

# BRITISH INDIAN OCEAN TERRITORY (BIOT) POLICY REVIEW OF RESETTLEMENT CONSULTATION WITH INTERESTED PARTIES

## Introduction

1. The UK Government announced in December 2012 that it would take stock of its resettlement policy towards the British Indian Ocean Territory (BIOT).<sup>1</sup> An independent feasibility study on resettlement of BIOT was subsequently commissioned from consultants KPMG in March 2014, concluding in January 2015 with a report published on 10 February 2015.<sup>2</sup> Ministers of the previous Government considered the KPMG study, balancing a range of factors including the history of the territory and its former population, potential costs of resettlement and the ability of the military facility on Diego Garcia to operate unhindered.

2. On 24 March 2015 the UK Government announced that the independent feasibility study<sup>3</sup> showed that there was not a clear indication of the likely demand for resettlement, and costs and liabilities to the UK taxpayer were uncertain and potentially significant. Ministers asked for more information on these areas to enable a decision on the way ahead. Further work is currently underway led by the Foreign and Commonwealth Office in consultation with other government departments to clarify these areas. As part of this further work, the UK Government is running a consultation exercise between August and October 2015 to seek views from Chagossians and other interested parties on the areas listed below:

## Consultation with Chagossians and other interested parties

3. **This consultation document is not a statement of UK Government Policy.** No decisions in respect of resettlement have yet been made, but for the purposes of better gauging demand, the UK Government has sought to present the most realistic way in which such a resettlement would hypothetically take place. Based on this, we would like views on:

i) **How many Chagossians want to resettle in BIOT?**

ii) **The UK Government's latest assessment of the likely costs and liabilities to the UK taxpayer.**

iii) **Alternative options not involving resettlement that could respond to Chagossian aspirations.**

## Purpose of consultation and assumptions

4. The primary objective of this consultation is to understand the demand for resettlement from Chagossians which will then lead to a clearer assessment of the likely costs and ongoing liabilities to the UK Government. Whilst no policy decisions have been taken on any aspects of resettlement, we wish to make it clear from the outset that a resettlement which is open to all may not be viable, depending on the cost of providing adequate social support, including health and education, for those living on such remote islands.

5. A resettlement could be based on conditions that require resettled Chagossians of working age to have a job; security clearances and, that all resettlers are sufficiently resilient to be able to cope with the limited healthcare facilities and lifestyle realistically available in BIOT. Although yet to be determined, permission to reside could be revoked for individuals who are unable to meet these or other requirements following resettlement.

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<sup>1</sup> <https://www.gov.uk/government/news/european-court-of-human-rights-decision-on-chagossian-case>

<sup>2</sup> <http://www.parliament.uk/business/publications/written-questions-answers-statements/written-statement/Commons/2015-02-10/HCWS272/>

<sup>3</sup> Written Ministerial Statement <http://www.parliament.uk/business/publications/written-questions-answers-statements/written-statement/Commons/2015-03-24/HCWS461/>

### **Who would be eligible for resettlement?**

6. The UK Government will determine any eligibility criteria and clarify any conditions should it decide to proceed with resettlement. Conditions may include employment status and medical screening given the limited social and medical infrastructure. For the purposes of this consultation, we are interested in understanding the demand for resettlement from Chagossians and their immediate dependants which may include a spouse/long term partner, children up to 18 and parents. Appropriate child safeguarding measures would be required for any resettled population that included children. Although yet to be determined, it may not be viable for children to be included in a pilot option.

### **What is out of scope of this consultation exercise?**

7. This consultation is focused on the practical feasibility of resettlement. British nationality and immigration criteria remain out of scope. Eligibility for UK pensions and social benefits, and access to UK healthcare would remain unchanged.

