



REPORT
OF THE *AD HOC* COMMITTEE
ON THE INDIAN OCEAN

GENERAL ASSEMBLY

OFFICIAL RECORDS: THIRTIETH SESSION

SUPPLEMENT No. 29 (A/10029)

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I. INTRODUCTION

1. By resolution 3259 A (XXIX) of 9 December 1974 the General Assembly, in paragraph 7, requested the Ad Hoc Committee on the Indian Ocean to continue its work and consultations in accordance with its mandate and to report to the Assembly at its thirtieth session. In paragraph 4 of the same resolution, the Assembly also requested the littoral and hinterland States of the Indian Ocean to enter, as soon as possible, into consultations with a view to convening a conference on the Indian Ocean.
2. The Ad Hoc Committee reconvened on 5 June 1975 and held seven meetings at United Nations Headquarters (A/AC.159/SR.24-30) between that date and 7 October 1975. The littoral and hinterland States of the Indian Ocean held eight informal meetings at United Nations Headquarters, between 3 March and 29 September 1975, which were presided over by the Chairman of the Ad Hoc Committee.
3. Pursuant to General Assembly resolution 3259 B (XXIX), the membership of the Ad Hoc Committee was enlarged by the addition of three members, i.e., Bangladesh, Kenya and Somalia. As a result, the composition of the Committee is now as follows: Australia, Bangladesh, China, India, Indonesia, Iran, Iraq, Japan, Kenya, Madagascar, Malaysia, Mauritius, Pakistan, Somalia, Sri Lanka, United Republic of Tanzania, Yemen and Zambia.
4. The elected officers of the Ad Hoc Committee continued to serve as follows:

Chairman: Mr. Hamilton Shirley Amerasinghe (Sri Lanka);

Vice-Chairman: Mr. Djoko Joewono 1/ (Indonesia);

Rapporteur: Mr. Henri Rasolondraibe 2/ (Madagascar).

II. CONSULTATIONS PURSUANT TO PARAGRAPH 4 OF GENERAL ASSEMBLY RESOLUTION 3259 A (XXIX)

5. An informal meeting of the littoral and hinterland States of the Indian Ocean was held at United Nations Headquarters on 3 March 1975 to consider the form that the consultations envisaged by paragraph 4 of resolution 3259 A (XXIX) might take. At that meeting, the participants agreed that, as a first step in the consultations, it would be helpful if the littoral and hinterland States could be invited to indicate their views on the six points below and asked the Chairman of the Ad Hoc Committee on the Indian Ocean to seek to ascertain those views accordingly. The six points were:

1/ Replacing Mr. Raden Kusumasmoro.

2/ Replacing Mr. Moise A. Rakotosihanaka.

- (a) Purposes of a conference on the Indian Ocean;
- (b) Date and duration;
- (c) Venue;
- (d) Provisional agenda;
- (e) Participation;
- (f) Level of participation.

6. On 31 March 1975, the Chairman of the Ad Hoc Committee on the Indian Ocean addressed a letter to the Governments of the littoral and hinterland States of the Indian Ocean inviting them to indicate their views on the six points listed above.

7. Replies were received from the following countries: Australia, Bangladesh, Bhutan, Ethiopia, India, Indonesia, Iran, Iraq, Kenya, Kuwait, Madagascar, Malaysia, Mauritius, Oman, Pakistan, Sri Lanka, Thailand, United Republic of Tanzania and Yemen. Their replies are summarized below, under the above-mentioned headings. Several States indicated in their replies that their views were to be regarded as preliminary.

8. Several countries, including Australia, Bangladesh, India, Iran, Kenya, Madagascar, Sri Lanka and the United Republic of Tanzania, held that the conference should be convened following thorough preparations designed to pave the way for a successful outcome.

