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(((chagos)) AND date geq(5/19/2007))

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The Australian (Australia)

May 25, 2007 Friday
All-round Country Edition

SECTION: WORLD; Pg. 9

LENGTH: 570 words

HEADLINE: Islanders moved for US base can go home after 40 years

Reuters, The Times

BODY:

LONDON: People thrown off their Indian Ocean islands by Britain 40 years ago to make way for a US military base have won their legal battle for the right to return home.

Britain's High Court dismissed an appeal by the Foreign Office against the return of the former inhabitants of the Chagos islands, saying the right to go home was 'one of the most fundamental liberties known to human beings'.

The Chagossians were removed from their palm-fringed archipelago during the Cold War when Britain, as the ruler of the islands, granted permission to the US to build an air and naval base on the largest atoll, Diego Garcia.

Diego Garcia has since been used in US military campaigns in Afghanistan and Iraq. The British Government has argued that on security grounds it would not be right for the Chagossians to be allowed home.

In its ruling, the High Court said the Government should not be allowed to appeal any longer, having lost three times in various courts, but would leave that decision to the House of Lords -- the country's highest court.

Pending any appeal, the decision means surviving members of the 2000 Chagossians originally removed, and their descendants, could return as soon as they can organise a trip -- no easy feat given the remoteness of the islands.

However, the islanders still face a formidable obstacle in the form of the Pentagon, which will use its considerable muscle to keep civilians away from its strategic military base on Diego Garcia, the largest island in the archipelago.

Diego Garcia is now home to almost 4000 American military and civilian personnel and some of the most lethal weaponry in the US armoury. The nearest locals are 1600km away.

Chagos Refugees Group chairman Olivier Bancoult, who has driven the campaign to win the right to return, emerged from court beaming and his fingers held up

Islanders moved for US base can go home after 40 years The Australian
(Australia) May 25, 2007 Friday

in a victory sign.

He said his priority now was to go home as soon as possible and tend the graves of his ancestors.

'I'm very happy for my people,' he said. 'It's always been my dream to go home and I will go. We will go back and we will live there and make Chagos great.'

A spokeswoman for the Foreign Office said it was disappointed by the court's decision. The Foreign Minister would 'consider the judgment carefully', she said, before deciding whether to seek an appeal in the House of Lords.

Much of the forced removal of the Chagossians was done clandestinely. The people were secretly resettled in nearby Mauritius and the Seychelles in an operation one US newspaper described at the time as an 'act of mass kidnapping'.

Some of the original Chagossians and their descendants have been granted British citizenship and now live in Britain.

----- BATTLE WON -----

* The Chagos Archipelago is a group of seven atolls roughly in the centre of the Indian Ocean

* The islands lie about 500km due south of the Maldives, its nearest neighbour

* The entire land area of the islands is a mere 63.17sq km, with the largest island, Diego Garcia, having an area of 27.20sq km

* Between 1965 and 1973, more than 2000 islanders were removed and relocated to Mauritius and the Seychelles to make way

for a US military base on Diego Garcia

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Islanders moved for US base can go home after 40 years The Australian
(Australia) May 25, 2007 Friday

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* The only island the
Chagossians will not be able
to resettle under the original
High Court orders will be
Diego Garcia

LOAD-DATE: May 24, 2007

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The Australian (Australia)

May 25, 2007 Friday
All-round First Edition

SECTION: WORLD; Pg. 9

LENGTH: 544 words

HEADLINE: Islanders can return home after 40 years

Reuters, The Times

BODY:

LONDON: People thrown off their Indian Ocean islands by Britain 40 years ago to make way for a US military base have won their legal battle for the right to return home.

Britain's High Court dismissed an appeal by the Foreign Office against the return of the former inhabitants of the Chagos islands, saying the right to go home was 'one of the most fundamental liberties known to human beings'.

The Chagossians were removed from their palm-fringed archipelago during the Cold War when Britain, as the ruler of the islands, granted permission to the US to build an air and naval base on the largest atoll, Diego Garcia.

Diego Garcia has since been used in US military campaigns in Afghanistan and Iraq. The British Government has argued that on security grounds it would not be right for the Chagossians to be allowed home.

In its ruling, the High Court said the Government should not be allowed to appeal any longer, having lost three times in various courts, but would leave that decision to the House of Lords -- the country's highest court.

Pending any appeal, the decision means surviving members of the 2000 Chagossians originally removed, and their descendants, could return as soon as they can organise a trip -- no easy feat given the remoteness of the islands.

However, the islanders still face a formidable obstacle in the form of the Pentagon, which will use its considerable muscle to keep civilians away from its strategic military base on Diego Garcia, the largest island in the archipelago.

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Islanders can return home after 40 years The Australian (Australia) May 25, 2007
Friday

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'It's always been my dream to go home and I will go,' he said. 'We will go back and we will live there and make Chagos great.'

A spokeswoman for the Foreign Office said it was disappointed by the decision. The Foreign Minister would 'consider the judgment carefully', she said, before deciding whether to seek an appeal.

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* On May 23, the Britain's High Court dismissed a Foreign Office appeal, saying the right to go home was "one of the most fundamental liberties known to human beings"

* The only island the Chagossians will not be able to resettle under the original High Court orders will be Diego Garcia

LOAD-DATE: May 24, 2007

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De Standaard

May 25, 2007

EDITION: Vlaams-Brabant/Brussel, Oost-Vlaanderen, Limburg, West-Vlaanderen, Antwerpen**SECTION:** BIBU; Pg. 16**LENGTH:** 317 words**HEADLINE:** Na veertig jaar verbanning terug naar Chagos Eilanden**HIGHLIGHT:**

Veertig jaar nadat ze hun eilanden onder druk moesten verlaten, besliste een Britse rechter dat de ex-bewoners van de Chagos Eilanden terug naar huis mogen.

BODY:

BRUSSEL Onder valse beloften van de Britse regering verlieten ongeveer 2.000 inwoners van de Chagos Eilanden, een archipel in de Indische Oceaan, tussen 1967 en 1971 hun thuis. De Britten hadden in het geheim het eiland Diego Garcia verhuurd aan de Verenigde Staten voor een strategische nieuwe luchtmachtbasis. Uit veiligheidsoverwegingen eisten de VS dat alle naburige eilanden ontruimd werden.

De meeste mensen verlieten hun huis met amper een koffer bagage, in de waan dat ze kort erna terug mochten keren. Maar dat werd hen uiteindelijk verboden. Het grootste deel van de Chagos-eilanders moest in Mauritius gaan wonen. Sommigen, vooral kinderen, overleefden de zware zeereis niet of stierven kort erna. Het Hof van Beroep in Londen oordeelde woensdag dat de Britse overheden schuldig waren aan machtsmisbruik, omdat ze altijd hebben verhinderd dat de inwoners hun thuisgrond konden opeisen. In november 2000 besliste het High Court al dat de uitwijzing illegaal was. In juni 2004 probeerde de regering de terugkeer te stoppen via decreten, maar in mei 2006 bepaalde het High Court dat die decreten onrechtmatig zijn. De rechtbanken redeneerden voor hun uitspraken telkens dat het onmogelijk is om een complete bevolking te verbannen. Een rechter zei dat het zelfs 'weezinwekkend' is. 'Het is belangrijk voor een volk om ergens thuis te horen. Niet alleen bij elkaar, maar ook bij een grondgebied. De wetenschap ooit terug te kunnen keren, hield hen bij elkaar.' Voor heel veel bewoners komt het besluit helaas te laat: ondertussen is de helft dood en de andere helft is al ouder dan 50. De meeste bewoners van de Chagos Eilanden verwijten de Britse regering dat die met proceduretrucs alles zo lang heeft laten aanslepen. Maar hun leider Olivier Bancoult stak na de uitspraak zijn tevredenheid niet onder stoelen of banken. 'We gaan zeker terug en maken van Chagos iets groots!' (tco)

LOAD-DATE: May 24, 2007

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Het Nieuwsblad

May 25, 2007

EDITION: Leuven-Hageland, Brussel-Noordrand, Pajottenland, Oudenaarde-Wetteren, Eeklo-Deinze, Gent en rand, Waasland, Dender, Roeselare-Tielt-Izegem, Kortrijk-Waregem-Menen, Brugge-Oostkust, Oostende-Westhoek, Kempen, Mechelen-Lier, Antwerpen, Limburg

SECTION: NATIONAAL; Pg. 56

LENGTH: 266 words

HEADLINE: Bewoners Chagos krijgen eiland terug

BODY:

Veertig jaar nadat ze hun eilanden onder druk moesten verlaten, heeft een Britse rechter beslist dat de ex-bewoners van de Chagos Eilanden terug naar huis mogen. Tussen 1967 en 1971 moesten ongeveer 2.000 inwoners van de archipel in de Indische Oceaan hun huis achterlaten. De Britse regering had immers in het geheim het eiland Diego Garcia verhuurd aan de Verenigde Staten voor een nieuwe luchtmachtbasis.

Uit veiligheidsoverwegingen eisten de VS dat alle naburige eilanden ontruimd werden. De meeste bewoners verlieten met weinig bezittingen hun huis in de waan dat ze weldra zouden terugkeren. Maar dat werd hen uiteindelijk verboden. Het grootste deel moest in Mauritius gaan wonen en belandde ver onder de armoedegrens. Sommigen, vooral kinderen, overleefden de zware zeereis zelfs niet of stierven kort erna. Het hof van beroep in Londen heeft nu geoordeeld dat de Britse overheid zich schuldig heeft gemaakt aan machtsmisbruik omdat ze altijd hebben verhinderd dat de eilandbewoners hun thuisgrond konden opeisen. 'Het is belangrijk voor een volk om ergens thuis te horen', zei de rechter. 'Niet alleen bij elkaar maar ook bij een grondgebied. De wetenschap ooit terug te kunnen keren hield hen bij elkaar.' Jammer genoeg komt het besluit te laat voor de meeste inwoners. Ondertussen is de helft dood en de andere helft is al ouder dan vijftig. Ze verwijten de Britse regering vooral dat ze met proceduretrucs de zaak zo lang heeft laten aanslepen. Hun leider Olivier Bancoult kon na het oordeel niet ophouden met lachen. 'We gaan zeker terug en maken van Chagos iets groots!' (tco)

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Het Financieele Dagblad

25 May 2007 Friday

SECTION: ECONOMIE EN POLITIEK; Pg. 3

LENGTH: 67 words

HEADLINE: Terug naar het paradijs

BYLINE: LONDEN

BODY:

Door een rechterlijke uitspraak mogen zo'n vijftienduizend Britse staatsburgers decennia nadat zij er waren weggestuurd terugkeren naar de Chagos Archipel, een groep koraaleilandjes in de Indische Oceaan. De bewoners van de eilanden, die bij het Verenigd Koninkrijk horen, werden in de jaren zestig en zeventig gedwongen hun biesen te pakken. Ze moesten plaatsmaken voor een grote Amerikaanse luchtmachtbasis.

LOAD-DATE: 24 May 2007

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The Mirror

May 25, 2007 Friday
3 Star Edition

SECTION: NEWS; Pg. 31

LENGTH: 227 words

HEADLINE: ALL CHANGE IN CHAGOS

BYLINE: PAUL ROUTLEDGE

BODY:

FOR more than 40 years, the people of the Chagos Islands have been forcibly prevented from living in their Indian Ocean paradise.

Successive British governments have colluded with the Pentagon in banishing the native people from their homeland, so the US Air Force could operate a massive airbase.

