

India in the Chagos Dispute: Mediation as Security Provision♦

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During his 2017 visit to India as British Foreign Secretary, Boris Johnson failed to achieve a key diplomatic goal.¹ Johnson was unable to convince Indian government to restrain its ally, Mauritius, from launching a diplomatic offensive against Britain over the sovereignty of the Chagos Archipelago. Among its islands, Johnson and the UK government were most concerned about Diego Garcia, which is leased to the United States as a base for significant military and intelligence capabilities.²

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1 Prasun Sonwalkar, “Britain and US seek India’s assistance on Diego Garcia,” *Hindustan Times*, January 19, 2017, <https://www.hindustantimes.com/world-news/britain-and-us-seek-india-s-assistance-on-diego-garcia/story-thHY7JObIZETj2zIQ73DwL.html>.

2 For military significance of the base to the US and the UK, Samuel Matthews Bashfield, “Mauritian Sovereignty over the Chagos Archipelago? Strategic implications for Diego Garcia from a UK-US perspective,” *Journal of Indian Ocean Region*, Volume 16, Number 2, 2019, pp. 166-181.

India stood with Mauritius during all the diplomatic episodes that followed, including at the United Nations General Assembly (UNGA) and the International Court of Justice. The international Court's opinion on the matter was unfavourable to the United Kingdom, and the UNGA followed up by calling for a swift end to the UK's control of the islands.³

Some believe Mauritius' diplomatic successes were a 'pyrrhic victory'⁴ because, if the transfer of sovereignty leads to a reduction in American forces on Diego Garcia, it would upset the military balance that those forces uphold in the western Indian Ocean. Even when India voted in favour of Mauritius, it raised "security concerns relating to the Indian Ocean" and urged all parties "to reach a mutually agreeable understanding as soon as possible."⁵ Although Mauritius wishes to gain sovereignty over the Chagos Archipelago, its government, and that of its diplomatic supporter India, favour an American military presence there. The British, American, and Indian governments are actively aligning elsewhere in the Indo-Pacific region to uphold a rules-based order against

3 The UN General Assembly (UNGA) first sought the International Court of Justice' (ICJ) opinion vide UNGA Resolution A/RES/71/292. The resolution was passed by 94 against 15 with 65 abstentions. India voted with Mauritius. After an unfavourable ICJ verdict, the matter was again brought to the UNGA in form of a resolution requesting the UK to unconditionally withdraw from the Chagos archipelago. The UK lost that resolution (A/RES/73/295) by 116 in favour against 6 with 56 abstentions. India voted favourably with Mauritius for this vote as well.

4 Robert Thorpe, "Mauritius Scores A Pyrrhic Victory in the Indian Ocean Region," *War on The Rocks*, July 12, 2019, <https://warontherocks.com/2019/07/mauritius-scores-a-pyrrhic-victory-in-the-indian-ocean/>.

5 Press Trust of India, "India votes in favour of UNGA resolution demanding UK withdraw from Chagos Archipelago," *The Hindu*, May 23, 2019, <https://www.thehindu.com/news/international/india-votes-in-favour-of-unga-resolution-demanding-uk-withdraw-from-chagos-archipelago/article27215087.ece>.

China.⁶ In the case of the Chagos Archipelago, they, along with Mauritius, compete due to mutually irreconcilable interests, which has led to a stalemate over the question of sovereignty that seemingly militates against international law and normative concerns.

Breaking that stalemate requires finding a proposal that can satisfy the interests of both Britain and Mauritius, as well as the interests of the other parties — the United States and India. A solution to the sovereignty dispute that leaves everyone better off could be devised: one possibility is the joint management of the Chagos Archipelago by Britain and Mauritius, without prejudicing their sovereignty claims. Such an arrangement would ensure American access to military facilities on Diego Garcia without imposing additional international law constraints, while the UK and Mauritian governments can jointly administer non-military issues, such as fishing licenses, and create a revenue-sharing arrangement.

