



The Scattered Islands in International Relations

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Abstract

A dispute over the Scattered Islands has existed between France and Madagascar. Two United Nations General Assembly resolutions have asked France to enter into negotiations with Madagascar for the restitution of these islands. Nevertheless, because the occupation of these islands promotes its interests, France does not want to return them to Madagascar. In addition, Madagascar has not yet taken all possible steps to recover these islands. The purpose of that research is to help Madagascar to recover the Scattered Islands. To achieve that objective, advice from several experts in international relations has been taken into consideration. In addition, what Mauritius has done, which is in the same situation as Madagascar, has been analyzed. Finally, personal research and analysis were done. Thus, to recover the Scattered islands, Madagascar should in particular resort to international justice. It should also resort to a media war against France, and to Russian and Chinese support.

Subject Areas

International Relations and Geopolitics

Keywords

Dispute, Powerful, International Justice, Pressure, Diaspora, Public Opinion, Negotiation

1. Introduction

The process of decolonization began after the end of World War II. It was through this process that Madagascar gained independence from France in 1960 [1]. Later, dissension between the two countries on the Scattered Islands arose. Two United Nations (UN) General Assembly resolutions have called on the litigious parties to enter into negotiations for the return of the disputed islands to

Madagascar. Until now, the latter has not yet recovered the Scattered Islands.

The question that arises is: What recourse can Madagascar take to recover the Scattered Islands?

This subject allows us to understand that despite the existence of international law, international relations are essentially governed by the law of the strongest. A powerful State does not hesitate to violate international law to defend and promote its interests. Thus, every State has an interest in being powerful, or at least having powerful allies to protect its interests in international relations [2]. This theme also allows us to know that UN resolutions are also a source of international law. Indeed, they create rights and obligations for the actors of international relations [3]. However, unlike the resolutions of the UN Security Council, the resolutions of the General Assembly of this international organization are not binding [4]. Finally, this subject allows us to understand that two or more States can have friendly relations despite the existence of dissension between them.

2. The Recourse to International Justice

Madagascar can resort to international justice to recover the Scattered Islands. It can request the cancellation of the Franco-Malagasy independence treaty by arguing that it did not conclude it freely. Indeed, when concluding this treaty, it is possible that the Malagasy authorities made a mistake: they did not know that the Scattered Islands were not included in the independence treaty. It is also possible that the French authorities could have caused the Malagasy authorities to make this mistake. It is likewise possible that France coerced or bribed the Malagasy authorities into signing the independence treaty. All these hypotheses are possible but are difficult to prove because the facts date back more than half a century, and some archives are not accessible. In addition, even if Madagascar manages to prove one of these hypotheses, the cancellation of this treaty will also lead to the cancellation of the independence of Madagascar. And France is certainly not going to negotiate a new independence treaty that will provide for the independence of the Scattered Islands. Madagascar can also request the condemnation of France for violation of the two resolutions of the General Assembly of the United Nations. Indeed, it has been accepted by international tribunals that the resolutions of this institution must be respected. This argument is not tenable because negotiations have already taken place between France and Madagascar. Indeed, the UN resolutions have only affirmed that France and Madagascar must engage in negotiations for the restitution of the Scattered Islands. The resolutions have not set a date by which the disputed islands must be returned. France then theoretically respects the UN resolutions. Thus, the best solution for Madagascar is to demand the condemnation of France for undermining the territorial integrity of Madagascar on the one hand, and its withdrawal from the disputed islands on the other hand. Indeed, the UN resolutions clearly state that the Scattered Islands belong to Madagascar. Consequently, by occupying these islands, France is undermining the territorial integrity of Madagascar.

The occupation of these Scattered Islands is easy to prove.

