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TABLE OF CONTENTS

CHAPTER I.	INTRODUCTION	3
CHAPTER II.	BACKGROUND INFORMATION	4
	Geography	4
	History	4
	Population	10
	Administration	10
	Industry	11
CHAPTER III.	POLITICAL DEVELOPMENT IN THOMASIA 1946 to 1960	11
	Immediate Post-war Period	11
	Anglo-Siam Conference	12
	Thesis Committee:	12
	Second Siam Conference	12
CHAPTER IV.	THE SIAI	12
	The Siam to Siam Conference	12
	First Siam Conference	12
	Second Siam Conference	12
	Third Siam Conference	12
CHAPTER V.	THOMASIA AGAIN ENTERS THE RING OF THE	12
	SECOND INTERNATIONAL CONFERENCE	12
	United Nations General Assembly, Siam Session	12
	League of Nations	12
	League of Nations Conference	12
	United Nations General Assembly, Siam Session	12
CHAPTER VI.	THOMASIA AGAIN ENTERS THE RING OF THE	12
	THIRD INTERNATIONAL CONFERENCE	12
CHAPTER VII.	THOMASIA AGAIN ENTERS THE RING OF THE	12
	INTERNATIONAL CONFERENCE	12
	United Nations General Assembly, Siam Session	12
	United Nations General Assembly, Siam Session	12
	United Nations General Assembly, Siam Session	12
CHAPTER VIII.	CONCLUSION	12
APPENDIX		12
BIBLIOGRAPHY		12

TABLE OF CONTENTS

CHAPTER I.	INTRODUCTION	1
CHAPTER II.	BACKGROUND INFORMATION	
	Geography	3
	History	5
	Population	10
	Administration	14
	Economy	17
CHAPTER III.	POLITICAL DEVELOPMENTS IN INDONESIA 1945 TO 1949	
	Immediate Post-war Period	21
	Linggadjati Agreement	25
	Renville Agreement	28
	Round Table Conference	34
CHAPTER IV.	WEST NEW GUINEA EMERGES AS A MAJOR ISSUE	
	The Issue in Dutch Domestic Politics	38
	First Netherlands-Indonesian Union Conference	39
	Second Netherlands-Indonesian Union Conference	41
	Third Netherlands-Indonesian Union Conference	43
CHAPTER V.	INDONESIA TRANSFERS THE PROBLEM TO THE BROADER INTERNATIONAL SCENE	
	United Nations General Assembly, Ninth Session	47
	Bogor Conference	59
	Asian-African Conference	62
	United Nations General Assembly, Tenth Session	64
CHAPTER VI.	RENEWED ATTEMPT AT DIRECT NEGOTIATIONS	
	Geneva Conference	76
CHAPTER VII.	INDONESIA AGAIN BRINGS THE PROBLEM TO THE INTERNATIONAL SCENE	
	United Nations General Assembly, Eleventh Session	82
	United Nations General Assembly, Twelfth Session	89
	Failure and Reprisal	95
CHAPTER VIII.	CONCLUSION	99
APPENDIX		102
BIBLIOGRAPHY		103

I. INTRODUCTION

Any conflict arising between an Asian and a Western state will, in the light of present world conditions, constitute a problem of far reaching significance. This fact lends great importance to the Netherlands-Indonesian controversy over West New Guinea. The conflict between these two countries is an aftermath of the four-year struggle which led to the relinquishment of Dutch sovereignty over Indonesia in December, 1949. The Round Table Conference at The Hague, which laid the basis for the transfer of sovereignty, failed to agree on the status of West New Guinea. The Indonesian delegation was unwilling to return home without Dutch recognition of its claim to the territory. The Dutch delegation could not accord such recognition without facing probable rejection by Parliament of the entire Round Table agreement. Rather than risk the success of the Conference, a compromise was reached whereby the status quo in the area would be maintained but the parties agreed to settle the issue within one year of the transfer of sovereignty. The subsequent failure of various conferences to bring the parties together on the New Guinea issue left the de facto situation, therefore, unchanged: the Netherlands remaining in actual possession of the territory; Indonesia disputing the legality of Dutch sovereignty over West New Guinea and seeking its incorporation within its own realm.

This paper attempts to present a study of the West New Guinea controversy. It traces the roots of the conflict to historical, cultural, and racial factors and to the struggle for independence during the 1945-1949 period. It then discusses the various attempts to solve the issue. Efforts of the countries to settle the controversy through direct negotiations were unsuccessful. Lack of

agreement then leads Indonesia to bring the issue before several international forums, including four successive sessions of the United Nations General Assembly (1954-1957). Failure here forces Indonesia to take more drastic, unilateral, steps to bring about a settlement.

The discussion and analysis of the West New Guinea problem relies almost exclusively on United Nations documents and relevant source material in English. The author is fully aware that his inability to consult source material in Indonesian and Dutch has limited his opportunity to make a more significant contribution on this burning and unsolved issue.

II. BACKGROUND INFORMATION

Geography. North of Australia the island of New Guinea sprawls like a gigantic bird, its head facing to the west, fifteen hundred miles in length and almost five hundred miles across at its center. Lying barely south of the Equator, it is separated from Cape York, Australia, by the narrow, island and reef dotted, Torres Strait. From the Arfak Mountains at the western "head" to the Stirling Mountains forming the eastern "tail," the island is traversed by a great central range, which bisects it longitudinally and affords a formidable barrier between the northern and southern halves. This mountain chain reaches its culmination in the Nassau Mountains of Netherlands New Guinea. The highest section of the range is the Carstensz Top, which reaches an altitude of 16,000 feet. The entire ridge between Mount Idenburg and the Carstensz Top is capped with large glaciers, which present great vertical faces of clear ice where they reach the edge of the immense precipices that rim the mountain on both its northern and southern sides. These cliffs, extending some 80 miles with a maximum vertical drop of 10,000 feet, are the highest precipices in the world.¹

The western end of Netherlands New Guinea, consists of a peninsula which, from its shape, is called the "Vogelkop" (Bird's Head). The narrow neck of the peninsula lies due south of Geelvink Bay. The northern half of the Bird's Head is mountainous, the Arfak Mountains rising to an elevation of 10,000 feet. The northern coast from Sorong to Manokwari is precipitous and has no navigable rivers or streams. The small town of Manokwari has a well-sheltered deep harbor. There are no navigable streams on the west side of Geelvink Bay. To the east the Mamberamo, which enters the ocean at Cape

¹ M. W. Stirling, Native Peoples of New Guinea, (Smithsonian Institution, 1943), p. 2.

D'Urville, is the principal river of Netherlands New Guinea. Ships of 12-foot draft can ply almost 100 miles until they reach the gorge of the Van Rees Mountains. Beyond the low but rugged Van Rees and Gautier Mountains, which separate the interior from the coastal plain, lies a great central lake plain about a hundred feet above sea level. Much of this area is swampy and subject to inundation. The central lake plain is drained by two large, broad rivers which merge to form the Mamberamo. The Idenburg drains the east half of the lake plain, the Van der Willigen the western half.²

Crossing the central range, the mountains descend abruptly to a broad coastal plain of much greater extent than found on the northern part of the island. Beginning at the neck of the Bird's Head, the south coastal plain gradually widens until at the Netherlands-Australian boundary it is more than half the width of the island. The rivers on the south coast, of which the Digoel is the longest, are for the most part navigable. Frederik Hendrik Island, a large island near the mouth of the Digoel, is low and flat. It is an extension of the coastal plain from which it is separated by the river-like Princess Marianne Straits.³

New Guinea is not subject to extremes of temperature at sea level or at moderate altitudes. The normal range for most of the year is an early morning temperature of 72 degrees (Fahrenheit) and a noon temperature of 92 degrees. In the central mountains temperature varies from tropical to alpine, depending on the altitude.

During the northern summer the southeast trade winds prevail, bringing rain to the southeastern portion of the island, the volume of precipitation gradually decreasing to the west. In the southern summer New Guinea lies in the path of winds that head for the generally prevailing low pressure area over Australia. Heavy precipitation results along northern New Guinea and the southern part of Dutch territory. Annual precipitation generally is heavier in the western half of the island. Some areas received a total precipitation throughout the year of about 100 inches; have an average

² The Indonesian government has adopted new (Indonesian) names for many of the rivers, mountains, islands and some of the towns. To avoid confusion the Dutch identification will be used here.

³ Stirling, op. cit., p. 3.

humidity of 85 percent and wind velocities up to 70 knots.⁴ All these factors combined do not make the climate of New Guinea particularly stimulating to visitors from the outside.

New Guinea's strategic importance, however, became clear in 1941 when the Japanese embarked on the Pacific War. Situated between two oceans, the Pacific and the Indian, and two continents, Asia and Australia, it was certain to play a vital part in the war: the last line of defense for Australia, while Allied armies used Hollandia as an advance base from which they began their "island-hopping" campaign which took them step by step toward the Japanese homeland.

History. To gain a better insight into New Guinea it is necessary to look back briefly into its history. As early as the thirteenth century Malay trading posts were established in some of the deeper bays and coves of the northern, western and southern coasts of New Guinea. The Sultanates of Tidore and Ternate in the Moluccas later claimed sovereignty over New Guinea by reason of such footholds. These Moluccan rulers, descendants of merchants and adventurers from the western islands of the Indies, were also recognized vassals of the great empire of Madjapahit. This empire centered in Java is claimed to have extended from Sumatra in the west to Borneo in the east. In the middle of the fourteenth century it was further expanded, for the princes of the Moluccas, as a justification of their royal position, gave to the King of Madjapahit several territories which they considered their dependencies, including New Guinea.⁵

From a political point of view, however, it seems justifiable to begin the history of New Guinea at the time European explorers and merchants arrived in Southern Asia. The commercial rivalry of Spaniards and Portuguese for trade with the Spice Islands was the original impetus which led to the European discovery of the island of New Guinea. By the Treaty of Tordesillas (1494), Portugal and Spain had agreed to partition all newly discovered land east and west respectively of the imaginary line one hundred leagues west of the

⁴ W. C. Klein, Nieu Guinea, ('s-Gravenhage, 1953), II, 65.

⁵ Bernard H. Vlekke, Nusantara, A History of the East Indian Archipelago, (Harvard University, 1943), pp. 54-56.

Azores drawn by Pope Alexander VI. Thus it was that the Spaniards on gaining the Pacific continued westward in search of the Indies while the Portuguese sought the islands by rounding Africa and sailing east.⁶ The Portuguese navigator, Antonio d' Abreu, was probably the first to sight New Guinea in 1512.

Alvaro de Saavedra, a Spaniard, while sailing with a cargo of spices from the Moluccas, reached Geelvink Bay on his way to Mexico in 1528. From here he continued north discovering the Carolines and Marianas, but soon after he was forced to return to the Moluccas. The next year he again made his way eastward skirting the north coast of New Guinea. Having found a small amount of gold on the north coast, he named the island - "Isla del Oro" (Island of Gold).

About twenty years later another Spaniard, Ynigo Ortiz de Retoz while en route from Ternate in the Moluccas to Mexico, also landed at several places along the north coast of New Guinea. Thinking himself the discoverer of a new land, he hoisted the Spanish flag and took possession of the territory in the name of the Spanish king. Since the black-skinned natives looked like the Negroes of the African Guinea coast, he named the island Nueva Guinea. The island seemed so inhospitable and inaccessible that little activity was spurred by this act.

When the power of Spain and Portugal declined during the latter part of the 16th century and was replaced in the 17th century by England and Holland, the infrequent explorations in the area were primarily conducted by the Dutch. The Dutch formed the United East Indies Company and declared a trade monopoly in the Spice Islands.⁷

Dutch activity in the area began in 1605 when Willem Janz explored the islands of Kei and Aroe, the southeast coast of New Guinea, as well as Cape York, Australia. In 1616 Jacques Le Maire and Willem Schouten made a voyage of discovery which led them to New Ireland, the Admiralty and Vulcan Islands, and finally to New Guinea where they reached the mouth of the Sepik River and discovered the "Schouten Islands." Jan Carstensz in 1623 sailed from Amboina to

⁶ Stephen W. Reed, The Making of New Guinea, (Philadelphia, 1943), p. 74.

⁷ E. S. de Klerck, History of the Netherlands East Indies, (Rotterdam, 1939), I, 172.

the Kei and Aroe Islands. From here he made his way around the south coast of New Guinea. Continuing along the coastline, his expedition saw for the first time the snow-covered mountains of the central range.⁸

Most of the expeditions made during this period were carried out for purely commercial reasons. On occasion, however, the commanding officers were instructed to erect, if possible, some signs of occupation and to declare that the area would later be colonized. It was evident from the start that New Guinea had a wild and primitive population and the country was hostile to settlement. No rich minerals, such as gold, could be found in quantity. In general, trade was difficult and unprofitable. These circumstances led the United East Indies Company to ignore New Guinea.