This has been an enduring stain on our nation, but it has now, finally and (I hope) irrevocably, been overturned by British justice.

The Court of Appeal has ruled that the banishment of the Chagos islanders is "a repugnant use of power" and they should be allowed to go home. From 1965 to 1973, more than 2,000 islanders were ejected at gunpoint and dumped on the quayside in Mauritius - at the behest of the American government.

The main island of Diego Garcia was turned into a giant airstrip for B52 bombers, which the US military uses to crush small nations such as Iraq and Afghanistan.

No doubt the Americans will resist the court's decision. They do not recognise international law. But this is British territory. British justice must prevail, not the gung-ho firepower of politicians and brass hats in Washington.

Foreign Secretary Margaret Beckett, who has turned out to be even more supine to US interests than any of her New Labour predecessors, is planning an appeal to the House of Lords to repudiate this welcome development.

She should hang her head in shame.

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The Washington Post

May 25, 2007 Friday
Suburban Edition

SECTION: FOREIGN; Pg. A15

DISTRIBUTION: Maryland

LENGTH: 631 words

HEADLINE: Court Rules for Islanders Evicted in U.S. Base Deal

BYLINE: Mary Jordan; Washington Post Foreign Service

DATELINE: LONDON, May 24

BODY:

Families forced to leave the Chagos Islands, a British territory in the Indian Ocean, to make way for a U.S. military base at Diego Garcia during the Cold War have won a key legal victory in their long struggle to return.

The Court of Appeal in London ruled in favor of the islanders Wednesday and criticized the British government for "abuse of power." All 2,000 or so inhabitants were evicted from the archipelago in the 1960s and 1970s and have never been allowed back.

The largest of the 65 islands is Diego Garcia, an atoll where the United States operates a large military base under lease from Britain. The base has been used to launch bombing missions in Iraq and Afghanistan.

Under the court decision, the islanders are to be permitted to return to any of the islands except Diego Garcia. The British Foreign Office said it had 30 days to decide whether to file a final appeal to the House of Lords.

In the past, U.S. officials have opposed allowing people to live on any of the Chagos Islands, arguing that their presence could lead to electronic jamming and surveillance of military operations.

Edgar Vasquez, a State Department spokesman, declined Thursday to comment on the ruling, calling it "an ongoing legal battle for British courts." Vasquez added that "Diego Garcia is an important base of operations in maintaining regional stability and in the war on terror."

In his ruling, appellate judge Stephen Sedley said that "few things are more important to a social group than its sense of belonging, not only to each other but to a place. What has sustained people in exile, from Babylon onwards, has been the possibility of one day returning home."

Olivier Bancoult, a leader of the islanders in exile, welcomed the victory and said he planned to move back with his wife and three children. "We have the right to live in our birthplace," Bancoult, 43, said in an interview.

He said his family was banished from its homeland when he was 4 years old, in 1968. That year, his family went to Mauritius to get treatment for his critically ill sister and then was forbidden to return.

All inhabitants were moved off the islands between 1967 and 1973. Many have said they were tricked out of their homes -- encouraged to take what they thought would be temporary trips and then never allowed back.

At the time, the United States was concerned about the expansion of Soviet power and was eager to build a military base in the Indian Ocean. In exchange for U.S. use of Diego Garcia, the British military received multimillion-dollar discounts on military equipment, according to British news reports.

Bancoult, who came to London for the court hearing, is now an electrician in the Indian Ocean nation of Mauritius, where many islanders resettled. He said his life has been "a struggle" to go back.

"We are the lost group," Bancoult said. "We feel better at home."

Of the 2,000 islanders who were expelled, about 500 are still alive, according to the group's attorney, Richard Gifford. Most live in Mauritius, but a sizable number moved to Britain.

"You won't find a single islander who doesn't want to go back, if only for a visit," Gifford said. He called their removal "an appalling, planned abuse of a population."

Gifford said many of the islands, thick with coconut trees, are uninhabitable. The two main ones that people would seek to resettle are about 100 miles from the U.S. base. He said islanders are not seeking the removal of the base but just want to coexist as they fish and farm.

"These are picture-book paradise islands," Gifford said.

The issue of who would pay for the resettlement has yet to be addressed. Repopulating the islands would be difficult unless public transportation routes were opened and funds made available for basic needs such as fresh water and electricity.

GRAPHIC: IMAGE

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AAP Newsfeed

May 24, 2007 Thursday 2:49 PM AEST

SECTION: INTERNATIONAL NEWS

LENGTH: 549 words

HEADLINE: Highlights of the AAP world wire at 15:00 May 24

DATELINE: VALLEY, California May 23

BODY:

The United States and Australia will remain strong allies despite "domestic political concerns in Washington and Canberra", US Secretary of State Condoleezza Rice said today. (US DOWNER Nightlead sent at 14:23, 501 words.)

ISLAMABAD, May 24 AFP - A Pakistani mullah whose mosque is holding two policemen hostage has warned President Pervez Musharraf that a Taliban-style opposition movement is emerging to challenge his already crisis-hit regime. (PAKISTAN MOSQUE sent at 13:53, 733 words.)

LONDON, May 24 Reuters - People thrown off their Indian Ocean islands by Britain 40 years ago to make way for a US military base have won their legal battle for the right to return home. (UK CHAGOS sent at 12:09, 550 words.)

DUBLIN, May 24 AFP - Ireland goes to the polls today in close-fought parliamentary elections that will determine whether Bertie Ahern serves an unprecedented third term as prime minister. (IRELAND VOTE sent at 13:54, 488 words. Updates to come.)

GARDEN CITY, New York, May 23 AP - A millionaire couple accused of keeping two Indonesian women as slaves in their luxurious New York home for years - viciously inflicting abuse for perceived offences - have been indicted on federal slavery charges. (US SLAVES sent at 05:06, 516 words.)

TORONTO, May 23 AP - A 15-year-old student was fatally shot at a Toronto high school today, with terrified teens kept locked in their classrooms as police spent hours searching for the attacker. (CANADA SHOOTING Nightlead sent at 13:30, 415 words.)

CANBERRA - Two Sydney men are in custody in the United Arab Emirates facing drug, sexual harassment and intoxication charges, Australian foreign affairs officials said today. (UAE AUST, sent 12:21, 167 words.)

SYDNEY, May 24 AAP - Kylie Minogue and Hollywood vixen Sharon Stone have entertained some of the world's most famous celebrities at an AIDS fundraiser at the Cannes Film Festival in southern France. (CANNES MINOGUE (with pix) reissuing, sent at 13:41, 212 words.)

CORCORAN - US cult leader Charles Manson has been denied parole, marking the 11th time since 1978 that he was ordered to continue serving life sentences for a 1969 murderous rampage in California. (US MANSON, sent 11:07, 362 words.)

Highlights of the AAP world wire at 15:00 May 24 AAP Newsfeed May 24, 2007
Thursday 2:49 PM AEST

JOHANNESBURG, May 23 AP - Freezing temperatures gripping South Africa killed at least 22 people this week as millions of the country's poor battled to keep warm. (SAFRICA FREEZE sent at 06:22, 520 words.)

WASHINGTON - US Vice President Dick Cheney's lesbian daughter Mary gave birth today to a boy, Samuel David Cheney, the vice president's office said. (US CHENEY, sent 08:08, 137 words.)

RIO VISTA, California May 23 AP - Hope dimmed for two lost, injured whales as scientists watched the humpbacks wildly slapping their tails on the water in possible distress as they lingered far inland from their ocean home. (US WHALES Nightlead sent at 14:10, 345 words.)

JURQUES - Four white lions were born in a zoo in western France at the weekend, a welcome boost for the species whose population is teetering at about 30 worldwide, a zoo official said today. (FRANCE LIONS, sent 05:41, 146 words.)

TAIPEI - A hulking orang-utan escaped from his cage and terrified restaurant patrons today, at the Taiwan zoo where a crocodile recently chomped off a veterinarian's arm. (TAIWAN ORANGUTAN, sent 03:49, 185 words.)

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Copyright 2007 AllAfrica, Inc.
Africa News

May 24, 2007 Thursday

LENGTH: 517 words**HEADLINE:** Mauritius;
Govt Should Learn from Chagos Islands**BYLINE:** L'Express**BODY:**

The Chagossian story is first a story about people. People, who have been rejected from their native land by the British and forced to come and live in a country they did not know.

With this in mind, the new ruling of the British Court must be a big relief and, above all, a source of great happiness for the Chagossian community in Mauritius. The British authorities have lost their appeal, which means that the Chagossians can go back to their native archipelago whenever they want.

This victory of the Chagossians is the proof that everything is not only a matter of power. The little Chagossians did not hesitate to challenge a big power as Great Britain because they felt they were victims of an injustice and they were indeed right to do so.

However, they may still have a long way to go. First, there is still a chance that the British choose to appeal again through the House of Lords. It will be their last resort. But they still have 27 days ahead to decide.

But other questions now have to be raised for all these Chagossians who are celebrating their victory. Are they in a position to go back to their islands immediately? Or, more exactly, are the islands ready to welcome them? No one has lived on the archipelago - except for the Diego Garcia military base, which will in any case not be fit to welcome people - for more than 30 years and Chagossians who had the chance of visiting it last year realised that life would be difficult there. Whatever the official speech of Olivier Bancoult might be, reality shows that immediate return is simply impossible.

When the first ruling of the British Court proved the Chagossians right last year - allowing them to go home - their lawyer, Robin Mardemootoo, made it clear. "Now that the court has declared that the Chagossians have the right to go back and live on the islands, the Government has a duty to make this return possible; otherwise, it is a direct violation of one of its treaty obligations under the European Convention on Human Rights."

Richard Gifford, the islanders' solicitor also insisted: "They now call upon the British Government for a new start in this abusive relationship and to proceed with the utmost urgency to restore these loyal British subjects to their

homeland."

But let's face it; there is little chance that the British government will willfully decide to give back water, electricity and everything to make a living decent in the Chagos at the moment. This means that they will have to continue fighting to make their dreams come true! But Chagossians have already shown that they are patient people and that struggle does not scare them

As for Mauritius, the way is even longer. Even though the government should seize the opportunity of this ruling to claim its sovereignty, chances are low. Britain will fight tooth and nail to keep the Chagos archipelago.

The September 11 attacks will give them one more excuse to conduct a fierce battle, as they will say Diego Garcia is a way of protecting the world against terrorism. But the Mauritian government should get inspiration from its fellow Chagossians! Struggle pays!

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May 24, 2007 Thursday 1:05 PM

SECTION: BUITENLAND**LENGTH:** 250 words**HEADLINE:** Eilandbewoners mogen na decennia terug naar 'paradijs' (2)**BYLINE:** VLEUGEL**DATELINE:** LONDEN (ANP)**BODY:**

SAMENVATTING

N i e u w bericht, meer informatie

Door een rechterlijke uitspraak mogen zo'n 5000 Britse staatsburgers decennia nadat zij er waren weggestuurd terugkeren naar de Chagos-Archipel, een groep koraaleilandjes in de

VOLLEDIGE TEKST

N i e u w bericht, meer informatie

Door een rechterlijke uitspraak mogen zo'n 5000 Britse staatsburgers decennia nadat zij er waren weggestuurd terugkeren naar de Chagos-Archipel, een groep koraaleilandjes in de Indische Oceaan. Dat schrijft de Britse krant The Independent donderdag.