To submit a dispute to an international arbitrator or judge, the litigious parties must give their consent. Currently, there is no agreement between France and Madagascar which provides for the submission of their dispute over the Scattered Islands to an international arbitrator or judge. In addition, unlike Madagascar, France has not accepted the compulsory jurisdiction of the International Court of Justice (ICJ) which is the principal judicial organ of UN, for a dispute between it and another member of the UN. Thus, the solution for Madagascar is to propose and have the UN General Assembly vote on a draft resolution requesting the advisory opinion of the International Court of Justice on the legality of the occupation of the Scattered Islands by the France. Indeed, according to the Charter of the United Nations, the General Assembly of the UN can request the opinion of the ICJ on a question of law. Before rendering its opinion on this, the ICJ will first answer the following question: Who owns the disputed islands? To maintain that these islands belong to it, France would put forward two main arguments. It would argue that the independence treaty did not provide for the independence of the Scattered Islands [1]. Then, it would argue that Madagascar implicitly accepted that these islands belong to France because it did not claim them for a period of fifteen years after its independence. For its part, Madagascar maintains that these islands have always been part of its territory. Indeed, according to our research, administratively, these islands were attached to Madagascar during its colonization. The ICJ would certainly agree with Madagascar because the UN itself, which constitutes the framework of international legality, has already resolved the question through its General Assembly. As we have already said, the UN resolutions of 1979 and 1980 clearly state that the Scattered Islands belong to Madagascar. Thus, the ICJ would affirm that the occupation of these islands by France is illegal, and that France must withdraw from these islands. Such an opinion is not binding but constitutes a legal, political and diplomatic victory for Madagascar. Indeed, after such a decision, Madagascar will be able to have the UN General Assembly vote on a draft resolution condemning the occupation of the Scattered Islands, and asking all UN member states to exert pressure on France to return them to Madagascar. Mauritius, which is experiencing roughly the same situation as Madagascar, has taken the same steps. Since 1814, Mauritius has been a British colony. In September 1965, the United Kingdom imposed a treaty on the Mauritian separatists. By this treaty, the United Kingdom accepted the independence of Mauritius, and in return, the separatists accepted the detachment of the Chagos Archipelago from Mauritius. Thus, Mauritius gained independence in 1968. Later, Mauritius claimed restitution to the Chagos Archipelago. Britain refused. Indeed, the control of this archipelago presents for Great Britain military and financial interests. For more information, in 1966, Great Britain leased Diego Garcia which is the main island of this archipelago, to the United States. Faced with Britain's refusal to return the Chagos, Mauritius submitted a draft resolution to the UN General

Assembly. The draft resolution asked the ICJ to render an advisory opinion on the separation of the Chagos Archipelago from Mauritius. This project was adopted on June 22, 2017. On February 25, 2019, this jurisdiction affirmed that the separation of the Chagos in Mauritius is illegal because it violates the principle of the right of peoples to self-determination which is a principle of law international. It also said that Britain must end its administration of the Chagos Archipelago as soon as possible. And it is precisely to avoid such a court decision against it that France is promoting that the Franco-Malagasy dispute over the Scattered Islands be settled through diplomatic channels [5].

3. The Use of a Media War against France

Currently, all the maps of the world present the Scattered Islands as French islands. At best, some maps only state that these islands are claimed by Madagascar. It is also the same on the Internet. Now, the Malagasy authorities should take all measures to ensure that these islands are presented everywhere as Malagasy islands which are illegally occupied by France. As part of these measures, the French names of these islands should be replaced by their Malagasy names: Glorieuses by Nosy Sambatra, Juan de Nova by Nosy kely, Bassas da India by Nosy Bedimaky, and Europa by Nosy Ampela.