The US military's lease of Diego Garcia from the United Kingdom runs until 2036. Rather than wait for the sovereignty dispute to intensify during negotiations at that time, the United Kingdom and Mauritius should consider implementing co-management as a stopgap solution, and the American and Indian governments should encourage them to do so. India –

6 Although the UK is not the part of the Quad, in its most recent Integrated Review of security, defence, development and foreign policy, the British government has laid unique emphasis on the Indo-Pacific theatre. In his speech at the inauguration of the Integrated Review in the House of Commons, PM Boris Johnson made this vision clear. As a mark of its manifest commitment, Johnson also announced that HMS Queen Elizabeth, along with a career strike group, would embark on a voyage to the Indo-Pacific. See, “PM statement to the House of Commons on the Integrated Review,” *House of Commons*, March 16, 2021, <https://www.gov.uk/government/speeches/pm-statement-to-the-house-of-commons-on-the-integrated-review-16-march-2021>.

whose role is conceived by major powers as the “net security provider” in the Indian Ocean Region⁷ – should work towards mediation, considering this an act of security provision.

This article is divided into three sections. The first section outlines the dispute’s provenance and stakes between two original disputants – Mauritius and the United Kingdom. The second section highlights the role of two other parties – the United States, which operates one of the most critical bases on the Diego Garcia Island, and India, which enjoys a long-standing friendship with Mauritius as well as an emerging strategic proximity with the US and the UK. The final section provides the contours of this stopgap solution and India’s potential role in it. The concluding section argues that India should not limit its image of ‘net security provider’ to strategic issues alone. Resolving a political conflict in the Indian Ocean Region between two like-minded nations, which leads to a stable balance in a highly volatile region, while shielding them from international embarrassment, is also an act of security provision.

THE DISPUTANTS: MAURITIUS AND THE UNITED KINGDOM

Britain and Mauritius have been locked in a dispute over the Chagos Archipelago for decades.⁸ In 1965, the UK government excised the islands from Mauritius while granting the latter its independence. For the archipelago, Britain paid three million

7 Anit Mukherjee, “India as a Net Security Provider: Concepts and Impediments,” *RSIS Policy Brief*, S Rajaratnam School of International Studies, August 2014, https://www.rsis.edu.sg/wp-content/uploads/2014/09/PB_140903_India-Net-Security.pdf.

8 For the history of the island, David Vine, *Island of Shame: The Secret History of the U.S. Military Base on Diego Garcia*, Princeton University Press, Princeton, 2011; also, Peter H. Sand, *United States and Britain in Diego Garcia: The Future of a Controversial Base*. Palgrave Macmillan, New York, 2009.

pounds to Mauritius and formed the British Indian Ocean Territory, from which it leased Diego Garcia to the United States.⁹ Governments in London repeatedly promised to “revert” possession of the islands to Mauritius when the United Kingdom no longer required them for defence purposes,¹⁰ which not only sowed seeds of hope in Mauritius, but also tacitly recognised the country’s sovereignty over the islands. However, the occasion for returning the islands to Mauritius never arose.

For Mauritian leaders, the benefits of sovereignty would include political glory and fiscal bounty. While Mauritian political leaders frequently raise the Chagossians’ right to domicile, Mauritius’ envoy to the United Nations has stated that, as and when Mauritius regains sovereignty, Chagossians would be rehabilitated to three nearby islands,¹¹ at least 100 miles away from Diego Garcia. That would be contrary to most Chagossians’ wishes of returning to Diego Garcia itself.¹²

The Chagos dispute is a political hot potato in Mauritius, especially between the Ramgoolam and Jugnauth families,

9 “Advisory Opinion: Legal Consequences of the Separation of the Chagos Archipelago From Mauritius in 1965,” *International Court of Justice*, February 25, 2019, <https://www.icj-cij.org/public/files/case-related/169/169-20190225-01-00-EN.pdf>.

10 Geoffrey Robertson, “Who Owns Diego Garcia? Decolonization and Indigenous rights in the Indian Ocean,” *University of Western Australia Law Review*, Volume 36, Number 1, 2012, pp. 9-38.

11 Mauritian Ambassador to the US Jagdish Koonjul in “Diego Garcia: U.S. and Allied Basing Rights in the Era of Great Power Competition,” Event by CAN, *Vimeo*, June 24, 2020, <https://vimeo.com/432245768>.