9. In addition, a number of replies indicated the general approach of the countries concerned to the question of the convening of a conference on the Indian Ocean. Australia stated that it attached importance to the achievement of an adequate consensus on the aims and objectives of the conference, which should further the cause of peace and stability in the Indian Ocean region, before a date for convening the conference was considered. It also stressed the need for extensive consultations and, perhaps, preparatory meetings in order to achieve such a consensus, which should involve, in addition to the littoral and hinterland States of the region, also the great Powers and major maritime users of the Indian Ocean. Ethiopia, Kuwait and Yemen expressed support for the proposed conference and stated that they would extend their co-operation with the view of making such a conference a success. India thought that priority attention should be given to mobilizing the support of the international community into concrete and constructive action for implementing the Declaration of the Indian Ocean as a Zone of Peace (General Assembly resolution 2832 (XXVI) of 16 December 1971) by eliminating all military bases conceived in the context of great Power rivalry and reversing the present trend of escalating great Power rivalry in the Indian Ocean area. Pakistan held that a zone of peace in the Indian Ocean required that regional States be assured against threats both within and without the region. While agreeing that the presence and rivalry of the great Powers must be eliminated from the Indian Ocean, it felt that this could only become possible if the littoral and hinterland States themselves took steps to ensure the creation of conditions of security in the region. Iran, supported by Sri Lanka, considered that the best approach in achieving the elimination of great Power rivalry in the Indian Ocean was through collaboration among all littoral and hinterland States of the Indian Ocean, as envisaged by the 1971 Declaration.

A. Purposes of a conference on the Indian Ocean

10. The countries which dealt with this point generally held that the main purpose of the conference would be to achieve progress towards the concrete implementation of the Declaration of the Indian Ocean as a Zone of Peace. In particular, the following views were expressed. Kenya stressed the need to impress upon all major Powers that they refrain from increasing and strengthening their military presence in the region. At the same time, Kenya, supported by Sri Lanka, cautioned the countries of the region against condemning the big Power rivalry in the Indian Ocean on purely ideological grounds, as such an approach would only heighten tension. India envisaged the conference as providing an acceptable framework within which consultations between the littoral and hinterland States on the one hand and the great Powers and the major maritime users on the other could be initiated and a process of constructive dialogue set in motion. Pakistan viewed the conference as a means to promote a deeper and more comprehensive appreciation of the security problems of the regional States and the interplay of regional and extraregional factors. An effective system of security within the region could be created through a legal and political régime for the Indian Ocean to be embodied in a "code of conduct" to guide the relations among the Indian Ocean States. Simultaneously with the adoption of such a code, the conference could also deal with the obligations to be accepted by the great Powers. Iran considered that the general purpose of the conference should be to find realistic ways to advance the objectives of the Declaration of the Indian Ocean as a Zone of Peace and other relevant resolutions of the General Assembly, with a view to final elimination of great Power rivalry in the Indian Ocean, and that the best approach in achieving such an objective was through collaboration among all littoral and hinterland States of the Indian Ocean to ensure conditions of security as envisaged by the Declaration - in such a way as to obviate the need for continued military presence of the outside Powers. Such co-operation among the littoral and hinterland States of the Indian Ocean, Iran stated, could assume greater depth and significance by arrangements designed to foster trade and economic relations among such countries. Bangladesh held that the most urgent task before the countries of the Indian Ocean region at present was to evolve a common position and an agreed approach amongst themselves for achieving the goal set forth in the Declaration. The relevant General Assembly resolution on the subject recognized that the active co-operation and support of other major Powers was necessary for the fulfilment of this objective. Emergence of a consensus among the countries of the region in the first place would facilitate the task of negotiating, as well as securing, the support and co-operation of other major Powers in achieving the objective of the concept. The Government of Bangladesh, therefore, thought that the primary purpose of the proposed conference should be to help the littoral and hinterland States of the Indian Ocean to formulate and adopt a common position amongst themselves for making the Indian Ocean a zone of peace and the eventual adoption of an international agreement guaranteeing the peaceful nature of the Indian Ocean area. The United Republic of Tanzania considered that the conference should serve as an opportunity to harmonize the positions of the States of the region in order to facilitate negotiations between them and the great Powers and other maritime users; it believed, however, that the two levels of consultation and negotiation should remain clearly separate, as the issues involved were quite different in many respects. Sri Lanka envisaged as the ultimate objective of the conference the conclusion of an international agreement to establish and maintain the Indian Ocean as a zone of peace. One of the points to be included in the agreement would be the conditions under which naval vessels and military aircraft of all nations might use the Indian Ocean. Sri Lanka further thought that, in the first instance, the littoral and hinterland States should try to reach an understanding within the group of littoral and hinterland States on the ways and means by which the main objectives of the conference could

be achieved. A broad understanding among themselves, even if it did not amount to complete agreement, would help in the consultations with the great Powers which were not members of the Ad Hoc Committee and the major maritime users of the Indian Ocean. Madagascar considered the possibility of achieving an agreement or treaty open to the littoral and hinterland States and a protocol open to the great Powers confirming their adherence to the agreement or treaty. Oman emphasized that the respect for the territorial integrity and political independence of the Indian Ocean States must be the primary concern of the conference and that the principle of non-interference in internal affairs should be clearly reaffirmed.