The journey of the Englishman Dampier in 1700 to the northeast coast of New Guinea and his discovery of the strait between New Britain and New Guinea spurred the United East Indies Company again to action. Several voyages were organized. The most important of them was that of Weyland (1705) who explored Geelvink Bay.⁹

During these years there was little or no competition from other nations in the domain of the spice trade. Control was so tight that even ships of the Dutch West Indies Company were confiscated when they entered East Indian waters in 1722. The United East Indies Company's official claim to the area was further strengthened by the Treaty of Utrecht (1714), which declared that Spain had no rights in New Guinea.¹⁰

As early as 1667 the United East Indies Company, to insure protection for the Company's ships from depredations of Papuan pirates, had recognized the authority of the Sultan of Tidore over various coastal areas of the westernmost portions of New Guinea.¹¹ The United East Indies Company in 1760 gave as much power as possible in Papuan affairs to Tidore. The Sultan of Tidore, thus, got a predomi-

⁸ Klein, op. cit., I, 44.

⁹ Vlekke, op. cit., p. 125.

¹⁰ Klein, op. cit., p. 46.

¹¹ The island of Tidore is located in the Molucca Sea west of New Guinea.

nant position in the Eastern Moluccas. He was also held responsible for Papuan offenses, the numerous headhunting and robbery expeditions in particular.

The power of the Company began to decrease after 1760. Its troubles grew still larger when the Tidorese Prince Noekoe rebelled in 1785. The Prince, angered by not getting the throne, fled to Radja-Ampat Island (west of the Bird's Head) and during the next 10 years fought a guerilla type war against the Dutch.

Since the Netherlands were occupied by the French and at war with Great Britain in 1795, the English aided Prince Noekoe in his struggle with the Dutch. By 1797 the Moluccas were taken from the Dutch by the British, and the last Company establishment at Ternate fell in 1801.

The Netherlands Government got back its holdings in the East Indies in 1802. In 1805 Prince Noekoe died, and guerilla activities gradually lessened. The Treaty of Paris in 1814 and the Congress of Vienna restored former colonial positions. In the same year the limits of Tidore's influence were determined. This time Numfoor settlements along New Guinea's northwest coast were added.¹² After new contracts were entered into with the Sultans of Ternate and Tidore, plus an agreement with the British in 1824, the Dutch decided to establish a post at Triton Bay (west coast of New Guinea). The aim was to found an agricultural colony and at the same time to prevent the English from settling there, which was deemed undesirable on account of the spice-monopoly in the Moluccas. This enterprise failed utterly, the country being extremely unhealthy and the mortality so great that the post had to be evacuated in 1836.¹³

English voyages to the island became more and more numerous, particularly in the area of the Torres Straits and in southeastern New Guinea. Well known were the trips of Sir Belcher and Kellet and of Owen Stanley.

Realizing the importance of a more precise description of the limits of its sphere of influence, the Netherlands Government fixed the eastern boundary of New Guinea in 1848. The line ran from

¹² Klein, op. cit., p. 48.

¹³ De Klerck, op. cit., II, 153.

140°17' eastern longitude on the north coast to 141° on the south coast. In 1876, however, the boundary was established as a straight line along the 141°. This regulation was confirmed by England and Germany in 1885.¹⁴ The proclamation of the boundary was made at an opportune time, for small numbers of German immigrants had begun to arrive. Colonization associations sprang up in Australia, England, France, Italy and Germany for purposes of emigration. Most of the associations were poorly organized and equipped, and they failed to accomplish their objectives in New Guinea.¹⁵

The Sultan of Tidore's control over several small territories in New Guinea, as has already been noted, was at a minimum in the latter half of the eighteenth century. It was greatly extended in 1848. At that time the Dutch administration placed under the Sultan's influence the whole north coast as far as the newly established boundary. In 1872 a new agreement between the Dutch and Tidore stipulated that the Netherlands Government was the sovereign of this territory and could at any time take over the management of the whole or any part of it. The sultan merely retained the area as a feudal tenure.¹⁶

The Dutch government established a small number of administrative posts in its territory in an attempt to control headhunting natives. Since 1898 Manoeckwari, Fak Fak and Merauke represented this endeavor; further administrative organization expanded only very slowly in Dutch New Guinea. Communications between administrative posts and the outside world were improved, however, by the establishment of a shipping line in 1921 and in 1929 by an airline from Ambon in the Moluccas to Fak Fak, Babo and Manoeckwari. Expansion of medical help, soil-investigation, agricultural information and missionary growth also took place on a very small scale.¹⁷

Economic development in the 1930's was of little consequence. There was trade, however, in copra, dammar, lumber and crocodile skins.

¹⁴ British New Guinea (Papua). (London, 1920), pp. 18-20.

¹⁵ Klein, op. cit., p. 49.

¹⁶ Ibid., p. 50.

¹⁷ Ibid., p. 51.

Colonization by Eurasians was encouraged during these years by such organizations as the Vereniging Kolonisatie Nieuw Guinea (Colonization of New Guinea Organization) and the Stichting Immigratie en Kolonisatie Nieuw Guinea (Immigration and Colonization of New Guinea Foundation). Small numbers of colonists arrived in New Guinea and settled near Hollandia and Manokwari.¹⁸ This ill-fitted experiment was largely a failure.

The 1930's, in addition, brought a new rival to the Dutch in New Guinea. Japan was a rising power; the thinly peopled, undeveloped territory attracted her interest. Several hundred Japanese secured a foothold in New Guinea in agriculture and forestry concessions to determine the feasibility of growing various products in the territory. The "Great Asiatic Society" founded in Tokyo in 1933 included West New Guinea in its "co-prosperity" program as an area for obtaining resources for the building of a future empire.¹⁹ In 1934 when negotiations were taking place between the Japanese and the Dutch in Batavia (Djakarta) on the subject of oil, the head of the Japanese delegation advocated joint exploitation of West New Guinea. Since the Japanese had already secured a foothold in several agricultural concessions, permission was asked to import a thousand more families. The proposal was turned down, not because the Dutch did not require more workers, but because they suspected Japanese intentions.²⁰ At the same time questions were raised in the Japanese Diet suggesting that settlement in New Guinea might be the best solution for Japan's overpopulation problem.

Population. The population of western New Guinea was estimated at 330,000 prior to World War II. This estimate has now been raised to one million due to the fact that air reconnaissances and expeditions during the war revealed more heavily populated areas previously thought to be only sparsely settled. The principal administrative centers are the towns of Hollandia, Manokwari, Sorong, and Merauke. Hollandia, on the extreme northeastern coast is the seat of the Government; Sorong, along the west coast is the center

¹⁸ Ibid., p. 52.

¹⁹ Bernard H. M. Vlekke, Ten Years of Japanese Burrowing in the Netherlands Indies, (New York, 1942), p. 22.

²⁰ Ibid., p. 375.

of oil production. A 1951 breakdown reveals that the total number of persons under regular administration amounted to only 339,787. Of these 316,878 were indigenous persons, 10,013 Indonesians, 9,869 Europeans and 3,027 "other Asians."²¹

The indigenous people are amongst the most primitive left on earth, with a culture comparable to that of the Stone Age. Anthropologists divide them into three groups: the Negrito mountain tribes of the interior; the Papuans of the interior and southern lowlands and western coast; and the Melanesians of the north coast.²²

Occupying the isolated high central mountains of West New Guinea are the Negrito tribes. These small people, whose distribution follows the main central range, are of the same basic stock as the pigmy tribes of the upper Congo, the Andaman Islands, the Malay Peninsula and the Philippine Islands. Their characteristic physical features are their small stature, short woolly hair, round heads and broad noses. The Negrito population, although separated into many tribes warring upon one another, is nevertheless uniform in culture.²³ Compared with their Papuan neighbors they are a peace-loving people, and strangers are well received. They live in a complete Stone Age culture, making use of three specialized tools: the stone ax, stone knife and stone chisel. The bow and arrow constitutes the only specialized weapon of the Negritos.²⁴ They are farmers in a primitive sense, raising in their clearings bananas, sugar cane and sweet potatoes. The men are also hunters and with their bows and arrows kill wild pigs, cassowary and any other game and birds that are available. One of the most characteristic traits of the Negritos is their fondness for trading and bargaining. They are willing and eager to spend hours at this pastime.²⁵ Their greatest treasures are cowrie shells that have worked their way inland, upstream from the coast. It is interesting to note that these shells are not uniform

²¹ U. N. Doc. A/2132, August 22, 1952.

²² Stirling, op. cit., p. 12.

²³ Reed, op. cit., p. 19.

²⁴ Stirling, op. cit., p. 14.

²⁵ Ibid., p. 15.

in value and form the basis of their currency. They are appraised and evaluated individually.²⁶ Being highly superstitious, their religious practices revolve about the belief in and fear of spirits of the dead. Feasts are given to propitiate these spirits, and charms are worn or carried for warding off evil spirits. The Negritos live in villages that are, as a rule, small and widely separated. Some of the villages are at elevations of more than 10,000 feet. Their houses are usually compactly built of split slabs of wood and roofed with thatch.

The next main group, the Papuans, occupy most of the interior regions of West New Guinea and all the western and southern coastal region from Geelvink Bay to the Purari Delta. Groups of Papuans are also found at certain points on the north coast, particularly around Astrolabe Bay, the Huon Gulf and at the mouth of the Sepik River.²⁷ The term "Papuan" is Malay for "woolly hair" and was early applied by the people of the Moluccas to the inhabitants of western New Guinea. Anthropologists believe the Papuan racial stock evidently came into New Guinea at an early date following the Negrito migration from the Indonesian area. They spread over most of the island and are the most characteristic racial group making up its population.²⁸ The Papuan is dark-skinned, rather short of stature and long-headed. They are inclined to be hairy and frequently have full beards. Being a warlike people, the Papuans are most hostile toward strangers. This, in combination with the almost inaccessible and rugged jungle terrain, was a leading factor in delaying exploration of the area for centuries. Their hostility was not only confined to strangers. They were accustomed to carrying on extensive wars or feuds among themselves. Cannibalism and head hunting were corollary adjuncts of warfare and were extensively practiced even until recent times.²⁹

Cultural influences of Papuan and Melanesian origin are mixed. Originally the only weapons of the Papuans were the spear thrower,

²⁶ Reed, op. cit., p. 20.

²⁷ Stirling, op. cit., p. 18.

²⁸ Ibid., p. 17.

²⁹ Ibid., p. 20.

the stone headed club and the spear. At the present time the spear thrower has been replaced by the bow and arrow.³⁰

The Papuans farm on a limited scale, raising bananas, taro, sweet potatoes and sugar cane as their primary crops. Coconuts are important in the coastal regions. The staple food of the lowland people throughout West New Guinea is sago. It is particularly abundant in wild form in the great central lake plain of the territory. The Papuans are also skilled hunters of wild game, with fish an important adjunct of their food supply.³¹ The pig is domesticated and, besides being considered an important economic asset, is regarded with a great amount of reverence.³²

Illness and death are commonly supposed to be caused by sorcery or brought about by ghosts. Hence, the sorcerer is an important person in Papuan society. Divination is practiced for the purpose of deciding whether illness in a particular case has been caused by ghosts or sorcery, and appropriate action is taken accordingly. Fear of the spirits of the dead and a type of ancestor worship are characteristic of Papuan tribes.³³

Elaborate personal adornment is also characteristic of Papuans. Both the nostrils and the septum of the nose are pierced by the men; in the perforations are thrust ornaments of bone, wood and shell. Many tribes also pierce the lobes of the ears.³⁴ Women elaborately scarify the body for purposes of adornment.

Papuan houses vary in style according to areas. Roofs and walls are generally made of palm leaves; earth is packed down and used as a floor. In some areas, however, houses are elevated on pilings with wooden floors. In other districts tree houses are built sometimes 50 feet or more above the ground for purposes of defense and observation.³⁵

The Melanesians are the most recent arrivals of the three primary native groups inhabiting the island. They are tall, frizzly-

³⁰ Reed, op. cit., p. 21

³¹ Stirling, op. cit., p. 18.

³² Reed, op. cit., p. 22.

³³ Ibid., pp. 67-69.

³⁴ Stirling, op. cit., p. 19.

³⁵ Reed, op. cit., p. 36.

haired people, round-headed, with darker skin and usually slimmer than the typical Papuan. Their languages are related to Malayan, Polynesian and Micronesian, as contrasted with the much more localized Papuan. In Netherlands New Guinea the Melanesians are found in the area of Geelvink Bay.³⁶ Melanesians were the bearers of a more advanced culture, and their cultural influence is much more far reaching than their physical type or their language. The bow and arrow were presumably introduced by them. Various other elements are also attributed to them: the practice of making elaborate wood carvings, the use of drums and huge slit wooden drums and huge slit wooden gongs, and the strong place of the clan in social organization. Primarily a seafaring people, the Melanesians brought with them to New Guinea the large outrigger and composite canoes, which contributed to their territorial expansion. As corollaries to this they have been ardent traders and fishermen.³⁷

Administration. The administration of western New Guinea came directly under the Netherlands civil service without dependence upon the self-government of Tidore in 1898. The first Dutch administrative centers were established in 1899. The right, established in the agreement with the Sultan of Tidore (1860), was again invoked by the Dutch in 1901 to detach southwestern New Guinea from the Sultanate and to administer it directly. Little progress was made in this endeavor, for effective rule was still confined to the accessible parts of the territory.³⁸ Even in the years immediately preceding the Pacific War, the Dutch employed only a small number of civil servants to maintain the various posts, the majority of which were established along the coasts.