De bewoners van de eilanden, die bij het Verenigd Koninkrijk horen, werden in de jaren zestig en zeventig gedwongen hun biezen te pakken. Ze moesten plaats maken voor een grote Amerikaanse luchtmachtbasis.

In 2004 verbood de Britse regering de bewoners terug te keren, ondanks een eerdere rechterlijke uitspraak die hen in het gelijk stelde. Het hof van beroep oordeelde woensdag echter dat die beslissing onwettig was, omdat de regering buiten het parlement om heeft gewerkt. De rechter sprak van ,,object machtsmisbruik''.

De Britse regering overweegt de zaak nu aan het Hogerhuis voor te leggen. Ze wil zo alsnog voorkomen dat de bewoners teruggaan naar Chagos, dat zij ,,het paradijs'' noemen. De Amerikaanse basis wordt nog volop gebruikt, onder meer door gevechtsvliegtuigen met Irak en Afghanistan als bestemming.

Eilandbewoners mogen na decennia terug naar 'paradijs' (2) Algemeen Nederlands
Persbureau ANP May 24, 2007 Thursday 1:05 PM

De eilandbewoners zeggen dat naast de legerbasis genoeg ruimte over is om zich te vestigen. Het liefst zouden zij echter zien dat de basis helemaal wordt opgedoekt.

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May 24, 2007 Thursday 12:50 PM

SECTION: BUITENLAND

LENGTH: 117 words

HEADLINE: Eilandbewoners mogen na decennia terug naar 'paradijs'

BYLINE: VLEUGEL

DATELINE: LONDEN (ANP)

BODY:

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BBC Monitoring Africa - Political
Supplied by BBC Worldwide Monitoring

May 24, 2007 Thursday

LENGTH: 464 words

HEADLINE: Mauritius: Chagos islanders win legal battle to return home

BODY:

Text of report by Mauritius newspaper Le Mauricien web site on 23 May

The Chagos Refugees Group (GRC) through its leader Olivier Bancoult has won another victory in their fight against the British government in its refusal to allow former residents expelled from the Chagos Islands to return home.

The Court of Appeal - the Civil Division of the High Court in London - rejected an appeal filed in the name of the secretary of state for foreign and commonwealth affairs against a ruling in May 2006 by the High Court in London. Olivier Bancoult who is currently in London reiterated that Chagossians have a right to return to their homeland, transformed into American military base.

The panel of judges at the London Court of Appeal consisted of Lord Justice Waller, vice-president of the Civil Division of the Court of Appeal and Lord Justice Sedley.

The decision was welcomed by joyous celebrations by the Chagossian community currently living in London. After the ruling, Olivier Bancoult held a news conference reminding the British government of its responsibility following its successive judicial losses.

Late in the afternoon (Mauritius time), BBC TV, News 24, was among the first to break the news of the Chagossians' victory against the British government. A few minutes later, BBC World Service announced that " families expelled from the Chagos islands by the British have won their legal battle for the right to return home at the Court of Appeal ".

The BBC reporter continued to say" Lord Justice Sedley, giving the lead ruling, said the government's use of the order in council under the royal prerogative - powers that allow action without reference to parliament - was an unlawful way of preventing the islanders from returning. Lord Justice Waller said the decision had been taken by a government minister "acting without any constraint" ".

The BBC also revealed that " the (British) government was granted a stay on the Chagossians' court order pending an application to challenge the appeal decision in the House of Lords ".

The BBC recapitulate the events adding that " The Diego Garcia base, which

Mauritius: Chagos islanders win legal battle to return home BBC Monitoring
Africa - PoliticalSupplied by BBC Worldwide Monitoring May 24, 2007 Thursday

was crucial during the Cold War, has gained new significance in recent years as a launching point for bombing missions in Iraq and Afghanistan."

"In 2000, the courts ruled that Chagossians could return to their homes in 65 of the islands, but not to Diego Garcia. The then foreign secretary, Robin Cook, said the government would not appeal. But in 2004 the government used the royal prerogative to effectively nullify the decision."

"Last year the High Court overturned the order and rejected government argument that the royal prerogative, exercised by ministers in the Queen's name, was immune from scrutiny. "

Source: Le Mauricien web site, Port Louis, in French 23 May 07

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Global News Wire - Asia Africa Intelligence Wire
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BBC Monitoring International Reports

May 24, 2007 Thursday

ACC-NO: A200705243-14CE0-GNW**LENGTH:** 469 words**HEADLINE:** MAURITIUS CHAGOS ISLANDERS WIN LEGAL BATTLE TO RETURN HOME**BODY:**

Text of report by Mauritius newspaper Le Mauricien web site on 23 May

The Chagos Refugees Group (GRC) through its leader Olivier Bancoult has won another victory in their fight against the British government in its refusal to allow former residents expelled from the Chagos Islands to return home.

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The BBC also revealed that " the (British) government was granted a stay on the Chagossians' court order pending an application to challenge the appeal

decision in the House of Lords ".

The BBC recapitulate the events adding that " The Diego Garcia base, which was crucial during the Cold War, has gained new significance in recent years as a launching point for bombing missions in Iraq and Afghanistan."

"In 2000, the courts ruled that Chagossians could return to their homes in 65 of the islands, but not to Diego Garcia. The then foreign secretary, Robin Cook, said the government would not appeal. But in 2004 the government used the royal prerogative to effectively nullify the decision."

"Last year the High Court overturned the order and rejected government argument that the royal prerogative, exercised by ministers in the Queen's name, was immune from scrutiny. "

Source: Le Mauricien web site, Port Louis, in French 23 May 07

BBC Monitoring

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The Daily Telegraph (LONDON)

May 24, 2007 Thursday

SECTION: NEWS; Pg. 14

LENGTH: 207 words

HEADLINE: How inhabitants were forced out in \$11million deal over Polaris defence system

BYLINE: Martin Beckford

BODY:

THE Chagos Archipelago, a group of more than 60 tropical islands in the Indian Ocean, was for years considered too isolated for permanent settlement.

It had been claimed for Britain after originally being colonised by the French in the 18th century, and by the mid-20th century there were around 1,500 people living there.

In the 1960s the American military asked Britain for the inhabitants to be evicted so they could set up a navy and air base. In a secret agreement made in 1966, Britain gave a 50-year lease to the Americans on the atoll of Diego Garcia in return for a \$11million discount on the Polaris nuclear missile system. The Chagos islanders were expelled from their homes between 1967 and 1973. The High Court later heard how senior officials in the Foreign and Commonwealth Office covered up the operation, which involved the gassing of animals and the forcing of pregnant women into the hold of a merchant ship. Some miscarried after being dumped in Mauritius.

Sir Paul Gore-Booth, senior official at the Foreign Office, wrote in 1966: "The object of the exercise is to get some rocks which will remain ours. There will be no indigenous population except seagulls."

A series of legal battles followed, resulting in yesterday's ruling.

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Daily Mail (London)

May 24, 2007 Thursday

SECTION: ED 1ST; Pg. 45

LENGTH: 171 words

HEADLINE: Exiles win battle to go home

BODY:

TROPICAL islanders exiled by the British in the 1960s to make way for a U.S. bomber base have won their battle to return home.

Appeal Court judges yesterday condemned Government tactics stopping the return of the Chagos islanders as an abuse of power. They also refused ministers permission for a further appeal.

Foreign Secretary Margaret Beckett brought the case after the High Court found in favour of the Chagossians last May.

Unless she can persuade the Lords otherwise, the islanders now living in Britain, Mauritius and the Seychelles can return immediately.

The victory comes nearly 40 years after up to 2,000 men.

women and children were shipped off the 65-island Chagos archipelago in the Indian Ocean so the main island, Diego Garcia, could be used as a U.S.

base. It has been used as a base for bombing Iraq and Afghanistan.

Chagossian leader Olivier Bancoult said: ' I am very happy. We will return to our paradise. It is my dream.' Islanders were stopped from returning after the U.S. said security could be jeopardised.

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Daily Mail (London)

May 24, 2007 Thursday

SECTION: ED SC1; Pg. 13

LENGTH: 107 words

HEADLINE: Exiles win court fight

BODY:

TROPICAL islanders exiled by the British in the 1960s to make way for a U.S. bomber base have won their battle to return home.

Appeal Court judges yesterday condemned Government tactics stopping the return of Chagos islanders to their Indian Ocean home as an abuse of power.

They also banned a further appeal.

Foreign Secretary Margaret Beckett brought the case after the High Court found in favour of the Chagossians last May.

Unless she can persuade the Lords otherwise, the islanders now living in Britain, Mauritius and the Seychelles can return immediately. Chagossian leader Olivier Bancoult said: 'It is my dream to return to our paradise.'

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The Express

May 24, 2007 Thursday
U.K. 1st Edition

SECTION: NEWS; 25

LENGTH: 318 words

HEADLINE: You can go home;
Court victory for the islanders evicted for air base 40 years ago

BYLINE: By Martin Evans

BODY:

FAMILIES expelled from the Chagos Islands by Britain to make way for a US airbase have won their battle to return home.

Almost 2,000 residents were forced to leave when the colony in the Indian Ocean was leased to the Americans in the 1960s for a base at Diego Garcia.

The courts granted the exiled Chagossians the right to return home but twice the Government blocked the ruling using arcane legal manoeuvres.

Yesterday the Court of Appeal condemned the actions as an abuse of power, ruling that the islanders could return home immediately. The Government was also barred from turning to the House of Lords, but can petition the Law Lords.

Olivier Bancoult of the UK's Chagossian community said: "I feel very happy not just for myself but all the people who have been separated from their motherland. It is a special day for justice." He added: "We had our life, our culture and wanted to pass it on. We have not been able to do that because one day the UK Government decided to move people in a very bad and inhuman way."

After the Cold War, the base was kept on and most recently played a part in launching bombing raids on Iraq and Afghanistan.

The ruling represents a damning indictment on the Government's use of the legal system. In 2000, judges ruled that the Chagossians could return home to 65 of the islands but not Diego Garcia.

The Foreign Secretary at the time, Robin Cook, said the Government would not appeal but in 2006 an order under the royal prerogative was invoked saying no person had a right of abode in the territory.

Last year the High Court overturned that move rejecting the Government's claims that orders made under the royal prerogative could not be challenged.

The Government said the ruling affected security matters and took the case to

You can go home; Court victory for the islanders evicted for air base 40 years ago
The Express May 24, 2007 Thursday

the Court of Appeal but the judges headed by the Master of the Rolls, Sir Anthony Clarke, said the tactics were "unlawful" and an "abuse of power".

GRAPHIC: COLD WAR HOT SPOT: The Diego Garcia US base
JUSTICE: Island protester at the High Court yesterday

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The Guardian (London) - Final Edition

May 24, 2007 Thursday

SECTION: GUARDIAN HOME PAGES; Pg. 1

LENGTH: 100 words

HEADLINE: International: Evicted islanders win right to return

BODY:

After 40 years in exile, 2,000 Chagos islanders were given the right to return to their Indian ocean homes yesterday by the court of appeal in London. The judges accused the British government of an abuse of power in their treatment of the islanders, who were evicted from their homes after the UK made a secret agreement to lease the island of Diego Garcia to the United States for use as an airbase. "We will go back and we will live there and make Chagos great," said Olivier Bancoult, the leader of the exiles, outside the court. The Foreign Office said it was considering an appeal to the Lords.