After that, the Malagasy authorities should publicize this territorial conflict with France as much as possible by implementing a public diplomacy strategy. Within the framework of this objective, the Malagasy government can for example encourage and/or finance peaceful and regular demonstrations in front of all the diplomatic representations of France to protest against the occupation of the Malagasy islands. Indeed, the Malagasy Diaspora is spread over several countries in which French embassies exist. Of course, if the Malagasy government fears that its support for such demonstrations would damage Franco-Malagasy relations, it can provide it secretly. This strategy will be effective because the demonstrations will not only exert great political and psychological pressure on French politicians but also attract the media. The media will make the people of the world understand the Franco-Malagasy dispute. The people of the world will then support Madagascar because the latter will be seen as a brave little David facing a big Goliath who allows him to violate the laws in force without scruple. And it is precisely obtaining this support from international public opinion that is the main objective of the media war. Indeed, such support will force several governments to exert pressure on France to return the Malagasy islands. Indeed, history has repeatedly shown us that, in general, a government always takes into account the opinion of its people, and acts in accordance with this opinion [6]. In this case, African public opinion will be the first to support Madagascar because many Africans today feel the neocolonialism of France on their continent. The recent demonstrations against France in several African countries such as Mali, South Africa, Chad, and the Central African Republic prove this. In general, all the populations of Third World countries would support Madagascar if

the latter manages to highlight the colonial nature of the question of the Scattered Islands. Indeed, Madagascar could say that by occupying the Scattered Islands, France did not complete the process of decolonization. For more information, decolonization implies the military withdrawal of France on the whole of the Malagasy territory.

4. The use of Russian and Chinese Support

In international relations, a State only abandons a situation that is favorable to it if it is forced militarily, economically, and/or politically [7]. France will not then return the Scattered Islands unless it is forced to do so. Indeed, the occupation of these islands offers several economic advantages. Indeed, the sub soils of these islands are rich in mining resources, and their surroundings in halieutic resources. In addition, the control of these islands presents strategic interests. For more details, it allows France to strengthen its military presence in the Indian Ocean which is very important for the war against maritime piracy, and the control of the maritime routes that exist there... Currently, Madagascar does not have significant means of pressure on France. It then had to resort to Russian and Chinese support for two main reasons. Russia and China are not allies of France. This implies that unlike the United States and other Western countries, they can very well support Madagascar in the Scattered Islands file. The analysis of international facts indeed shows that Western countries are always in solidarity with each other: they always support each other. And even if their interests conflict in one or more files, they always find compromises between them. The history of Madagascar proves this. During the time of royalty, Madagascar had more relations with England than with France. Having wanted to have exclusive control of the Big Island, France concluded a compromise with the latter in 1890. This compromise stipulated that France leave Zanzibar under the exclusive control of England, and that the latter in turn let France have an exclusive hold on Madagascar. Besides, Russia and China are military powers. Thus, Madagascar should conclude with each of these countries a treaty of military alliance which expressly provides for the support of Russia or China to Madagascar in its effort to secure all of its territory. The mere existence of such a provision would certainly create panic among French leaders. Madagascar will never launch a military operation to recover the Scattered Islands in order to respect public international law. Indeed, this Law prohibits the use of force or the threat of its use in international relations. Nevertheless, Madagascar should organize large-scale military exercises near the Scattered Islands with the assistance of Russia and/or China. France will then believe that Madagascar will launch a military operation to recover these islands. This situation will of course lead to a rise in tensions between Russia and/or China on one side, and France and its Western allies on the other side. In the end, seeing the seeming determination of Russia and/or China to support Madagascar militarily, and wanting to avoid a world war, France would return the Scattered Islands.

It is Russia that would really be ready to do all this. Indeed, Vladimir Putin's Russia wants to demonstrate that it is a power capable of forcing France and its Western allies to negotiate with it. For more details, Russia wants to demonstrate this because it has often been humiliated by the unilateralism of the United States and its allies since the end of the Cold War. To achieve this goal, Russia is ready to use its military power on the international stage: it has used it before, and it will use it again [8]. Its military intervention in Syria proves this. A civil war broke out in Syria in 2011. To support the regime in place, and to force the United States and its Western allies to negotiate with it on how to settle this conflict, Russia has deployed troops and sophisticated weapons in this country [9]. Its military intervention in Ukraine also illustrates this. In Ukraine, a pro-Western government was established in February 2014. To force Western countries to negotiate with it on several points such as Ukraine's non-membership of North Atlantic treaty organization (NATO), Russia has held major military exercises near the Ukrainian borders. Finally, for lack of an agreement with the Western countries, it invaded Ukraine, and certainly wants to establish a government there that is favorable to it [10].

