CHAPTER V
QUESTION OF THE INDIAN OCEAN AS A ZONE OF PEACE,
1971-1980

The question of the Indian Ocean as a zone of peace has been before the United Nations since October 1971.

The Indian Ocean, even though the smallest of the three "great" oceans, is of crucial significance in view of its water space, the countries and the population it covers, the multiple resources it is known to possess, and the important transit route of trade and commerce it offers. What is more important is that this water-way is of vital concern to India. Its sea coast, running to about 2,000 miles, is on the Indian Ocean. Its commercial interests lie in this Ocean across which its vast trade, for the most part, found the way to some of the important world markets over the centuries.¹ Therefore, various issues involved in the question and their implications have direct bearing on India's national interest. Needless to say, they are of

interest to other littoral and hinterland States as also to the Powers that have global interest. As such the question is a highly complex and politically loaded one.

As a preface to the analysis of current issues involved in the question, it should be noted that the predominance enjoyed earlier by the United Kingdom over the Indian Ocean could not be maintained during the post-War period. The Suez crisis (1956) and other developments in 1960s witnessed the decline of the British naval presence and simultaneous expansion of the United States navy in the area. Britain formally announced in 1963 that it would withdraw its naval force from the east of Suez by 1971. With this development, the waters of the Indian Ocean became vulnerable to the super Power naval operations. Indeed, under the impact of the nuclear arms race, every part of the globe had assumed significance in terms of the super Power manoeuvres. As such, the two super Powers as well as the lesser ones could not leave the all-too-potentially strategic Indian Ocean free from their control. The United States entered into an agreement with the United Kingdom in December 1970 to establish and operate base facility in Diego Garcia—a small island in the ocean area.² By that time, the Soviet navy had already

been making its presence more conspicuously felt than ever before. This added a new dimension to the power politics in the area and naturally some of the littoral States expressed growing concern. This concern was, in a way, reflected in various conferences held under the auspices of the Non-Aligned Movement and, also, the Commonwealth. Eventually, the question was formally raised in the United Nations in 1971.

Initiative at the UN

The initiative came from Ceylon (since May 1972 known as Sri Lanka) when it sought in October 1971 inclusion of an additional agenda item entitled "Declaration of the Indian Ocean as a Zone of Peace" for the consideration by the twenty-sixth regular session of the General Assembly.

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3 The question was first raised in the Second Non-Aligned Summit Conference held in Cairo in October 1964. Later the 1970 Lusaka Non-Aligned Summit Conference, in a formal resolution, called for an arrangement in the region where no nuclear weapons should be deployed and great Power rivalry could be excluded. This objective was also pursued at the Singapore Conference of Commonwealth Heads of State/Government held in January 1971, followed by a Consultative Meeting of the Foreign Ministers of non-aligned countries attending the twenty-sixth regular session of the General Assembly in September 1971. See in this context, Rajan Gupta, Indian Ocean: A Political Geography (New Delhi, 1979), and K.P. Misra, Quest for an International Order in the Indian Ocean (New Delhi, 1977).
This request was later joined by the United Republic of Tanzania.\(^4\)

Some analysts have expressed scepticism about the non-aligned character of Ceylon's initiative.\(^5\) Why Ceylon initiated the proposal; why it got support from Tanzania? Did Ceylon and Tanzania act in unison at the behest of the People's Republic of China to embarrass not only the super Powers, but also India?\(^6\) Why did India play, so it seems, a passive role when the proposal was initiated by Ceylon in the United Nations? These questions acquire some significance especially in the light of the on-going Bangladesh crisis in the India-Pakistan sub-continent at that time.

\(^4\) UN Doc. A/6492 and Add. 1, 1 October 1971.


\(^6\) One foreign journalist wrote:

The single constant strand in Ceylon's foreign policy since the early days has been friendship with China and that friendship is in turn at least partly the result of Ceylon's fears of Indian "expansionism". As a result, as one army officer characterised, "the Indians think there is a Chinese behind every tea bush here".

In fact, doubts were expressed as to whether efforts to seek the elimination of great Power military presence would be appropriate when two littoral States were fighting each other. Pakistan took the opportunity to condemn Indian aggression and alleged that India's deeds were not in conformity with the provisions contained in the draft declaration. China, in an attempt to "tear away India's mask", characterised India's co-sponsorship of the draft declaration as "sheer sinister double-dealing" by which India was trying to deceive the world under the camouflage of an international agreement. In reply, the Indian representative characterised the criticism as "distortion of facts".

As to the intriguing aspect of the timing of the Ceylonese initiative, it may be recalled that the 1970 Non-Aligned Summit Meet at Lusaka resolved to work for

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7 For instance, see the statement of New Zealand delegate in General Assembly Official Records (hereinafter cited as GAOH), session 25, First Committee, 1349th mtg, 10 December 1971, pp. 4-5.

8 Ibid., p. 12.

9 Ibid., p. 6.

10 Ibid., p. 13.
seeking adoption of a peace-zone declaration by the General Assembly during the twenty-fifth session. But no initiative was taken that year.\textsuperscript{11} The foreign ministers of non-aligned Member States attending the General Assembly twenty-sixth session met in September 1971 in pursuance of the decision taken at the Lusaka Summit Conference. The Meeting agreed that necessary concrete steps should be taken at the twenty-sixth session of the General Assembly on the question. Perhaps, following this meeting, Ceylon wrote to the Secretary-General seeking inclusion of the proposal as an additional item in the agenda. But the question as to why Ceylon alone took the initiative remains a moot point.

