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Britain Returns Chagos Islands to Mauritius: A Victory for Small States?

By Wang Yuchen

SYNOPSIS

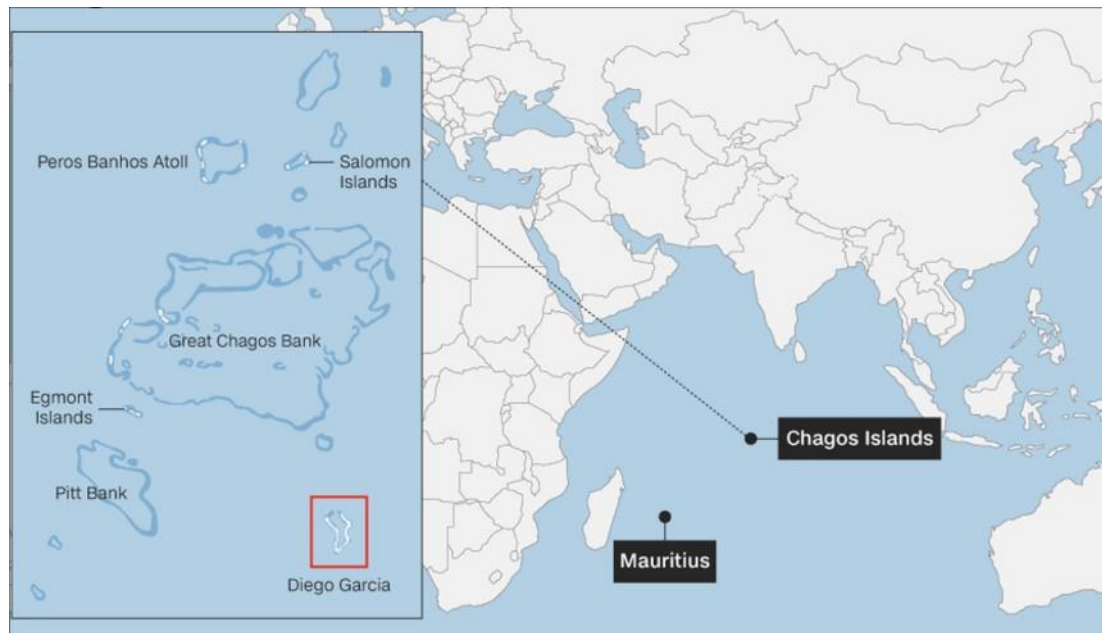
Last month, the United Kingdom decided to return the Chagos Islands to Mauritius, marking a critical juncture in international relations, particularly for the small states attempting to assert their sovereignty against former colonial powers. The resolution of this decades-long dispute raises key questions about the capacity of small states to utilise international law, multilateral diplomacy, and support from international organisations to challenge more powerful states. It also highlights the changing dynamics of global governance and the possibilities for post-colonial justice.

COMMENTARY

After 13 rounds of discussions, the United Kingdom finally returned the Chagos Islands to Mauritius. On October 3, 2024, the prime ministers of the UK and Mauritius issued [a joint statement](#), concluding a decades-long territorial dispute between the two nations.

Britain's Labour government [stressed](#) that without the deal, the secure operation of Diego Garcia, the United States' military base in the Chagos Islands, would be under threat, with contested sovereignty and legal challenges, including through various international courts and tribunals.

Britain's return of the Chagos Islands to Mauritius was regarded as a diplomatic triumph for small states. By invoking international law and gaining support from international organisations, small states can exert collective pressure on bigger powers to limit power politics and curb unilateral actions.



*Mauritius and the Chagos Islands. Diego Garcia in the Chagos Islands is in the inset.
(Source: Chagos Information Portal.)*

A Small State Challenges a Great Power

The Chagos Islands, historically dependent territories of Mauritius, were formerly part of the French empire before it came under British rule in 1814. Diego Garcia, the largest Island in the Chagos Islands, was leased to the United States as a military base.

In 1965, as Mauritius gained independence from British colonial rule, the Chagos Islands were separated from Mauritius and retained under the control of the UK. From 1967 to 1973, due to military construction and work on Diego Garcia, the Island's indigenous inhabitants were forcibly moved to Mauritius and the Seychelles.