### **Sovereignty**

8. The UK Government has no doubt about its sovereignty over BIOT. However, the UK Government has a long standing commitment to cede the Territory to Mauritius when no longer required for defence purposes. This commitment means that the UK Government could not guarantee continued support or permission to reside to Chagossians on the Islands once the Territory is ceded to Mauritius. The views of the Government of Mauritius are also being sought on the potential resettlement of Chagossians and will be taken into account.

### **What action do you need to take?**

9. **For Chagossians:** Based on the information in this document about the type of lifestyle and jobs that could realistically be made available in BIOT (Table 1.0), would you wish to resettle? By completing the **questionnaire at Annex A** you will help the UK Government to better understand how many people would resettle and how much this is likely to cost the UK Government. You are also welcome to comment on the latest indicative costs compiled by the UK Government associated with resettlement (Tables 1.1 – 1.3) as well as on the alternative options which will be considered alongside resettlement options by the UK Government. **Please submit your questionnaire to [BIOT.FeasibilityStudy@fco.gov.uk](mailto:BIOT.FeasibilityStudy@fco.gov.uk) by 27 October 2015.**

10. **For other interested parties:** your assessment of the likely demand for resettlement and/or views on any of the proposals are invited. **Please submit your questionnaire to [BIOT.FeasibilityStudy@fco.gov.uk](mailto:BIOT.FeasibilityStudy@fco.gov.uk) by 27 October 2015.**

### **How will the Consultation Exercise be run?**

11. Views will be sought from Chagossians and interested parties primarily through e-mail correspondence supplemented by meetings with FCO and BIOT Administration Officials in Mauritius, Seychelles and the UK as required. French /Creole translations of correspondence and interpretation for meetings will be provided where possible. You are welcome to circulate this document and request for views to other interested parties should they wish to comment.

### **How will questionnaires be used?**

12. Completed questionnaires will be analysed to develop a better understanding of the numbers, skills, age range and locations from which Chagossians wish to resettle as well as interest in alternative options. This analysis will form part of the UK Government's Policy Review of resettlement and all personal data will be handled appropriately and not shared externally. **Please submit any queries to [BIOT.FeasibilityStudy@fco.gov.uk](mailto:BIOT.FeasibilityStudy@fco.gov.uk).**

## Resettlement Options - Most Realistic Potential Lifestyles

13. The UK Government is continuing to analyse KPMG’s three resettlement options of a pilot, medium and large resettlement as well as another medium size option on the Outer Islands only. The following table clarifies how, hypothetically, these resettlement options could work and the type of living conditions and jobs most likely to be available. It is important to note that these do not constitute any form of commitment by the UK Government to resettlement taking place, or in the forms below, but present our assessment of the most realistic scenario for the purposes of clearly assessing demand from Chagossians. **Please consider the descriptions below when answering the questionnaire at Annex A.**

**Table 1.0**

Options under consideration	Pilot option in Diego Garcia	Medium option in Diego Garcia	Medium option in Outer Islands only	Large Option in Diego Garcia & Outer Islands
<b>Approx Population</b>	<b>50-150</b>	<b>500</b>	<b>500</b>	<b>1500</b>
<b>Implementation</b>	<p>A pilot settlement would most likely be offered on a 1-2 year temporary basis on Diego Garcia and evaluated<sup>4</sup> over that period before any further potential expansion of population numbers. It is possible that a decision could be taken to end resettlement at this point if the pilot proved to be unsuccessful or economically unsustainable.</p> <p>It is possible that the largest option could develop from the medium option, and the medium option in Diego Garcia could develop from the pilot.</p>			
<b>Transport/Access to BIOT</b>	<p>No commercial flights would be permitted to land in Diego Garcia. The UK Government would need to charter periodic flights (unlikely to be from the UK but from the nearest appropriate location) and resettled Chagossians would be required to pay a subsidised cost (to be determined) for flying to and from Diego Garcia from this location. Similarly boat access to the Outer Islands would be provided at a subsidised rate (to be determined).</p> <p>Resettled Chagossians would not be able to have visitors in Diego Garcia, and everybody, including visitors to the Outer Islands, would be required to comply with BIOT laws in place at the time.</p>			

<sup>4</sup> Evaluation would be carried out by the UK Government and the data gathered during it used to provide greater certainty on the factors affecting resettlement including political, financial, legal, environmental, logistics, social, economic and defence considerations (BIOT Feasibility Study Terms of Reference, January 2014).