Why did not India take the initiative? Perhaps, growing tensions in East Pakistan during that period, might have put constraints on India. Or, may be an initiative by India could have aroused suspicion in the minds of some of the smaller littoral States. Perhaps that partly explains why India's Minister for External Affairs stated that India

\textsuperscript{11}One of the senior Sri Lanka diplomats in New York explained during an informal conversation that the gap of one year between the Lusaka Conference and the Ceylonese initiative could in fact be utilised to mobilise support from Member States for the proposal.

preferred to leave the initiative to the smaller countries of the region. 13

Adoption of Declaration in 1971

In seeking the inscription of the item, Ceylon's objective, as stated in its memorandum to the Secretary-General, 14 was to secure the United Nations approval "of an international domain, subject to international regulation and responsibility, covering the entire high seas of the Indian Ocean". To quote from the memorandum, what Ceylon asked for was that:

the entire high seas area of the Indian Ocean will be declared a peace zone to be used exclusively for peaceful purposes. This would mean the exclusion of armaments, defensive or offensive, and military installations from the prescribed area. Warships and ships carrying warlike equipment will exercise the right of transit but may not stop for other than emergency reasons of a mechanical, technical or humanitarian nature. The use of the sea-bed area by sub-marines, except for reasons of a mechanical, technical or humanitarian nature, is to be prohibited. There will be a prohibition on naval manoeuvres, naval intelligence operations and weapons tests in the area. 15

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13 The Hindu (Madras), 23 May 1972.


15 Ibid.
This proposal was obviously, not likely to gain acceptance by the major naval Powers. Furthermore, the proposal did not draw any distinction between the naval operations of the outside Powers in the Indian Ocean and the legitimate naval activities of the littoral States. Indeed the issues involved were too complex to be sorted out in a declaration. Hence, it was for the littoral States like India to see that the declaration was couched in a language which would emphasise the basic principles of the peace zone without bringing complicated issues, so that the declaration received wider support from Member States. Therefore, the original formulation underwent "radical change" in view of the reservations expressed by some Member States. In the words of the representative of Ceylon,

...It was thought fit at this stage to limit the scope of our proposal....We would ask the General Assembly to declare that the Indian Ocean, together with the air space above and the ocean floor subjacent thereto, within limits to be determined, be designated for all time as a zone of peace. 16

The Declaration finally adopted by the Assembly, asked the "great Powers" to enter into immediate consultations with the littoral States with a view to halting the further

16 GAOR, session 26, First Committee, 1634th mtg, 23 November 1974, p. 175
escalation and expansion of their military presence in the Indian Ocean; and to eliminate from the Indian Ocean all bases, military installations, logistical supply facilities, disposition of nuclear weapons, and any manifestation of "great Power military presence in the Indian Ocean conceived in the context of great Power rivalry". Further, they were asked specifically to ensure that warships and military craft did not use the Indian Ocean for any threat or use of force against the sovereignty, territorial integrity and independence of any littoral or hinterland State. At the same time, it was assured, the right to free and unimpeded use of the zone by vessels of all nations remained unaffected. And arrangements were envisaged to give effect to any international agreement which might ultimately be reached for the maintenance of the Indian Ocean as a zone of peace.

It is noteworthy that the draft resolution sponsored by Ceylon and the text finally adopted by the General Assembly were obviously milder than the objectives mentioned in the memorandum to the Secretary-General. 18

17 GA Res. 2832 (XXVI) of 9 December 1971.
18 The original draft circulated under Doc. A/C.1/L.599 (sponsored by Ceylon, Iran, Iraq, Kenya, Somalia, Tanzania, Uganda, Yemen, and Zambia), was revised twice later. India was associated at the first revision stage. But the changes carried out during the two revisions mostly were of editorial nature except the one inserting the phrase "the norms and principles of international law" presumably to meet the objections raised by the great Powers.
Differences among the littoral States on the one hand, and between the littoral and the non-littoral maritime/military Powers on the other, discernible in debates and other political processes in the General Assembly, might have caused the changes in the formulation of the Declaration. The ambiguities in the final text and voting responses of Member States 19 are manifestations of variance of views among Members.

**Aims and Implications of the Declaration**

Serious differences seemed to exist among the littoral States in determining as to what the Declaration of 1971 aimed at and implied.

The Declaration was originally intended to be a contribution to the relaxation of international tensions and to the strengthening of international peace and security. 20 Sri Lanka's delegate once stated that it was

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19 While India joined 49 other Member States in voting for the Declaration, none voted against. There were as many as 50 Members who abstained. Apart from the countries of East and West European alliance States along with their allies elsewhere, there were also some important littoral and hinterland countries such as Australia, Madagascar, People's Democratic Yemen, Singapore, South Africa, and Thailand who joined the abstainers.

20 See the statement made by the representative of Ceylon, GA, 25th session 26, First Committee, 1834th mtg., 25 November 1971, p. 17.
necessary that the littoral and hinterland States should be very clear in their minds about the nature and the scope of the proposal, the measures contemplated could develop a common will to action, and then the collective action could be effective. 21 It was pointed out, in this connection, that the aim of the Declaration should be to free the Indian Ocean from great power rivalries and, also, from military bases conceived in the context of such rivalries and competition.