On July 1, 1938, within the area of the Netherlands East Indies, the administrative units of Sumatra, Borneo and the Great East were created. The territorial divisions of these units were based on the

³⁶ Stirling, op. cit., p. 23.

³⁷ Ibid., pp. 22-23.

³⁸ De Klerck, op. cit., p. 385.

principle of uniting the various groups of the population into so-called groepen gemeenschappen. West New Guinea became part of the Residency of the Moluccas, which belonged administratively to the Government of the Great East (Moluccas, Timor, Celebes, New Guinea and all islands between).³⁹

The Japanese occupied the whole territory of the Netherlands East Indies except the southeasterly part of West New Guinea in early 1942. The subdivisions Merauke and Upper-Digoel were the only regions of the Indies that remained under the Dutch tricolor. During the early war years the administration of this area was carried on by an assistant-resident stationed at Merauke.

American forces began the recapture of Japanese occupied New Guinea in April, 1944. To these forces Netherlands Indies Civil Administration units were attached consisting of administrative, medical and technical personnel; and by December, 1944, the whole area was again in Dutch hands. In July, 1946, West New Guinea was made a residency; the Commanding Officer of the Netherlands Indies Civil Administration at Hollandia became its Resident.

After the Round Table Conference of 1949, which provided for the temporary retention of the status quo, executive power in the territory was vested in a Governor appointed by the Crown. A governmental decree Bewindsregeling Nieuw Guinea was enacted. In it the principal regulations applying to the political structure of the area have been laid down. The Governor in the performance of his duties is assisted by Departments of Public Service headed by directors: Civil Service and Justice, Financial Affairs, Economic and Technical Affairs, Public Health, Social and Cultural Affairs. Other branches of the administration are the Secretariat, the Directorate of Public Works, Broadcasting and Information Office, Marine Office and Native Affairs Office.

The governmental decree further provides for the establishment of a New Guinea Council. The Council will consist of 21 members - 10 representatives of the indigenous population, 2 non-indigenous subjects (non-Netherlanders) and 9 Netherlanders. One non-indigenous

subject (non-Netherlander) and 7 Netherlanders are to be nominated by the Governor. The other members are to be elected in accordance with rules to be laid down by ordinance. Although not yet established, the New Guinea Council will be given wide legislative authority over internal affairs, particularly in matters relating to the budget.⁴⁰ In the interim its powers are exercised by the Council of Heads of Departments, which consists of the Directors of the Departments of Administration together with the Public Prosecutor, the Commanders of the Army and Navy and the Director of Public Works as associate members. After the New Guinea Council comes into being, the task of the Council of Heads of Departments will become an advisory one.⁴¹

For purposes of administration, Netherlands New Guinea has been divided into four parts: North New Guinea, South New Guinea, West New Guinea and Central New Guinea. Each division is under the authority of a resident. The position of a resident is similar to that of a district commissioner in Australian New Guinea. Each division has subdivisions headed by controllers and each subdivision consists of a number of districts. A district is administered by an indigenous assistant administrative officer.

The Police Force comprises Netherlands, Indonesian and "Papuan" personnel. Its total strength was 1,515 in 1952. The Force is headed by the Superintendent of Police at Hollandia. He derives his authority from the Director of Civil Service and Justice, with regard to the administration of the Force, and from the Public Prosecutor as far as its employment is concerned. The highly centralized nature of the police organization was developed by the necessity of a speedy build-up during the years 1950 and 1951. The goal is, however, for decentralization and greater authority for the residents in such matters. Each division and subdivision is allocated a police unit. Besides these units there is a mobile police under the command of a commissioned officer who receives his orders directly from the Superintendent at Hollandia. The mobile police has special tasks, and its personnel receive special training. The organization usually operates in areas where reinforcement is tempo-

⁴⁰ Klein, op. cit., III, 227.

⁴¹ Ibid., p. 228.

rarily necessary. The mobile police is considered a "flexible arm of authority" of the central government.⁴²

One of the main principles of the judicial organization in West New Guinea has been laid down in article 125 of the governmental decree. This article distinguishes between the indigenous population left under their own "indigenous Jurisdiction" and the remainder of the population coming under "Government Jurisdiction" - jurisdiction in the name of the Queen.

The basic principle of "Indigenous Jurisdiction" is the application of customary law together with those legal regulations which have been declared applicable to the indigenous population.⁴³

"Indigenous Courts" have unlimited civil and criminal jurisdiction and are found in each of the four divisions. The Director of Civil Service and Justice and the Residents have supervision over "Indigenous Jurisdiction." "Government Jurisdiction" is exercised by Politierechters, Landrechters and the Raad van Justitie. The Landrechter has unlimited jurisdiction over civil matters and over criminal matters regarding crimes and offenses committed outside a subdivision of a Politierechter or exceeding the jurisdiction of a Politierechter. Appeals of decisions of a Landrechter are taken to the Raad van Justitie (Court of Justice). The latter is the highest judicial authority. It has unlimited jurisdiction in criminal matters pertaining to crimes and offenses committed by officials nominated by the Crown. It is also a court of appeal and has power of revision of all final judgments of lower courts.

The conduct of prosecution is entrusted to the Public Prosecutor, (Officier van Justitie) who also acts as public prosecutor in the Raad van Justitie.⁴⁴

Economy. Timber, oil, various minerals, copra, gums, sea products and building materials are available. A great deal of exploration is still required, however, to measure the extent and value of West New Guinea's resources. Local consumption plays an unimportant

⁴² Ibid., p. 227.

⁴³ Ibid., p. 230.

⁴⁴ Ibid., pp. 230-231.

role in the economy, owing to the relatively small population under governmental control, its modest requirements and small purchasing power.

Labor is one of the chief problems in promoting industry in the territory. In drawing male labor from interior regions, the Dutch are careful not to break up tribes. Out of approximately 100,000 indigenous persons considered suitable for crude labor in 1953 not more than 4,000 men were put to work outside their villages.⁴⁵ There is also a lack of skilled workers. Protestant and Catholic missionary educational activities are helping to solve this problem. The Netherlands New Guinea Petroleum Company has in its employment 3,673 male "Papuanas", many of them trained at the Company's own technical school.⁴⁶

Although West New Guinea is rich in timber, the forests are of a mixed type, which presents a serious drawback to exploitation. Species of commercial value are few and scattered. Moreover, many forests are so situated that they are commercially inaccessible. The timber requirements of the territory are small, and conditions for competition overseas are unfavorable. Dutch experts believe New Guinea's timber potential can be realized in the future by converting existing forests and by planting new rich strands of marketable timber in suitable locations.⁴⁷

Commercial agriculture is of little account in New Guinea. The acute labor shortage has hindered the production of agricultural products. There are few areas suited for large-scale mechanized truck farming. The extensive coastal plains are swampy while the uplands are, for the most part, steep and difficult to cultivate. Agricultural productivity is such that it fulfills the meager needs of the indigenous population. Europeans, on the other hand, live mostly on imports.

Mining ventures have proven unprofitable. From 1936 to 1939 the Netherlands New Guinea Mining Company explored the western part of the island for gold. The expeditions cost approximately 2 million

⁴⁵ Ibid., p. 465.

⁴⁶ Ibid., p. 466.

⁴⁷ Klein, op. cit., II, 353.

guilders (\$758,000). The results were disappointing.⁴⁸ The Dutch contemplate further explorations in the future for nickel, chromium, and iron. The coal found has been generally of inferior quality - lignites or brown coal occurring in this layers. An exception is the Horna field in the Bird's Head.

Under an "equal opportunity" policy initiated by the Dutch in the 1930's, the Nederlandsche Nieuw Guinea Petroleum Maatschappij (Netherlands New Guinea Oil Company) was founded in 1935 by three private concerns: Royal Dutch Shell and Standard-Vacuum each control forty percent of the organization through subsidiaries, and California Standard and the Texas Company twenty percent through the Nederlandsche Pacific Petroleum Maatschappij. This means that American interests in this venture amount to sixty percent.⁴⁹ The Company was given the right to explore and exploit West New Guinea's oil reserves. Oil activities center around Sorong. Klamono near Sorong is the most important oil field. Its output from 1935 to 1951 totalled 801,030 metric tons. In 1953 27 out of 38 wells were oil producers at Klamono field.⁵⁰ Oil from Klamono is pumped to Sorong, where it is stored awaiting shipment to Europe for refining.

Oil plays an important role in the economy of the Territory. Government statistics for 1952 indicate that exports from West New Guinea amounted to fl. 11,404,000 (\$3,079,080). Of this figure the value of oil was fl. 8,660,900 (\$2,338,443) or more than 75% of the total. Imports for the same year came to fl. 62,734,000 (\$17,938,180), an unfavorable balance of trade of fl. 51,330,000 (\$13,859,100). Here again the oil company's capital goods imports represented the greatest percentage of the total value.⁵¹

West New Guinea has never been economically self-sufficient under Dutch administration. The Dutch have always been required to subsidize governmental services and activities in the area. The following is a tabulation of contributions furnished by the Nether-

⁴⁸ Ibid., p. 346.

⁴⁹ A. L. ter Braake, "Mining in the Netherlands East Indies," Netherlands and Netherlands Indies Council of the Institute of Pacific Relations, Bulletin No. 4, (July, 1944), pp. 63-69.

⁵⁰ Klein, op. cit., I, 347.

⁵¹ Ibid., pp. 591-593.

lands to the budget of West New Guinea during a five year period, 1950 through 1954, expressed in guilders:⁵²

<u>Year</u>	<u>Budget of West New Guinea</u>	<u>Netherlands Contribution</u>
1950	f1. 47,000,000	f1. 23,000,000
1951	f1. 83,000,000	f1. 40,500,000
1952	f1. 68,000,000	f1. 21,500,000
1953	f1. 89,000,000	f1. 39,500,000
1954	f1. 106,000,000	f1. 57,000,000

⁵² Western New Guinea and the Netherlands, (The Hague, 1954), p. 15.

III. POLITICAL DEVELOPMENTS IN INDONESIA 1945 TO 1949

Dutch policy for the postwar period envisaged a reorganization of the political structure of the dependent territories overseas but did not contemplate the grant of full autonomy to the Indies until an indefinite time in the future, and then only within a projected Netherlands Union. This policy failed to appreciate the temper of resurgent Indonesian nationalism. It is believed by some military authorities that had the Netherlands been able to send a powerful military expedition to the Indies immediately following the Japanese surrender the Dutch might have been able to gain control over the situation.¹ As it turned out, British troops were assigned to receive the Japanese surrender in Indonesia, and they did not arrive until September 29, 1945. By this time the nationalist regime had become well entrenched in Java and Sumatra.² Even more important, the nationalists had gained arms, both those supplied to Japanese-sponsored militia units during the war and those seized from the Japanese after the surrender. In the light of these circumstances, the British commander realized that the cooperation of the Indonesian authorities was essential in order to round up Japanese troops and to free Allied prisoners in the territory under nationalist control.³ He, therefore, accorded the self-proclaimed Republic of Indonesia de facto recognition immediately upon his arrival in Batavia.⁴

¹ Charles Wolf, Jr., The Indonesian Story. The Birth, Growth and Structure of the Indonesian Republic, (New York, 1948), pp. 26-27.

² Ibid., pp. 16-20.

³ Ibid., p. 21

⁴ P. S. Gerbrandy, Indonesia, (London, 1950), p. 99.

Initial relations between the British and the Indonesian nationalists were workable,⁵ but with the return of Dutch officials of the Netherlands Indies civil administration and a limited number of troops beginning in October, the situation deteriorated. The Republicans were determined to resist any attempt to reimpose Netherlands rule. They viewed the landing of Dutch units with fear and tended to hold the British responsible. Fighting broke out and spread through Java and Sumatra. November and December were months of terror. The British, who were outnumbered, resorted to the use of Japanese forces to assist them in restoring order. This step further aroused the Indonesians against both the British and Dutch and reinforced their conviction that it was intended that Indonesia revert to colonial status.⁶ The British had no real interest in the struggle and began to exert pressure on the Dutch to open negotiations with the Republican government. The Dutch first refused to deal with the "collaborationist" regime of President Soekarno. They did agree, though, to preliminary discussions after Sjahrir, whose wartime record was beyond reproach, was appointed prime minister.

Direct discussions between the two sides got underway on November 17th but were broken off by the Republic five days later in protest against the return of Dutch troops. The intermittent fighting that had been going on now increased in tempo. The situation improved during January, and discussions between the two parties were resumed on February 10, 1946. Months of bargaining followed. A sense of urgency was imparted to the negotiations when it was announced that in September British forces would be withdrawn from the islands regardless of whether an agreement had been reached.

The differences between the two sides were great. Official Dutch policy with regard to Indonesia in the postwar period was first stated by the Netherlands Government-in-Exile on January 27, 1942: it called for a Round Table Conference after the end of the war composed of delegates from the Netherlands, the Indies, Surinam and Curaçao to discuss a project for the reconstruction of the

⁵ Wolf, op. cit., p. 20.