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The Guardian (London) - Final Edition

May 24, 2007 Thursday

SECTION: GUARDIAN INTERNATIONAL PAGES; Pg. 17**LENGTH:** 358 words**HEADLINE:** International: Case study: 'We had all we needed'**BYLINE:** Gail Champion**BODY:**

In a rusty shack in the poorest corner of Port Louis, the Mauritian capital, Louis Onesimi dreams of once again setting foot on what he calls the "paradise" of the Chagos islands where he was born more than 80 years ago, but fears yesterday's ruling has come too late for him.

His gaunt body is racked by coughing, but his eyes brighten when he remembers his homeland: "I was like a fish in the sea when I lived in Chagos. We had everything we needed and we never went hungry."

Now he shares his two roomed shack with 24 members of his extended family. His grandchildren run in and out, splashing barefoot into the stagnant water outside. There are no sewers and water sits in a slick on the street.

"Here children go to bed without eating," Louis says.

Louis was one of thousands of islanders removed from the Chagos archipelago by the British between 1967 and 1973.

Forced to leave most of their possessions behind, they became homeless and unemployed and, unable to speak to the local language, have lived in slums ever since.

Perched on an old deckchair, one of only a few pieces of furniture he owns, Mr Onesimi shakes his head sadly: "I would like to go back home, but it will be too late for me. I wish I could go back as a young man."

The personal cost of the deportation still sits heavy on other islanders. Lissette Tallate, a tiny quietly-spoken woman of 65, whispers her memories of being told their homeland was "being closed".

She watched as their pets were gassed in the "calorifer" used in copra production before starting the thousand mile journey to Mauritius.

"Two of my children died within eight days of each other when we arrived in Mauritius. I still blame the journey, we were crowded into the hold and lots of us became ill and developed health problems."

International: Case study: 'We had all we needed' The Guardian (London) - Final
Edition May 24, 2007 Thursday

Islanders say their families were also split up. Emelienne Issai lives in the same shanty town as Louis Onesimi. She says she hasn't seen her husband or son for almost 40 years: "My husband was from the Seychelles and when I was removed from the island he was visiting family there with our son. I was brought to Mauritius and haven't been able to see either of them ever since."

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The Guardian (London) - Final Edition

May 24, 2007 Thursday

SECTION: GUARDIAN INTERNATIONAL PAGES; Pg. 17**LENGTH:** 722 words**HEADLINE:** International: Exiled islanders win 40-year battle to return home as judges accuse UK of abuse of power: Victims of Diego Garcia evictions 'back in days': Foreign Office considers appealing to Lords**BYLINE:** Julian Borger, Diplomatic editor**BODY:**

Hundreds of Indian Ocean islanders who were forcibly deported from their homeland by Britain 40 years ago won a battle yesterday which could see them set sail for an emotional return within days.

The court of appeal in London found the British government guilty of "abuse of power" for attempting to prevent the Chagos Islanders from reclaiming land leased from under their feet by Britain to the US in the 1960s.

Three judges upheld a ruling in the islanders' favour last year, ordered the government to pay their legal costs and withheld support for an appeal to the House of Lords. Giving his reason for the ruling Lord Justice Sedley wrote: "Few things are more important to a social group than its sense of belonging, not only to each other but to a place. What has sustained peoples in exile, from Babylon onwards, has been the possibility of one day returning home." The judge added: "The barring of that door, however remote or inaccessible it may be for the present, is an act requiring overwhelming justification."

An estimated 2,000 Chagossians were driven from their homes between 1967 and 1971 after Britain made a secret deal to lease the island of Diego Garcia to the US for use as an airbase. They were tricked out of their homes, encouraged to leave on temporary trips, and not allowed back.

Later, the islanders were subjected to intimidation. At one point US soldiers rounded up their dogs and gassed them. The departing Chagossians were loaded on to boats, allowed to take only one bag with them, and deposited in Mauritius, where most have lived in poverty ever since. The base has served as a refuelling stop and base for air raids in a succession of wars, most recently in Afghanistan and Iraq.

Yesterday's ruling was greeted by silence from the Chagossians in court, who have seen hopes of a return dashed several times in their four-decade exile. But Olivier Bancoult, their leader in exile who took the foreign office to court, emerged smiling holding his fingers up in a victory sign. "I'm very happy for my

International: Exiled islanders win 40-year battle to return home as judges
accuse UK of abuse of power: Victims of Diego Garcia evictions 'back in days':
Foreign Office considers appealing

people," Mr Bancoult told a crowd of supporters and journalists. "We will go back and make Chagos great."

The Foreign Office said it was "disappointed" by the ruling, and said it would consider an appeal to the House of Lords. A spokeswoman said, the islanders "in theory" now had a right to go home.

Chagossians - who are descended from 18th century African and Indian labourers on French coconut plantations - are not seeking to resettle Diego Garcia itself, but other islands in the archipelago, which are from 60 to 100 miles away. US and British officials have argued that raids on the air base could be launched from those other islands, or they could be used to observe the movement of warplanes.

But yesterday's ruling meant that three British courts have decided, in effect, that security concerns cannot trump the right of the Chagos islanders to return home.

After a court declared the islanders' expulsion illegal in 2000, the government took the unusual step of blocking their return by "orders in council", a use of royal prerogative that bypassed parliament.

Last year's decision and yesterday's ruling deemed those decrees illegitimate. Lord Justice Sedley declared them to be "unlawfully made, because their content and the circumstances of their enactment constitute an abuse of power."

Richard Gifford, the Chagossians' lawyer, said his clients "now call upon the British government for a new start in this abusive relationship." He added that he expected the new Democratic majority in the US Congress to endorse the Chagossians' return, and could award them restitution for the harm they have suffered.

Fewer than half of the original 2,000 islanders deported are thought to be still alive, and most of the survivors are over 50. Many Chagossians suspect the British government of using delaying tactics designed to put off a resolution until the survivors have all died off. Two hundred have died since they won their original case in 2000 and 17 passed away in the three months it took the Court of Appeal to reach yesterday's judgment.

Roch Evenor left the island when he was four. His parents hoped to go back but both have died. Mr Evenor, now 50, said: "I'm sad it is taken so much time to settle something so straightforward, a matter of simple human rights."

Leader comment, page 34>=

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The Guardian (London) - Final Edition

May 24, 2007 Thursday

SECTION: GUARDIAN LEADER PAGES; Pg. 34**LENGTH:** 446 words**HEADLINE:** Leading article: Chagos islanders: Homeward bound**BODY:**

The 2,000 inhabitants of the Chagos archipelago, who were evicted from their homes by Britain 40 years ago to make way for a US airbase on the island of Diego Garcia, called their fight to return "la lutte" (the struggle). For good reason. They were tricked, bullied, in some cases terrorised from their homes. They were forced to leave their possessions behind. Their pets were gassed. They were crowded into the holds of ships and dumped on the quayside of the docks of Port Louis, the capital of Mauritius. They were homeless, jobless, unable to speak the local language. They moved to the slums in which they have been quietly dying ever since, though around 200 of them have resettled unhappily in Crawley, in Sussex.

Yesterday, their struggle appeared triumphant, when the high court dismissed an appeal by the Foreign Office against their return. In its ruling, the high court suggested that the time for appeals was over, after the government lost three times in different courts before. But in theory yesterday's judgment could be taken to appeal at the House of Lords, delaying the return further. If the disaster that befell the Chagos archipelago between 1967 and 1973 reads like something out of the pages of Dickens or Zola, the recent history of Britain's attempts to prevent the return of the islanders is just as appalling.

The late Robin Cook, then foreign secretary, rightly accepted defeat after a court victory in 2000 by the islanders. He said the government would arrange for the surviving Chagossians to return to the outer islands. But then September 11 happened. Once again, the strategic value of an airstrip halfway between Africa and southeast Asia, from which Afghanistan and Iraq could be bombed, and through which suspects in the war on terror could disappear on their way to Guantanamo Bay, outweighed the moral case of the islanders. In June 2004, the government used the mechanism of an order in council, a royal prerogative power not subject to parliamentary debate, to stop the islanders returning. Lord Justice Stephen Sedley yesterday ruled this was an abuse of power.

Britain acted solely to serve American military interests. The Chagossians have surrendered their right to return to Diego Garcia, which will still serve exclusively as a US airbase. The argument has been about allowing return to islands between 100 and 300 miles from the base. Donald McKinnon, the Commonwealth's secretary general, called that a wide security perimeter. There are many innocent victims of the special relationship between Britain and

Leading article: Chagos islanders: Homeward bound The Guardian (London) - Final
Edition May 24, 2007 Thursday

America, but among them must surely now count that small band of people who
lived in what they once thought of as paradise.

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The Independent (London)

May 24, 2007 Thursday
Fourth Edition

LENGTH: 332 words

HEADLINE: Islanders evicted for US base win right to return 40 years later

BYLINE: Ben Russell Political Correspondent

BODY:

Thousands of British citizens who were evicted from their paradise island home to make way for a giant US air base have won the right to return.

In a landmark legal judgment, the Court of Appeal ruled that the Chagos islanders could rebuild a life that they lost in the late 1960s. Yesterday the islanders packed the court to witness their victory, and then called on the Government to pay for about 5,000 of them to return and rebuild the life that they lost 40 years ago.

The court overturned an order made by the Government in 2004 banning islanders from returning. Olivier Bancoult, the leader of the Chagossian community in exile, said: "I feel very happy not just for myself but all the people who have been separated from their motherland. It is a special day for justice because even though we are a small people we have shown big people that we have rights."

An estimated 2,000 people were forced to leave their homes on the tiny chain of 65 coral islands in the Indian Ocean, halfway between Africa and Indonesia, in the 1960s and 1970s.

Under British rule from the early 19th century, the islanders lived with their own land and houses, speaking a distinctive Creole language in a place they described as "paradise".

But most of the inhabitants were forced to move to Mauritius and the Seychelles to make way for a huge new US air base on the main island of Diego Garcia after the British Government leased it to the United States in 1966.

Seven years ago the islanders won a High Court ruling that their expulsion was unlawful. But in 2004 an order passed by the British Government banned them from returning. But yesterday the Court of Appeal ruled that the order, which was made under the Royal Prerogative without approval by Parliament, was unlawful and an abuse of power.

A spokesman for the UK Chagos Support Association said: "It is enormously encouraging that the court recognises the damage done to democracy if the

Islanders evicted for US base win right to return 40 years later The Independent
(London) May 24, 2007 Thursday

Government can simply bypass Parliament and enforce its will."

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The Independent (London)

May 24, 2007 Thursday
First Edition

LENGTH: 436 words

HEADLINE: Insult and grave injustice;
LEADING ARTICLE;
CHAGOS ISLANDERS

BODY:

Once again the inhabitants of the Chagos Islands have been vindicated in court. The Court of Appeal ruled yesterday that the British Government should not have prevented the islanders from returning to their homes in the Indian Ocean from which they were evicted three decades ago.

The expulsion of the Chagos islanders between 1967 and 1973 was an outstandingly shameful episode in postwar British history. Looking back, it is quite astonishing to imagine what happened. When Britain leased Diego Garcia - one of the group of islands - to the United States, it was decided that the entire population of the Chagos archipelago, some 2,000 people, ought to be relocated to islands off Africa's east coast. Some were sent to the Seychelles. But most were shipped to rundown areas of Mauritius.

This was more than a minor act of postcolonial arrogance by Britain. It was reminiscent of one of Stalin's deportations of native peoples. The islanders - British subjects lest we forget - were given no help to find jobs. They received no resettlement support. And for many years they were denied compensation. Most were plunged into poverty. Many have turned to alcohol or even suicide.