Some Members conceived demilitarization of the region as one of the aims of the Declaration. According to them, the peace zone must presuppose renunciation by States of the threat or use of force against another State in the region, and the affirmation of their resolve to settle disputes by peaceful means without resort to force and in accordance with the Charter of the United Nations. 22 Also, a view was expressed that the littoral and hinterland States should lend support to arms control measures conducive to the realization of the aims and objectives of the Declaration.

21 Ibid., session 28, Doc. A/9029 (Suppl. 29), p. 6.

22 Ibid., p. 7.
It is noteworthy that the views expressed by Member States concerned were not identical. For example, India did not favour the Sea-bed Demilitarization Treaty as applicable to define the limits of the zone. But Sri Lanka thought the treaty in question could be a working basis to help reach an agreement. While Iraq argued that the regional States should withdraw from the military alliances and should dismantle foreign military bases on their territory, Pakistan maintained that mutual respect for territorial integrity, sovereignty and independence in settlement of disputes would ensure conditions of security rendering thereby military alliances redundant.\textsuperscript{23}

**Question of Implementation of the Declaration: India's Interactions**

Since the time the Declaration was adopted, India continued to reaffirm its support to the efforts to implement the Declaration. It expressed concern over the non-co-operative attitude of the non-littoral States, especially the two super powers and appealed for unity among the littoral and hinterland States in approaching the issue. In addition, it co-sponsored draft resolutions every year later and voted in their favour.

\textsuperscript{23}Ibid., pp. 15-15.
Debate on the Indian Ocean as a zone of peace either at the committee level or in the Plenary was not extensive. In the Political Committee the agenda item relating to the question was always clubbed with, in spite of the initial objection from Sri Lanka, larger disarmament matters. Obviously the wider issues dominated the discussion. In the Plenary when the proposals duly recommended by the relevant committee came up, discussion hardly took place. Usually ceremonial endorsements would take place at a quick pace. At the time of general debate only general policy statements were made reaffirming, reiterating stand on various major international issues. Discussion in all details in all aspects of the peace zone question took place in the Ad Hoc Committee. Various matters in regard to which India had to interact with the other Members serving on the Ad Hoc Committee could be identified with the broad aspects of disengagement of Indian Ocean region from the Great Power military presence, seeking assurances

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24 The Ad Hoc Committee was established under the GA resolution 2992(XXVII) of 15 December 1972 to study the implications of the Declaration of the question with special reference to the practical measures that might be taken. Though the Committee started its work with fifteen members, now the expanded Committee includes forty-five littoral, hinterland, major maritime and military Powers. For details, see its annual reports submitted to the regular sessions of the General Assembly since 1973 (GAOR, Suppl. no. 29 of each session).
from nuclear weapon Powers and commitments from the non-
nuclear weapon States in the regions on the demilitarization
of the zone; regional security arrangements by means of
demilitarization among the regional States, and misce-
llaneous matters. An examination of India's interactions
under these heads is attempted in the following pages.

(A) Disengagement of the Region
from Great Power Rivalry

In line with the objectives of the Declaration, the
littoral and hinterland States attempted, mainly through the
Ad Hoc Committee on the Indian Ocean, to achieve dis-
engagement of the region from the great Power rivalries.
A report was prepared by the Secretary-General on the great
Power presence. 25

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25 For the details see UN Doc. A/AC. 159/1, 3 May
1974 and for its revised version A/AC. 159/Rev.1, 11 July
1974. The original statement concluded that a mutually
balanced presence of the great Powers would not be
satisfactory because the "instabilities inherent in the
area", would not easily promote such a balance to be
maintained over a period of time. But a revision was
carried out as a consequence to protests by great Powers
as well as some littoral countries, diluting its earlier
sharpness on great Power military build-up in the Indian
Ocean region. Apparently this revised statement led to
the conclusion that the threat perceived by the littoral
and hinterland countries about the great Power naval
presence in the Indian Ocean, especially in the context of
their global rivalry, was exaggerated. For a critical
analysis, see K.S. Singh, The Indian Ocean ; Big Power
Presence and Local Response (New Delhi, 1977), pp. 22-34.
For a long time, the great Powers and the maritime Powers were not willing to take part in the Ad Hoc Committee's work. Even after agreeing to become Members of the Committee, they extended varying explanations to indicate their opposition to the objectives of the Declaration.

The United States opposed the peace zone concept since the Ocean was not the property of any nation and it was part of the international domain. Accordingly, the United States did not accept the proposition that a group of regional States could declare a legal regime for the seas which could be binding on other States without their consent. Further, the United States did not accept the view that any great Power military presence was, by its very nature, a threat to peace. On the contrary, the American delegate held the view that, with the exception of the forces of the Soviet Union and its "surrogates" the forces of non-regional Powers deployed in the sea promoted security and safeguarded the legitimate interests of both regional States and the international community at large. It was also explained that the United States did not deploy its


military forces with the intention of using or threatening to use force against littoral States in contravention of the Charter. Thus, in the American view, the Declaration might affect the fundamental security interests not only of States compelled to maintain significant military preparedness in this all too imperfect world but also of States that rely on the stability created by a political and military balance in order to pursue other important national goals.\(^{28}\)

The demand, therefore, for total and eventual elimination was characterized as "indiscriminate" disregarding the rights of the States for individual and collective self-defence guaranteed under Article 51 of the Charter.