In return for its support, Madagascar will be able to give Russia military bases in the northern and southern parts of its territory. This would interest Russia, which wants to have a military presence in the Indian Ocean. In addition, Madagascar can also make Russia its main arms supplier. This would suit this country whose export of oil and gas has considerably decreased following the measures taken by Western countries after the invasion of Ukraine. For more information, the export of these products is one of the main sources of currency inflow for Russia [11]. Moreover, the export of Russian arms to Africa is constantly increasing. Thus, between 2014 and 2019, Russia became the leading arms supplier to African countries ahead of the United States, China, and France. Finally, Madagascar will also be able to offer Russia its support in its war against Ukraine. This would suit Russia, which wants to avoid isolation on the international scene.

Unlike Russia, China is an economic power that can support Madagascar. Indeed, France is currently the first economic partner of the latter: in 2019, the value of its Official Development Assistance (ODA) to Madagascar was 98.25 million Euros; France is the second country that sends the most tourists to Madagascar... In addition, it controls almost all the strategic sectors of the country such as energy and transport through its multinational companies. Thus, if France decides to exert maximum pressure, the Malagasy economy will be paralyzed. This situation is unfavorable for Madagascar. The Malagasy authorities should then replace the latter with China as Madagascar's first economic partner. There is another reason for doing this: the economy of China is so powerful that this country can help Madagascar under very generous conditions. Indeed, in international relations, nothing is free.

Even to perform an obligation that has been provided for by an agreement,

States sometimes require consideration. It is the same for the gifts which are always granted under several conditions [3]. Nevertheless, Madagascar should negotiate the trade agreements it wants to conclude with China. Indeed, China is currently accused of laying traps for developing countries. It would lend funds to countries that are unable to repay them. It would then take advantage of the debts of these countries to put pressure on them. This is the Chinese debt trap. This theory is difficult to prove. Nevertheless, Madagascar should negotiate very well the trade treaties it could conclude with China.

China would be interested in further strengthening its relations with Madagascar. Indeed, Madagascar can give China everything it is looking for. Indeed, China is always looking for outlets for its electronic and household products. In addition, it wants to increase its investments in several sectors, particularly the mining and oil sectors. For more details, it currently wants to diversify its energy supply to prevent a war in the Middle East from disrupting its economy. For more information, the functioning of the Chinese industry is very dependent on oil from this region: Saudi Arabia, Oman, Iran, Iraq, Kuwait, and the United Arab Emirates supply around 40% of its oil needs. As part of this objective, China is interested in Africa which represented respectively 9.6% and 7.6% of the world's proven oil and gas reserves in 2010. In addition to this, the mineral resources of this continent are gigantic: iron, diamonds, gold, and bauxite are abundant in Guinea; cobalt is also abundant in the Democratic Republic of Congo and Zambia; cobalt, platinum, and gold are also abundant in South Africa... Moreover, China wants to promote its culture. Thus, Confucius institutes have been established all over the world, particularly in Africa [8]. Finally, China is also looking for areas to which its population can emigrate. Indeed, China is currently overpopulated.

5. Conclusion

To conclude, if the recovery of the Scattered Islands is difficult, it is not impossible. To recover them, the Malagasy authorities should give this file priority number one in Madagascar's relations with France, and accept the risks and sacrifices that correspond to this decision. The question is whether Madagascar is ready to take all necessary measures, including breaking diplomatic relations with France to force the latter to return to the Scattered Islands.

Conflicts of Interest

The author declares no conflicts of interest.

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