⁶ George M. Kahin, Nationalism and Revolution in Indonesia, (Ithaca, 1952), p. 144.

Kingdom and its constituents along lines suitable to the changed circumstances.⁷ This statement was amplified by Queen Wilhelmina later in the year. The Queen foresaw a commonwealth of equal partners. This general policy was reaffirmed shortly after the war and was further elaborated in February, 1946, when the Netherlands government declared its intention to reorganize the Indies into an autonomous federal commonwealth under the Dutch crown. After a preparatory period within the kingdom, during which time Dutch authorities would retain powers of control and supervision, the Indonesian commonwealth would have an opportunity to choose its own political future.

This program fell short of satisfying the demands of postwar Indonesian nationalism. The Dutch did not take into account the Republican government and insisted upon the responsibility for guiding Indonesia's development to the point when it would be able to assume sovereign status. The nationalists who controlled the Republican government, on the other hand, demanded immediate and complete independence for Indonesia. While willing to agree to some form of organic union with the Netherlands, they insisted upon Dutch recognition of their independence prior to negotiations as to its form and the acceptance of their authority over the whole territory of the Indies. Meanwhile, as the discussions dragged out, the Dutch continued to move troops into the country and regained control over the islands of the archipelago other than Java and Sumatra.

In July, 1946, the Dutch convened a conference at Malino in south Celebes with selected representatives from the islands outside Java and Sumatra to discuss plans for the forthcoming Indonesian federation. The conference was held from July 15th to July 25th. It proceeded to discuss with frankness the steps to be taken in the future. Among the resolutions and pronouncements was the statement that the conference unanimously declares that the political development of Netherlands Indies shall take the form of a federation comprising the whole of Indonesia (United States of Indonesia) made up of four parts: namely, Java, Sumatra, Borneo and the Great East (Celebes, the Lesser Sunda Islands, the Moluccas, Madoera and New

⁷ Wolf, op. cit., p. 31.

Guinea).⁸

Three months later in October, 1946, a conference was called at Pangkalpinang, Bangka. This time delegates of Dutch, Eurasian, Chinese and Arab minority groups, as well as delegates from social and political organizations, discussed the future of the country. Among a host of resolutions and motions, the conference took the opportunity to affirm the views of the Malino Conference regarding the federal state.⁹ Another resolution set aside several areas in New Guinea for the use of Eurasians who wished to settle there.¹⁰

Gradually, after repeated negotiation and in response to a variety of pressures, both sides modified their original positions. Among the most important of these considerations for the Dutch were: their desire to restore the economy of the Indies, which was impossible so long as civil strife continued; the unfavorable reaction of world opinion to recent Dutch policy in Indonesia; and the realization that the Republican government and the nationalist movement enjoyed a degree of popular support. The Indonesians came to understand that they could not force Dutch acquiescence to their maximum demands while growing military pressure and the instability of their government impelled them to seek a tolerable settlement as soon as possible. A compromise acceptable to both sides was reached on November 12, 1946, at Linggadjati, near Cheribon, Java.

The principal provisions of the Linggadjati Agreement, signed on November 15, 1946, were as follows: (1) the Netherlands recognized for the first time the de facto authority of the Republic over the islands of Java, Madoera and Sumatra; (2) the Netherlands and the Republic agreed to cooperate in the establishment of a federal United States of Indonesia (U.S.I.), which was to consist of three component parts - the Republic, Borneo and the Great East (which included New Guinea);¹¹ (3) the population of any territory

⁸ A. A. Schiller, The Formation of Federal Indonesia 1945 - 1949, (The Hague, 1955), p. 21.

⁹ Ibid., p. 22.

¹⁰ C. A. Fisher, "West New Guinea in its Regional Setting," The Year Book of World Affairs, 1952, (New York, 1954), p. 195.

¹¹ At Den Pasar in Bali on December 18, 1946, 60 representatives of geographical regions and 15 representatives of racial, cultural, social and economic groups throughout the "Great East" convened at

could, however, elect to remain outside the U.S.I., in which case that territory could establish a special relationship with the U.S.I. and the Netherlands; (4) the Netherlands and the Republic agreed to cooperate in the establishment of a Netherlands Indonesian Union, headed by the Queen of the Netherlands and consisting of the Netherlands (including Surinam and Curacao) and the U.S.I.; (5) the Netherlands Indonesian Union was to be formed by 1949 and was to have its own organs for dealing with such subjects of common interest to the Union as defense, foreign affairs and certain cultural, economic and financial matters; (6) immediately after formation of the Union, the Netherlands was to sponsor the U.S.I. for membership in the United Nations; (7) the Republican government recognized the claims of all "non-Indonesians", that is, Dutch nationals; and (8) disputes arising from the agreement that could not be settled by negotiations were to be submitted to arbitration.¹²

The Linggadjati Agreement was in essence an agreement to agree only, and its ultimate success depended on the extent to which the two sides were prepared to cooperate in the implementation of its many provisions. Unfortunately there were powerful elements on both sides which were not yet ready for such cooperation because they lacked the conviction that the other party was sincere and trustworthy.¹³ The Agreement had provided for cooperation between the two parties in setting up the United States of Indonesia (U.S.I.) and the Netherlands Indonesian Union. The Dutch felt that they bore primary responsibility for organizing the U.S.I. and that they had a special obligation to safeguard the future of Borneo, East Indonesia and New Guinea over which they felt the Republic had no legitimate claim. They undertook, therefore, to foster separate states. The Republicans looked upon these creations as Dutch puppets and

the call of the Netherlands Indies Government to draw up a constitution for a new state of East Indonesia. The Republic interpreted the Den Pasar Conference as a violation of the spirit, if not the letter, of Article 2 of Linggadjati. The Republic also felt that "East Indonesia" had been set up unilaterally rather than cooperatively and that the new state was simply a Dutch-controlled "puppet" with no will of its own. (Wolf, op. cit., p. 45.)

¹² Kahin, op. cit., p. 196.

¹³ Wolf, op. cit., p. 45.

further resented Dutch insistence that the Republic be satisfied with equality of power and status with these states within the U.S.I. The Dutch, on the other hand, objected to the foreign relations carried on by the government of the Republic as a clear violation of Linggadjadi. The Dutch also claimed that the Republic had failed to carry out the provision of the Agreement relating to restitution of economic rights and property. Finally on both sides there were repeated charges of violations of the Cease Fire Agreement of October 14, 1946, which had preceded Linggadjadi.

The impasse reached such a stage that the Dutch decided to attempt a military solution. Negotiations with the Republic for the implementation of Linggadjadi were broken off on July 17, 1947, and on the night of July 20th military operations were begun.

The Dutch "police action" came as a shock to world opinion. The matter was brought to the attention of the Security Council of the United Nations by separate letters from Australia and India.¹⁴ The Australian letter branded the hostilities a breach of the peace within the meaning of Article 39 of the Charter¹⁵ and called upon the Council to take immediate action to restore international peace and security.

Referring to Article 2 paragraph 7 of the Charter, the Netherlands denied that the Security Council had jurisdiction in the question, claiming that the difficulty was with one of its constituent elements rather than with an external element.¹⁶ The question of

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U. N. Doc. S/449, July 30, 1947.

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Article 39 of the Charter of the United Nations stipulates that the Security Council shall determine the existence of any threat to the peace, breach of the peace, or act of aggression and shall make recommendations, or decide what measures shall be taken in accordance with Article 41 (complete or partial interruption of economic relations and of rail, sea, air, postal, telegraphic, radio and other means of communication, and the severance of diplomatic relations) and Article 42 (action by air, sea or land forces as may be necessary to maintain or restore international peace and security; such action may include demonstrations, blockade and other operations by air, sea or land forces of Members of the United Nations) to maintain or restore international peace and security.

¹⁶

U. N. Security Council, Official Records, Second Year (1947), No. 67, p. 1645.

competence was a complicated one;¹⁷ but a majority of the Council was in favor of some kind of action. The way out was shown by an American amendment to an Australian resolution (August 1, 1947). This amendment deleted all references to the Charter and, after noting with concern the fact of hostilities, called upon the two parties to cease hostilities and settle their dispute by arbitration. To implement the ceasefire order a Consular Commission was established on August 14th at Batavia. This commission was composed of those member states on the Security Council with career consuls stationed at Batavia. They were instructed to prepare joint reports on the observance of the cease fire.¹⁸

Simultaneous with its efforts to end hostilities in Indonesia, the Security Council also considered the problem of facilitating a long range political settlement of the dispute between the Republic and the Netherlands. On August 22, 1947, the United States submitted a draft resolution under which the Council tendered its good offices to the parties in dispute.¹⁹ The United States' resolution was adopted on August 25th by a vote of 8 to 0 with 3 abstentions (Poland, Syria and U.S.S.R.).²⁰ A Committee of Good Offices was organized, and it arrived in Batavia on October 27, 1947. Faced with continuing hostilities in Indonesia, the Council referred the problem of arranging a satisfactory ceasefire to the Committee of Good Offices, which was also charged with the task of aiding the parties to negotiate a political settlement. On November 1st the Consular Commission ceased to function independently and became an adjunct of the Committee of Good Offices.

Negotiations for a preliminary settlement of the political question, as well as the implementation of the cease fire order, got

¹⁷ Article 2 paragraph 7 of the Charter states that nothing contained in the Charter shall authorize the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any state or shall require the Members to submit such matters to settlement under the Charter.

¹⁸ U. N. Doc. S/459, August 1, 1947.

¹⁹ U. N. Doc. S/514, August 22, 1947.

²⁰ U. N. Doc. S/525, II, August 26, 1947.

under way early in December. Since neither party to the dispute was willing to meet for this purpose on the territory of the other, it was necessary to conduct discussions between the two sides on "neutral ground." The American delegate, Dr. Frank Graham, was able to solve this problem by suggesting a conference on board an American vessel off the coast of Java. Subsequently, he was able to convince both sides that the modest size of the U. S. Navy transport Renville was more than made up for by its proud record in World War II. A settlement was reached by both parties on board the U.S.S. Renville on January 17, 1948. The agreement comprised a military truce and a statement of Twelve Political Principles on the basis of which detailed political negotiations were to be conducted in the future. Two days later both sides formally accepted Six Additional Principles of the Committee of Good Offices. Collectively these agreements are known as the Renville Agreement.

The Renville Agreement was not a solution of the military and political problems. It was again merely an agreed basis upon which negotiations for the settlement of these problems were to proceed. The small amount of good will engendered by the signing of the Agreement was rapidly dissipated during the spring of 1948 on most of the issues fundamental to the Dutch-Indonesian dispute. Each side continued activities that the other viewed with resentment and suspicion.

The situation had again become critical by the end of October. In its Fourth Interim Report to the Security Council, dated November 15, 1948, the Committee of Good Offices summarized the consequences of the long delay in reaching a political settlement in the following terms: a deterioration in the economic situation within the Republic and a delay in the economic rehabilitation of Indonesia as a whole; an increase in political difficulties within the Republic; an increase in political tension between the parties; and an increasing strain on the truce, with the everpresent possibility of its general breakdown.²¹ The number of military incidents continued to grow since there was no longer functioning machinery to deal with them.

²¹ U. N. Doc. S/1085, November 15, 1948

The final stage of negotiations between the two parties opened in November, 1948, with the arrival in Indonesia of Dirk Stikker, the Dutch foreign minister. Stikker initiated direct talks with the Republican government outside the framework of the Committee of Good Offices and its machinery. These conversations continued until early December. On December 11th the Committee of Good Offices was informed by the Dutch that further negotiations with the Republic were futile and that they would now proceed to establish an interim federal government without the Republic.²² One week after its note announcing the termination of direct talks, the Dutch informed the Committee that they were denouncing the Renville Truce Agreement.²³ Early on the following day, December 19th, they launched their second "police action."

The sudden full scale military offensive launched by the Dutch achieved complete surprise. The Republican government first learned of the unilateral abrogation of the Renville Agreement when Dutch bombers attacked the Jogjakarta airport at 5:30 A.M. (December 19th) and dropped paratroopers. By mid-afternoon the Republican capital had been captured. Most of the government leaders, including President Soekarno, Vice President and Premier Hatta and Foreign Minister Hadji Agoes Salim were in Dutch hands. Elsewhere mobile units moved into Republican territory while paratroopers seized several key cities.²⁴

The renewal of hostilities eventually proved a major disaster to the Dutch from a diplomatic point of view. It involved open defiance of the United Nations and world opinion.²⁵ Upon learning of the military action, the United States requested an emergency meeting of the Security Council for December 20, 1948. On December 24th the Council passed a resolution calling for an immediate cease fire and the release of political prisoners.²⁶ On

²² U. N. Doc. S/1117, Add. 1, December 15, 1948.

²³ U. N. Doc. S/1120, Add. 1, December 20, 1948.

²⁴ Kahin, op. cit., p. 338.

²⁵ Gerbrandy, op. cit., p. 163.

²⁶ U. N. Doc. S/1162, December 24, 1948.