To add insult to grave injustice, this is the third time the UK courts have ruled in favour of the islanders being allowed to return home. After their initial victory seven years ago, the former foreign secretary Robin Cook accepted the verdict. But then the Foreign Office reversed its position. In 2004, it came up with an Order in Council, a little-used executive power, to overturn the court's verdict. This is what was ruled illegal yesterday by Lord Justice Stephen Sedley.

The Chagos islanders have been inadvertent victims of two global struggles. In the 1960s, when the Cold War was at its height, there was a secret deal between the US and UK to turn Diego Garcia into a US military base. And it emerged last year that the American government opposed the resettlement of the islands more recently on security grounds, claiming that Diego Garcia is a vital military installation involved in the "war on terror". US and British officials portray both conflicts as part of a broader struggle for human rights. But it is quite clear that they have shamefully disregarded the human rights of the Chagos islanders for 30 years.

Insult and grave injustice; LEADING ARTICLE; CHAGOS ISLANDERS The Independent
(London) May 24, 2007 Thursday

The Court of Appeal yesterday refused to grant the Government an immediate right of appeal. But the Foreign Office is considering a petition to the House of Lords directly to review the case. That would be an outrage. Let this ruling be the end of the matter. And let the Chagos islanders - finally - return home.

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The Irish Times

May 24, 2007 Thursday

SECTION: WORLD; Other World Stories; Pg. 13

LENGTH: 210 words

HEADLINE: Deported islanders set for long trip home

BYLINE: Julian Borger in London

BODY:

BRITAIN: Hundreds of Indian Ocean islanders who were forcibly deported from their homeland by Britain 40 years ago won a battle yesterday that could see them set sail for an emotional return within days.

The court of appeal in London found the British government guilty of "abuse of power" for attempting to prevent the Chagos islanders from reclaiming land leased by Britain to the US in the 1960s.

Three judges upheld a ruling in the islanders' favour last year, ordered the government to pay their legal costs and withheld support for an appeal to the House of Lords.

An estimated 2,000 Chagossians were driven from their homes between 1967 and 1971 after Britain made a secret deal to lease one of the islands, Diego Garcia, to the US for use as an airbase. Some were tricked out of their homes, encouraged to leave on temporary trips and not allowed back. Others were subjected to intimidation. At one point US soldiers rounded up their dogs and gassed them. The departing Chagossians were loaded onto boats, allowed to take only one bag with them, and deposited in Mauritius, where most have lived in poverty ever since.

Diego Garcia has since served as a refuelling stop and base for air raids in a succession of wars, most recently in Afghanistan and Iraq.

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Morning Star

May 24, 2007 Thursday

LENGTH: 480 words

HEADLINE: Britain - Chagos exiles win right to return

BYLINE: Louise Noursratpour

BODY:

Families expelled from the Chagos islands by the British to make way for a military base won their legal battle to return home on Wednesday.

The Chagossian families and well-wishers packed the Royal Courts of Justice in The Strand, London, for a ruling which condemned government tactics stopping their return as an abuse of power.

Foreign Secretary Margaret Beckett took the case to the Court of Appeal after two High Court judges found for the Chagossians.

Three judges, headed by Master of the Rolls Sir Anthony Clarke, dismissed the action, allowing the islanders to return to their Indian Ocean homes immediately.

The only island that they will not be able to resettle under original High Court orders allowing their return will be Diego Garcia itself.

Some 2,000 residents of the British territory were removed when Britain leased Diego Garcia to the US, which now uses its base there to launch bombing missions in Iraq and Afghanistan.

Lord Justice Sedley, giving the lead ruling, said that the government's method of stopping the islanders returning - making an order in council under the royal prerogative - was unlawful and an abuse of power.

The exiled Chagossians, who were evicted from their homes 40 years ago and condemned to a life in poverty and refuge, pleaded: "Enough is enough. Send us home."

But the islanders, now armed with three favourable High Court rulings, including ones from 2000 and 2006, have been let down before.

They fear that they could be hit with more time-consuming legal arguments and appeals before being allowed back, as the government was granted a stay on yesterday's ruling pending an application to challenge the decision in the House of Lords.

The exiled Chagossians' leader Olivier Bancoult said: "It is a special day

for justice. Even though we are a small people, we have shown big people that we have rights."

Labour MP Jeremy Corbyn, who has campaigned for the islanders in Parliament, said: "I hope that the government will now respect this decision, not seek to appeal it to the House of Lords and not seek to introduce legislation which would deny the islanders their long-sought right of return."

The UK Chagos Support Association welcomed the ruling and demanded compensation for the islanders.

"It is enormously encouraging that the court recognises the damage done to democracy if the government can simply bypass Parliament and enforce its will," chairman Robert Bain said.

"The government knows the Chagossians have no independent means to resettle the island.

"To accept the islanders' right to return but do nothing about it, as it did between 2000 and 2004, would be meaningless and immoral."

Campaigner Celia Whittaker painted a grim picture of the islanders' ordeal since they were turfed out.

"They had disease and despair," she explained.

"Some turned to drink. They were a very close community and they were separated and scattered."

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Copyright 2007 Newsquest (North East) Limited
The Northern Echo

May 24, 2007

SECTION: Pg. 9

LENGTH: 127 words

HEADLINE: EXILED ISLANDERS WIN FIGHT TO RETURN HOME

BODY:

FAMILIES expelled from the Chagos Islands by the British Government to make way for the Diego Garcia US airbase won their legal battle to return home yesterday.

The families and wellwishers packed the Court of Appeal, in London, for a ruling which condemned Government tactics stopping their return as unlawful and an abuse of power.

The court refused a stay on the effect of their ruling, allowing the islanders to return to their Indian Ocean homes immediately.

Foreign Secretary Margaret Beckett took the case to the Court of Appeal after the High Court found for the Chagossians, The High Court judges condemned as "repugnant" the British Government's decision to "exile a whole population" from the Indian Ocean islands in the 1960s and 1970s.

LOAD-DATE: May 24, 2007

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The Scotsman

May 24, 2007, Thursday
1 Edition

SECTION: Pg. 10

LENGTH: 1474 words

HEADLINE: Evicted islanders win right of return to paradise

BYLINE: GERRI PEEV

BODY:

FROM a palm-fringed paradise in the Indian Ocean, to the slums of Mauritius and now the grim reality that is Crawley near London, Olivier Bancoult has been an exile for most of his life.

The labourer-turned-champion of the Chagossian community in the United Kingdom was four when his islands were forcibly depopulated by the British government.

The clearings were all in the name of its "special relationship" with the United States, which had set its sights on the Diego Garcia, part of the Chagos archipelago, as a strategic military base.

Mr Bancoult and about 3,000 like him lost their simple but idyllic life, where the concept of money was unknown and families subsisted on the plentiful seas.

Boats delivered other essentials such as rice and milk to one of Britain's last colonial outposts - and then the boats came to evict the islanders.

The first removals were voluntary. Families were offered free trips to Mauritius - and then denied passage home. Among these unsuspecting victims was the Bancoult family who left for Mauritius to find a hospital for one of their nine children, who had been badly injured in an accident. The baby girl died and the family was dealt a further blow when its attempts to return on a boat home were rejected.

Then the removals became forcible, lasting into the 1970s.

Chagossians - or Ilois as they are also known - were taken and dumped on the docks at Mauritius and left to fend for themselves. Some had been lost on the journey over, preferring to throw themselves overboard rather than spend the rest of their years away from home.

In their new land, the grinding poverty led to high infant mortality rates

Evicted islanders win right of return to paradise The Scotsman May 24, 2007,
Thursday

and suicides. Mr Bancoult grew up in a tin shack in a slum - a world away from the luxury resorts where affluent honeymooners flock.

Yesterday this modest man was turned into a hero of his overlooked people: for taking on the might of the superpowers and winning.

The Court of Appeal paved the way for his return to the islands with fierce condemnation of the tactics used by the government since to stop the Chagossians going back.

"I feel very happy not just for myself but all the people who have been separated from their motherland," Mr Bancoult said.

"It is a special day for justice because even though we are a small people we have shown big people that we have rights. It is a shame for the government. We have a right to the island and we should go back.

"It is time for them to put an end to this story. We have been suffering for 40 years. We have been isolated. It is time for them to stop wasting taxpayers money and going to court, time for them to find a remedy and comply with what the judge has decided."

But there is also scepticism among the islanders. This is the third such victory for the Chagossians but as yet none has resettled, and it took years for members of the community to be allowed to visit even the outer-lying islands, as Diego Garcia remains off limits.

Mr Bancoult said: "We had our life, our culture, and wanted to pass it on. We have not been able to do that because one day the UK government decided to move people in a very bad and inhuman way."

In 2004, the government made an Order in Council under the Royal Prerogative to block the islanders' return. That tactic was condemned by Lord Justice Sedley yesterday as an abuse of power by the executive.

"While a natural or man-made disaster could warrant the temporary, perhaps even indefinite, removal of a population for its own safety and so rank as an act of governance, the permanent exclusion of an entire population from its homeland for reasons unconnected with their collective well-being cannot have that character and accordingly cannot be lawfully accomplished by use of the prerogative power of governance."

Three judges headed by the Master of the Rolls, Sir Anthony Clarke, refused a stay on the effect of their judgment, allowing the islanders to return to their Indian Ocean homes immediately.

The only island they will not be able to resettle under original High Court orders allowing their return, will be Diego Garcia itself.

Lord Justice Waller said the decision had been taken by a government minister "acting without any constraint".

But now campaigners fear that there will be no compensation offered to the islanders and no practical help to allow them to return. Not all of them will want to return, however. Thanks to the efforts of Tam Dalyell, the former West Lothian MP, many have been given British citizenship to give them "status" and

Evicted islanders win right of return to paradise The Scotsman May 24, 2007,
Thursday

help them fight the court battle from the UK.

But yesterday Robert Bain, the chairman of the UK Chagos Support Association, warned: "The government knows the Chagossians have no independent means to resettle the islands. To accept the islanders' right to return but do nothing about it - as it did between 2000 and 2004 - would be meaningless and immoral."

Celia Whittaker, a campaigner, said: "What are the government trying to do? Are they trying to waste time? Are they hoping that all the Chagossians would die or just simply give up?"

"It has been a dreadful time. They were dumped on the dockside with no support whatever for years, then when they did give them compensation it was too little too late. They were a very close community and they were separated and scattered."

US military authorities have suggested that any attempt to resettle any of the islands would severely compromise the security of Diego Garcia - the island used to launch bombing missions in both Iraq and Afghanistan.

Jeremy Corbyn MP, a long-term campaigner for the Chagossians, said: "I hope the government will now respect this decision, not seek to appeal it to the House of Lords, and not seek to introduce legislation which would deny the islanders their long-sought right of return to the places they were brutally removed from more than 30 years ago.

"This is a day when we should celebrate the long march of the Chagossian people for their right to live in peace on their own islands."

Outside the Royal Courts of Justice, Richard Gifford, the solicitor for the islanders, said: "This is now the third time that Olivier Bancoult, the leader of the Chagossian community in exile, has proved to the satisfaction of judges that nothing can separate his compatriots from their homeland.

"They now call upon the British government for a new start in this abusive relationship and to proceed with the utmost urgency to restore these loyal British subjects to their homeland."

