

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

GENERAL ASSEMBLY

OFFICIAL RECORDS: THIRTY-NINTH SESSION

SUPPLEMENT No. 29 (A/39/29)



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NOTE

Symbols of United Nations documents are composed of capital letters combined with figures. Mention of such a symbol indicates a reference to a United Nations document.

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I. INTRODUCTION

1. By resolution 38/185 of 20 December 1983, the General Assembly took note of the report of the Ad Hoc Committee on the Indian Ocean 1/ and the exchange of views in the Committee; expressed its regret that the Ad Hoc Committee had failed to reach consensus on the finalization of dates for the convening, during 1984, of the Conference on the Indian Ocean; emphasized its decision to convene the Conference at Colombo as a necessary step for the implementation of the Declaration of the Indian Ocean as a Zone of Peace, adopted in 1971; took note of the work of the Ad Hoc Committee during 1983; requested the Ad Hoc Committee to make decisive efforts in 1984 to complete preparatory work relating to the Conference on the Indian Ocean, in consideration of the political and security climate in the region and with a view to enabling the opening of the Conference at Colombo in the first half of 1985, it being understood that such preparatory work would comprise organizational matters, including the provisional agenda for the Conference, rules of procedure, documentation and consideration of appropriate arrangements for any international agreement that might ultimately be reached for the maintenance of the Indian Ocean as a zone of peace, and substantive issues; requested the Ad Hoc Committee at the same time to make determined efforts in 1984 for the necessary harmonization of views on the remaining relevant issues; renewed the mandate of the Ad Hoc Committee as defined in the relevant resolutions and requested the Committee to intensify its work with regard to the implementation of its mandate; requested the Ad Hoc Committee to hold three further sessions in 1984 of a duration of two weeks each, with the possibility of holding a fourth session to be considered as required; requested the Chairman of the Ad Hoc Committee to continue his consultations on the participation in the work of the Committee by States Members of the United Nations which are not members of the Committee, with the aim of resolving the matter at the earliest possible date; and requested the Ad Hoc Committee to submit to the General Assembly at its thirty-ninth session a full report on the implementation of the present resolution.

2. Pursuant to resolution 38/185, the Ad Hoc Committee held three sessions, from 12 to 23 March (A/AC.159/SR.231-242), from 9 to 20 July (A/AC.159/SR.243-253) and from 20 to 31 August (A/AC.159/SR.254-261), and one additional meeting on 21 November (A/AC.159/SR.262) at United Nations Headquarters in New York. The Committee held 32 formal meetings as well as a number of informal meetings during 1984.

3. Following the appointment of Uganda as a member of the Ad Hoc Committee by the President of the General Assembly on 26 July 1984 (A/38/828), the Committee is composed of the following 48 Member States:

Australia	France
Bangladesh	German Democratic Republic
Bulgaria	Germany, Federal Republic of
Canada	Greece
China	India
Democratic Yemen	Indonesia
Djibouti	Iran (Islamic Republic of)
Egypt	Iraq
Ethiopia	Italy

Japan
Kenya
Liberia
Madagascar
Malaysia
Maldives
Mauritius
Mozambique
Netherlands
Norway
Oman
Pakistan
Panama
Poland
Romania
Seychelles

Singapore
Somalia
Sri Lanka
Sudan
Thailand
Uganda
Union of Soviet Socialist
Republics
United Arab Emirates
United Kingdom of Great
Britain
and Northern Ireland
United Republic of Tanzania
United States of America
Yemen
Yugoslavia
Zambia

In accordance with paragraph 2 of resolution 34/80 B, Sweden continued to attend meetings of the Ad Hoc Committee as an observer.

4. The elected officers of the Ad Hoc Committee were the following:

Chairman: Mr. Nissanka Wijewardane (Sri Lanka) and his predecessor,
Mr. S. W. Arthur de Silva (Sri Lanka);

Vice-Chairmen: Ms. Susan Boyd (Australia);

Mr. Izhar Ibrahim (Indonesia);

Mr. Wilhelm Grundmann (German Democratic Republic) and his
predecessor, Mr. Siegfried Kahn (German Democratic Republic);

Mr. Manuel dos Santos (Mozambique) and his predecessor,
Mr. Daniel Assa Nhaguilunguana (Mozambique);

Rapporteur: Mr. André Tahindro (Madagascar).