December 28th another resolution was passed noting that the Netherlands had not yet complied with the Council's earlier resolution, stipulating the release of political prisoners forthwith, and requesting the Dutch to report to the Security Council within 24 hours.²⁷

Early in January the representative of Cuba, acting on behalf of the delegations of Cuba, China, Norway and the United States, introduced a draft resolution for consideration by the Security Council. Its terms reflected the gravity with which the sponsors viewed the new Dutch aggression in Indonesia. The draft resolution declared that the Council's resolutions of December 24th and 28th had not been fully carried out and contained the following definite stipulations: (1) it called on both parties to cease hostilities and cooperate in the re-establishment of peace; (2) it called on the Netherlands to release all political prisoners and to hasten the restoration of the Republican government to Jogjakarta; (3) it recommended that, in order to ensure the establishment of a federal sovereign and independent United States of Indonesia at the earliest practicable date, the two parties should enter into negotiations as soon as possible on the basis of the principles set forth in the Linggadjati and Renville agreements and on a timetable that provided for setting up an interim federal government not later than March 15, 1949, elections for a constituent assembly not later than October 1, 1949, and final transfer not later than July 1, 1950; (4) it transformed the Committee of Good Offices into the United Nations Commission for Indonesia, which was to act as "the representative of the Security Council in Indonesia" and to perform all the functions assigned to the Committee since December 18, 1948, plus those conferred on it by this resolution; (5) it instructed the new Commission to assist the parties in the implementation of all provisions of the resolution and explicitly authorized it to make recommendations as it saw fit in the performance of its duties; and (6) it further instructed the Commission to "recommend the extent to which, consistent with reasonable requirements of public security and the protection of life and property, areas controlled by the Republic under the Renville Agreement (outside the city of Jogjakarta) should be progressively

²⁷ U. N. Doc. S/1234, January 28, 1949.

returned to the administration of the Government of the Republic of Indonesia,. . . ."28

This comprehensive proposal for settlement of the Dutch-Indonesian dispute won support in the Security Council. On January 28, 1949, the proposal was adopted, in slightly amended form, without a dissenting vote. The Council, furthermore, ordered an immediate cessation of hostilities; and although it did not call for implementation of its former cease fire order or the withdrawal of Dutch or Republican troops, it directed the re-establishment of the Republican government and, in so far as possible, the return to its jurisdiction of the areas controlled by it under the Renville Agreement.

The newly constituted United Nations Commission for Indonesia (U.N.C.I.), which held its first meeting on January 29th, faced obstacles in discharging its responsibilities under the Security Council's resolution; for, despite the Council's resolution, hostilities continued throughout Java and Sumatra.

The Commission accomplished nothing concrete during the month of February. However, on February 26th the Netherlands communicated to the Commission the outline of a new plan for breaking the existing deadlock. It foreshadowed a fundamental modification of Dutch policy. Events had taken an unfavorable turn for the Dutch. The attempted military solution of the Indonesian problem had failed. Despite some successes, the plan to destroy the armed forces of the Republic had not been achieved. Moreover, many Indonesian groups which had previously supported Dutch policy now were showing signs of opposition. The Dutch had also gravely misjudged the impact of their action on world opinion. The Security Council's resolution of January 28th reflected world reaction to the "police action" and placed heavy additional pressures on the Netherlands government. Not only did the United States take a much more outspoken stand in the Security Council, it also brought strong influence to bear directly on the Netherlands government by threatening suspension of ECA aid.²⁹

The proposal transmitted to the U.N.C.I. by the Netherlands government on February 26th advanced for the first time the idea of

²⁸ Ibid.

²⁹ Kahin, op. cit., p. 418.

a round table conference at The Hague for the final settlement of all outstanding issues related to the Indonesian problem.³⁰ The Netherlands announced its intention to effectuate the transfer of sovereignty considerably ahead of the deadline of July 1, 1950, which had been laid down in the Security Council's resolution of January 28, 1949. It further stated that the purpose of the conference would be to discuss the conditions for and the ways along which the earliest possible transfer of sovereignty could be effected, the simultaneous establishment of the Netherlands Indonesian Union and the arrangements for the intermediary period, including the creation of a federal interim government.³¹ Invitations were extended to the president of the Republic and the chairman of the Federal Consultative Assembly³² to send delegations to the conference. The Commission was also specifically requested to attend to render assistance to achieve positive results.

A directive adopted by the Security Council on March 28, 1949, stated that it was the consensus of the Security Council that the Commission should assist the parties to reach agreement; first, as to implementation of the Council's resolution, and particularly those portions of it relating to cessation of hostilities and restoration of the Republican government to Jogjakarta; and second, as to the time and conditions for holding the proposed conference at The Hague.³³ The directive in effect also gave the Commission a free hand to deal with the developing situation in Indonesia as it saw

³⁰ U. N. Doc. S/1274, March 3, 1949.

³¹ Ibid.

³² Coincident with its attack on the Republic, the Netherlands government had announced its plans for establishing a central governmental organization, called the Federal Consultative Assembly. The Federal Consultative Assembly was to subsume and incorporate 15 federal units, or "states," autonomous territories established by the Dutch, and ultimately the Republican areas of Indonesia as well. The Assembly was to function as the "Interim Federal Government" of Indonesia until the Dutch transferred sovereignty to Indonesia. Along with the Dutch, it was to create the final federal Indonesia to receive that sovereignty. (Kahin, op. cit., p. 386.)

³³ U. N. Security Council, Official Records, Fourth Year (1949), No. 24, p. 5.

fit. Armed with the new authority conveyed by this directive, the U.N.C.I. immediately proposed to the parties that they resume discussions under its auspices. Both sides accepted, and the first meeting was held in Batavia on April 14th. A major step forward was reached on May 7th with the emergence of the so-called Roem-Van Royen Agreement. Both sides agreed in principle to the cessation of hostilities. The Netherlands agreed to restore the Republican government to Jogjakarta, to release political prisoners and to discontinue its policy of fostering new states on territory conquered from the Republic since the beginning of the second "police action." The parties also concurred on holding a round table conference at The Hague as soon as the Republican government had been returned to its capital for the purpose of arranging for the unconditional transfer of sovereignty to a provisional federal government in which the Republic was to have the most influential single voice.³⁴

The delegations of the Netherlands, the Republic of Indonesia and the Federal Consultative Assembly met together at The Hague from August 23rd to November 2, 1949. With the important assistance of the United Nations Commission for Indonesia, they worked out an acceptable settlement of the Indonesian dispute.

Formal machinery similar to that employed after the Renville Agreement was again utilized at the Conference. A Steering Committee and five Main Committees (Political and Constitutional Affairs, Financial and Economic Affairs, Military Affairs, Cultural Affairs and Social Affairs) were established, each composed of representatives of the Netherlands, the Republic and the Federal Consultative Assembly. The first two Main Committees also organized subcommittees to facilitate their work. Representatives of the United Nations Commission for Indonesia were free to attend the meetings of all committees and subcommittees. Their attendance was required at meetings of the Steering Committee and at plenary sessions of the conference. All decisions were reached by unanimous agreement. An agenda for the Conference had been agreed upon in

³⁴ Kahin, op. cit., pp. 421-423.

Batavia in June, and the various items on it were allocated to the Main Committees by the Steering Committee soon after the Conference opened. The U.N.C.I., in its Special Report to the Security Council, carefully described the procedure followed stating in conclusion that "informal talks constituted the procedure for expediting the greater part of the work of the Conference and a number of important results was achieved by this method. During the concluding stages of the Conference, however, negotiations were centered in formal meetings of the Steering Committees."³⁵

The U.N.C.I. itself took an active part in the work of the Conference. For the most part it preferred not to intervene until the parties had reached a deadlock on a given issue; but when this happened, the Commission felt free to exercise its mediatory function. On numerous occasions, moreover, the parties themselves sought the advice of the Commission, especially toward the end of the Conference. The compromises formulated by the Commission were in almost every instance agreed to by all parties.

When the Round Table Conference adjourned on November 2, 1949, the participating parties had, with the help of the Commission, succeeded in negotiating a comprehensive settlement of the Indonesian dispute. The major results of the Conference were embodied in three documents: (A) A Charter of the Transfer of Sovereignty. According to Article 1 of the Transfer of Sovereignty,

(1) The Kingdom of the Netherlands unconditionally and irrevocably transfers complete sovereignty over Indonesia to the Republic of the United States of Indonesia and thereby recognizes said Republic of the United States of Indonesia as an independent and sovereign state; (2) the Republic of the United States of Indonesia accepts said sovereignty on the basis of the provisions of its Constitution which as a draft has been brought to the knowledge of the Kingdom of the Netherlands; and (3) the transfer of sovereignty shall take place at the latest on December 30, 1949.³⁶

(B) A Statute of the Netherlands-Indonesian Union. This document linked the Netherlands and the Republic of the United States of

³⁵ U. N. Doc. S/1417, November 10, 1949.

³⁶ Round Table Conference. Results as accepted in the Second Plenary Meeting held on November 2, 1949 in "Ridderzaal" at The Hague. (The Hague, 1949), p. 3.

Indonesia (R.U.S.I.) in a rather loose union under the crown of the Netherlands. While emphasizing the independence and sovereign equality of the two partners, it pledged them to voluntary cooperation in foreign relations, defense, finance and subjects of an economic and cultural nature.³⁷ (C) A Provisional Constitution for the Republic of the United States of Indonesia. It provided for a democratic federal republic of sixteen constituent units including the Republic of Indonesia. The territory of the latter was defined as being coterminous with the status quo after the Renville Agreement.

In addition, agreement was reached on a variety of issues of a transitional nature; the withdrawal of armed forces, protection of Dutch economic rights, debt settlement and questions of citizenship arising from the transfer of sovereignty. Each constituent state of the Indonesian federation was to be given the opportunity to ratify or reject the Provisional Constitution. In the event that any state preferred not to ratify or to reject the Provisional Constitution, it was to negotiate a special relationship with the Netherlands and the R.U.S.I.³⁸ The Netherlands undertook to sponsor the R.U.S.I. for membership in the United Nations. Finally, the United Nations Commission for Indonesia, or another United Nations agency, was requested to observe and assist implementation of the various agreements reached at The Hague. The only important point left unsettled was the future of West New Guinea, for Article 2 of the Charter of Transfer of Sovereignty stipulated that

with regard to the residency of New Guinea it is decided:
 (a) in view of the fact that it has not yet been possible to reconcile the views of the parties on New Guinea, which remain, therefore, in dispute; (b) in view of the desirability of the Round Table Conference concluding successfully on November 2, 1949; (c) in view of the important factors which should be taken into account in settling the question of New Guinea; (d) in view of the limited research that has been undertaken and completed with respect to the problems involved in the question of New Guinea; (e) in view of the heavy tasks with which the Union partners will initially be confronted; and (f) in view of the dedication of the parties to the principle of resolving by peaceful and reasonable

³⁷ Ibid.

³⁸ U. N. Doc. S/1417, Add. 1, November 14, 1949.

means any differences that may hereafter exist or arise between them, that the status quo of the residency of New Guinea shall be maintained with the stipulation that within a year from the date of transfer of sovereignty to the Republic of the United States of Indonesia the question of the political status of New Guinea be determined through negotiations between the Republic of the United States of Indonesia and the Kingdom of the Netherlands.³⁹

The Hague accords were separately ratified during December, 1949, by the Netherlands and the sixteen constituent elements of the forthcoming Republic of the United States of Indonesia (R.U.S.I.). After a provisional government for the R.U.S.I. had been constituted, sovereignty was officially transferred to it by the Netherlands on December 27, 1949.

On November 10th the United Nations Commission for Indonesia submitted to the Security Council its special report summarizing the work and accomplishments of the Round Table Conference. The report came up for consideration by the Council early in December. Most of the members expressed satisfaction with the developments, and Canada introduced a draft resolution extending the Council's congratulations to all parties concerned, and requested the Commission to observe and assist implementation of The Hague agreements.⁴⁰ The U.S.S.R. refused to join in these felicitations, contending that the Round Table Conference had merely provided for reestablishment of Dutch colonial rule in slightly disguised form. When the Canadian resolution came up for vote, December 13th, the Soviet delegate employed his veto to prevent its passage.⁴¹ The General Assembly, however, was able, at its Fourth Session, to adopt a resolution congratulating all parties for the satisfactory settlement of the long dispute.⁴²

The Round Table Conference agreements, although generally considered as the end of the Netherlands-Indonesian conflict with the emergence and recognition of the new, independent Indonesian

³⁹ Round Table Conference, op. cit., p. 3. Underlining by author.

⁴⁰ U. N. Doc. S/1431, December 12, 1949.

⁴¹ Ibid.

⁴² U. N. Doc. A/1251, December 28, 1949, p. 23.

Republic, unfortunately, did not erase the various problems existing between the two countries. One problem was contained in the very heart of the Transfer of Sovereignty Charter: the undecided status of West New Guinea. It was a problem which was bound to plague both Dutch and Indonesian diplomats in the years ahead.