In 2000, the courts ruled that Chagossians could return to their homes in 65 of the islands, but not to Diego Garcia. Robin Cook, who was then Foreign Secretary, said the government would not appeal. But in 2004 the government used the Royal Prerogative to nullify the decision. The High Court overturned the order last year but the government appealed.

MILITARY ASSETS

IT IS not only the Chagossian islanders who think their island is unique and beautiful. For military planners, the islands are also a paradise - for very different reasons.

The islands, 500km off the Maldives, lie halfway between Africa and Asia, with easy access to both the Horn of Africa and the Straits of Malacca, on routes to the Suez Canal. It is the area's prime location which has made it the biggest US military base outside America.

There are more than 2,000 troops at what is now known as Camp Justice. There

Evicted islanders win right of return to paradise The Scotsman May 24, 2007,
Thursday

is a satellite spy station, and it boasts two of the world's longest runways.

The island was the launching pad for airstrikes on Iraq in operations Desert Strike (1996) and Desert Fox (1998), and on Afghanistan, as well as the latest Iraq war.

There has also been speculation that Diego Garcia has been used as an interrogation centre for terror suspects.

The US chose the islands during the Cold War when it was looking for an airbase so it could keep an eye on the Soviet Union and China and any threat posed to American interests in the Persian Gulf.

The Americans also feared that India could become a closer ally of the USSR, and the islands were perfectly located for surveillance.

The US cut a clandestine deal with the British government, giving the UK millions in discounts on an order for Polaris submarines. This way, the payment was concealed from MPs.

The US had a choice of another island, off Madagascar, but rejected it because of the rare tortoises it housed. So it turned its designs on Diego Garcia and the 64 outer-lying islands, where 2,000 to 3,000 people were eventually forcibly removed.

One complicit memo from the permanent under-secretary of the Foreign Office in 1966 declared: "There will be no indigenous population except seagulls."

A note added by Dennis Greenhill, another diplomat, said: "Unfortunately, along with the birds go some few Tarzans or Man Fridays whose origins are obscure."

The lease is in place for 50 years and is due to expire in 2016, but it has the option to be extended.

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The Sun (England)

May 24, 2007 Thursday

LENGTH: 86 words

HEADLINE: Isle smiles

BODY:

MORE than 5,000 Indian Ocean islanders yesterday won a legal battle to return to their paradise home.

Three Appeal Court judges backed a previous ruling that the Government was guilty of "an abuse of power" in preventing exiled islanders returning to the Chagos islands. They were removed by Britain more than 30 years ago and one island has been used as a US base since then. That island will still be out of bounds.

The court also also ordered the Government to pay the legal bill which is expected to reach £ 4million.

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The Times (London)

May 24, 2007, Thursday

SECTION: HOME NEWS; Pg. 19

LENGTH: 480 words

HEADLINE: After 40 years Chagos exiles can go home, court rules

BYLINE: Michael Horsnell & Richard Beeston

BODY:

- * US fight to keep islanders off airbase
- * Eviction was abuse of power, say judges

Exiles from the Chagos Islands were planning last night to return to their paradise in the Indian Ocean from which they were expelled by the Government at the height of the Cold War.

Three judges said that the Government's treatment of them was "a repugnant abuse of power" as families and wellwishers packed the Court of Appeal to hear the news they had awaited for 40 years.

However, the islanders still face a formidable obstacle in the form of the Pentagon, which will use its considerable muscle to keep civilians away from its strategic military base on Diego Garcia, the largest island in the archipelago.

Under an agreement signed in 1966, America leased Diego Garcia from Britain for 50 years and began developing the island into an air and naval facility. A secret "exchange of notes" also provided for the population to be removed.

Diego Garcia is now home to nearly 4,000 American military and civilian personnel and some of the most lethal weaponry in the US armoury. The nearest locals are 1,000 miles away.

B52 bombers line the apron alongside the 4,000-yard runway. Recently the Americans added four hangars for B2 Stealth bombers, their only deployment outside mainland America. During the Afghan campaign in 2001, more bombs were dropped from aircraft based on Diego Garcia than any other American facility. The bombers went into action against Iraq in 2003.

After winning the legal battle estimated to have cost the taxpayer up to £ 4 million, Olivier Bancoult, the leader of the Chagossian community in exile, said yesterday: "We can now go back to our paradise. It has been my dream."

More than 2,000 islanders, who worked mainly on coconut plantations, were removed forc-ibly from their homes on the 57 islands of the Chagos archipelago

After 40 years Chagos exiles can go home, court rules The Times (London) May 24,
2007, Thursday

between 1965 and 1973 and dumped on the dockside at Mauritius.

Barely 500 are still alive but, with their descendants, there are an estimated 4,000 exiles in Mauritius, the Seychelles and Britain. The judges, headed by the Master of the Rolls, Sir Anthony Clarke, refused a stay on the effect of the judgment, allowing the islanders to return immediately.

The method the Government used to stop the islanders from returning home -an Order in Council under the Royal Prerogative -was unlawful and an unrestrained abuse of power, the judges ruled.

Margaret Beckett, the Foreign Secretary, took the case to the Court of Appeal after two High Court judges found for the Chagossians. The Government was refused leave to take the case to the House of Lords but is expected to petition the law lords directly.

The only island the Chagossians will not be able to resettle under the original High Court orders will be Diego Garcia.

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24 tonnes The bomb-carrying capacity of a B52 aircraft

Source: Times database

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Agence France Presse -- English

May 23, 2007 Wednesday 3:45 PM GMT

LENGTH: 539 words**HEADLINE:** Displaced Indian Ocean islanders win new British court victory**BYLINE:** Lachlan Carmichael**DATELINE:** LONDON, May 23 2007**BODY:**

Indian Ocean islanders won a key legal battle Wednesday in their long campaign to return to their homes, from where they were evicted more than 30 years ago to make way for a US air base.

The Court of Appeal backed a High Court ruling in May last year that allowed families to return to the Chagos Islands archipelago, except for Diego Garcia, a launchpad for US military operations in Iraq and Afghanistan.

The British government, whose tactics to prevent their return were denounced by the court Wednesday as unlawful and an abuse of power, was expected to seek a final challenge at the highest court in the land, the House of Lords.

Olivier Bancoult, the leader of the Chagossian community in exile, said he hoped the government would respect the ruling, which is the third in favour of his people in the last seven years.

"It is a special day for justice because even though we are a small people we have shown big people that we have rights," he said. "It is time for them to put an end to this story."

Britain expelled some 2,000 people from the Chagos Islands, 500 kilometres (310 miles) south of the Maldives, to Mauritius and the Seychelles in the 1960s and 1970s.

This allowed it to lease the main island, Diego Garcia, to Washington for 50 years.

Lawyers for the Chagossians, most of whom worked on coconut plantations, had argued in court that, although they cannot live on Diego Garcia, they should be allowed to return to the other 64 islands of the archipelago.

The Chagossians thought they had won the right to return after a High Court victory in 2000.

But the government used a royal prerogative in 2004 to introduce a so-called Order in Council which continued the islanders' state of exile.

Displaced Indian Ocean islanders win new British court victory Agence France
Presse -- English May 23, 2007 Wednesday 3:45 PM GMT

High Court judges last May ruled that the use of an Order in Council, effectively acting by decree in the queen's name, was a "repugnant" way to "exile a whole population".

One of the three judges rejecting the subsequent appeal by Foreign Secretary Margaret Beckett, Lord Justice Stephen John Sedley, said the government's resorting to the royal prerogative was unlawful and an abuse of power.

Lord Justice George Mark Waller said the decision had been taken by a government minister "acting without any constraint."

Richard Gifford, the lawyer for the islanders, hailed the Court of Appeal's decision.

"It has been held that the ties which bind a people to its homeland are so fundamental that no executive order can lawfully abrogate those rights," Gifford said in a speech outside the courts.

Rejecting British government efforts to delay implementation of the decision, the judges said the islanders were free to return home immediately.

However, the islanders and their supporters who have been disappointed in the past worried about more delays.

The court said Beckett will now have to show "good cause" if she wants the appeal judges to order a stay. The judges also refused to grant court permission for the government to take the case to the House of Lords.

However, the government can still appeal directly to the highest court within a month and the Foreign and Commonwealth Office said it was studying such a move.

"We are disappointed that our leave to appeal today's decision has been declined," a Foreign Office spokeswoman said.

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Agence France Presse -- English

May 23, 2007 Wednesday 10:48 AM GMT

LENGTH: 255 words

HEADLINE: British court victory for Indian Ocean islanders

DATELINE: LONDON, May 23 2007

BODY:

A British court on Wednesday upheld a ruling letting families return to their Indian Ocean island homes, from where they were forced out 30 years ago to make way for a US military base.

The Court of Appeal backed a High Court ruling in May last year that allowed the families to return to the Chagos Islands, except for Diego Garcia, a launchpad for US military operations in Iraq and Afghanistan.

The British government, whose tactics to prevent their return were denounced by the court Wednesday as unlawful and an abuse of power, was expected to seek a final challenge at the highest court in the land, in the House of Lords.

Britain expelled some 2,000 people from the Chagos Islands, 500 kilometres (310 miles) south of the Maldives, to Mauritius and the Seychelles in the 1960s and 1970s, allowing it to lease Diego Garcia to Washington for 50 years.

Lawyers for the Chagossians had argued in court that, although they cannot live on the main island of Diego Garcia, they should be allowed to return to the other 64 islands of the Chagos archipelago.

The Chagossians thought they had won the right to return to the British possession after a High Court victory in 2000.

But the government used a royal prerogative in 2004 to introduce a so-called Order in Council which continued the islanders' state of exile.

High Court judges last May ruled that the use of an Order in Council, effectively acting by decree in the queen's name, was a "repugnant" way to "exile a whole population".

However, the government was then allowed to appeal.

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ANSA Noticiero en español

May 23, 2007 Wednesday 2:49 PM CET

SECTION: Politica - Extranjero**LENGTH:** 373 palabras**HEADLINE:** GB-ULTRAMAR:HABITANTES DE ISLAS CHAGOS GANAN CASO EN LONDRES**DATELINE:** LONDRES**BODY:**

LONDRES, 23 (ANSA)- Unos 2.000 habitantes de las Islas Chagos en el Océano Indico ganaron hoy una batalla judicial en la Corte de Apelaciones de Londres, para poder regresar a sus hogares tras haber sido expulsados por el gobierno británico en las décadas de 1960 y 1970. Las familias habían sido expulsadas de la colonia británica, luego que el gobierno de Londres vendió un permiso a Estados Unidos para que se construyera la base militar en Diego García. Las autoridades británicas llevaron el caso a la Cámara de Apelaciones, luego de dos dictámenes de sendas cortes según los cuales esas expulsiones "fueron ilegales". Tras la sentencia de hoy, el gobierno tendrá un mes para apelar la decisión de los magistrados y llevar el caso a la Cámara de los Lores, la máxima instancia judicial del país. Muchos ex residentes del archipiélago de Chagos, ubicado entre África e Indonesia, viven en la actualidad en las Islas Mauricio o en Gran Bretaña. Según la Cámara de Apelaciones, la decisión del gobierno británico de utilizar la Orden del Consejo bajo la Prerrogativa Real, poder que no requiere la aprobación del Parlamento, fue un método ilegal para prevenir que los isleños regresaran a sus hogares. Para los magistrados, esa decisión fue tomada por ministros del gobierno "que actuaron sin ningún remordimiento". La base militar de Diego García, que fue crucial durante la llamada Guerra Fría, ganó resonancia en los últimos años como punto estratégico para lanzarse ataques en Irak y Afganistán. En 2000, una corte británica había determinado que los habitantes de Chagos podían regresar a sus hogares en 65 islas, pero no a Diego García. El por entonces canciller británico, Robin Cook, dijo que el gobierno no apelaría esa decisión. Pero en 2004, Londres utilizó la Prerrogativa Real para anular esa sentencia. El año pasado, la Corte Suprema británica desestimó la medida del gobierno, rechazando ese argumento y ley, que se utiliza en nombre de la Reina Isabel II y que es inmune al escrutinio.