Options under consideration	Pilot option in Diego Garcia	Medium option in Diego Garcia	Medium option in Outer Islands only	Large Option in Diego Garcia & Outer Islands
Approx Population	50-150	500	500	1500
<b>Livelihoods Overview</b>	<p>Obtaining employment in BIOT is likely to be a precondition of resettlement for all except Chagossians of retirement age and their immediate dependants which may include a spouse/long term partner, children up to 18 and parents. Potential job opportunities are listed below subject to applicants meeting the necessary requirements.</p> <p>Should the UK Government decide to proceed with resettlement, it would review the provisions of the Marine Protected Area (MPA), as necessary.</p> <p>KPMG assess that there is some scope for resettled Chagossians to develop small coconut plots for personal consumption and use with potential supply of by-products<sup>5</sup>. The UK Government does not assess large scale coconut production to be a viable industry in the Territory. Management of a limited tourist industry in the Outer Islands could be implemented on a trial basis initially and would require relevant training for those interested in such work. This would be likely, at least initially, to involve supporting and guiding an increased level of yacht visits rather than permanent new infrastructure such as hotels.</p>			
<b>Type of Jobs</b>	<p>Livelihoods under this option are likely to be: the military facility (e.g. cleaning, working in the catering facilities, environmental and pest control, mechanical repairs, driving transport, port and airport services) and BIOT Administration (BIOTA) (e.g. in environmental work, environmental protection and monitoring, work aboard the BIOTA patrol vessel, administrative support).</p>	<p>Livelihoods under this option are likely to be: the military facility, BIOTA, limited tourism in the Outer Islands and potentially, if Ministers consider it appropriate, some degree of low level commercial fishing.</p>	<p>Livelihoods under this option are likely to be: the military facility, BIOTA, limited tourism in the Outer Islands and potentially, if Ministers consider it appropriate, some degree of low level commercial fishing.</p>	<p>Livelihoods under this option are likely to be: the military facility, BIOTA, environmental work, limited tourism in the Outer Islands and potentially, if Ministers consider it appropriate, some degree of low level commercial fishing.</p>