II. WORK OF THE AD HOC COMMITTEE

A. Agenda of the Ad Hoc Committee

5. The following agenda, for the year 1984 (A/AC.159/L.59), was adopted by the Ad Hoc Committee at its 235th meeting, on 16 March 1984:
1. Opening of the session.
 2. Election of the Chairman.
 3. Election of a Vice-Chairman.
 4. Adoption of the agenda.
 5. Organization of work.
 6. Implementation of General Assembly resolution 38/185, in accordance with paragraphs 3, 5, 6 and 7 and other relevant paragraphs.
 7. Report of the Ad Hoc Committee to the General Assembly at its thirty-ninth session, in accordance with resolution 38/185.
 8. Other matters.
6. At the 238th meeting, on 21 March, the Chairman presented the following text concerning the organization of work, which was subsequently accepted by the Committee:

"It has been decided that the Ad Hoc Committee will meet in formal and informal sessions, as it considers appropriate, to accomplish the organizational and substantive preparatory work relating to the Conference on the Indian Ocean. In doing so, equal time will be given both to organizational work, including the provisional agenda for the Conference, rules of procedure, documentation and consideration of appropriate arrangements for any international agreement that may ultimately be reached for the maintenance of the Indian Ocean as a zone of peace, and to substantive issues related to the zone of peace. For consideration of substantive issues, the Committee will take into account, inter alia, the political and security climate in the region and characteristics of the zone as given in documents placed before the Committee. The Committee will also give consideration to all other documents before the Committee. Time will be given by the Committee for an exchange of views as required by its members."

B. Preparatory work for the convening of the Conference on the Indian Ocean

7. During five formal meetings, from 21 to 23 March (238th-242nd meetings), as well as in a number of informal meetings, the Committee undertook an exchange of views under item 6 of its agenda in accordance with the agreement concerning the organization of work referred to above.

8. At the 241st meeting of the Committee, on 23 March, the representative of Sri Lanka, on behalf of the non-aligned States members of the Ad Hoc Committee, introduced a document entitled "Draft framework of the provisional agenda for the United Nations Conference on the Indian Ocean" (A/AC.159/L.60).
9. At its 242nd meeting, on 23 March, the Ad Hoc Committee decided to request the Secretariat to prepare draft rules of procedure for the Conference on the Indian Ocean. Subsequently, at the 249th meeting, on 13 July, the Secretariat submitted a document entitled "Draft provisional rules of procedure of the United Nations Conference on the Indian Ocean" (A/AC.159/L.61).
10. During 10 formal meetings, from 10 to 20 July (244th-253rd meetings), as well as in a number of informal meetings, the Committee resumed the exchange of views under agenda item 6.
11. At the 245th meeting, on 10 July, the representative of the Union of Soviet Socialist Republics introduced a document entitled "Letter dated 9 April 1984 from A. A. Gromyko, First Deputy Chairman of the Council of Ministers of the USSR and Minister for Foreign Affairs of the USSR, to J. Pérez de Cuéllar, Secretary-General of the United Nations" (A/AC.159/L.62).
12. At its 248th meeting, on 12 July, the Committee agreed to accept the following formulation concerning the decision-making process in the Ad Hoc Committee presented by the Chairman:

"The procedure of the Ad Hoc Committee on the Indian Ocean in the matter of making decisions has recently received the attention of the Committee.

"On the basis of consultations held by the Chairman with delegations and groups of delegations in the Committee, there is general recognition among delegations of the importance and desirability of securing the widest acceptance of decisions affecting the Indian Ocean. It is the understanding of the Chairman that the Committee shall continue to function on the basis of its normal methods of work and all delegations have agreed that decisions in matters affecting the Indian Ocean are taken by consensus, it being understood that consensus means the absence of any formal objection submitted by a delegation against taking a decision."