Sin embargo, las autoridades llevaron el caso a la Corte de Apelaciones, alegando que la sentencia anterior afectaba seriamente el control del gobierno en materia de seguridad y relaciones legales con sus territorios de ultramar. (ANSA).

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Birmingham Evening Mail

May 23, 2007, Wednesday
City North Edition

SECTION: NEWS; Pg. 4

LENGTH: 54 words

HEADLINE: The World: Families' victory

BODY:

FAMILIES expelled from the Chagos Islands by the British Government to make way for the Diego Garcia US airbase today won their legal battle to return home.

Foreign Secretary Margaret Beckett took the case to the Court of Appeal after two High Court judges found for the Chagossians but today three judges dismissed the action.

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Press Association Newsfile

May 23, 2007 Wednesday 1:59 PM BST

SECTION: HOME NEWS

LENGTH: 778 words

HEADLINE: Corrected repetition, amending year in par 3)

BODY:

EVICTED ISLANDERS FEAR MORE RED TAPE

By Helen William, PA

Islanders evicted from their homes by the British Government 40 years ago to make way for a US airbase pleaded today: ``Enough is enough, just send us home.''

The Court of Appeal today paved the way for them to return to the Chagos Islands by condemning Government tactics stopping their return as unlawful and an abuse of power.

But the exiled Chagossians, now armed with three favourable High Court rulings including ones from 2000 and 2006, have been let down before.

They fear they could be hit with more time-consuming legal arguments and appeals before being allowed back to the British Indian Ocean territory.

Olivier Bancoult, the leader of the Chagossian community in exile, said: ``I feel very happy not just for myself but all the people who have been separated from their motherland.

``It is a special day for justice because even though we are a small people we have shown big people that we have rights.

``It is a shame for the Government. We have a right to the island and we should go back. It is time for them to put an end to this story. We have been suffering for 40 years. We have been isolated.

``It is time for them to stop wasting taxpayers money and going to court.

``It is time for them to find a remedy and comply with the the judge has decided.''

Their home had been a ``paradise'' filled with a proud tight-knit community, Mr Bancoult recalls.

He said: ``We had our life, our culture, and wanted to pass it on. We have

not been able to do that because one day the UK Government decided to move people in a very bad and inhuman way.'

The method used by the Government to stop the islanders return - making an Order in Council under the Royal Prerogative - was unlawful and an abuse of power by the Government executive, Lord Justice Sedley told the court.

Lord Justice Waller said the decision had been taken by a Government minister ``acting without any constraint''.

The UK Chagos Support Association spokesman said: ``It is enormously encouraging that the court recognise the damage done to democracy if the Government can simply bypass Parliament and enforce its will.'

The time has come for the Chagossians to go home as soon as possible, ideally with compensation, they argue.

Robert Bain, chairman of the UK Chagos Support Association, said: ``The Government knows the Chagossians have no independent means to resettle the islands. To accept the islanders' right to return but do nothing about it - as it did between 2000 and 2004 - would be meaningless and immoral.'

Campaigner Celia Whittaker said: ``It is what we would expect of the courts. They have been persevering with a just and fair path. The Government have been trying to limit this again and again.

``What are the Government trying to do? Are they trying to waste time? Are they hoping that all the Chagossians would die or just simply give up?''

``It has been a dreadful time. They were dumped on the dockside with no support whatever for years, then when they did give them compensation it was too little too late.

``They had disease and despair. Some turned to drink but some survived.

``They were a very close community and they were separated and scattered.'

Three judges headed by the Master of the Rolls, Sir Anthony Clarke, refused a stay on the effect of their judgment, allowing the islanders to return to their Indian Ocean homes immediately.

The only island they will not be able to resettle under original High Court orders allowing their return, will be Diego Garcia itself.

Some 2,000 residents of the British territory - who mainly worked on coconut plantations - were removed when Britain leased Diego Garcia to the US to use as a military base.

US military authorities have suggested that any attempt to resettle any of the islands would severely compromise the security of Diego Garcia - the island used to launch bombing missions in both Iraq and Afghanistan.

Jeremy Corbyn MP, a long-term campaigner for the Chagossians, said: ``I hope the Government will now respect this decision, not seek to appeal it to the House of Lords, and not seek to introduce legislation which would deny the islanders their long-sought right of return to the places they were brutally removed from more than 30 years ago.

Corrected repetition, amending year in par 3) Press Association Newsfile May 23,
2007 Wednesday 1:59 PM BST

``This is a day when we should celebrate the long march of the Chagossian people for their right to live in peace on their own islands.''

In a triumphant speech outside the Royal Courts of Justice in the Strand, Richard Gifford, the solicitor for the islanders, said: ``It has been held that the ties which bind a people to its homeland are so fundamental that no Executive Order can lawfully abrogate those rights''.

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Press Association Newsfile

May 23, 2007 Wednesday 10:46 AM BST

SECTION: HOME NEWS**LENGTH:** 1360 words**HEADLINE:** CHAGOS ISLANDERS WIN LEGAL BATTLE TO RETURN HOME**BYLINE:** Stephen Howard, PA**BODY:**

Families expelled from the Chagos Islands by the British Government to make way for the Diego Garcia US airbase today won their legal battle to return home.

The families and well-wishers packed the Court of Appeal for a ruling which condemned Government tactics stopping their return as unlawful and an abuse of power.

Three judges headed by the Master of the Rolls, Sir Anthony Clarke, refused a stay on the effect of their judgment, allowing the islanders to return to their Indian Ocean homes immediately.

The only island they will not be able to resettle under original High Court orders allowing their return, will be Diego Garcia itself.

Foreign Secretary Margaret Beckett, who took the case to the Court of Appeal after two High Court judges had found for the Chagossians, will now have to show ``good cause'' if she wants the appeal judges to order a stay.

The Government was also refused permission to take the case to the House of Lords but is expected to petition the Law Lords directly, seeking a final challenge at the highest court in the land.

Lord Justice Sedley, giving the lead ruling today, said the method used by the Government to stop the islanders returning - making an Order in Council under the Royal Prerogative - was unlawful and an abuse of power by the Government executive.

Lord Justice Waller said the decision had been taken by a Government minister ``acting without any constraint''.

``Indeed, the Crown may be doing something that, if she only knew the true position, she would prefer not to do, and yet it is then said that the Government can hide behind the `Crown's prerogative'.''

Richard Gifford, the solicitor for the islanders, said in a triumphant speech outside the Royal Courts of Justice in the Strand, that the appeal judges had

thrown out the Government's appeal against a High Court ruling which cancelled two laws passed by ``secret order-in-council procedure''.

``It has been held that the ties which bind a people to its homeland are so fundamental that no Executive Order can lawfully abrogate those rights''.

He went on: ``This is now the third time that Olivier Bancoult, the leader of the Chagossian Community in exile, has proved to the satisfaction of English judges that nothing can separate his compatriots from their homeland.

``They now call upon the British Government for a new start in this abusive relationship and to proceed with the utmost urgency to restore these loyal British subjects to their homeland.''

Lawyers for the Foreign Secretary had argued at the appeal hearing in February that the case involved issues of ``great constitutional importance''.

The High Court judges had condemned as ``repugnant'' the British Government's decision to ``exile a whole population'' from the Indian Ocean islands in the 1960s and 1970s.

The Government said the decision was made on the basis that it was necessary for peace, order and good government.

But Lord Justice Hooper and Mr Justice Cresswell ruled that the interests of the islanders from the British Indian Ocean Territory (BIOT) had been ignored and that orders made under the the royal prerogative to prevent their return were irrational and unlawful.

Because of the importance of the decision, which included a declaration that orders made under the royal prerogative are not immune from judicial review, the judges gave the Government permission to appeal.

The High Court dealt a blow to the Government in 2000 when it overturned measures introduced in 1971, in the form of an Immigration Ordinance, to keep the Chagossians in exile.

The court held the islanders had a right of return to the group of 65 islands in the Chagos Archipelago, although not to Diego Garcia itself.

Then foreign secretary Robin Cook said there would be no appeal and a ``feasibility study'' would be conducted into the possibility of their return.

The US military authorities expressed fears that any attempt to resettle any of the islands would severely compromise the security of Diego Garcia - the island used to launch bombing missions in both Iraq and Afghanistan.

It was then that the British Government decided that they could not go back after all.

The Government made an Order in Council under the royal prerogative declaring that no person had a ``right of abode'' in the British Indian Ocean Territory.

The High Court's ruling last May, which extended the powers of the judiciary to review the royal prerogative, overturned the order.

The judges said at the time: ``The suggestion that a minister can, through

the means of an Order in Council, exile a whole population from a British Overseas Territory and claim that he is doing so for the 'peace, order and good government' of the territory is, to us, repugnant.'

They rejected Government argument that the royal prerogative - which consists of discretionary powers, not subject to parliamentary scrutiny, that belong to the Queen but are exercised by Government ministers in her name - were immune from judicial scrutiny.

They declared: 'The decision was in reality that of the Foreign Secretary, not of Her Majesty, and is subject to challenge by way of judicial review in the ordinary way.'

Following the case, a Foreign and Commonwealth Office spokeswoman said: 'We are disappointed that our leave to appeal today's decision has been declined.'

'We now have one month to lodge an appeal with the House of Lords.'

'The Foreign Secretary will consider the judgment carefully and decide if an appeal to the House of Lords will be made. Until this, the matter remains sub judice.'

Lord Justice Sedley said the Chagos Islands were ceded to Britain by France in 1814 and became part of the BIOT colony in 1965.

The inhabitants were compulsorily removed, mainly to Mauritius, under an Immigration Ordinance, because the main island, Diego Garcia, 60 miles from the other islands, was required by the US as a military base.

The appeal judge said that despite a candid ministerial acknowledgement to Parliament that 'the decisions made by successive governments in the 1960s and 1970s to depopulate the islands do not, to say the least, constitute the finest hour of UK foreign policy', those decisions were replicated in 2004 by using Orders in Council which the Government said had been made by 'Her Majesty'.

Lord Justice Sedley said the case did not concern 'a sovereign act of the Crown' but an act of government which was subject to the scrutiny of the courts.

Agreeing with the High Court decision, he said: 'While a natural or man-made disaster could warrant the temporary, perhaps even indefinite, removal of a population for its own safety and so rank as an act of governance, the permanent exclusion of an entire population from its homeland for reasons unconnected with their collective well-being cannot have that character and accordingly cannot be lawfully accomplished by use of the prerogative power of governance.'

Lord Justice Waller said: 'We are no longer in an era where there is a contest between the Crown and parliament as to who has the power to do what.'

'In that era it really was the Crown, i.e. the sovereign, who preserved for him or herself the power to do certain things.'

'Matters have gradually developed over the years so that now, constitutionally, the Crown never acts other than on advice of her ministers, and the decision to exercise the 'Royal Prerogative' is actually taken, as this very case shows, by the Government or by ministers individually.'