Mauritius has opposed the UK's control over the Chagos Islands for decades. However, the UK has consistently rebuffed its efforts.

A Legal and Diplomatic Victory

The Chagos dispute reached a turning point over the past few years. On February 25, 2019, the International Court of Justice (ICJ) rendered [an advisory opinion](#), ruling that continued British occupation of the Chagos Islands was illegal. In a 13-1 ruling, the ICJ judged that the UK is obliged to end "its administration of the Chagos Islands as rapidly as possible". Although the ruling was not legally binding, it gave Mauritius a solid moral and legal foundation on which to build its case.

After the ICJ's advisory opinion, the UN General Assembly debated and [adopted a resolution](#) that affirmed that the Chagos Islands "forms an integral part of the territory of Mauritius". The resolution demanded that the UK "withdraw its colonial administration ... unconditionally within a period of no more than six months".

A total of 116 governments in the General Assembly supported the resolution, 55 abstained, and just five countries voted in favour of the UK. The resolution was adopted, underscoring a strong global consensus supporting Mauritius.

Although the resolution, like the ICJ advisory opinion, lacked legal enforceability, it further marginalised the UK internationally, intensifying pressure on it to adhere to international standards. The UK was eventually impelled to negotiate with Mauritius over the Chagos Islands.

After two years of negotiations, the UK [eventually agreed to give up](#) sovereignty over the Chagos Islands to Mauritius. While the agreement permits the United States military facility on Diego Garcia to continue functioning, it marked a historic victory for Mauritius.

The Power of Multilateralism and International Law

In handling the case, Mauritius shifted the dispute from a bilateral conflict to the domain of international law. In doing so, Mauritius sought legal validation for its claims. It rallied international support, thereby constraining the UK's actions and placing it in a disadvantageous position vis-à-vis the smaller state.

Mauritius has consistently invoked the international legal principles of “self-determination” and “decolonisation” to assert its claim. As per the United Nations Charter and the Declaration on the Granting of Independence to Colonial Countries and Peoples (Resolution 1514), Mauritius argued that the detachment of the Chagos Islands was illegal and that the decolonisation process remained incomplete without their return to its possession.

Furthermore, Chagos' separation from Mauritius and its governance by the UK was one of the last vestiges of the UK's former colonial authority and a violation of its sovereignty. These considerations resonated strongly with many states, especially the former colonies.

Mauritius gained the support of international organisations (including the UN and the ICJ), which publicly expressed its backing for Mauritius' claim. They viewed Mauritius' struggle as symbolic of the broader post-colonial fight for self-determination and sovereignty. As a permanent member of the UN Security Council and a significant member of the international community, the UK needed to weigh the cost of disregarding international law.

Implications for Small States in a Changing Global Order

The return of the Chagos Islands to Mauritius is not just a triumph for one small nation but represents a broader shift in international relations. Like Mauritius, there are other small states that are trying to defend their rights and challenge the decisions of the big powers.

In an anarchic world, powerful states may still take self-serving unilateral actions based on military, economic, or political advantage. However, they now have to

navigate the constraints imposed by international law and global diplomacy, fully aware that failure to comply would incur diplomatic and reputational costs.

As a result, international law has gained increasing importance in the contemporary world. As power becomes more distributed among various international actors, international organisations such as the ICJ and the UN play a crucial role in international society.

In contrast to traditional ways characterised by the use of force, legal legitimacy plays a more critical role in international society today, especially in cases where international law, multilateral diplomacy, and international organisations are aligned.

However, the persistence of power application in cases like the Russia-Ukraine war and the Israeli-Hamas war reveals the incomplete and uneven nature of this shift. The future of international society may depend on strengthening legal frameworks and enforcement mechanisms to bridge the gap between normative ideals and practical realities.

Conclusion

The UK's restitution of the Chagos Islands to Mauritius marks an important milestone in international relations, especially for small states pursuing justice and sovereignty within the international society. International law and multilateral diplomacy are increasingly important in redressing historical injustices and post-colonial equity. The success of Mauritius stands as an inspirational beacon to small states worldwide that perseverance, legal action, and international solidarity can prevail in the face of resistance from big powers. In the long run, maintaining order is most effective with the [consent and trust](#) of all members of the system.

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