IV. WEST NEW GUINEA EMERGES AS A MAJOR ISSUE

The question of the future status of West New Guinea emerged as a major issue only in the weeks immediately preceding the Round Table Conference. There is evidence that domestic politics played a significant role in the Dutch decision to retain West New Guinea. The Dutch cabinet was convinced that if New Guinea was not retained it might be impossible to muster the necessary two-thirds vote (requisite to change the Netherlands Constitution) in both houses of Parliament to get the Hague agreements ratified.¹

As it was, the First Chamber ratified the agreement by a margin of only two votes over the two-thirds minimum required (34-15). A switch of one vote toward the opposition would have spelled defeat! In the Second Chamber approval constituted no problem (71-29) with every member present when the vote was taken, an unprecedented event.²

The Conservative Opposition's point of view toward the issue was expressed by P. S. Gerbrandy, a member of the Second Chamber at the time and former war-time Premier of the Netherlands Government in London. He stated that the unconstitutional character of the agreement had been clearly exposed during debates in both Chambers and the danger of handing over authority to the Indonesian Republic had been supported by irrefutable evidence.³ What determined Parliament's course of action, however, was the belief that rejection of the agreement would have even more serious consequences than its acceptance.⁴ The Republic had gradually secured power

¹ Kahin, Nationalism and Revolution in Indonesia, p. 444.

² Ibid.

³ Gerbrandy, Indonesia, p. 174.

⁴ Ibid., p. 175-176.

and had exercised terror. Gerbrandy added,

The plain truth is that this Round Table Agreement, so highly praised in many circles, was the result of blackmail at a time terrorism was rife, . . . the liberties and future of the indigenous peoples of the Indies were handed over to untried hands . . . resistance to the Round Table Agreement was a final and hopeless gesture against blackmail by terrorism and the policy in which the Cabinet had become entangled . . . the ship of state was delivered to the mercies of the storms of revolt and international power politics. The Cabinet conceded every possible point to their opponents. A majority in both Houses held the view that nothing could be saved from the wreckage.⁵

The Statute of the Netherlands-Indonesian Union adopted at the Round Table Conference provided that conferences of ministers designated for that purpose by the respective partners should be held at least twice a year to implement the aims of the Union. The object of the Union was to organize cooperation between the two countries in the fields of foreign relations and defense and in financial, economic and cultural matters. The Union Conference was an occasion to discuss and settle many problems which had not been solved through normal diplomatic channels.

The first conference of the ministers of the Netherlands-Indonesian Union held at Djakarta in April, 1950, gave the parties an opportunity to approach the unsettled problem regarding the political status of New Guinea. A resolution adopted by the Conference established an ad hoc committee instructed to present a report to the United Nations Commission for Indonesia for its information. The final negotiations provided for in Article 2 of the Charter of Transfer of Sovereignty (See p. 35) were to take place at the second Union Conference or at a special conference to be held in the latter half of 1950. The Ad Hoc Committee met in Djakarta on May 5th and, after a three week orientation trip to New Guinea, reconvened at The Hague for final discussions. The discussions failed to produce agreement on a joint report and it was decided that the members of the committee would submit independent reports. The reports were submitted to the United Nations Commission for Indonesia at the end of September, 1950.

⁵ Ibid., p. 176.

The Dutch Committee members based their arguments for maintaining the status quo largely on considerations of the interests of the local population. In their opinion, the transfer of sovereignty over New Guinea would deprive its population of the right of self-determination. Since the Netherlands Government was bound by the provisions of Article 73⁶ of the Charter of the United Nations, the continuation of Netherlands administration gave the population the chance to take advantage of the right of self-determination at a later date and to decide its future by a plebiscite. The members also pointed out that the Netherlands administration could give positive promises of progress and improvement in New Guinea while the Indonesian administration, faced with other problems and lacking financial means and administrative organization, would not be able to assure proper conditions for development in the area.⁷

The Indonesian members, on the other hand, maintained that West New Guinea had always formed part of Indonesia (the former Netherlands East Indies) and that the Indonesian claim to the territory was supported by historical, economic, political, geographical and strategic reasons. The Indonesian Government had.

⁶ Article 73 is found in Chapter XI (Declaration Regarding Non-Self-Governing Territories) of the Charter of the United Nations. It stipulates that members of the United Nations which have or assume responsibilities for the administration of territories whose peoples have not yet attained a full measure of self-government recognize the principle that the interests of the inhabitants of these territories are paramount, and accept as a sacred trust the obligation to promote to the utmost, within the system of international peace and security, the well being of the inhabitants of these territories and, to this end: a. to ensure, with due respect for the culture of the peoples concerned, their political, economic, social and educational advancement, their just treatment and their protection against abuses; b. to develop self-government to take due account of the political aspirations of the peoples and to assist them in the development of their free political institutions; c. to further international peace and security; d. to promote constructive measures of development, to encourage research and cooperate with one another; and e. to transmit regularly to the Secretary-General for information purposes statistical and other information of a technical nature relating to economic, social and educational conditions in the territories for which they are responsible.

⁷ Security Council, Official Records: Sixth Year, Special Supplement No. 1, April 13, 1951, p. 16.

reluctantly agreed to the continuation of the Netherlands administration in New Guinea for one year. After that period the territory and the population of New Guinea should be liberated "from Dutch colonial ties" so that, with the transfer of sovereignty over the area, the problem of the emancipation of the New Guinea people could be solved immediately. The Indonesian members considered that, in order to preserve good relations between the Netherlands and Indonesia, sovereignty over West New Guinea should be transferred to the Republic of Indonesia by December 27, 1950.⁸

In their discussions on the future status of New Guinea, the two governments made it clear from the beginning that in their view the question should be settled between themselves. The United Nations Commission for Indonesia felt that its intervention, unless requested by the parties, would lack a sound basis and be of no assistance. In consequence, it abstained from offering its good offices.⁹

The Netherlands-Indonesian Union Conference which opened at The Hague on December 4, 1950, met for the special purpose of considering the future status of West New Guinea. The United Nations Commission for Indonesia was not officially invited or informed of the discussions which took place. The Indonesian delegation submitted a note to the Netherlands delegation on December 7, 1950, suggesting that de jure sovereignty over New Guinea be transferred to the Republic of Indonesia on December 27th although de facto transfer of sovereignty could be delayed until the middle of 1951. Indonesia on its part would give assurance that it would not eliminate Dutch interests from the territory. The note stressed the strength of Indonesian feelings with regard to any part of the former Netherlands East Indies remaining under colonial administration. The Netherlands delegation rejected the Indonesian proposal but offered to accept Indonesian cooperation in the future administration of the territory; it stressed that the Netherlands Government felt responsible for the development of New Guinea until

⁸ Ibid., pp. 16-17.

⁹ U. N. Doc. S/2087, April 13, 1951, pp. 14-15.

such time as the people were able to decide their future political status by a plebiscite. The result of such a plebiscite might be unification with Indonesia, the formation of an independent state, or the continuation of the status quo.

In a second note elaborating on its original proposals, the Indonesian delegation denied that West New Guinea was one of the non-self-governing areas to which the Netherlands should extend special protection. It declared that if the Netherlands was prepared to transfer sovereignty over the area, the Republic was willing to recognize existing rights and concessions; to take full account of Dutch trade, shipping and industry; to employ Dutch officials in the administration; to guarantee the freedom of immigration of Dutch citizens; to include West New Guinea in the Indonesian transport and communication system, thus recognizing rights already granted to the Netherlands in that connection; to guarantee human rights and religious freedom, including the activities of Christian missions; and to give the territory a large measure of autonomy. The Netherlands delegation, in turn, submitted counterproposals suggesting a transfer of Netherlands sovereignty over New Guinea to the Netherlands-Indonesian Union, the administration of the territory to remain in Netherlands hands but Indonesian members to participate on a parity basis in a New Guinea Council. The Indonesian delegation replied that it could not agree to such a solution, which would mean in practice that Indonesia would have to participate in a colonial rule over New Guinea. A further Netherlands proposal to continue discussions with the assistance of the United Nations Commission for Indonesia or another United Nations body was rejected by the Indonesian delegation for reasons of principle. The discussions ended on December 27, 1950, one year after the transfer of sovereignty, without any agreement being reached. In a statement issued after the failure of the Conference, the Indonesian delegation declared that Indonesia maintained its claim to West New Guinea as part of its territory and that the present status of the territory no longer had the approval of the Indonesian Government. The delegation also announced that their government was prepared to resume

negotiations only if it were understood in advance that sovereignty over West New Guinea would be transferred to Indonesia.¹⁰

A third Netherlands-Indonesian Union Conference was held at The Hague in December, 1951. The Indonesian delegation, bringing up the West New Guinea issue, advanced a new argument in support of its claim. They contended that sovereignty de jure had already been transferred to Indonesia on December 27, 1949 within the meaning of Articles 1 and 2 of the Charter of Transfer of Sovereignty and that the words "complete sovereignty over Indonesia" in Article 1 supported its contention, that is, sovereignty over all territories which previously had formed part of the Netherlands East Indies, including West New Guinea. The Netherlands members countered by saying that the words "complete sovereignty over Indonesia" in Article 1 did not refer to the geographical extent of Indonesia but to the character of Indonesian sovereignty. The Netherlands further suggested that, if the Indonesian Government really believed in the soundness of its new interpretation of the Charter of Transfer of Sovereignty, it should seek a decision from the International Court of Justice on this point. This proposal was rejected by the Indonesian members on the ground that they considered the problem to be political and not legal. On the last day of the Conference (February 14, 1952) - at a time when the Indonesian delegation had already been recalled by its government, which had resigned - the Indonesian delegation made a suggestion for "joint Indonesian-Dutch responsibility" for West New Guinea. This suggestion was not accepted by the Netherlands, for it implied future transfer of sovereignty to Indonesia. Negotiations on the festering issue had failed again.¹¹

Convictions of both sides hardened during the following months. In 1952 the Netherlands amended its Constitution. The Indonesians immediately claimed that the Netherlands Government had unilaterally "annexed" West New Guinea to the Kingdom of the Netherlands by the wording adopted in the amendment. The Dutch countered by

¹⁰ Ibid., p. 16.

¹¹ "Question of West Irian (West New Guinea)," Pewarta Kemlu, No. 1., (January 1, 1955), pp. 41-47.

saying that the main purpose of the constitutional amendment was to deal with the fact that Indonesia was no longer a part of the realm, and it was not a question of getting New Guinea in, but Indonesia out. Now, for the first time, the Constitution specifically mentioned New Guinea. Formerly there had appeared only the words "the Netherlands East Indies." They further pointed out that the Indonesians themselves had been guilty of this kind of "annexation" by document, for the explanatory memorandum they had issued in August, 1950, in conjunction with their transformation, from the federal state (R.U.S.I.) into the unitary Republic of Indonesia, referred to West New Guinea as part of their realm.

The failure of the conferences revealed the legal basis of the dispute between the two countries regarding New Guinea. It is found in the conflicting interpretations of Article 2: the Dutch maintaining that the total context of the Charter, the term "status quo" refers to the complete sovereignty over West New Guinea which they exercised prior to the transfer of sovereignty; the Indonesians, on the other hand, holding that it means only temporary administrative control over an area subject to the terms of the Charter of Transfer.

Although the interpretations of Article 2 revealed the legal basis of the dispute, there were, however, numerous underlying "emotional" factors that polarized positions and forced the West New Guinea issue to a place of predominant importance. The Dutch, for example, based their claims to the territory on their responsibility towards the indigenous population. Missionary societies promoted this theme. They aroused a great deal of sympathy toward the "natives" and were able to exert pressure during negotiations. Their feeling was strong - that in New Guinea something could be done to prevent a primitive, and in large measure newly Christianized people from being overrun by Muslim Indonesians.¹²

Furthermore, the Eurasian problem may have influenced the Dutch position. New Guinea was mentioned, as already noted, at the Pangkal Pinang Conference in 1946 as a possible refuge for Indies-Dutch people who considered Indonesia their home. This Eurasian

¹² Fisher, op. cit., pp. 204-205.

community was in danger of losing its position in the Indonesian society due to the continuing deadlock in Dutch-Indonesian relations. Feelings and sympathies for this group had also grown in the Netherlands and undoubtedly effected government policy.

One authority on the subject, George McTurnan Kahin, points out that the Dutch Cabinet did not feel impelled to retain New Guinea on materialistic grounds. It was costing the Netherlands a sizeable amount of money a year to administer. Kahin feels that psychological reasons related to the complex dynamics of nationalism counseled its retention. These are difficult to define; but, probably as some of the older Dutch statesmen (Conservatives) remarked, New Guinea's retention served as a symbol to indicate that the Netherlands had emerged from the many conferences in a position of strength, as well as a symbol indicating that the Netherlands was still a South Pacific power.¹³

Many of the Dutch, in fact, felt that they could basically do a better job in New Guinea than the Indonesians, who were faced with stupendous problems at home. New Guinea for the Dutch was another opportunity to show their genius in developing backward and primitive areas.

As with the Dutch, so with the Indonesians; the obstacle to agreement was primarily psychological. Suspicion and fear plagued Indonesian diplomats. Anxieties based on events that had taken place since the transfer of sovereignty could be interpreted in this light. Before the new State had been a month old, the "Westerling affair"¹⁴ challenged its authority. Soon afterwards

¹³ Kahin, op. cit., p. 444.