12 KPMG, “Consultation Comments for Feasibility Study on Resettlement of the British Indian Ocean Territory: Volume 1,” *House of Commons*, January 31, 2015, <https://qna.files.parliament.uk/ws-attachments/178757%5Coriginal%5CFeasibility%20study%20for%20the%20resettlement%20of%20the%20British%20Indian%20Ocean%20Territory%20Volume%201.pdf>.

two political dynasties that have alternated in power since 1968. Sir Seewoosagur Ramgoolam, who oversaw Mauritius' independence from the United Kingdom, has been accused of betrayal and venality.¹³ For his son Navin, a former Prime Minister, trying to resolve the Chagos dispute was about redressing his father's legacy of incomplete decolonisation. For their political rivals – the late Anerood Jugnauth, another former Prime Minister, and his son Pravind, who has been Prime Minister since 2017 – the Chagos dispute is a way to engage in one-upmanship over the Ramgoolams.

For Mauritian political leaders, attempting to regain control of the archipelago is also about cashing in on Mauritius' coveted strategic position. Compared to the Red Sea littorals and countries on the East African coastline¹⁴ – some of which earn millions of dollars by leasing strategic real estate – Mauritius is at a notional loss. For instance, military bases provide a significant revenue stream for Djibouti: The country annually receives USD 70 million from the United States, USD 36 million from France, USD 20 million from China, USD 2.6 million from Italy, and undisclosed amounts from Japan and Saudi Arabia.¹⁵ On top of that, Djibouti gains economic benefits in ancillary sectors that support thousands

13 Par Touria Prayag, "Jean Claude de l'Estrac: "We all became propagandists and journalists started carrying Anerood Jugnauth on their shoulders like a hero";" *L'Express Maurice*, September 29, 2018, <https://www.lexpress.mu/article/340127/jean-claude-lestrac-we-all-became-propagandists-and-journalists-started-carrying>.

14 Zach Vertin, "Red Sea Rivalries: The Gulf, the Horn, and the New Geopolitics of the Red Sea," Brookings Doha Center, August 2019, <https://www.brookings.edu/wp-content/uploads/2019/06/Red-Sea-rivalries-The-Gulf-the-Horn-and-the-new-geopolitics-of-the-Red-Sea.pdf>.

15 Neil Melvin, "The Foreign Military Presence in the Horn of Africa Region," *SIPRI Background Paper*, April 2019, https://www.sipri.org/sites/default/files/2019-05/sipribp1904_1.pdf.

of troops.¹⁶ By comparison, the military outpost of Diego Garcia generates zero revenue for Mauritius. In addition to receiving no rent for it, Mauritius also loses anticipated revenue of up to 1 million pounds per annum because its fishing rights remain curtailed after London proclaimed the Chagos Archipelago and its surrounding area to be a “marine protected area.”¹⁷

The United Kingdom has strategic reasons for maintaining control of the archipelago, despite the unfavourable advisory opinion from the International Court of Justice, losing the UNGA vote over the opinion, and failing to prove its sovereignty over the islands in an International Tribunal for the Law of the Seas (ITLOS) hearing between Mauritius and the Maldives. By the British government’s own admission, the presence of British forces is “a visible demonstration of United Kingdom sovereignty of the archipelago.”¹⁸ However, while Diego Garcia is technically a joint facility, British troops are not stationed there permanently.¹⁹

As a former shadow of its colonial self, the UK government can point to Diego Garcia as one important way that it contributes

16 Bruno Mações, “The Most Valuable Military Real Estate in the World,” *Politico*, January 15, 2018, <https://www.politico.eu/blogs/the-coming-wars/2018/01/the-most-valuable-military-real-estate-in-the-world/>.

17 Section 4.61, “Memorial of the Republic of Mauritius”, submitted to the Permanent Court of Arbitration in *Republic of Mauritius v. United Kingdom of Great Britain and Ireland*, 1 August 2012, <https://pcacases.com/web/sendAttach/1796>.

18 “Guidance: Directorate of Overseas Bases,” *Ministry of Defence*, 2019, <https://www.gov.uk/government/publications/permanent-joint-operating-bases-pjobs/fd>.