<sup>5</sup> KPMG Feasibility Study 30 January 2015, page 82

Options under consideration	Pilot option in Diego Garcia	Medium option in Diego Garcia	Medium option in Outer Islands only	Large Option in Diego Garcia & Outer Islands
Approx Population	50-150	500	500	1500
Allowances and support	Appropriate allowances and support specifically designed for BIOT would be provided by the UK Government based on need in exceptional circumstances e.g. an individual loses their job unexpectedly or becomes ill and is unable to work temporarily. Child allowances could also potentially be provided but this is unlikely to be made available in a pilot option. The UK Government would not provide UK pensions to those currently ineligible.			
Housing/Services overview	<p>The UK Government would provide housing, utilities and telecommunications where possible to standards similar to those currently available in Diego Garcia, which are not comparable to the UK. Resettled Chagossians would be required to pay for the same services as other occupants e.g. internet provision and consumables. There would be no private ownership of land, as all land would continue to be owned by the Crown.</p> <p>On the Outer Islands, infrastructure and utilities would be more basic than those currently available on Diego Garcia, taking into account environmental risks, costs and practical feasibility, amongst other factors.</p> <p>It is likely that as a resettlement develops with increased numbers of people, utility charges would be payable by Chagossians as well as local BIOT taxes.</p>			
Potential locations for resettlement	Likely to be located on the Eastern Side of Diego Garcia.	Likely to be located on the Eastern Side of Diego Garcia.	Ile du Coin and Ile Boddam are potential locations. Others could be considered.	Diego Garcia; Ile du Coin and Ile Boddam are potential Outer Island locations. Others could be considered.
Medical Provision	<p>Only limited medical facilities would be available in BIOT. A clinic providing medical care similar to General Practitioners (GP) in the UK would be made available developing into a health facility providing primary and limited secondary care for the largest resettlement option. Maternity care could not be provided in a pilot option on Diego Garcia.</p> <p>Treatment of serious health problems would require medical evacuation to the nearest appropriate location providing suitable medical facilities (funded by the UK Government). However individuals would be unlikely to be repatriated to the UK for treatment under the National Health Service (NHS) even if they are a British Citizen previously-resident in the UK.<sup>6</sup> Consequently those requiring specialist health advice and treatment or dedicated medical care would be unlikely to be accommodated by these facilities and would not be eligible for resettlement.</p>			
Schooling	The provision of primary and secondary schools would depend on the level of demand and is unlikely to be viable in a pilot option. It is possible that children might be required to be schooled elsewhere. The UK Government would not pay for schooling or higher education outside of BIOT to those currently ineligible.			
Emergency Evacuation	Emergency Evacuation plans would need to be developed by the UK Government once a population size becomes clearer and for any tourism industry developed in the Outer Islands. Emergency Evacuation would likely be to the nearest place of safety. Emergency Evacuation of tourists would not, as a rule, be able to be facilitated through Diego Garcia.			

<sup>6</sup> The NHS requires a person to be ordinarily resident in the UK in order to qualify for free treatment.

	<b>Can resettled Chagossians who want to leave BIOT, come to the UK?</b>
	British Citizenship and UK immigration policy are not part of this consultation exercise. These issues would need to be considered by the UK Government should it decide to proceed with resettlement.
	<b>What support would the UK Government provide to resettled Chagossians who then want to leave BIOT and return to their current place of abode?</b>
	<p>The UK Government would not provide any financial support to Chagossians or their dependants should they decide to return to their current place of abode. The subsidised transport (by air or sea) to the nearest appropriate location would be available to those leaving BIOT.</p> <p>On return to the UK, access to social benefits and pensions would need to follow standard rules and application processes and would be considered against the relevant eligibility criteria. The UK Government would not provide any preferential access to social housing or financial support to returning Chagossians.</p>

## Indicative Costs of Resettlement and Annual Costs

### Introduction

14. KPMG's cost estimates have been refined on the basis that the UK Government would need to provide separate infrastructure and services from the military facility on Diego Garcia<sup>7</sup> to support resettled Chagossians under the hypothetical lifestyles explained in Table 1.0. It should be noted that the indicative estimates in Tables 1.1. -1.3 could still change following further analysis.

15. The UK Government has provided an indicative budget for each resettlement option, taking into account capital, training, annual and replacement costs (Table 1.1). Annual recurrent costs (Table 1.2) include:

- Operation and maintenance costs of the infrastructure
- Replacement costs of infrastructure components
- Environmental monitoring and evaluation
- Administrative support costs

**Table 1.1 INDICATIVE COSTS (£ MILLIONS) – PHASING BY OPTION as at 4 August 2015**

RESETTLEMENT OPTIONS		OPTION 1 PILOT: DIEGO GARCIA		OPTION 2 MEDIUM 500 PEOPLE		OPTION 3 LARGE 1500 DIEGO GARCIA & OUTER ISLANDS
		50 people	150 people	2 (a) DIEGO GARCIA	2 (b) OUTER ISLANDS ONLY	
A. Capital Costs of infrastructure, based on KPMG's phased implementation	Construction Period	Phased over 3-4 years		Phased over 4 years	Phased over 6 years	Phased over 6 years
	Civil Infrastructure (including security-related infrastructure)	65.7	97.8	153.8	173.5	262.4
B. Initial Training costs	Based on Public Sector, military facility, tourism, fishing and other sectors; 50% labour force working; 25% require training	0.4	0.7	2.1	2.1	5.1

<sup>7</sup> The U.S. would allow limited use of the runway in Diego Garcia. However, the UK would need to provide separate infrastructure and transportation to support a civilian population.