B. Date and duration

11. The replies generally indicated that Governments approached this question with a high degree of flexibility and that the wishes of the majority should prevail. Several countries stressed that a date for the conference could be set only in the light of the progress made in preparing the meeting. 1976 and 1977 were the years more frequently mentioned as a possible date for the conference. Sri Lanka did not see the possibility of holding the conference earlier than mid-1976 and called attention to the fact that there would be two very important conferences during the second half of 1976, namely, the possibility of a summer session of the Third United Nations Conference on the Law of the Sea and the Fifth Summit Conference of Non-Aligned Countries fixed for August 1976 to be held in Colombo. This was in addition to the thirty-first session of the General Assembly of the United Nations. Bangladesh and Iran held that 1977 was the earliest possible date for convening the conference. Madagascar suggested that two sessions of the conference should be scheduled, namely (a) a first session at the expert level, which might be held in July or August 1976 or during the same period in 1977; (b) a second session for the purpose of adopting the instruments drafted by the experts, to be held subsequently. Both sessions would be attended by representatives of the littoral and hinterland States of the Indian Ocean. A third session, if necessary, would be devoted to negotiations with the great Powers and other interested countries to seek their adherence to the instruments referred to under (a) and (b) above.

12. On the question of the duration of the conference, replies varied. The range was from a minimum of one week to a maximum of six weeks. Pakistan suggested three weeks, namely, a meeting of senior officials lasting about two weeks, followed by a foreign ministers' meeting for one week. Madagascar did not elaborate on the length of the envisaged two or three phases of the proposed conference.

C. Venue

13. In their replies, Indonesia, Oman and Thailand expressed their preference for holding the conference at United Nations Headquarters. Malaysia stated that if participation in the conference was limited to the littoral and hinterland States of the Indian Ocean, it should be held in a littoral State of that Ocean; but if it was also open to the great Powers and the major maritime users of the Indian Ocean, United Nations Headquarters would be preferable. Bangladesh and the United Republic of Tanzania suggested that it be held in one of the countries of the Indian Ocean, as this would focus the attention of the conference on its appropriate context. Bangladesh added that holding the conference at United

Nations Headquarters would be acceptable to the Government of Bangladesh if that proposal recommended itself to the majority of countries. Bhutan, Kenya and Sri Lanka wished to see the conference held in one of the littoral States. India and Pakistan proposed Colombo as the meeting place, subject to the convenience of the Government of Sri Lanka. Sri Lanka, while recalling that it would host the Fifth Summit Conference of the Non-Aligned Countries in August 1976, said that the views of India and Pakistan would be brought to the attention of the Government of Sri Lanka. Madagascar offered to serve as host country for the first session (see paras. 11 and 12 above), but also considered that Colombo could be a suitable place. Iraq offered to serve as a host country for the conference. Mauritius, while regretting being unable to host the conference in 1976, offered to serve as a host country in early 1977 if the date was convenient to the majority of participating States.

D. Agenda of the conference

14. It was generally felt that the agenda should accord with the purpose of implementing the Declaration of the Indian Ocean as a Zone of Peace. Kenya and Oman held that it was for the Ad Hoc Committee on the Indian Ocean, after due consultations, to propose a provisional agenda for the consideration of Governments. Similarly, Bangladesh thought that the Ad Hoc Committee might be entrusted, at an appropriate future date, with the task of drawing up an agenda. Kuwait considered that it might be advisable to set up a small working group to draft a provisional agenda. The United Republic of Tanzania stated that the drafting of the provisional agenda should be the task of a preparatory committee at the expert level. Iran believed that the provisional agenda should be drawn up by a preparatory organ to be set up by agreement of the prospective participants.