19 James Rogers and Luis Simón, “The Status and Location of the Military Installations of the Member States of the European Union and Their Potential Role for the European Security and Defence Policy,” Briefing Paper, *European Parliament*, February 2019, https://www.europarl.europa.eu/meetdocs/2004_2009/documents/dv/sede300309studype407004_/SEDE300309StudyPE407004_en.pdf.

to American military and intelligence capabilities, as well as, more broadly, to those of the “Five Eyes” intelligence alliance. With the changing geopolitical context, and London’s clear tilt toward the Indo-Pacific region in its recent strategic review, Indian Ocean territories give Britain more “skin in the game” than a waning naval power otherwise would have.²⁰ Motivated by these interests and aware of America’s unwavering support, the British government remains steadfast in the face of Mauritius’ incessant diplomatic campaign. Hence, in all diplomatic parleys, the British pass the buck by informing Mauritians that it is “up to the Americans.”²¹

OTHER INTERESTED PARTIES: THE UNITED STATES AND INDIA

Both the United States and India also have interests at stake in the sovereignty dispute between Mauritius and the United Kingdom. The American government has overlooked reputational costs and Mauritius’ repeated offers, both in public and private, to lease the base back to the United States for 99 years in exchange for supporting its case for sovereignty.²² Like British policymakers, American officials see strategic reasons for maintaining the *status quo*. If Mauritius had sovereignty over the islands, the African Nuclear-Weapon-Free Zone Treaty – also known as the Pelindaba Treaty – would

20 For a brief overview of the British Navy’s relative decline, see David Axe, “Commentary: What the U.S. Should Learn from Britain’s Dying Navy,” *Reuters*, October 15, 2016, <https://www.reuters.com/article/us-uk-military-navy-commentary-idUSKCN10L1AD>.

21 Port Louis, Mauritius, “Mauritius: General Ward/U.S. Africa Command Visit 17-18 August Strengthens Ties,” *Wikileaks*, Cable: 09PORTLOUIS265_a, September 4, 2009, https://wikileaks.org/plusd/cables/09PORTLOUIS265_a.html.

22 For instance, Mauritian PM Shri Pravind Kumar Jugnauth’s public assurance to the UNGA in 2019, see proceedings, <https://undocs.org/en/A/73/PV.83>.

apply to Diego Garcia as a Mauritian territory.²³ As a party to the treaty, Mauritius cannot ‘station’ nuclear explosives on its territory, including those carried by foreign ships or aircraft. This could present an obstacle to deployments of US bombers and visits by American submarines as well, due to the US policy of neither confirming nor denying the presence of nuclear weapons aboard aircraft, surface ships, and attack submarines.²⁴

Some claim that Mauritius can avoid such restrictions through a contrived interpretation of the treaty, due to ambiguity in its text about port-call timing.²⁵ However, Mauritian leaders’ past behaviour, including calling for International Atomic Energy Agency (IAEA) inspection of Diego Garcia²⁶ and lodging diplomatic protests against the passage of nuclear-powered submarine tender USS Emory S. Land,²⁷ does not square with such optimism. The Obama administration signed the Pelindaba Treaty’s additional protocols for the five Nuclear Weapons States, which would require them to comply with

23 Treaty text accessible at <https://www.nti.org/education-center/treaties-and-regimes/african-nuclear-weapon-free-zone-anwfp-treaty-pelindaba-treaty/>.

24 For U.S. policy of neither confirming nor denying the presence of nuclear weapons, see “Instruction Number 5230.16,” *Department of Defense*, October 6, 2015, <https://www.esd.whs.mil/Portals/54/Documents/DD/issuances/dodi/523016p.pdf>.

25 Samuel Bashfield, “Mauritius, Diego Garcia, and the Small Matter of Nukes,” *Interpreter*, The Lowy Institute, May 26, 2020, <https://www.loyyinstitute.org/the-interpreter/mauritius-diego-garcia-and-small-matter-nukes>.

26 Par La Redaction, “Chagos : Une inspection nucléaire sera réclamée sous le traité de Pelindaba, annonce Boolell,” *L’Express Maurice*, November 2, 2010, <https://www.lexpress.mu/article/chagos-une-inspection-nucl%C3%A9aire-sera-r%C3%A9clam%C3%A9e-sous-le-trait%C3%A9-de-pelindaba-annonce-boolell>.

27 Port Louis, Mauritius, “Mauritius Objects to Visit of Emory S. Land to Diego Garcia,” *Wikileaks*, Cable: 10PORTLOUIS21_a, January 20, 2010, https://wikileaks.org/plusd/cables/09PORTLOUIS265_a.html.

treaty obligations such as not hosting nuclear weapons on a signatory state's territory.²⁸ Nevertheless, the US Senate never ratified those additional protocols.