**Table 1.2 INDICATIVE ANNUAL RECURRENT COSTS (£ MILLIONS) as at 4 August 2015**

RESETTLEMENT OPTIONS		OPTION 1 PILOT: DIEGO GARCIA		OPTION 2 MEDIUM 500 PEOPLE		OPTION 3 LARGE 1500 DIEGO GARCIA & OUTER ISLANDS
		50 people	150 people	2 (a) DIEGO GARCIA	2 (b) OUTER ISLANDS ONLY	
C. Annual Recurrent Costs, including Operation/ Maintenance & Environmental Monitoring including security-related costs	Civil Infrastructure	10.9	14	15.9	8.7	20.2
D. Refurbishment & Replacement costs, every 10 years <sup>8</sup>	Civil Infrastructure	4.7	7.5	12.4	14.9	22.1
E. Annual Technical Assistance (TA) Costs (e.g. expanded governance structures )	Technical Assistance	0.9	0.9	1.6	1.6	2.2
	TA plus Short term inputs	1.1	1.1	2.0	2.0	2.9
	Based on number of professionals and related costs; short term inputs estimated to be 25% of long term TA cost	7 professionals Short term visits from medical staff	7 professionals Short term visits from medical staff	13 professionals Short term visits from medical staff	13 professionals Short term visits from medical staff	18 professionals Short term visits from medical staff
F. Annual Misc Costs <sup>9</sup>						
	Shipping Service	1.5	1.5	2.0	2.0	2.5
	Administration Costs - 5% total cost	0.24	0.4	0.57	0.65	0.88
	Medevac based on £425 per patient	0.02	0.07	0.22	0.33	0.63

<sup>8</sup> Calculated from standard % of Infrastructure cost, depending on type, range from 3% to 10%

<sup>9</sup> KPMG Annex Table 7.4.21; medevac costs have been revised based on recent data from St Helena

Table 1.3

## TOTAL INDICATIVE COSTS (£ MILLIONS) as at 4 August 2015

RESETTLEMENT OPTIONS		OPTION 1 PILOT: DIEGO GARCIA		OPTION 2 MEDIUM 500 PEOPLE		OPTION 3 LARGE 1500 DIEGO GARCIA & OUTER ISLANDS
		50 people	150 people	2 (a) DIEGO GARCIA	2 (b) OUTER ISLANDS ONLY	
<b>TOTALS (£Millions)</b>	<b>Civil Infrastructure</b>					
<b>Capital</b>	<b>Total</b>	<b>54.8</b>	<b>87.3</b>	<b>144.6</b>	<b>175.6</b>	<b>256.2</b>
	<b>Per head</b>	<b>1.10</b>	<b>0.58</b>	<b>0.29</b>	<b>0.35</b>	<b>0.17</b>
<b>Annual Costs</b>	<b>Total</b>	<b>5.1</b>	<b>8.4</b>	<b>12.0</b>	<b>13.6</b>	<b>18.4</b>
	<b>Per head</b>	<b>0.10</b>	<b>0.06</b>	<b>0.02</b>	<b>0.03</b>	<b>0.012</b>
<b>Total: Capital, 10 years recurrent &amp; 1st refurbishment</b>	<b>Total</b>	<b>110.1</b>	<b>178.5</b>	<b>276.9</b>	<b>326.3</b>	<b>462.4</b>
	<b>Total Security</b>	<b>92</b>	<b>92.4</b>	<b>92.4</b>	<b>1.0</b>	<b>92.4</b>
	<b>Per head</b>	<b>4.04</b>	<b>1.81</b>	<b>0.74</b>	<b>0.65</b>	<b>0.37</b>