15. Bangladesh held that details of the conference agenda could only emerge in the course of further consultations amongst the littoral and hinterland States and the Ad Hoc Committee on the Indian Ocean. The two requirements enumerated in resolution 3259 (XXIX) - namely: (a) elimination of all manifestations of great Power military presence in the region, conceived in the context of great Power rivalry; and (b) co-operation among the regional States to ensure conditions of security within the region as envisaged in the Declaration - should provide, in the light of the developments subsequent to the initial broaching of the idea of the Indian Ocean as a zone of peace, the basis for the agenda.

16. Pakistan suggested that the provisional agenda should consist of two main items:

- (a) Measures to create conditions of security in the Indian Ocean - a code of conduct for relations among Indian Ocean States; and
- (b) Elimination of the military presence and rivalry of the great Powers from the Indian Ocean.

It also suggested a number of subitems for each of the main items.

17. India suggested that the following elements be included in the agenda:

- (a) General assessment of the extent of great Power military and naval presence in the Indian Ocean;

- (b) Elaboration of measures for achieving the elimination of all foreign military bases conceived in the context of great Power rivalry and a reduction of their military and naval presence conceived in the context of great Power rivalries with a view to its eventual elimination; and
- (c) Procedures for implementing such measures through appropriate follow-up action and machinery.

18. Madagascar held that four main items must be included in the agenda:

- (a) Elimination of manifestations of great Power military presence;
- (b) System of collective security without military alliances;
- (c) Regional co-operation in all fields;
- (d) Delimitation of the zone and definitions.

19. Thailand thought that the main emphasis should be placed on the question of definitions, including the following:

- (a) The geographical limits of the zone of peace in the Indian Ocean;
- (b) Littoral and hinterland States;
- (c) Foreign bases and manifestations of great Power military presence in the region, conceived in the context of great Power rivalry;
- (d) Status of islands in the Indian Ocean belonging to or under the control of external Powers.

20. Sri Lanka, without commenting directly on the question of an agenda, stated that it was not essential that the definition of terms should be settled before the conference; if agreement could not be reached prior to the conference, it must be left over for the conference itself.

E. Participation

21. In his letter of 31 March 1975 addressed to the littoral and hinterland States of the Indian Ocean (see para. 6 above), the Chairman of the Ad Hoc Committee on the Indian Ocean stated, inter alia, the following:

"As regards the question of participation, it would seem that the proposed conference could provide an opportunity for an exchange of views not only among the littoral and hinterland States, but also between that group of States and the great Powers and other major maritime users of the Indian Ocean. It may be recalled, in this connexion, that resolution 3259 (XXIX) renewed its invitation to the great Powers, in particular, to co-operate in a practical manner with the Ad Hoc Committee on the Indian Ocean in the discharge of its functions."

22. A number of positions were expressed in the replies of the Governments concerned. Indonesia suggested that the conference be open, "at the present stage", to the littoral and hinterland States of the region, with a view to finding a common position among them. Madagascar and the United Republic of Tanzania considered that initially participation in the conference should be limited to the States of the region. Similarly, Malaysia stated that for the conference to be effective and manageable, it should initially be confined to littoral and hinterland States of the Indian Ocean to enable those States with shared interests to formulate positions vis-à-vis the great Powers. At a later stage, it would be necessary to have a full conference including the great Powers and major maritime users of the Indian Ocean. However, if the general preference was for a full conference, Malaysia would be quite prepared to agree to it. Bangladesh held that priority should be given to securing the full participation of the regional States in the conference and that since the co-operation and support of other countries, in particular the permanent members of the Security Council and other major maritime users of the Indian Ocean, were a necessary step in the implementation of the proposal, their participation in the conference would be desirable after the initial stage during which the littoral and hinterland States could arrive at some basic consensus. Pakistan envisaged that the littoral and hinterland States of the Indian Ocean would be full participants in the conference, while the major Powers and the major maritime users of the Indian Ocean might be invited to participate as observers. Iran supported the convening of a conference with the participation of the littoral and hinterland States and of the major maritime users of the Indian Ocean. Bhutan, Kenya, India, Oman, Sri Lanka and Thailand held that the conference must provide an opportunity for bringing together not only the littoral and hinterland States, but also the great Powers and the major maritime users of the Indian Ocean. Australia, without addressing itself directly to the question of participation, felt that the achievement of an effective régime for an Indian Ocean zone of peace required the co-operation of all groups of States with a legitimate interest in the region, including not only the littoral and hinterland States but also the great Powers and the other major maritime users of the Indian Ocean.