The United Kingdom did sign those same protocols, but it made an explicit exception for the Chagos Archipelago, as it has done for at least eight other environmental and human rights treaties.²⁹ Britain's decision to make those exceptions relieves the United States from numerous international law obligations in relation to Diego Garcia. Under Mauritian sovereignty, the US military base would become subject to many international conventions and treaties, imposing additional legal constraints on US military and intelligence activities.³⁰ Hence, Mauritian officials' public offer that, in the event of Mauritius' sovereignty over Diego Garcia, they "would permit the unhindered operation of the defence facility, *in accordance with international law*," seems unlikely to persuade American policymakers.³¹

Mauritian sovereignty over Diego Garcia would also leave the United States facing increases in rental costs. The United States leases Diego Garcia from the United Kingdom for free and derives considerable strategic benefits from the island, using it as a logistical hub, as a launchpad for air operations in surrounding theatres, and as a reconnaissance station.³² Host

28 Alfred Nurja, "Obama Submits NWFZ Protocols to Senate," *Arms Control Today*, <https://www.armscontrol.org/act/2011-06/obama-submits-nwfz-protocols-senate>.

29 Peter Sand, "The shadow of Pelindaba: Chagos and the African Nuclear-weapon-free Zone," *South African Journal of International Affairs*, Volume 26, Number 3, pp. 323-347.

30 Peter Sand, "Diego Garcia: British-American Legal Black Hole in the Indian Ocean?," *Journal of Environmental Law*, Volume 21, Issue 1, 2009, pp. 113-137.

31 Mauritian PM Pravind Jugnauth's address, UNGA Proceedings, 22 May 2019, <https://undocs.org/en/A/73/PV.83>.

32 Bashfield, *Mauritian Sovereignty*.

nations know that they can charge more in rental costs for bases with greater strategic relevance. Djibouti was able to more than double its ask of the United States for use of Camp Lemonnier, from USD 30 million to USD 70 million annually.³³ American negotiators fear that host nations can increase their demands from time to time. However, the cost factor would remain secondary, considering the vast American defence budget, usually upwards of USD 750 billion, and compared to the significant utility of the base. Finally, as US and UK interests coincide, American policymakers have no reason to snub a vital ally like the United Kingdom by not supporting it.

For India, during the Cold War, taking a position on Chagos meant choosing between the benefits of the US presence in the Indian Ocean – to check China – and its principled stance on decolonisation.³⁴ Presently, the Indian government seems to approach the issue more instrumentally, despite continuing to clutch to Cold War-era tropes of decolonisation publicly.

As officials of a rising power, Indian policymakers see certain countries, including Mauritius, as falling within its regional sphere of influence. New Delhi lends those countries moral and material support and Indian officials disapprove of major powers' intrusion in the region. In the Maldives, for example, Indian policymakers neither welcome a US military presence nor a Chinese one. Hence, Indian officials only begrudgingly accepted the American military toehold in the Maldives, despite the balance it provides against

33 Eric Schmitt, "U.S. Signs New Lease to Keep Strategic Military Installation in the Horn of Africa," *New York Times*, May 5, 2014, <https://www.nytimes.com/2014/05/06/world/africa/us-signs-new-lease-to-keep-strategic-military-installation-in-the-horn-of-africa.html>.

34 Darshana Baruah and Yogesh Joshi, "India's policy on Diego Garcia and its quest for security in the Indian Ocean," *Australian Journal of International Affairs*, Volume 75, Number 1, pp.36-59.

China's intended militarisation of the Hambantota Port, a few hundred miles away in Sri Lanka.³⁵ Some claim that New Delhi actively scuttled direct defence cooperation between the United States and the Maldives in 2014,³⁶ indicating Indian policymakers' reluctance to allow major powers to engage states that fall within what they see as India's sphere of influence. Although the official line is that India does not want to micromanage the Chagos affair, a section of Indian officials believes that, in relation to Diego Garcia, the United States should seek Indian assistance in encouraging a long-term solution to the dispute.³⁷

For its part, Mauritius has always looked to India for support for its international endeavours, including its recent efforts to exit the global financial watchdog's grey list.³⁸ UN insiders believe that Mauritius would never have been able to pull off its diplomatic victories against the United Kingdom in the General Assembly without India drumming up support.³⁹ For Indian policymakers, not supporting Mauritius risks leaving it

35 Tara Kartha, "Allowing US in Maldives to keep China out is a heavy price to pay. So why is India doing it?" *The Print*, October 30, 2020, <https://theprint.in/opinion/allowing-us-in-maldives-to-keep-china-out-is-a-heavy-price-to-pay-so-why-is-india-doing-it/533874/>.