The above formulation on the decision-making process was meant to guide the Committee's work and applied to decisions affecting the Indian Ocean. It was clearly not intended to be taken as a precedent applicable to other discussions and negotiations.

13. During four formal meetings, from 21 to 27 August (255th-258th meetings), as well as in a number of informal meetings, the Committee continued the exchange of views under agenda item 6.
14. At the 261st meeting, on 31 August, the Chairman informed the Committee that he would continue his consultations on the final contents of an updated version of the background paper entitled "Resolutions, declarations and final communiqués related to the Declaration of the Indian Ocean as a Zone of Peace" (A/AC.159/L.17), as outlined in paragraph 14 of the report of the Ad Hoc Committee on the Indian Ocean to the General Assembly at its thirty-eighth session. 2/

C. New applications for participation in the work of the Ad Hoc Committee

15. In a letter dated 30 November 1983, Uganda applied for participation in the work of the Committee as an observer on a continuous basis. In that connection, the Chairman informed the Committee that, in accordance with paragraph 9 of General Assembly resolution 38/185, he was still continuing his consultations on that subject. Subsequently, in a letter dated 8 May 1984, Uganda applied for membership in the Ad Hoc Committee on the Indian Ocean. At its 247th meeting, on 11 July, the Committee decided to transmit a recommendation to the President of the General Assembly for the appointment of Uganda as a member of the Committee under the provisions of Assembly resolution 34/80 B. In that connection, by a communication dated 26 July 1984, the President of the General Assembly informed the Secretary-General that, on the basis of that recommendation, he had appointed Uganda as an additional member of the Committee (A/38/828).

D. Introduction and adoption of the report of the Ad Hoc Committee to the General Assembly at its thirty-ninth session

16. The Committee's draft report (A/AC.159/L.64) was introduced to the Committee at its 260th meeting, on 29 August, and the Committee began meeting informally to consider its draft report.

17. At the 259th meeting, on 28 August, the representative of Sri Lanka, on behalf of the non-aligned States members of the Ad Hoc Committee introduced a draft resolution (A/AC.159/L.63).

18. At the 261st meeting, on 31 August, the Committee adopted by consensus sections I and II of its report to the General Assembly, as orally amended, as contained in document A/AC.159/L.64.

19. At the 262nd meeting, on 21 November, the Committee adopted by consensus section III of its report, as well as the report as a whole to the General Assembly, as contained in document A/AC.159/L.64/Rev.1.

III. RECOMMENDATION

20. The Ad Hoc Committee on the Indian Ocean 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, 3259 A (XXIX) of 9 December 1974, 3468 (XXX) of 11 December 1975, 31/88 of 14 December 1976, 32/86 of 12 December 1977, S-10/2 of 30 June 1978, 33/68 of 14 December 1978, 34/80 A and B of 11 December 1979, 35/150 of 12 December 1980, 36/90 of 9 December 1981, 37/96 of 13 December 1982 and 38/185 of 20 December 1983, and other relevant resolutions,

Recalling further the report of the Meeting of the Littoral and Hinterland States of the Indian Ocean, 3/

Reaffirming its conviction that concrete action for the achievement of the objectives of the Declaration of the Indian Ocean as a Zone of Peace would be a substantial contribution to the strengthening of international peace and security,

Recalling its decision, taken at the thirty-fourth session in resolution 34/80 B, to convene a Conference on the Indian Ocean at Colombo during 1981,

Recalling also its decision to make every effort, in consideration of the political and security climate in the Indian Ocean area and progress made in the harmonization of views, to finalize, in accordance with its normal methods of work, all preparations for the Conference, including the dates for its convening,

Recalling further its decision, taken at the thirty-eighth session in resolution 38/185, concerning the convening of the Conference in the first half of 1985,

Recalling the exchange of views in the Ad Hoc Committee on the Indian Ocean in 1984, 4/

Noting the exchange of views on the adverse political and security climate in the region,