F. Level of participation

23. A conference at the ambassadorial level was envisaged by Indonesia, Malaysia, Mauritius, Oman and Thailand. India suggested an "appropriately senior level". Bhutan thought that the participation could be at "the senior officials or ministers levels". Bangladesh, Madagascar, Pakistan, Sri Lanka and the United Republic of Tanzania were in favour of a conference at the ministerial level. Pakistan and Sri Lanka envisaged that the conference at the ministerial level would be preceded by a meeting of senior officials. Similarly, the United Republic of Tanzania did not rule out the possibility of preliminary sessions of the conference itself, at lower levels of representation. Madagascar (see paras. 11 and 12 above) planned to have a meeting of experts prior to the conference, a concept that Bangladesh thought should receive serious consideration. Pakistan did not exclude the possibility of a summit conference, if there was a sufficient degree of support for holding the conference at the highest political level.

G. Great Powers and major maritime users of the Indian Ocean

24. At meetings of the littoral and hinterland States of the Indian Ocean, as well as of the Ad Hoc Committee on the Indian Ocean, there was general agreement that every effort be made to enlist the co-operation of the great Powers and other major maritime users of the Indian Ocean (see also para. 21 above), in connexion with the consultations envisaged in paragraph 4 of resolution 3259 A (XXIX).

25. The group of littoral and hinterland States of the Indian Ocean decided, in the first instance, to invite China and Japan - which, from the very inception of the Ad Hoc Committee on the Indian Ocean, had co-operated with and participated actively in the work of the Committee - to participate in the consultations of the group. As a result, representatives of the two Member States attended meetings of the group. At the same time, the Chairman of the Ad Hoc Committee, by letter dated 10 June 1975 addressed to (a) France, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland and the United States of America, and (b) Canada, the Federal Republic of Germany, Greece, Italy, Liberia, the Netherlands, Norway, Panama and Sweden, informed those Member States that the littoral and hinterland States of the Indian Ocean attached considerable importance to the participation of the great Powers and the major maritime users of the Indian Ocean in the consultations with a view to convening a conference on the Indian Ocean and, therefore, sought their co-operation. In particular, they wished to hear the views of the great Powers and other major maritime users in regard to the implication of the proposal so far as the security and other interests of the great Powers and other major maritime users were concerned, as well as the best means of advancing towards the realization of the objectives of the Declaration of the Indian Ocean as a Zone of Peace, with such modifications as might be found necessary to reconcile different views and interests.

26. Replies were received from the United Kingdom, the Netherlands and Sweden. The United Kingdom pointed out that its general reservations on the question of the Indian Ocean as a zone of peace had been placed on record in a statement on 10 December 1971, at the 1848th meeting of the First Committee of the General Assembly, 3/ and they had resulted in successive abstentions by the United Kingdom on resolutions concerning that question. Since its reservations remained unchanged, the United Kingdom had to decline the invitation to participate in the consultations. The Netherlands' reply stated that, since the consultations between the littoral and hinterland States had not yet yielded concrete results, there was no basis for consultations within a wider group and for that reason participation in the consultations by the Netherlands, at present, would not seem warranted. Without excluding a possible participation at a later stage, the Netherlands preferred to await the results of the Ad Hoc Committee's final session for 1975 before deciding whether or not to take part in the consultations. Sweden said it considered regional agreements for the establishment of zones of peace or nuclear-free zones to be useful steps in the context of disarmament. It also expressed the hope that the efforts of the Ad Hoc Committee on the Indian Ocean and the littoral and hinterland States, including the holding of appropriate consultations in order to realize in a realistic manner the objectives of the Declaration of the Indian Ocean as a Zone of Peace, would be successful.

3/ A/C.1/PV.1848, paras. 129-142.