36 Sripathi Narayanan, "Big Picture: India and the US-Maldives Defence Agreement," Institute of Peace and Conflict Studies, September 23, 2020, http://www.ipcs.org/comm_select.php?articleNo=5726.

37 Chirayu Thakkar, "India and the United States: Friends Elsewhere, Foes at the UN," *Stimson Center Policy Memo*, April 15, 2021, <https://www.stimson.org/2021/india-and-the-united-states-friends-elsewhere-foes-at-the-un/>.

38 Press Trust of India, "Mauritius seeks India's help for early exit from FATF grey list," *Business Standard*, February 22, 2021, https://www.business-standard.com/article/current-affairs/mauritius-seeks-india-s-help-for-early-exit-from-fatf-grey-list-121022201235_1.html.

39 Devirupa Mitra, "The Chagos Island Quandary: Will India Fight for Mauritius at the ICJ?," *The Wire*, January 16, 2018, <https://thewire.in/external-affairs/chagos-island-imbroglio-will-india-fight-mauritius-icj>.

in search of another patron (i.e., China), but it would also mean losing a crucial African ally that is strategically positioned in the Indian Ocean. Hence, Indian officials treaded cautiously. Although India voted with Mauritius at the General Assembly over the Chagos dispute, it refrained from co-sponsoring the resolution.⁴⁰ Similarly, India submitted a response to the International Court of Justice in favour of Mauritius after much deliberation, but some in Mauritius believed India's reaction to be tepid.⁴¹

As interested parties to the dispute, India and the United States could, in theory, help Mauritius and the United Kingdom try to resolve their deadlock. They have, as yet, been unable to do so, even if their long-term interests to hedge against China align. The United States wants India's help to silence Mauritius until 2036, when the lease for the Diego Garcia base opens for negotiations. India eyes the potential to deepen its political footprint in Mauritius, and to create leverage with the United States, by resolving the issue permanently.

American policymakers might have questions about the true degree of influence Indian policymakers exercise over their counterparts in Mauritius. Such doubts were likely fuelled by the fact that China made inroads into Mauritius with a trade agreement before India achieved one, while India's development of infrastructure on Mauritius' Agalega Island precipitated protests in the country. However, any American fears in that regard are misplaced. Mauritius, which fancies itself as the 'Singapore of Africa,' wants to follow Singapore's de-hyphenation of economic and security policy

40 Devirupa Mitra, "Ahead of UNGA Resolution on Chagos, India Faces US-UK Pressure to Lean on Mauritius," *The Wire*, May 18, 2019, <https://thewire.in/diplomacy/unga-chagos-india-mauritius>.

41 Par Touria Prayag, "We all became propogandists".

– openly embracing China for trade, while maintaining close-knit security collaboration with the United States and India. Similarly, New Delhi’s partnership is valued across party lines in Mauritius, and officials repeatedly underscore that they would not do anything that hurts Indian interests.⁴² Secondly, despite America’s readiness to invest in India’s rise in the Indian Ocean Region, it seems the United States falls short in allowing India to build its own geostrategic orbit on which America might have to rely for its needs. This deficit upsets Indian diplomats and strategic thinkers, but at a time when US heft is needed the most against China, expressing a grudge is not a choice.