On the other hand, the Soviet Union's response was more sugar-coated. Even though it believed that "all continents, islands, oceans and seas [should] become total zone of peace", it felt that it was "difficult to achieve every thing at the same time".\(^{29}\) The Soviet Union categorically denied that it ever contemplated or was actually engaged in establishment of any military bases of its own in the region. But, more fundamentally, the Soviet Union disagreed with the perception that the so-called

\(^{28}\) IOR, session 26, First Committee, 1349 mtg., 10 December 1974, p. 35.

\(^{29}\) See Byelorussia's statement, ibid., 1340 mtg., 30 November 1974, p. 6.
great Power military presence in the Indian Ocean was a source of tension and characterised it as factually untrue and unobjective to the extent the Soviet Union was concerned.\(^3\) (Incidentally, it may be noted, this view of the Soviet Union is identical with the American view.) Also, the Soviet representative claimed legitimate interest because the Indian Ocean was the only year-round sea route between European part of the Soviet Union and Far Eastern and East Asian parts, and that it was the only major route of its commercial traffic.\(^4\) The Soviet Union sought equality of status with other "appropriate States" in any negotiations on the subject.

In this respect, India's attempt was to keep the focus on the great Power military activities in the context of their global rivalries. It was aware that if, instead local/regional disputes were raised, Pakistan might raise some of the problems it was interested in. Even while

\(^3\) Report of the Ad Hoc Committee on Indian Ocean, Doc. A/34/29 (Supplement No. 29), p. 64.

\(^4\) While being cognizant of the commercial interests of the Western Powers, the Soviet Union thought that the military access to the Soviet territory with modern weapons systems was easier from the Indian Ocean than from any other region of the world. That naturally caused the Soviet Union concern about its security on the South and therefore it should not be threatened from that direction. Summary Records of the Meeting of the Littoral and Hinterland States, 3rd mtg, 3 July 1979 (Doc. A/AC.199/38.3, 9 July 1979), pp. 2-7.
talking about the great Power military presence, India seemed to lay emphasis on the elimination of military bases maintained in the region by the great Powers, while making such a demand, India implied the United States which had been building up its base facilities in Diego Garcia.32

However, India thought that the path towards the achievement of the objective of the Declaration would be an arduous one involving detailed deliberations not only among the littoral and hinterland States but also among the great Powers themselves, and between the countries of the region and those outside the region.33

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32 This anti-American posture India has been taking did not go unnoticed. For instance in an off-the-cuff remarks during his visit to Peking, the Australian Prime Minister Malcolm Fraser reportedly said that India condemned the United States on building up a base in Diego Garcia, while it turned a blind eye to the equally dangerous moves of the Soviet Union. In his view, "this showed a lack of reality. A number of nations have said to us privately that they support what the United States is doing to maintain a balance; but they are not prepared to say it publicly." Keesing's Contemporary Archives (London), vol. 22, 1976, p. 27740.

As asked about this aspect, diplomats in the Indian Mission remarked that they had been talking of Diego Garcia because it was the only acknowledged base. If another base came to light and was duly acknowledged, India would not hesitate to demand its destruction too, they added.

As the United States and the Soviet Union initiated bilateral talks to explore the ways of limiting arms race in the Indian Ocean region in 1977, India stated that even though the talks did not go far enough in conforming to the objectives of the Declaration, they reflected a first step towards meeting the objective. Clearly, it felt, the pressure brought to bear by the international community did work. India regretted nevertheless, that the littoral countries which were most affected by the big Power rivalry in the Indian Ocean were not directly associated with those talks.

India demanded complete elimination of all forms of the military presence of the great Powers from the region and spearheaded strong opposition to various tactics employed by the great Powers. In the opinion of some of

34 The progress of the two sessions of these bilateral talks was duly reported to the Chairman of the Ad Hoc Committee who in turn kept the members of the Committee informed of the same. See, for details, Report of the Ad Hoc Committee on the Indian Ocean for the 32nd and 33rd sessions, UN Doc. A/52/29 (Suppl. No. 29), and A/53/29 (Suppl. No. 29).

35 This stand of India was similar to that of other countries, whereas China went a step ahead to condemn the tactics of the super Powers and demanded unqualified and unequivocal commitments from the super Powers. GAOR, session 33, Plenary, 29th mtg, 10 October 1978, pp. 8-10.
the great Powers, military presence in the Indian Ocean region was intrinsic in the circumstances in the area. The Indian representative described this argument as an arrogation of the right to act as purveyors of the security of the area in order to obtain for themselves (great Powers) continued access to their economic wealth. These attempts by great Powers, India stated, disregarded the aspirations of the indigenous population.36

Also, India strongly opposed the view of the United States representative that the question of convening of a conference had necessarily to be linked to the changing regional international situation and to the complete harmonization of views among the Members of the Ad Hoc committee.37 The Indian representative regretted delay in the preparatory work for convening the Conference, and outlined three main objectives: namely, to continue efforts to harmonise views, to examine political and security climate, and to establish the dates for the Conference to be pursued by the countries concerned. Further, Indian representative stated:


The main issue was whether delegations had the political will to decide on the convening of a conference. Any delegation which opposed fixing of dates should say so at a formal meeting, and all delegations should state their intentions clearly. 33

The Indian representative expressed growing concern on the obstructive attitude of some of the great Powers. Referring to some attempts at modifying the mandate of the Committee, he retorted on an occasion that:

In agreeing to join the Committee members accepted the requirement that they must work within that mandate; otherwise they were free to establish an alternative body with an alternative mandate, which other delegations could join if they chose. 39

It should be noted that, despite the above criticism, India favoured consensus among the Members of the Committee. 40 It was an effective means to reach

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33Ibid., 123rd mtg, 25 February 1931, p. 4.


