



Foreign & Commonwealth Office

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Natalie Samarasinghe
Head of Communications
UN Association of the UK
3 Whitehall Court
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Dear Natalie,

Thank you for your letter of 19 May on behalf of the Board of Directors of the United Nations Association of the UK relaying the concerns of your members regarding the decision announced on 1 April 2010 to establish a Marine Protected Area (MPA) in the British Indian Ocean Territory (BIOT). I apologise for the long delay in sending you a reply.

The Government believes that a Marine Protected Area (MPA) is the right way ahead for furthering the environmental protection of the Territory and encouraging others to do the same in important and vulnerable areas under their sovereign control. The establishment of this MPA has doubled the global coverage of the world's oceans benefiting from protection and gives the UK the opportunity to preserve an area of outstanding natural beauty containing islands and reef systems rich in biodiversity. There is, in our view, no need to wait for a decision from the European Court of Human Rights before implementing the MPA. As has previously been made clear, the decision to establish the MPA is without prejudice to the current pending proceedings at the European Court of Human Rights.

The Government will continue to contest the case brought by the Chagos Islanders to the European Court of Human Rights. This is because we believe that the arguments against allowing resettlement on the grounds of defence security and feasibility are clear and compelling. And we do not see the case for paying further compensation as this has already been paid in full and final settlement of all claims. Both of these issues have already been decided by the UK courts.

We realise that the decision not to change the fundamental policy on resettlement, compensation and on the MPA will be a disappointing one for the Chagossians and their supporters. However, we do want to keep channels of communication open with the Chagossian community. We will talk to them about the implementation of the MPA. We will

also try and involve the Chagossians in environmental work taking place in the Territory and will look into alternative means of funding further visits to the Territory by Chagossians including visits to repair the graveyards on Diego Garcia, Peros Banhos and Salomon. The Minister for the Overseas Territories has written to Mr Olivier Bancoult to this effect.

You also mentioned the UK's obligations under the International Covenant of Civil and Political Rights. The ICCPR does not apply to BIOT since the UK's ratification of it has never been extended to the Territory. Were there to be a resident population in the Territory, this would obviously have to be reconsidered.

I can assure you that the Government will continue to look at the issues and will want to engage with those with an interest.

Yours sincerely,

Joanne Yeadon

Joanne Yeadon
Head of BIOT & Pitcairn section
Overseas Territories Directorate