TOWARD A NEW EQUILIBRIUM: JOINT MANAGEMENT OF THE ARCHIPELAGO

The lack of convergence in the interests of Mauritius, the United Kingdom, the United States, and India has produced a stalemate over the status of the Chagos Archipelago. If Mauritius wants to resolve the issue, it would need to forge a new equilibrium that is a win-win for all. To start with, Mauritian policymakers need to reiterate their assurance that they remain committed to the American presence. Any signals of a pro-China tilt will hurt, not help, their cause. Further, quiet diplomacy might also yield better results than public acrimony. So far, such an approach has not been adopted because, in public, Mauritius and the United Kingdom have tended to adopt maximalist positions. With a more quiescent approach, Mauritius is more likely to get the US government to engage on this issue at a senior level. An ideal solution would be decolonisation, but that would not resolve

42 Mauritian Ambassador to the US Jagdish Koonjul in “Diego Garcia: U.S. and Allied Basing Rights in the Era of Great Power Competition,” Event by CAN, *Vimeo*, June 24, 2020, <https://vimeo.com/432245768>.

the strategic challenges.⁴³ Even Mauritius would like to enjoy the benefits of a US security umbrella, which is apparent from repeated assurances from Port Louis that the US base would be maintained even after the sovereignty dispute is resolved.

Until the Diego Garcia base is up for renegotiation in the year 2036, Mauritius can ask for joint Mauritian-UK management of the archipelago – without giving up on the ultimate sovereignty issue – while placing a reasonable price tag on the base. Mauritius was more than happy with a similar arrangement with the French government for the disputed Tromelin Island in 2010, a deal which the French Parliament never ratified.⁴⁴ In return, the United Kingdom can reduce the size of the marine protection area, ending it for northern parts of the archipelago, while allowing fishing rights to Mauritians. As part of joint management, the UK-appointed administrator could share authority with a Mauritian representative on issues that do not impact military matters. For instance, fishing licenses in newly permitted waters could be jointly issued with a revenue sharing arrangement established.

Such a deal would leave everyone better off. Mauritian leaders can claim diplomatic victory and their country would get compensated. The United Kingdom could continue force projection and the US government would neither need to worry about additional international legal constraints nor upset an ally. If Mauritius proposes joint management of the

43 Peter Harris, “Decolonising the Special Relationship: Diego Garcia, the Chagossians and Anglo-American Relations.” *Review of International Studies*, Volume 39, Number 3, 2013, pp. 707-727.

44 “Government has requested that the Chagos Archipelago be returned by the United Kingdom, says PM,” Government Information Services, Government of Mauritius, May 18, 2016, <http://www.govmu.org/English/News/Pages/Government-has-requested-that-the-Chagos-Archipelago-be-returned-by-the-United-Kingdom,-says-PM.aspx>.

archipelago, and is able to gain the support of the British and Indian governments, then American policymakers should respond constructively. If they do not, they would miss an opportunity to prove to the world that the US government is as serious about international rules as it preaches to Beijing. Additionally, to achieve success, Mauritian officials would likely benefit from Indian support during these negotiations.

If such a process ensues, India would cement its status in the region, without this entire issue becoming an international embarrassment for the parties involved. Moreover, by ensuring a stable American forward presence in the Indian Ocean Region without the reputational cost that US is facing, India can indirectly contribute to the net security of the Indian Ocean. Both in its stated policies and the works of analysts, the functions of security provision remain limited to maritime diplomacy, military assistance, capacity building, force posture, patrolling and maritime domain awareness.⁴⁵ These critical functions are direct contributions to the Indian Ocean's security. Nevertheless, forging alliances and helping resolve political crises between partners remains key in meeting future maritime threats. India should consequently shed its inhibitions towards mediation and actively reach out to partners to forge a dialogue, with a long-term strategic view.

CONCLUSION

Overcoming the Diego Garcia stalemate is possible if enough political will is shown by both the UK and Mauritius, with further support extended by the United States and India. Either through co-management or exploring other creative

45 "Ensuring Secure Seas: Indian Maritime Security Strategy," Indian Navy, *Naval Strategic Publication*, 1.2, October 2015, https://www.indiannavy.nic.in/sites/default/files/Indian_Maritime_Security_Strategy_Document_25Jan16.pdf; also, Anit Mukherjee, op. cit.

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ways that meet each party's position in the dispute could yield a more long-lasting solution. Until such a solution is devised, parties should eschew maximalist positions and find a middle ground that meets their key requirements.

This issue should not be allowed to fester until 2036, when the base is again up for negotiations. A propitious aspect of this case is that all four parties involved are geopolitically aligned. Hence, a stopgap solution is possible. In line with its potential, India should seek this opportunity to cement its position as a responsible Indo-Pacific power and a net security provider.