40 After the great Powers started associating themselves with the proceedings of the Ad Hoc Committee, India preferred consensus. For instance, on an occasion it supported a compromise formula suggested by the President which avoided specific reference to either resolution A/34/80B or A/35/150, but based on A/35/150 because it was adopted by consensus and deserved pride of place. In other words, India supported the contention of the United States that reference be made not to A/34/80B, but to A/35/150 because it was adopted by consensus.

agreement not only in respect of divergence of views between littoral and non-littoral Member States, but also among littoral States themselves.

For instance, India's views on the aspect of great Power military presence differed from those of Pakistan. Pakistan too, it should be noted, did not mince words in expressing opposition to the military presence of great Powers, and demanded its eventual elimination. The representative of Pakistan once said:

It will not suffice to call for the elimination of foreign military presence and bases from the Indian Ocean region itself. We must also demand the complete elimination of foreign military presence from the region, including the territories of littoral and the hinterland States. In addition, the major Powers should undertake not to deploy their military forces in the vicinity of the region which could threaten the independence, sovereignty and territorial integrity of the regional States. 41

However, Pakistan tended to give equal importance to the elimination of various forms of the military activities of the great Powers in the region, and to the necessity of ensuring conditions of security to the regional States. Pakistan did not go along with the majority of the littoral States in voting, when it thought that it should press its

point of view.42

(B) Demilitarization of the Indian Ocean Region

Some Member States stressed that the demilitarization of the region (or more appropriately the prevention of its militarization) would constitute a step to achieve the objectives of the Declaration. Sri Lanka suggested to the littoral and hinterland States and other militarily active States to undertake certain commitments if any stable agreements were to be reached.43 Sri Lanka's delegate had also observed, in this connection, that it was the time the States in the region stopped looking over each other's shoulders to see who was going to "act first". Any prohibitive action by them would be a good example which

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42 For instance, in 1976, a draft resolution was being discussed in the Ad Hoc Committee. Pakistan stated that the preamble paragraph 4 referred only to a specific aspect of the situation in the region. So, it proposed an additional preamble paragraph. Ultimately, as Pakistan could not secure support of other Members in the Committee, it abstained when the recommended formulation was taken up for vote in the Plenary of the General Assembly. See Summary Records of the Ad Hoc Committee, 37th mtg., 16 September 1976 (Doc. A/AC.159/SR.37, 21 September 1976), p. 2.

others would do well to emulate.\textsuperscript{44} However, as Sri Lanka delegate pointed out, it was essential that the commitments from the great Powers should precede rather than follow those from the littoral and hinterland States on demilitarization.\textsuperscript{45}

In India's view, discussion about agreements or commitments regarding the non-acquisition of nuclear weapons by States which had already renounced them would result in a waste of time. Consequently this would divert attention from the main objective.\textsuperscript{46} Touching upon the aspect of

\textsuperscript{44}GAOR, session 29, First Committee, 2015th mtg., 11 November 1974. He also warned that the emergence of a nuclear Power in the region would have two possible consequences. Others also might decide to go nuclear, or in the alternative or in addition, invite the presence of the nuclear Powers outside the region as a counterpoise, and also to provide a protective umbrella. This would, in his opinion, increase the tension in the area. \textit{p. 12.}

\textsuperscript{45}The representative of the United States responded to this view by maintaining that until the common goal of eliminating all nuclear weapons from the face of earth was reached, nuclear deterrence would remain essential to the national security of the United States. In his opinion, that deterrent would also remain an important element of global security. \textit{Summary Records of the Meeting of the Littoral and Hinterland States, 2nd mtg., 2 July 1979 (A/AC.199/ST.2, 5 July 1979), p. 7.}

\textsuperscript{46}\textit{Summary Records of the Ad Hoc Committee, 70th mtg., 16 March 1979 (A/AC.159/ST.79, 19 May 1979), p. 5.}
effective safeguards system of international inspection and verification, its representative said, unless such a system was universally applicable to all States including the nuclear-weapon Powers, it would be discriminatory and would be tantamount to abridgment of national sovereignty. 47

On the other hand, a different view was held by Pakistan. In its view, denuclearization was an integral part of the Declaration and was a worth-pursuing objective. 48 But the fact could hardly be ignored that it concerned strategic interests of the great Powers. Hence, Pakistan suggested renunciation of the option to produce/possess nuclear weapons by the littoral and hinterland States. 49

This view of Pakistan became more persistent following the underground nuclear explosion India carried out in 1974. Referring to India's claim that its explosion was for peaceful purposes only, Pakistan pointed out that there was no technical difference between peaceful explosion and the explosion of a bomb; and alleged that right from the beginning Indian secret nuclear activities had


48Ibid., 12th mtg, 7 June 1974 (Doc. A/AC.159/ SR.12, 17 September 1974), p. 54

49Ibid., p. 6
military manifestations. While describing the explosion as a threat to all the countries in the region, the representative of Pakistan warned that it was difficult to foresee a reduction, much less elimination, of the nuclear presence of the great Powers in the Indian Ocean until the possibility of nuclear threat or aggression by a regional State had been ruled out.  