Noting further the various documents before the Ad Hoc Committee,

Convinced that the continued military presence of the great Powers in the Indian Ocean area, conceived in the context of their confrontation, gives urgency to the need to take practical steps for the early achievement of the objectives of the Declaration of the Indian Ocean as a Zone of Peace,

Considering that any other foreign military presence in the area, whenever it is contrary to the objectives of the Declaration of the Indian Ocean as a Zone of

Peace and the purposes and principles of the Charter of the United Nations, gives greater urgency to the need to take practical steps towards the early achievement of the objectives of the Declaration,

Considering also that the creation of a zone of peace in the Indian Ocean requires the active participation of and full co-operation among the littoral and hinterland States, the permanent members of the Security Council and the major maritime users to ensure conditions of peace and security based on the purposes and principles of the Charter, as well as on the general principles of international law,

Considering further that the creation of a zone of peace requires co-operation and agreement among the States of the region to ensure conditions of peace and security within the area, as envisaged in the Declaration of the Indian Ocean as a Zone of Peace, and respect for the independence, sovereignty and territorial integrity of the littoral and hinterland States,

Calling for the renewal of genuinely constructive efforts through the exercise of the political will necessary for the achievement of the objectives of the Declaration of the Indian Ocean as a Zone of Peace,

Deeply concerned at the danger posed by the grave and ominous developments in the area and the resulting sharp deterioration of peace, security and stability which particularly seriously affect the littoral and hinterland States, as well as international peace and security,

Convinced that the continued deterioration of the political and security climate in the Indian Ocean area is an important consideration bearing on the question of the urgent convening of the Conference and that the easing of tension in the area would enhance the prospect of success being achieved by the Conference,

1. Takes note of the report of the Ad Hoc Committee on the Indian Ocean 5/ and the exchange of views in the Committee;
2. Emphasizes its decision to convene the Conference on the Indian Ocean at Colombo as a necessary step for the implementation of the Declaration of the Indian Ocean as a Zone of Peace, adopted in 1971;
3. Takes note of the progress made by the Ad Hoc Committee during 1984;
4. Requests the Ad Hoc Committee, taking into account the political and security climate in the region, to complete preparatory work relating to the Conference on the Indian Ocean in 1985, in order to enable the opening of the Conference at Colombo thereafter at the earliest date in the first half of 1986 to be decided by the Committee in consultation with the host country;
5. Decides that preparatory work would comprise organizational matters and substantive issues, including the provisional agenda for the Conference, rules of procedure, participation, stages of conference, level of representation, documentation, consideration of appropriate arrangements for any international agreements that may ultimately be reached for the maintenance of the Indian Ocean as a zone of peace and the preparation of the draft final document of the Conference;

6. Requests the Ad Hoc Committee at the same time to seek the necessary harmonization of views on remaining relevant issues;

7. Requests the Chairman of the Ad Hoc Committee to consult the Secretary-General, at the appropriate time, on the establishment of a secretariat for the Conference;

8. Renews the mandate of the Ad Hoc Committee as defined in the relevant resolutions and requests the Committee to intensify its work with regard to the implementation of its mandate;

9. Requests the Ad Hoc Committee to hold three further preparatory sessions in 1985 of a duration of two weeks each, with the possibility of holding a fourth session to be considered as required;

10. Requests the Chairman of the Ad Hoc Committee to continue his consultations on the participation in the work of the Committee by States Members or the United Nations which are not members of the Committee, with the aim of resolving this matter at the earliest possible date;

11. Requests the Ad Hoc Committee to submit to the General Assembly at its fortieth session a full report on the implementation of the present resolution;

12. Requests the Secretary-General to continue to render all necessary assistance to the Ad Hoc Committee, including the provision of summary records, in recognition of its preparatory function.

Notes

1/ Official Records of the General Assembly, Thirty-eighth Session, Supplement No. 29 (A/38/29).

2/ Ibid.

3/ Ibid., Thirty-fourth Session, Supplement No. 45 (A/34/45 and Corr.1).

4/ See A/AC.159/SR.238-242, 244-253, 255-258.

5/ Official Records of the General Assembly, Thirty-ninth Session, Supplement No. 29 (A/39/29).