¹⁴ Captain R. P. P. Westerling, a freebooter, accompanied by a force made up principally of demobilized KNIL (Royal Netherlands Indies Army) troops temporarily occupied Bandung on January 22, 1950, but on the next day withdrew. Westerling's troops began to filter into Djakarta on January 26th, apparently with the purpose of launching a major coup d'état. Before they could reorganize, however, they were discovered and after some fighting were driven out. Plans for this operation later uncovered by the Republic of the United States of Indonesia government indicated that the object of the raid was a swift coup and the killing of a number of prominent officials. The Westerling affair did serious harm to Indonesian-Dutch relations. Indonesians were outraged by the involvement of some Netherlands army officers in the incident. (Kahin, op. cit., pp. 454-455.)

various parts of East Indonesia, notably Ambon and Makassar, resisted the centralizing program of Djakarta. In view of the known hostility of the Eurasians and New Guinea's geographical proximity to non-Muslim minorities of East Indonesia, fears were aroused lest the eastern extremities of the archipelago should become the springboard for armed attack of the Republic.¹⁵ Dutch political interference in Indonesian domestic affairs, such as fostering separatist movements, also was not conducive toward reducing tensions. Besides implying the existence of limits to the measure of sovereignty that had been transferred, it further suggested that counter-revolutionary tactics enjoyed Dutch support.¹⁶

These many factors - legal, emotional and psychological - were bound to stymie future mediation efforts.

15

Fisher, op. cit., p. 206.

16

Ibid., p. 207.

V. INDONESIA TRANSFERS THE PROBLEM TO THE BROADER INTERNATIONAL SCENE

Negotiations between Indonesia and the Netherlands continued intermittently on a less formal level during the latter part of 1952 and 1953, but the two governments were still unable to resolve their differences. The Netherlands government, feeling there was little to be gained by continued attempts at a solution, issued a formal declaration on February 19, 1954, stating that it was no longer prepared to negotiate with the Republic of Indonesia regarding West New Guinea. When it now had become unmistakably clear that no agreement was possible between the two states, the Indonesian government decided to refer the dispute to the United Nations. On August 17, 1954, Dr. Sudjarwo Tjondronegoro, Acting Permanent Representative of Indonesia to the United Nations, asked the inclusion of "The Question of West Irian (West New Guinea)" in the agenda of the Ninth session. An explanatory memorandum accompanied the request in accordance with Rule 20 of the Rules of Procedure of the General Assembly. The memorandum stressed that, historically as well as constitutionally, West Irian had always been an integral part of Indonesia and that, under Article 2 of the Charter of Transfer of Sovereignty by which the Netherlands had transferred "complete sovereignty over Indonesia," it had been agreed that the status quo of the residency of New Guinea should be maintained with the stipulation that within a year from the date of transfer of sovereignty the question of the political status of New Guinea be determined through negotiations between the Republic of the United States of Indonesia and the Kingdom of the Netherlands. In April, 1950, in December, 1950, and again in December, 1951, negotiations had taken place; but the parties had failed to

reach a mutual satisfactory agreement.¹ The memorandum further pointed out that the Netherlands Government had shown reluctance to negotiate the final status of the area ever since December, 1951, while at the same time it steadily had sought to strengthen its hold on the territory.² Indonesians felt that the submission of annual reports on West New Guinea by the Netherlands under Article 73 (c) of the United Nations Charter was illegal and misleading since that article dealt with Non-Self-Governing Territories; West Irian, being part of the territory of the independent Republic of Indonesia, was not such a territory.³ The memorandum concluded that the Netherlands claim to sovereignty over West Irian could not be accepted since the Charter of Transfer of Sovereignty had transferred "unconditionally" the "complete sovereignty over Indonesia" to the new Indonesian Republic.⁴ Finally, since February, 1954, the Netherlands delegation had definitely refused even to enter into negotiations on the question of West Irian. The Indonesian Government, therefore, deemed it necessary under Article 35, 10 and 14 of the United Nations Charter⁵ to call

¹ U. N. Doc. A/2641, August 17, 1954.

² Ibid., p. 8.

³ Ibid.

⁴ Ibid., pp. 1-3.

⁵ Article 35 states that any Member of the United Nations may bring any dispute or any situation which is likely to endanger the maintenance of international peace and security to the attention of the Security Council or of the General Assembly. Article 10 gives the General Assembly the right to discuss any questions or any matters within the scope of the Charter or relating to the powers of any organ provided for in the Charter, and, except as provided in Article 12 (which states that while the Security Council is exercising in respect of any dispute or situation the functions assigned to it, the General Assembly is not allowed to make any recommendations with regard to that dispute or situation unless the Security Council so requests), may make recommendations to the Members or to the Security Council or to both on any such questions or matters. In Article 14 the General Assembly is given the power, again subject to the provisions of Article 12, to recommend measures for the peaceful adjustment of any situation regardless of origin, which it deems likely to impair the general welfare or friendly relations among nations, including situations resulting from a violation of the provisions of the Charter setting forth the Purposes and Principles of the United Nations.

the attention of the Assembly to the question which, in its consideration, would continue to be a latent threat to the peace and security of that part of the world if it remained unsolved.⁶

The General Assembly, acknowledging the Indonesian request, referred the question to its General Committee.⁷ "The Question of West Irian (West New Guinea)" was brought up for discussion in this body on September 22, 1954. Von Balluseck, Permanent Representative of the Kingdom of the Netherlands to the United Nations, was first to speak and stated that his Government strongly objected to the inclusion of the question of West Irian in the Assembly's agenda. He explained that the Netherlands was convinced that the situation in West New Guinea could in no way become a danger to the peace and security of any nation in the area; if Indonesia felt that it might become a source of friction and a threat to international peace, it should direct its appeal, not to the

⁶ U. N. Doc. A/2641, August 17, 1954.

⁷ The General Committee is one of two procedural committees, the other being the Credentials Committee, established to deal with the organization and conduct of business in the General Assembly. The General Committee considers the provisional agenda and applications for the inclusion of additional items. It assists the President of the General Assembly in drawing up the agenda for each plenary meeting, in determining the priority of items, in coordinating the proceedings of all committees, and in the general conduct of his work. The composition of the General Committee consists of the President of the General Assembly, its seven Vice-Presidents, the Chairmen of the six Main Committees and the Chairman of the Ad Hoc Political Committee. (It should be noted that it is customary for five of the Vice-Presidents to be chosen from representatives of those powers with permanent representatives in the Security Council and for the chairmen of the Main Committees to come from the smaller member states.)

The General Committee of the ninth session was constituted as follows: President of the General Assembly, Mr. Eelco N. van Kleffens (Netherlands); Vice-Presidents of the General Assembly, Mr. Barrington (Burma), Mr. Tsiang (China), Mr. Trujillo (Ecuador), Mr. Hoppenot (France), Mr. Lloyd (United Kingdom of Great Britain and Northern Ireland), Mr. Vyshinsky (Union of Soviet Socialist Republics), and Mr. Lodge (United States of America); Chairmen of the six Main Committees, First Committee, Mr. Urrutia (Colombia), Second Committee, Sir Douglas Copland (Australia), Third Committee, Mr. Nosek (Czechoslovakia), Fourth Committee, Mr. Asha (Syria), Fifth Committee, Mr. Sarasin (Thailand), and the Sixth Committee, Mr. Garcia Amador (Cuba); Chairman of the Ad Hoc Political Committee, Mr. Thors (Iceland). (U. N. General Assembly, Ninth Session, General Committee Summary Records of Meetings, 21 September - 17 December, 1954, p. iv.).

General Assembly, but to the Security Council. The "Indonesian Question" was still included among the items of which the Security Council was "seized." The United Nations Commission for Indonesia, a body established by the Council, and adjourned sine die, was still at the disposal of the parties to the agreements reached at the Round Table Conference. If Indonesia felt that those agreements respecting West New Guinea had not been implemented, it should direct its objections to that commission. Indonesia had not taken this step, however, but had instead asked for the item to be placed on the agenda of the General Assembly so that that body might make an appropriate recommendation regarding a settlement. Under Article 12⁸ of the Charter, however, the Assembly was precluded from any such action.⁹

The Indonesian delegate countered by emphasizing that there could be no doubt of the existence of a dispute about the status of West New Guinea between two sovereign Members of the United Nations. The dispute was explicitly recognized in the Charter of the Transfer of Sovereignty, which stipulated that it should be settled by peaceful negotiations. Negotiations had been undertaken; they had failed, and the Netherlands Government had recently refused to negotiate further. An appeal to the United Nations' General Assembly had, therefore, been Indonesia's only recourse. The argument of non-competence based on Article 12 of the Charter was invalid. The Indonesian question and the question of West Irian were entirely distinct. They had arisen at different times and from different sources. At the closing of the Round Table

⁸ Article 12 of the Charter of the United Nations states that (1) while the Security Council is exercising in respect of any dispute or situation the functions assigned to it, the General Assembly shall not make any recommendations with regard to that dispute or situation unless the Security Council so requests; and (2) the Secretary-General, with the consent of the Security Council, shall notify the General Assembly at each session of any matters relative to the maintenance of international peace and security which are being dealt with by the Security Council and shall similarly notify the General Assembly or the Members of the United Nations if the General Assembly is not in session, immediately after the Security Council ceases to deal with such matters.

⁹ U. N. General Assembly, Official Records: Ninth Session, General Comm., 92nd Meeting, (September 22, 1954), pp. 1-3.

Conference of 1949, the chairman of the United Nations Commission for Indonesia had referred to the end of a conflict and the solution of a problem. West Irian had not been involved in that conflict and had never, as such, been discussed by the Security Council. It had emerged as a problem only after the Round Table Conference.¹⁰ Furthermore, it was clear that Article 12 of the Charter applied only to matters on which the Security Council was actually exercising its functions. On the "Indonesian Question" the Council had not exercised its functions since 1950, and the United Nations Commission for Indonesia had stood adjourned sine die for nearly four years. In any case, the dispute concerning West Irian was a specific matter between two Member Governments. There were many precedents -- of which the Palestine and Korean questions were two -- for the General Assembly's consideration of specific aspects of a general question with which the Security Council was concerned. To invoke Article 12 in the case at issue would set a dangerous precedent and "militate against the competence and authority" of the General Assembly. Lastly, Article 12 concerned the scope of the Assembly's competence in matters already on its agenda, whereas the Committee was concerned with the inclusion of the item.¹¹

Following the debate on the issue, the 92nd meeting of the General Committee decided,¹² by 7 votes to 5 with 5 abstentions, to recommend to the General Assembly the inclusion of the item on the agenda.¹³ The General Assembly, after a discussion in plenary meeting on September 24, 1954, decided by a roll-call vote, 39 votes to 11 with 10 abstentions, to adopt the recommendations of

¹⁰ Ibid., p. 4.

¹¹ Ibid., pp. 4-5.

¹² In the General Assembly and its committees votes are normally taken by a show of hands or by standing but any representative may request a roll-call. When this is done, the roll is called in the English alphabetical order of the names of the members beginning with one drawn by lot. Amry Vandenbosch and Willard N. Hogan, The United Nations, Background, Organization, Functions, Activities, (New York, 1952), pp. 122-129.

¹³ The vote in the General Committee was not a roll-call vote, thus no record was kept -- as to the breakdown of the voting. (Ibid., p. 5.)

the General Committee¹⁴ and referred the item to the First Committee for consideration and report.

The First Committee considered the item at eleven meetings held between November 23 and December 1, 1954.¹⁵ At the first meeting the Committee had before it a draft resolution submitted by Indonesia which provided that the General Assembly: (1) recalling that at the Round Table Conference in October–November 1949 a disagreement had arisen as to the political status of the Indonesian residency of New Guinea with the result that the status of the area remained in dispute and recalling the stipulations of Article 2 of the Charter of Transfer of Sovereignty; (2) noting that the negotiations regarding the matter had failed to produce a conclusive solution and regretting that efforts to continue them had since failed; (3) viewing with concern the fact that the prolongation of that political dispute was likely to endanger the friendly relations between the two parties concerned, as well as the peaceful development of that area; and (4) realizing that co-operation between the peoples of Indonesia and the Netherlands on the basis of freedom and friendship was still the common objective of both parties; (5) should call upon Indonesia and the Netherlands to resume negotiations without delay, as provided for by the

¹⁴ Breakdown of the vote in the plenary meeting (Poland, having been drawn by lot by the President of the Committee, was called upon to vote first): in favor (39) Poland, Saudi Arabia, Syria, Thailand, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Uruguay, Yemen, Yugoslavia, Afghanistan, Argentina, Bolivia, Brazil, Burma, Byelorussian Soviet Socialist Republic, Chile, Costa Rica, Cuba, Czechoslovakia, Ecuador, Egypt, El Salvador, Greece, Guatemala, Haiti, Honduras, India, Indonesia, Iran, Iraq, Israel, Lebanon, Liberia, Mexico, Nicaragua, Pakistan, Panama, Paraguay, Philippines; against (11) Sweden, Turkey, Union of South Africa, United Kingdom of Britain and Northern Ireland, Australia, Belgium, Denmark, France, Luxembourg, Netherlands, Norway; abstaining (10) United States of America, Venezuela, Canada, China, Colombia, Dominican Republic, Ethiopia, Iceland, New Zealand and Peru. (U. N. General Assembly, Official Records: Ninth Session, Plenary Meeting, 477th, September 24, 1954, p. 51.)