The Indian representative, in his reply, argued that the matters raised by the Pakistani representative were not relevant to the Committee's work and even less to the item on its agenda. He drew the attention of the Committee Members to the difference between nuclear Power and a nuclear-weapon Power. The Indian representative explained that the underground experiment would help India to develop its natural resources particularly in the context of the crisis it was facing in raw materials and energy.

The matter was raised subsequently also. In the Meeting of the Littoral and Hinterland States, held in July 1979, the delegation of Pakistan sought inclusion of a sub-paragraph (Para 13(b)) in a part dealing with the aspect of demilitarization in the Final Document.

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50 Ibid., p. 7.
51 Ibid.
Similarly, the littoral and hinterland States of the Indian Ocean should agree not to acquire or introduce nuclear weapons in the Indian Ocean themselves or to allow their introduction by an external Power. 52

At the stage of the consideration of this paragraph, the Indian representative expressed categorical opposition to the sub-para in line with India's long-standing nuclear policy. He added that he could not agree in that limited forum to approve a concept which India had resolutely rejected in other wider forums. 53 India also pointed out that while in sub-para (a) of paragraph 13 in the draft Final Document, the nuclear weapon States were called upon not to undertake certain activities in the Indian Ocean, while there was no prohibition on their activities in other areas of the world. There was no certainty that these States would agree to comply with that appeal (as they were not party to the Document). Yet in sub-para (b) the littoral and hinterland States were being asked to accept

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52 In the context, some phrases urging accession/ratification of the Treaty on Non-Proliferation of Nuclear Weapons (NPT) were also sought to be included. To this, India reacted by seeking to introduce suitable alternative phrases that the Non-Proliferation Treaty needed to be renegotiated to make it equal in terms of responsibilities and commitments to be undertaken by the great Powers. Doc. A/AC.199/l.4, 3 July 1979, p. 9.

an "absolute obligation" with unlimited geographical application. If India were to agree to sub-para (b), in India's opinion, it would be morally obligated to act in certain ways against its vital interest. Hence, it was stated that under no circumstances, India would agree to the sub-paragraph in question.\(^5^4\)

In view of these differences, Kuwait suggested that the issue be referred to the Ad Hoc Committee for further consultations, as the Meeting had insufficient time. Pakistan, opposing Kuwait's suggestion, contended that it would be a serious omission if the Final Document did not contain the fundamental principle of demilitarization. If the consensus was not possible on the sub-para Pakistan pleaded that alternative procedure could be pressed into action.\(^5^5\) In his reaction, Indian representative noted that so far all other paragraphs were adopted by consensus, if this single sub-para was put to vote, he would invoke voting on other paragraphs on which India agreed earlier for the sake of consensus in spite of its serious objections to them.\(^5^6\) While China supported Pakistan's position, other members (including Bhutan, Kuwait, Lesotho, Madagascar, Mauritius, and Swaziland) did not favour

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\(^{54}\) Ibid.

\(^{55}\) Ibid., pp. 4-5.

\(^{56}\) Ibid., p. 5.
voting. The stalemate could be ultimately resolved when India agreed to the inclusion in the report of a footnote to the sub-paragraph.\footnote{Ibid., pp. 7-8. The note reads: "some delegations voiced objections about this sub-paragraph and the meeting recommended that further negotiations should take place on it in the Ad Hoc Committee."}

It should be noted that, as a consequence of frequent and elaborate discussion on the aspects of demilitarization, the question of seeking assurances of not employing nuclear weapons in the region as a threat to the littoral and hinterland States seemed to recede into background. This was so despite the indication that there was no major difference of opinion on this aspect among most of the littoral States, including between India and Pakistan for example. The differences in their respective security perceptions between India and Pakistan called for obvious shift in focus from the need to demand elimination of Great Power military presence to less important problems. One such aspect concerned the view that the regional States consider demilitarization of the area, pending realization of the objective of the elimination of great Power military presence.

(C) Demilitarization - A Measure from Within

It was emphasized again and again that the great Power military presence in the region - at least partially -
was reflective of the conflicting interests of the littoral States. As long as these tensions existed, it would be difficult to take a firm stand against the foreign presence in the ocean region. Therefore, arrangements were envisaged to strengthen peace and security in the Indian Ocean region, with a view to discouraging great Power interference. It seemed to suit Pakistan, to raise the problems of regional security, and as a result the question of elimination of great Power presence was relegated to background.

To pursue its objective, Pakistan advocated a code of conduct to be observed by the States of the region in the conduct of mutual relations. Such a code, Pakistan suggested, should include: a commitment to abide by the principles of the United Nations Charter; an agreement to maintain a reasonable ratio of naval and military forces among the major littoral and hinterland States of the Indian Ocean; and a commitment not to acquire, develop or introduce nuclear weapons into the Indian Ocean region.

The Indian representative stated that the ocean part of the Indian Ocean could not be isolated from the

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59Ibid., p. 10.