Sir Anthony said he agreed with Lord Justice Sedley and Lord Justice Waller that the sovereign no longer had ``unfettered powers'' to legislate by Order in Council.

Labour MP Jeremy Corbyn, who has campaigned for the islanders in Parliament, said: ``I am delighted at the result of the court's rejection of the Foreign Office appeal.

``I hope that the Government will now respect this decision, not seek to appeal it to the House of Lords, and not seek to introduce legislation which would deny the islanders their long-sought right of return to the places they were brutally removed from 30 years ago.

``This is a day when we should celebrate the long march of the Chagossian people for their right to live in peace on their own islands.''

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Associated Press Worldstream

May 23, 2007 Wednesday 12:13 PM GMT

SECTION: INTERNATIONAL NEWS

LENGTH: 534 words

HEADLINE: Court of Appeal says British government abused power in blocking Chagos islanders' return

BYLINE: By ROBERT BARR, Associated Press Writer

DATELINE: LONDON

BODY:

Islanders who were evacuated to make way for the U.S. airbase at Diego Garcia more than 30 years ago won another round in British court Wednesday, but likely face further legal battles to secure their right to return.

Three justices of the Court of Appeal unanimously ruled that the British government, which agreed seven years ago to allow the islanders to go home, abused its powers in changing its mind in 2004.

The court refused to grant the government an immediate right of appeal, but the Foreign Office said it would petition the House of Lords directly to review the case.

"This is now the third time that Olivier Bancoult, the leader of the Chagossian community in exile, has proved to the satisfaction of English judges that nothing can separate his compatriots from their homeland," said Richard Gifford, a lawyer for the islanders.

"They now call upon the British government for a new start in this abusive relationship and to proceed with the utmost urgency to restore these loyal British subjects to their homeland."

Following a court victory by the islanders in 2000, then-Foreign Secretary Robin Cook accepted the ruling and said the government would arrange for Chagossians to return to the outer islands.

But in June 2004 the government reversed course, using Orders in Council to forbid anyone from having a right of abode on the islands.

Lord Justice Stephen Sedley, writing the main ruling, said the government acted unlawfully in using its Royal Prerogative powers to make an Order in Council not subject to Parliamentary debate to stop the islanders from returning.

Court of Appeal says British government abused power in blocking Chagos islanders' return Associated Press Worldstream May 23, 2007 Wednesday 12:13 PM GMT

The Royal Prerogative gives the government wide powers including going to war, making treaties and appointing government ministers.

"While a natural or man-made disaster could warrant the temporary, perhaps even indefinite, removal of a population for its own safety and so rank as an act of governance, the permanent exclusion of an entire population from its homeland for reasons unconnected with their collective well-being cannot have that character and accordingly cannot be lawfully accomplished by use of the prerogative power of governance," Sedley wrote.

Lord Justice George Waller concurred, writing:

"So far as Orders in Council are concerned there is simply no opportunity for debate at all and no opportunity for scrutiny. It involves a minister acting without any constraint.

"Indeed the Crown may be doing something that, if she only knew the true position, she would prefer not to do, and yet it is then said that the government can hide behind the 'Crown's prerogative.'

"In the modern era I do not believe that position is tenable."

Britain leased Diego Garcia, halfway between Africa and Southeast Asia and part of the British Indian Ocean Territory, to the United States, and in 1971 barred anyone from entering the islands except by permit.

Although Diego Garcia is 60 miles (95 kilometers) distant from any other island, the entire population of the Chagos archipelago 2,000 people according to the islanders, 1,000 according to the British government was relocated between 1967 and 1973.

A few islanders were sent to the Seychelles, but most were shipped to Mauritius both island nations off Africa's east coast.

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Morning Star

May 22, 2007 Tuesday

LENGTH: 1518 words**HEADLINE:** Feature - Question and answers;

Historian Mark Curtis knows a thing or two about Britain's abuses abroad. He speaks about Tony Blair's foreign policy legacy and suggests what we can expect from Gordon Brown

BYLINE: Mark Curtis**BODY:**

What is Tony Blair's legacy? How do you imagine he will be viewed in the future?

I've no doubt that Blair will be seen in the mainstream as a "liberal interventionist" who started well in Kosovo, Sierra Leone and Afghanistan and then overstepped the mark with Iraq, to the extent that he "misled" the British public, but who was genuinely committed to the cause of Africa.

This view is totally absurd and, therefore, can be expected to dominate discussions in the mainstream. It doesn't matter how much evidence emerges as to the reality of Kosovo in 1999 and the bombing of Yugoslavia to counter the mainstream view that Kosovo was all about defending human rights.

Remember, though, we are dealing here with a very primitive mainstream political culture - it doesn't and cannot recognise obvious policies such as the extraordinary British support provided to the brutal regime in Colombia, the total backing of Russia's bloody onslaught against Chechnya, including the flattening of its capital city in 1999-2000, and of support for Indonesia's attacks on Aceh and West Papua with British arms. It remains incapable of recognising British support under Blair - fairly unequivocal, actually - for Israel.

One day, you never know, the BBC might mention Britain's extraordinary abuse of the legal system to prevent the Chagos islanders returning to even the outlying islands in the archipelago, let alone Diego Garcia, but this is, admittedly, very unlikely.

Perhaps mention might be made that while Blair and Brown profess their support for "'democracy' in the Middle East," their closest ally is Oman, which is ruled by a despot installed in a British coup 37 years ago.

Blair should be remembered as a war criminal who has made the world a more dangerous place. I can think of no other British prime minister who has been so contemptuous of human rights as Blair, the one possible exception being Harold

Feature - Question and answers; Historian Mark Curtis knows a thing or two about Britain's abuses abroad. He speaks about Tony Blair's foreign policy legacy and suggests what we can expect f

Wilson's government of 1964-70, which covertly supported the bloodbath in Indonesia in 1965, removed the Chagos islanders, provided a mountain of weaponry to the Nigerian government to wipe out three million people in Biafra, armed Baghdad as it began major operations against the Kurds and offered significant private support to the US attack on Vietnam.

It is very clear that the world has been made more dangerous as a direct result of British foreign policy, not only since Iraq but before. For example, it would be entirely rational for Iran to develop nuclear weapons, as it has been repeatedly threatened with invasion.

Indeed, there is a much stronger rational case for Iran to have these weapons than Britain. The UK faces no conceivable military threat and is not surrounded by enemies. It is simply a rational insurance policy for any regime to have nuclear weapons these days, since you might end up on the receiving end of a cruise missile attack or carpet bombing on some flimsy pretext or other from the wackos in the White House and No 10.

I would also make mention of possibly the most extraordinary planning document of the Blair years, the December 2003 defence white paper which outlined a major new phase of British military intervention around the world - "expeditionary operations" and "power projection," complete with a new generation of cruise missiles and aircraft carriers. Geoff Hoon, the defence minister at the time, was talking of one operation a year.

In other ways, too, the world has become more dangerous. The constant flouting of international law by Bush and Blair means that it will be much more difficult to invoke international law in future crises.

One should also not underestimate the extent of British arms exports around the world under Blair - arming key states such as Indonesia, Saudi Arabia and Israel. Heaven knows how these might be used in the future. I've just done some research on UK arms exports - at least £45 billion worth has been sold by Britain over the past 10 years, an incredible legacy.

What do you expect from a Brown premiership? Is British foreign policy likely to change at all?

The real news about Brown succeeding Blair is that it means nothing in policy terms, but a simple fact like this cannot be reported and we can expect endless nonsensical musings on the "changeover" in the mainstream in the coming few weeks.

In terms of what we can expect from Gordon Brown's premiership, the most extraordinary feature of Brown's public positioning in the last 10 years, to me, has been his total support and defence of big business. This really is quite extraordinary and perhaps unprecedented in the post-war years.

Virtually every speech for the last 10 years has been a reassurance to business that Labour is on its side and a defence of "free trade" and ensuring climates around the world favourable for British foreign investment, along with ongoing commitments to low corporation taxes and cutting business regulation. Brown is the ultimate liberalisation theologian and every one of his policies has pushed in this direction.

The government's propaganda campaign on "development" has been, if anything,

Feature - Question and answers; Historian Mark Curtis knows a thing or two about Britain's abuses abroad. He speaks about Tony Blair's foreign policy legacy and suggests what we can expect f

deeper than over Iraq, yet the mainstream media has reported it uncritically, with hardly any deviation.

In reality, debt relief, aid and trade policy have all been geared to further liberalising and privatising economies in Africa and elsewhere, with deepening poverty the well-documented result.

Britain's fundamental goal in foreign policy is to ensure favourable investment climates for corporations globally, which is no secret and regularly invoked by ministers and regularly unreported by journalists, as in Margaret Beckett's most recent comment on April 18 that the job of government is "to make sure that the rest of the world" is "safe and well-disposed for our businesses."

This is the primary reason for the special relationship with the US, the power that can help Britain achieve this globally. This basic goal is more than safe in Brown's hands.

Incidentally, it is also interesting to read how Brown sees climate change as providing new "opportunities" for British business - a major current theme of his speeches.

Why is Britain reducing its presence in Iraq and increasing its presence in Afghanistan?

Militarily, the reduction in Iraq has little significance. The major reason is probably to placate the military which is worried about overstretch and, more generally, the impossible mission the government has set for it, hence the interest in withdrawing. Of course, the reduction doesn't go far enough for the military and troops are, as you say, increasing in Afghanistan.

The British elite is now faced with a massive dilemma in Iraq - faced with complete chaos and rising atrocities, which every Whitehall planner and minister is perfectly aware of, while they constantly lie in public about things improving, alongside massive public opposition, the UK cannot simply withdraw troops without A) incurring the wrath of Washington, B) being seen to fail abjectly, another humiliation akin to the invasion of Egypt in 1956 and C) failing to establish in Iraq a government that can guarantee Western control over the country's and region's oil, the reason for intervening in the first place.

I think that the 2003 invasion was intended to ensure that at least one of the three major oil producers - Iran, Iraq and Saudi Arabia - was made a pure Western bastion and "stable," given an enemy government in Iran and ongoing major uncertainty in Saudi Arabia.

The government's concerns about "energy security" were clearly outlined in a February 2003 document, released just weeks before the invasion, which stated that the UK would soon become dependent on imported oil and gas.

From an elite point of view, things are looking even shakier now than before. "Energy security" has been a major theme of Blair's speeches and recent government documents - another worrying trend and a further good argument for ending dependence on fossil fuels.

Why Afghanistan?

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I think the major reason now for the increased British presence in Afghanistan may well actually be the same as in Kosovo in 1999 - credibility. Most NATO countries have categorically refused to commit or increase their troop presence in Afghanistan, leaving Britain the choice of seeing the rise of the Taliban and/or the prospect of an independent government in Kabul or else commit itself. Given the calamity in Iraq, a total failure in Afghanistan could have tremendous impacts on the Western ability to impose order around the world.

If even Iraq, a weak state with a reluctant army and hated dictator cannot be controlled, and neither can Afghanistan, a failed state with no formal army, what hope does the Anglo-US alliance have of continuing to shape the world in its interests?

I think that there is a lot at stake here for the UK/US elite, especially at a time of a rising China threatening the established world order and with energy resources far from under the full control of the US/UK alliance.

Mark Curtis is author of *Unpeople: Britain's Secret Human Rights Abuses and Web of Deceit: Britain's Real Role in the World*. This interview appears in full at ukwatch.net.

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