**Footnotes**

- Each option is considered to be independent of another. In practice, option 3 could develop from option 2, option 2 (Diego Garcia) from option 1.
- Civil infrastructure costs are to the extent possible based on the KPMG report, but with further refinement. This assumes a 'median' standard of living between the various approaches suggested (i.e. many Chagossians asked for a high level modern standard of living, while some said they would be content with a lower level of accommodation and services) and a median construction cost. Security-related estimates are based on comparable military facilities in similarly remote locations and would need to be refined following a detailed assessment.
- Outer Island infrastructure costs are assumed to be 20% more than the cost of equivalent infrastructure on DG.
- Due to the unique nature of this undertaking, there remains significant uncertainty in the estimates provided and costs may be significantly higher.
- Except for Option 1, for costing purposes civil infrastructure assumes that a jetty and artificial breakwater would be required in both Diego Garcia and the Outer Islands. In practice, an artificial breakwater will only be built if it is not possible to use a natural breakwater based on the atoll's coral structure.
- In the case of Option 1, a temporary, jetty-only arrangement would be provided during the first 1-2 years of habitation. If this is successful, a breakwater would be added if needed during a second phase of works.

## Alternative Options to Resettlement

16. Options not involving resettlement are also being developed to enable the UK Government to consider the full range of options that could respond to Chagossian aspirations. The principle behind these ideas is to provide support for Chagossians to flourish in their current communities, and build their lives there, while allowing a degree of access to BIOT that recognises their historic connection to it, without returning on a long term basis.

17. We would like to gauge the interest in the following potential measures. This is not a mutually exclusive or exhaustive list of options, nor does it constitute a commitment by the UK Government to provide this type of support. We would also be interested to hear ideas for other sustainable measures of benefit to the Chagossian communities.

- Training and educational support for jobs in Chagossians' current places of abode. Training needs would require further assessment before any funding could be committed.
- Greater support through pre-qualifying training for Chagossians, to enable them to apply for more jobs at the military facility on Diego Garcia (e.g. cleaning, working in the catering facilities, environmental and pest control, mechanical repairs, driving transport, port and airport services). These would be subject to existing terms and conditions, which provide basic accommodation, salaries in the region of an average of US\$ 350<sup>10</sup> per month and do not allow the presence of dependants or entitlement to long term residence. Training needs would require further assessment before any funding could be committed.
- Increased opportunities for Chagossians to visit BIOT temporarily, and potentially for longer periods, spent primarily on the patrol vessel and visiting the Outer Islands. The UK Government would provide, and pay for a charter flight to/from Diego Garcia, temporary accommodation, and a passenger vessel to the Outer Islands.
- With support from the BIOT Administration, develop and historically restore the key cultural sites in the Territory which Chagossians would experience when they visit, by temporarily employing Chagossians to clear and historically restore the old settlements, developing a Chagossian museum in the Territory (possibly twinned with one in the UK), and gathering historical implements and artefacts from Chagossians to be preserved and documented. This could be supplemented by gathering oral accounts of former islanders of their experiences of life on the Islands.
- Increased participation of Chagossians in conservation, enforcement, and science work in BIOT, both on Diego Garcia and the Outer Islands. This would primarily involve terrestrial conservation work such as native plant species restoration, and bird, turtle, and crab monitoring but could over time and with appropriate qualifications also include marine conservation work. Limited funding from the BIOT Administration would be provided, and scientific organisations would be encouraged to use Chagossians more in their own conservation work.
- Key roles in new, limited tourism in the Outer islands for example as wardens for visitors in yachts, ensuring they respect the environment of the Territory, abide by its laws, and are informed about its history. Some limited refuge infrastructure on the Outer Islands might be necessary to support such activity.

Foreign & Commonwealth Office  
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<sup>10</sup> KPMG Feasibility Study 30 January 2015, footnote 10 page 97