

Biden Administration Accused of Supporting Apartheid. Chagos Islands and US Military Base in Diego Garcia

Chagos Islanders take UK and US to International Criminal Court Again

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The United Nations General Assembly, African Union, and International Court of Justice have all found that Great Britain's forcible deportation of the Chagos Islanders a generation ago to make way for the US military base at Diego Garcia was unlawful and a serious violation of international law. The islanders, known as Chagossians who are of mainly African heritage are prevented from returning by Apartheid laws which allow them only brief visits under military guard while US and UK military, contractors, yachtsmen and scientists are permitted to remain in and visit the disputed archipelago.

A charging submission was filed last October with the International Criminal Court alleging the London based administration of the British Indian Ocean Territory and its military representative at Diego Garcia, Commander Kay Burbridge RN, were engaged in the crime of Apartheid and should be arrested and brought to The Hague for trial. The Court initially advised the Petitioners to seek justice in the national courts but to resubmit the petition if new information came to light.

The Chagossians now cite changed circumstances including the swearing in of self-described anti-Apartheid fighter Joseph Biden as US President and the rejection of their legal claims December 8, 2020 by the Trump administration as: “Not in the interests of the US government.” On January 28, 2021 yet another UN court, the International Tribunal for the Law of the Sea (ITLOS) ruled the UK was illegally occupying the Chagos islands and Diego Garcia. Finally, the Chagossians point to a series of recent public statements made by the Mauritius prime minister, Pravind Jugnauth, threatening the United Kingdom with a state referral for crimes against humanity to the International Criminal Court .

According to the Amended Charging Submission the British administration has instituted laws that prevent the Chagossians from living in the Chagos Archipelago and they may visit only under military escort. The Chagossians despite having lived on the disputed islands for up to 8 generations have been stripped of property rights and citizenship. The all white British Indian Ocean Territory Administration enforces these laws with the help of a Royal Navy contingent in the islands and the US military. In addition to the naval commander the

Accused includes the British Indian Ocean Territory Commissioner, Deputy Commissioner, Administrator, and legal advisors.

The International Criminal Court remains under sanctions instituted by former President Trump and not yet lifted by President Biden. President Trump found the ICC was a threat to US national security. The Chagossians' lawyer, Dr. Jonathan Levy, stated the sanctions intimidated and bullied both the Chagossians and their legal team as well as International Criminal Court's prosecutors who were placed on the specially sanctioned persons list along with narcotics kingpins and terrorists. The International court however has taken up a similar case involving the Rohingya people of Myanmar who were forcibly deported and denied the right to return to their homes.

According to the Chagossians' lawyer, Dr, Jonathan Levy:

"The United Kingdom and United States are acting like international bullies. They demand adherence to human rights norms by others but then turn about and intimidate courts and commit racist acts in the name of national security." And Dr. Levy added a message to the US president: "President Biden you say you are against racism, apartheid and support international law. Sir, we need action, not words; show the international community that the US once again will champion human rights, equality and anti-racism. Remove the sanctions on the International Criminal Court and let them investigate the allegations of apartheid on Diego Garcia island."

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