III. OTHER MATTERS

27. The Ad Hoc Committee gave attention to the question of the definition of the following terms: (a) "limits of the Indian Ocean, in the context of the Declaration of the Indian Ocean as a Zone of Peace"; (b) "littoral and hinterland States of the Indian Ocean"; and (c) "foreign military bases". The Committee recognized that the question of definitions was a complex one, but thought that it would be desirable to make progress towards agreed definitions. It was decided that Governments should be asked to submit draft definitions to assist the Committee. Pakistan submitted a working paper containing definitions of the three terms listed above.

28. Australia considered that, in discussing definitions of terms, the Committee should, in accordance with resolution 3080 (XXVIII) of 6 December 1973, focus its attention primarily on the question of naval deployments as the most important manifestation of the presence of the great Powers and the arms race in the area. It also stated that, when dealing with the question of foreign military bases conceived in the context of great Power rivalry, the Committee would have to decide how to determine whether a base fitted that description.

29. As regards the definition of "littoral and hinterland States of the Indian Ocean", Bangladesh and the United Arab Emirates were added to the list contained in annex I to its 1973 report to the General Assembly. 4/ Subsequently, Burundi, Rwanda and Mozambique were also added.

30. In the course of the debate it was observed that no definition agreed upon by the members of the Ad Hoc Committee could be of value if it did not take into account the views and policies of the great Powers and the major maritime users of the Indian Ocean. It was recalled that the General Assembly resolutions, in particular resolution 3259 A (XXIX), had urged the great Powers and the other major maritime users of the Indian Ocean to give tangible support to the establishment and preservation of the Indian Ocean as a zone of peace. It was the view of the Committee that, in particular, such co-operation and support should be extended to the consultations of the littoral and hinterland States of the Indian Ocean with a view to convening a conference on the Indian Ocean.

IV. RECOMMENDATION OF THE AD HOC COMMITTEE ON THE INDIAN OCEAN

31. The Ad Hoc Committee on the Indian Ocean unanimously recommends to the General Assembly the adoption of the following draft resolution:

Implementation of the Declaration of the Indian Ocean as a Zone of Peace

The General Assembly,

Recalling the Declaration of the Indian Ocean as a Zone of Peace contained in its resolution 2832 (XXVI) of 16 December 1971, and recalling also its resolutions 2992 (XXVII) of 15 December 1972, 3080 (XXVIII) of 6 December 1973 and 3295 A (XXIX) of 9 December 1974,

4/ Official Records of the General Assembly, Twenty-eighth Session,
Supplement No. 29 (A/9029), annex I, p. 7.

Reaffirming its conviction that action in furtherance of the objectives of the Declaration would be a substantial contribution to the strengthening of international peace and security,

Calling attention to the provisions of resolution 3259 A (XXIX), especially paragraph 4 in which the General Assembly requested the littoral and hinterland States of the Indian Ocean to enter, as soon as possible, into consultations with a view to convening a conference on the Indian Ocean,

1. Notes the report of the Ad Hoc Committee on the Indian Ocean, 5/ and in particular section II thereof concerning the consultations entered into by the littoral and hinterland States of the Indian Ocean in pursuance of paragraph 4 of General Assembly resolution 3259 A (XXIX);

2. Notes further that, as a result of these consultations, an agreement in principle on the convening of a conference on the Indian Ocean has emerged among the littoral and hinterland States of the Indian Ocean;

3. Requests the littoral and hinterland States of the Indian Ocean to continue their consultations to this end, with particular attention to the following six points:

(a) Purposes of a conference on the Indian Ocean;

(b) Date and duration;

(c) Venue;

(d) Provisional agenda;

(e) Participation;

(f) Level of participation;

4. Requests the Ad Hoc Committee to continue its work and consultations in accordance with its mandate and to submit to the General Assembly at its thirty-first session a report on its work, including the results of the consultations referred to in paragraph 3 above;

5. Invites all States, in particular the great Powers and the major maritime users of the Indian Ocean, to co-operate in a practical manner with the Ad Hoc Committee in the discharge of its functions;

6. Requests the Secretary-General to continue to render all necessary assistance to the Ad Hoc Committee, including the preparation of summary records.

5/ Official Records of the General Assembly, Thirtieth Session, Supplement No. 29 (A/10029).

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