59G.A., session 31, First Committee, 42nd mtg., 24 November 1976, p. 22. Actually President Shatoo had outlined this code in a speech he made in Bandaranaike Centre for International Studies, Colombo, on 17 December 1975.
Eurasian security environment. It was added that any regional
security arrangements should be related to a system of
universal collective security which had not yet evolved.
India further pointed out that the points envisaged by the
code of conduct were already contained in the United Nations
Charter and the relevant General Assembly resolutions. As
such, in India's view, there was no need for a separate code
of conduct to be applied to the littoral and hinterland
States.60 Also, the Indian representative appealed to
his colleagues not to regionalize bilateral problems, which
could be resolved not only in the spirit of the United
Nations Charter but also on the basis of bilateral agreements.
While noting how difficult it was to objectively determine
that constituted "a reasonable ratio", the Indian represent-
tative suggested that it would be better to leave the
question of regional arms control to the group of experts
(set up by the General Assembly in 1975) whose report was
likely to be made available in 1980.61

India had also maintained that the priorities of
the issues should not be changed. In support of its views,
India repeatedly sought the use of the wording of the

60 Summary Records of the Ad Hoc Committee,
70 mtg., 15 March 1979 (A/AC.159/SR.70, 13 July 1979),
par. 4.

61 Ibid.
Declaration and prevailed over other Members of the Committee to come round to its point of view. 62

(B) Miscellany

India expressed the view that the territorial and geographical limits of the zone should be clearly defined. In the view of the Indian representative, the question of definition involved three aspects, namely definition of limits of the Indian Ocean, definition of foreign military bases, 63 and the determination as to who constituted the littoral and hinterland States.

With regard to the limits of the Indian Ocean, according to the Indian representative, a well-defined geographic area already existed, covering the area of the

62 During a discussion on the wording of a paragraph in a draft resolution, it could be discerned how India prevailed over others by insisting on the use of the language of the Declaration. Summary Records of the Ad Hoc Committee, 22nd mtg., 11 October 1974 (A/SC.159/ST.12-23, 17 September 1974), p. 64.

63 One definition of the traditional concept of a military base offered to the Ad Hoc Committee in the past related to "a clearly defined territory, space or area occupied by and under the control of a foreign State with its own representative who had freedom to operate air and naval craft or station his country's troops, as well as bring in or take out equipment without let or hindrance by the host country". In India's opinion, the definition of a base had come to be loosely used to include military installations and logistical facilities conceived in the context of great power rivalry, and, it should be possible to evolve a tighter definition of that concept. Ibid., 130th mtg., 27 February 1981 (Doc. A/SC.159/ST.130, 4 March 1981), p. 12.
Indian Ocean itself, its natural extensions, the ocean floor subjacent thereto and the air space above. On the other hand, Pakistan considered that, not merely the water space, but the littoral of the Indian Ocean should also be included in the zonal limits.

Dwelling on the aspect of harmonisation of views among the littoral and hinterland States, the Indian representative observed that it was unrealistic to assume that the littoral and hinterland States of diverse backgrounds and political conditions would be able immediately to subsume completely their local problems. He had also added that, in many respects, they had already made considerable progress in that direction by improving their bilateral relations. India also asserted that the elimination of the great power military presence and the consequent realization of the objective to make the Indian Ocean a peace zone would only consolidate that process further.

While India supported the expansion of the Ad Hoc Committee, it opposed the creation of any standing committee or working groups, as, in its view, they might not help the Committee's work. To a proposal on the creation

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64 Ibid.

65 Ibid., p. 151

of a regional machinery for peaceful settlement of disputes, India reacted that given the diversity of the littoral and hinterland States and their membership in a variety of alliances, the creation of any regional machinery could be counter-productive. India also warned that the attempt would tend to involve third countries in bilateral disputes, thus aggravating disputes in the area.  

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**Summary Observations**

To what extend and in what form the Declaration could serve India's national and larger interests is a debatable question. It seems clear that it was in India's interest to emphasise the urgent need for the elimination of all manifestations of the military presence of outside Powers in the context of great Power rivalries, and preserve at the same time the right of the littoral States to carry out legitimate naval activities in the Indian Ocean. Instead of taking initiative on its own, India encouraged, for various reasons, other littoral States to launch the

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88 Some littoral States, especially in India's immediate neighbourhood are believed to be suspicious of the big-brotherly role India might play in case the great Powers withdrew from the region. For instance, the representative of Sri Lanka, speaking on the subject, told that his country did "not believe in replacing Satan by Beelzebub", CACR (Prov.), session 30, Plenary, 2590th mtg., 8 October 1975, p. 12.


initiative in the United Nations in 1971 and worked for adoption of the Declaration in its own way. 69

Guided by what was in India's vital interest (that is to say, the eventual elimination of all manifestations of great Power military presence conceived in the context of their global rivalries), India's interactions in the General Assembly and the Ad Hoc Committee on Indian Ocean during the past one decade would present two phases: One related to the period 1972-79 when the two super Powers kept out of the proceedings; and the other related to the subsequent period when the super Powers and major maritime users joined the Ad Hoc Committee.

During the first phase, the key issues seemed to centre around the question whether the elimination of the military presence of outside Powers from the Indian Ocean should proceed or follow the efforts to evolve security arrangements among the littoral States. These arrangements

69India joined others to co-sponsor the draft declaration at first revision stage. The material presently available is insufficient to attribute the wording of the Declaration featuring the threat of great Power military presence and the need for universal security system without military alliances in the Indian Ocean to any special Indian effort. Because, firstly, India was not among the countries which originally sponsored the proposal. Secondly, the formulation was more or less based on the resolution adopted by the 1970 Non-Aligned Lusaka Summit Conference, where India along with other countries like Ceylon, might have played a role.
envisioned, *inter alia*, peaceful settlement of disputes among the States of Indian Ocean region, commitment not to acquire nuclear weapons, adoption of a code of conduct, and acceptance of a reasonable ratio of military forces and weapons. In India’s view, the elimination of great Power military presence should precede and not follow the measures suggested at a regional level. India stressed that any commitments and verification arrangements should apply equally, without any discrimination, to the States which have acquired nuclear weapons already and the States which have not yet. Also, India’s representatives made clear that it would not be advisable to establish security arrangements to settle disputes between the regional States as it was tantamount to regionalising bilateral problems. Likewise, in India’s view, a code of conduct—especially meant for the States of Indian Ocean region alone as if their performance in this respect were not exemplary—was unnecessary, because there was already the United Nations Charter embodying same provisions to govern the inter-State relations at global level. In the first phase, therefore, most of the discussion proceeded on the basis of wrong priorities.

