leaflets					

the Royal Society of London for Improving Natural Knowledge having regard to the existing arrangements at present applying between the Administration of the British Indian Ocean Territory and the Society.

UNITED KINGDOM

*E N Larmour*

E N Larmour

BRITISH INDIAN  
OCEAN TERRITORY

*F R J Williams*

F R J Williams

SEYCHELLES

*J R Mancham*

J R Mancham

*F A René*

F A René

18 March 1976

## **ANNEX 80**

Telegram No. 43 from the UK Foreign and Commonwealth Office  
to the British High Commission, Port Louis, 19 March 1976



# ANNEX 80

1	2 cms	The National Archives	ins	1	2
Ref.: FCO 40		732	C458270		

Please note that this copy is supplied subject to the National Archives' terms and conditions and that your use of it may be subject to copyright restrictions. Further information is given in the 'Terms and Conditions of supply of the National Archives' leaflets

CONFIDENTIAL

(72)

GPS 300

IMMEDIATE  
CYPHER/CAT A

FM FCO 191510Z



TOP COPY

CONFIDENTIAL

TO IMMEDIATE PORT LOUIS TEL NO 43 OF 19 MARCH

p.a

INFO SEYCHELLES ( PERSONAL) WASHINGTON UKHIS NEW YORK

(63) (70) (63)

MY TELS PERSONAL NOS 26 27 28 TO SEYCHELLES

TRIPARTITE TALKS ON BIOT ISLANDS : MAURITIAN INTERESTS

1. BOTH US AND SEYCHELLES DELEGATIONS TOLD US THAT THEIR GOVERNMENTS HAD BEEN APPROACHED BY THE MAURITIANS WITH A VIEW TO BEING BRIEFED ABOUT THE OUTCOME OF THE TALKS. THE AMERICANS SAID THAT THEY HAD TOLD MAURITIANS THAT THEY WOULD INSTRUCT THEIR AMBASSADOR TO CO-ORDINATE WITH YOU ON WHAT SHOULD BE SAID.

2. YOU MAY HAND OVER A COPY OF THE PRESS COMMUNIQUE IN MY TELNO (27) - PERSONAL TO SEYCHELLES TO THE MAURITIANS. YOU SHOULD NOT SAY ANYTHING ABOUT THE HEADS OF AGREEMENT. IT IS CLEAR FROM MANCHAM AND RENE'S MESSAGE FOR PUBLIC USE IN SEYCHELLES ( MY TELEGRAM NO 74 TO SEYCHELLES) THAT THEY WILL WANT TO HANDLE THE CONDITIONS ABOUT DENIAL AND ACCESS IN A MANNER AND AT A TIME BEST SUITED TO PROTECTING THEIR NON-ALIGNED IMAGE. WE MUST RESPECT THEIR WISHES AND IT WOULD THEREFORE BE WRONG TO RUN THE RISK OF EMBARRASSING THE SEYCHELLES GOVERNMENT IN THE EYES OF OAU BY OUR SAYING ANYTHING TO OTHERS ABOUT THE DETAILS OF THE CONDITIONS.

(68)

3. THE QUESTION OF THE US TRACKING STATION IS ONE FOR THE AMERICANS AND SEYCHELLES. HOWEVER, IF ASKED, YOU COULD SAY, AS MANCHAM AND RENE HAVE DONE ALREADY, HOW MUCH THE AMERICANS ARE EXPECTED TO PAY.

14. PLEASE

CONFIDENTIAL



# ANNEX 80

1	2 cms	The National Archives	ins	1	2
Ref.: FCO 40 / 732		C458270			
Please note that this copy is supplied subject to the National Archives' terms and conditions and that your use of it may be subject to copyright restrictions. Further information is given in the 'Terms and Conditions of supply of the National Archives' leaflets					

CONFIDENTIAL

4. PLEASE EMPHASISE TO THE MAURITIANS THAT, AS FORESEEN, THERE WAS NO DISCUSSION WHATSOEVER OF MATTERS SUCH AS MINERAL RIGHTS, L OF THE SEA CONSIDERATIONS OR ANY BIOT ISSUES NOT DIRECTLY CONNECTED WITH THE RETURN OF THE EX-SEYCHELLES ISLANDS. DIEGO GARCIA WAS NOT DISCUSSED AT ALL. THE MAURITIANS HAVE NO GROUNDS FOR THINKING THAT THEIR INTERESTS HAVE BEEN IN ANY WAY AFFECTED BY THE TALKS.

5. WE INTEND TO GIVE MAURITIAN HIGH COMMISSION COPY OF PRESS COMMUNIQUE AND TO MAKE THE POINT IN PARAGRAPH 4 ABOVE.

CALLAGHAN

FILES  
HKLDD  
EAD  
DEFENCE D  
NAD  
NEWS D  
PS/MR ROWLANDS  
PS/PUS  
SIR A DUFF  
MR LARMOUR  
MR ASPIN  
MR STANLEY

COPIES TO  
MR FALGER DS II MOD

2

CONFIDENTIAL