OLIVIER BANCOULT: LEADING THE WAY BACK TO CHAGOS

On the cover of a book on Diego Garcia published recently in French,\(^1\) two men appear prominently with their hands joined and raised in what appears to be a show of unity and solidarity. Readers familiar with the Chagossian struggle will easily recognize the well-known figure on the right, Olivier Bancoult, leader of the Chagos Refugees Group. The photo from which the two figures have been detached was taken during the 2006 pilgrimage trip to Chagos, and appears inside the book with a legend presenting them as leaders of Chagos Associations. Not many people outside the Chagos community and their legal advisers, specialists and activists know much about Fernand Mandarin (the second man on the photo), and still less on the status of Chagossian leader bestowed on him. In sharp contrast, Olivier Bancoult stands out as the legitimate spokesman and historic leader of the Chagos people, recognized nationally and internationally. This, however, is a fairly recent development resulting from what is now known as the first Bancoult case and the historic judgment proclaimed in 2000 by the London High court of Justice in favour of the Chagossians.

Olivier was still in his teenage years when he joined the Chagos Refugees Group (CRG) then being set up in the early 1980s by such prominent Chagos women leaders as Charlesia Alexis, Lisette Talate and Rita Bancoult, his mother. Being educated and literate in English, he was a great asset to the nascent organization whose very name was a declaration of territorial identity and political status. Young Olivier was thus among the first Chagos representatives elected to the “Ilois Trust Fund Board” created by the Mauritian government in view of implementing the 1982 agreement signed with Britain. This agreement stipulated that payment of the money demanded from the UK government, which the British recognized as “full and final compensation,” was conditional until Chagossians agreed to give up “all claims and rights (if any) whatsoever,” including the right to sue Britain and, specially, the right to return to the Chagos islands.

The CRG responded by adopting a line of action based on the principle of their fundamental human rights, which included the right to seek legal redress for additional compensation, the right to return to their homeland and the right to claim British nationality as natives of the BIOT. It fell on Olivier Bancoult to give shape and substance to that line of action. That was the beginning of a long and difficult struggle which culminated in the breakthrough victory of 2000. While legal advice and support played a crucial role, CRG’s strategy and Bancoult’s resilience were decisive in the triumph of the Chagos people’s rights over the sovereign rights of the state, be it Mauritius or Britain.

Olivier Bancoult has been acclaimed as a hero. Some see him as a villain who has played into the hands of ‘la perfide Albion’ and undermined Mauritius’ claim of sovereignty over the Chagos archipelago. To Mandarin, leader of a minority group of Chagossians, he is understandably a thorn in the flesh: Olivier, the global Chagossian, overshadowing Fernand, the elderly figure of the traditional Ilois who was proud to be a Mauritian, not a British subject.

Forcibly deported from their homeland, the image that the Chagossians offer to the world is that of a diaspora people in the real sense, dispersed across continent and ocean, longing for a return to the idealized motherland under the leadership of a modern Moses. The Law Lords’ judgment abruptly reversed the tides and brought Olivier Bancoult back to the reality of politics and economics.

That said, there has been significant progress since 2000. Britain acknowledges its duties and obligations towards the Chagossians of both first and second generations as British subjects; it has also opened discussions with Mauritius on the issue of sovereignty. Mauritius is now comfortable with the distinction between the rights of the Chagossians as a people and its own sovereignty rights on the Chagos islands; it envisages joint management of the Chagos archipelago by Mauritius and Britain, along the lines of the ‘co-gestion’ formula adopted by France and Mauritius for the island of Tromelin. The Chagossians for their part are satisfied that the 2006 pilgrimage has prepared the ground for the elders to visit the Chagos archipelago and pay their duties to the memory of the ancestors; they now look forward to a compromise which would not exclude the principle of resettlement in the habitable islands of Chagos other than Diego Garcia.

Now that the existence of the military base is no longer an issue, the big unknown is the United States’ response to this new context—full of promises for the Chagossians. Olivier Bancoult was in Washington in