The second phase marked the fulfillment of one of India’s objectives, viz., the association of great Powers with the work of the *Ad Hoc Committee*, when the super Powers and major maritime users became members of the Committee.
in 1979. It should be noted that India’s participation in the deliberations became more vocal, especially after the United States joined the Ad Hoc Committee. India expressed concern at the escalation of great Power military presence, demanded denunciation of the American base facility in Diego Garcia, and denounced the obstructive tactics employed by the great Powers in the work of the Committee. Also, it disagreed with the argument put forward by the United States delegation that harmonization of views among the Members of the Ad Hoc Committee should be achieved before a Conference on Indian Ocean was convened. India did not favour creation of working groups which would deny, in its view, the opportunity to the Committee to deal with the issues directly by itself. In other words, the great Power participation transformed India as a champion of the cause of the littoral and hinterland States, and a challenger of the continued presence and manoeuvres of great Power naval forces. It should be noted that the criticism by Pakistan became subdued during this phase, because of the more important problems it confronted in the region—the Soviet

70 On the one hand, the American participation in the meetings of the Ad Hoc Committee was interpreted as initial success to the pressure brought upon by the international community, particularly the littoral and hinterland States, through the Committee. But, on the other hand, the decision to participate could be interpreted as a tactic to block any progress of the work of the Committee from within.
"intervention" against Afghanistan since December 1979. This, in a way, indicated the weakness of Pakistan's assumption that its security was likely to be threatened by India.71

Thus, during the first phase the discussion revolved around the contending interests of the littoral States, as a result of which India was largely put on defensive. During the second phase India could make use of the forums of the United Nations bodies in emphasizing the totality of issues involved and in identifying broad areas of agreement with other Members of the Committee.72

Looking at the situation from a wider angle, the following questions touch the very heart of India's views:

71 According to Satish Kumar, "Pakistan and the Indian Ocean: A Preliminary Enquiry", in Seminar on Indian Ocean, n. 5, Pakistan is used to see every international initiative with a purely anti-Indian perspective, p. 2.

72 For instance, on national security aspects India's views were similar to those of Australia and Japan; India and Pakistan were one in expressing concern over the escalating great Power military presence in the region. India shared the view of Iran that the peace zone question could not wait until East-West questions were resolved. Also, India was in agreement with China's criticism of the super Power rivalry threatening the security and sovereignty of the regional States. See Summary Records of the Ad Hoc Committee and the Report of the Committee to the General Assembly over the years (Supp. 29 of each session) and those of the Summary Records of the Meeting of the Littoral and Hinterland States held in July 1979 (Doc. A/AC.199) in this connection.
on the peace zone proposal. Is the peace zone in the Indian Ocean at all practicable, given the present hardening postures of the super Powers? Even, hypothetically speaking, if the great Powers agreed to get out of the region, how is India going to face the consequent situation? Is it prepared to accommodate certain demands coming from various regional States like Pakistan and Sri Lanka? If present indications are any guide, India is unlikely to concede such demands as demilitarization and demobilization putting its national interest in jeopardy. In this connection, another question also remains pertinent. Are the great Powers alone—looking from an objective point of view—responsible for the stalemate in the implementation of the Declaration? Are the littoral and hinterland States also, at least partly, not responsible for it? Taking this in view, can India afford to be more forthright to take such measures as convening a meeting of the regional States in order to evolve a constructive and cohesive approach—either within the United Nations framework or outside—to be agreed informally by all the regional States? This option, however, has to take into account too practical.

73 For instance, Mauritius demands the return of rights over Diego Garcia to it (which appears quite in line with the spirit of the Declaration). It was circu- lated that Mauritius demands it only to lease back to the United States at a lump sum rate. See the news report filed by Kaufman, in New York Times, n. 5.
considerations of far-reaching significance. First, would the regional States attend such a meeting and abide by an agreement imposing restrictions on their right to seek military and economic aid from one of the great Powers? Second, is India prepared to give necessary concessions to accommodate especially those demands concerning denuclearization and demilitarization? Obviously, in the context of the present political climate in and around in the Indian Ocean region, the convening of any such meeting by India might not be practicable.

From what had transpired at the United Nations and outside since 1971, it may be noted in conclusion, the question of establishing a peace zone in Indian Ocean would continue to be a perennial one. There is no solution in sight. Indeed, the question is vitally linked with the wider issues of international peace and security. Therefore, the obvious choice before India seems to go along with the majority of the Member States in the continued efforts to achieve the implementation of the Declaration and emerge as an unrelenting protagonist of a cause—the cause which could not be transformed into reality owing to the great Power rivalries. This approach of "pragmatism" had formed, and may continue to form, the fulcrum of India's interactions in the context of the question under study.

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