¹⁵ The First Committee, one of six main committees of the General Assembly, considers agenda items of a political and security nature referred to it by the General Assembly. The Committee in turn recommends draft resolutions for submission to the Assembly's plenary meetings.

Round Table Conference agreement; (6) should invite the Secretary-General to assist the parties in the implementation of the resolution and, to that end, if he deemed it appropriate and in consultation with the parties concerned, to appoint a person to render his good offices to the parties; and (7) should request the Secretary-General to submit a report on the negotiations to the Assembly at its tenth session.¹⁶

Introducing the draft resolution, Dr. Sudjarwo stated:

There can be no peace so long as colonialism is continued in an area which belongs to an independent Indonesia. On February 19, 1954, the Netherlands Government, taking the view that there was no longer any dispute regarding the political status of the territory, made an arbitrary and unilateral decision, without consulting the people of Irian, by amending the Netherlands Constitution to state that West Irian formed a part of the Kingdom of the Netherlands. Subsequently the Netherlands has avoided any discussion with Indonesia of matters pertaining to West Irian, even those of common interest such as defense, in spite of the fact that no defense of the territory is possible without the cooperation of the Indonesian people.¹⁷

The Indonesian representative also charged Netherlands authorities with neglecting the welfare and education of the population. He maintained that the territory, when reunited with Indonesia, would take its place as one of the territories of the Republic enjoying the greatest possible autonomy and would benefit by the progress which the Indonesian Government had achieved in the fields of education, health and social welfare.¹⁸ In conclusion, he stressed that Indonesia sought only further negotiations, attaching great importance to a recommendation to that effect by the United Nations.¹⁹

The delegate from the Netherlands (Von Balluseck) replied that it was both unjustified and harmful to force a debate which, through ill-founded statements, might become a source of unrest. It would

¹⁶ U. N. General Assembly, Official Records: Ninth Session, First Comm., 728th Meeting, (November 25, 1954), pp. 405-408.

¹⁷ U. N. General Assembly, Official Records: Ninth Session, First Comm., 727th Meeting, (November 24, 1954), pp. 399-400.

¹⁸ Ibid., pp. 401-402.

¹⁹ Ibid., p. 403.

cause more confusion in a territory engaged in the process of development towards self-government.²⁰ He elaborated the Dutch position by stating:

The Netherlands administration of West New Guinea constitutes a peaceful endeavor to create conditions for the self-determination of the population. A threat to the peace will occur only if Indonesia resorts to aggressive action. The distinctive and separate character of Netherlands New Guinea in relations to Indonesia has always been recognized by the Netherlands, the only connection between the two being that both have been nominally administered from Batavia. There is no movement for independence or for affiliation with Indonesia among the indigenous population.²¹

He further stressed that the Netherlands considered the interests of the non-self-governing people of West New Guinea as paramount while it appeared from the explanatory memorandum that Indonesia regarded its claim as a matter of its own political ambition and national aspirations. As to the legal aspects of the case, the Dutch delegate maintained that the words "complete sovereignty over Indonesia" used in the Charter of Transfer of Sovereignty did not refer to the geographical extent of Indonesia's sovereignty. The word "complete" had been used to qualify the word "sovereignty" in order to emphasize that Indonesian sovereignty should be complete and not subordinated to supra-national powers held by certain organs of the Netherlands-Indonesian Union, as originally proposed by the Netherlands delegation to the Round Table Conference.²²

There was no provision in the above Charter to the effect either that Netherlands sovereignty over the territory should cease at the end of the one-year period for negotiations or that a change in the status quo should take place in case the negotiations did not result in an agreement. The Government of the Netherlands had negotiated beyond its obligations under the Charter and had proposed a number of resolutions which had been rejected.²³ The Netherlands had then come to the conclusion that the possibilities of further negotiations had been exhausted. West New Guinea was a

²⁰ U. N. General Assembly, Official Records: Ninth Session, First Comm., 729th Meeting, (November 26, 1954), pp. 409-410.

²¹ Ibid., pp. 411-412.

²² Ibid., p. 413.

²³ Ibid., pp. 414-415.

Non-Self-Governing Territory within the meaning of Chapter XI of the Charter of the United Nations. If the status quo were maintained, the Netherlands would not only continue to administer West New Guinea in the spirit of that Chapter and comply with its specific obligations under Article 73 (e) (See p. 40) but was prepared "to go even further."²⁴ If the territory, on the other hand, were ceded to Indonesia, it would, while becoming an integral part of the Republic, still remain a Non-Self-Governing Territory but without Indonesia undertaking the obligations of Chapter XI with respect to it. The people of the territory would never be allowed to decide their own future.²⁵

The Netherlands position found "vocal" support among the following: Australia, Belgium, Colombia, France, Great Britain and New Zealand - most prominent was Australia. The general view held by these supporters of the Netherlands was that since the dispute was a territorial one which involved no threat to the peace, the General Assembly had no right to intervene. They held that the only concern of the United Nations should be the principle that the interests of the inhabitants were paramount. They also felt that the Netherlands was in a better position to promote the educational, social and political advancement of the population. Its proposed course of action further seemed to them more consonant with the Charter than the one suggested by Indonesia.²⁶

The delegates who supported the Indonesian position maintained that West Irian was essentially a colonial problem since the only basis for Dutch power in the East Indies had been colonial conquest. In their opinion the view that West Irian was a Non-Self-Governing Territory prejudiced the issue in favor of the Netherlands. Article 73 (e) of the Charter was not designed to maintain colonialism but to advance the cause of freedom and independence. In

²⁴ The Dutch delegate did not expand on, or explain in detail, the meaning of the phrase . . . was prepared "to go even further." (U. N. General Assembly, Official Records: Ninth Session, First Comm., 730th Meeting, November 26, 1954, p. 417.)

²⁵ Ibid., pp. 418-420.

²⁶ U. N. General Assembly, Official Records: Ninth Session, First Comm., 731st and 732nd Meetings, (November 27 and 29, 1954), pp. 421-433.

direct opposition to the case presented by the Netherlands they felt that only equality of political footing would lead the people of West Irian toward economic, social and political maturity. West Irian, they asserted, was and is a part of the national or political entity known as Indonesia. The problem should be treated as a legitimate dispute between two sovereign powers.²⁷

At the conclusion of the debate in the First Committee (734th meeting) on November 30, 1954, an eight-Power joint draft resolution was submitted by Argentina, Costa Rica, Cuba, Ecuador, El Salvador, India, Syria and Yugoslavia. The operative part of the resolution provided that the Assembly: (1) express the hope that Indonesia and the Netherlands would pursue their endeavors to find a solution to the dispute in conformity with the principles of the United Nations Charter; and (2) request the parties to report progress to the General Assembly's tenth session.²⁸

Colombia submitted an amendment to the joint draft resolution on the same day to replace the first operative paragraph by a paragraph providing that the Assembly should express the hope that a solution concerning the future of West New Guinea (West Irian) would be found in conformity with the principles of the United Nations Charter. The interests and rights of the inhabitants of the territory should be given first consideration.²⁹

At its 736th Meeting the Committee decided to vote first on the eight-Power joint draft resolution.³⁰ Following the adoption of the preamble, a vote was taken upon the first clause of the Colombian amendment. With the defeat of the first clause the representative of Colombia withdrew the remainder of his amendment.³¹ The remaining paragraphs of the joint draft resolution

²⁷ U. N. General Assembly, Official Records: Ninth Session, First Comm., 733rd Meeting, (November 29, 1954), pp. 435-444.

²⁸ U. N. General Assembly, Official Records: Ninth Session, 734th Meeting, (November 30, 1954), pp. 445-449.

²⁹ U. N. General Assembly, Official Records: Ninth Session, First Comm., 735th Meeting, (November 30, 1954), pp. 451-457.

³⁰ Refer to the eight-Power joint draft resolution in Appendix.

³¹ U. N. General Assembly, Official Records: Ninth Session, First Comm., 735th Meeting, (November 30, 1954), pp. 451-457.

were adopted paragraph by paragraph, and the draft resolution as a whole was approved by a roll-call vote of 34 to 14 and 10 abstentions.³² As the eight-Power resolution was largely in line with what Indonesia wanted, the representative of Indonesia declared that he did not insist on a vote on the draft resolution he had introduced in the first meeting.³³

The General Assembly's 509th plenary meeting took up the report of the First Committee on the question on December 10, 1954. On the suggestion of Assembly President Eelco N. van Kleffens (Netherlands) the Members agreed that, in the light of precedent, the voting on the draft resolution recommended by the Committee should take place on the basis of the two-thirds majority rule.³⁴ The voting was by roll-call, first on the three respective parts of

³² The vote on the draft resolution as a whole was as follows (Pakistan, having been drawn by lot by the President of the First Committee, was called upon to vote first): in favor (34) Pakistan, Paraguay, Peru, Poland, Saudi Arabia, Syria, Thailand, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Uruguay, Venezuela, Yemen, Yugoslavia, Afghanistan, Argentina, Bolivia, Burma, Byelorussian Soviet Socialist Republic, Costa Rica, Cuba, Czechoslovakia, Ecuador, Egypt, El Salvador, Ethiopia, Greece, Guatemala, Honduras, India, Iran, Lebanon, Liberia, Mexico; against (14) Norway, Sweden, Turkey, Union of South Africa, United Kingdom of Great Britain and Northern Ireland, Australia, Belgium, Colombia, Denmark, France, Iceland, Luxembourg, Netherlands, New Zealand; abstaining (10) Philippines, United States of America, Brazil, Canada, Chile, China, Dominican Republic, Indonesia, Israel, Nicaragua. (U. N. General Assembly, Official Records: Ninth Session, First Comm., 736th Meeting, December 1, 1954, pp. 459-462.)

³³ Ibid.

³⁴ With regard to voting procedure in the General Assembly, the following comment should be made: each Member has one vote; a decision on important questions are made by a two-thirds majority of the Members present and voting (these include: recommendations with respect to international peace and security, election of non-permanent members of the Security Council, election of the members of the Economic and Social Council, election of the elective members of the Trusteeship Council, admission of new Members, questions relating to the operation of the Trusteeship System and budgetary matters); decisions on other questions, including the determination of additional categories of questions to be decided by a two-thirds majority, are by a simple majority of the Members present and voting. In conclusion; the important observation should be made that an abstaining vote has been interpreted as "non-voting."

the resolution. The preamble received 34 votes in favor, 21 against and 5 abstentions;³⁵ the first operative paragraph, 34 votes in favor, 23 against and 3 abstentions;³⁶ and the second operative paragraph, 33 votes in favor, 23 against and 4 abstentions.³⁷ As none of the parts of the draft resolution had obtained the required two-thirds majority, the resolution as a whole was not put to a vote. The Indonesian attempt to get United Nations backing had failed (to be successful) in the Ninth Session.

The year 1954 was a busy year for the West Irian (West New Guinea) issue. Apart from the heated and eventually unsuccessful discussions in the Ninth Assembly of the United Nations in the

³⁵ Breakdown of the vote in the plenary meeting of the General Assembly on the preamble: in favor (34) Egypt, El Salvador, Ethiopia, Greece, Honduras, India, Indonesia, Iran, Iraq, Lebanon, Liberia, Mexico, Pakistan, Paraguay, Philippines, Poland, Saudi Arabia, Syria, Thailand, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Uruguay, Venezuela, Yemen, Yugoslavia, Afghanistan, Argentina, Bolivia, Burma, Byelorussian Soviet Socialist Republic, Costa Rica, Cuba, Czechoslovakia, Ecuador; against (21) France, Iceland, Israel, Luxembourg, Netherlands, New Zealand, Nicaragua, Norway, Panama, Peru, Sweden, Turkey, Union of South Africa, Australia, Belgium, Brazil, Chile, Colombia, Denmark, Dominican Republic; abstaining (5) Guatemala, Haiti, United States of America, Canada and China. (U. N. General Assembly, Official Records; Plenary Meeting, 509th, December 10, 1954, p. 461.)

³⁶ Breakdown of the vote in the plenary meeting of the General Assembly on the first operative paragraph: in favor (34) Afghanistan, Argentina, Bolivia, Burma, Byelorussian Soviet Socialist Republic, Costa Rica, Cuba, Czechoslovakia, Ecuador, Egypt, El Salvador, Ethiopia, Greece, Honduras, India, Indonesia, Iran, Iraq, Lebanon, Liberia, Mexico, Pakistan, Paraguay, Philippines, Poland, Saudi Arabia, Syria, Thailand, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Uruguay, Venezuela, Yemen, Yugoslavia; against (23) Australia, Belgium, Brazil, Canada, Chile, China, Colombia, Denmark, Dominican Republic, New Zealand, Nicaragua, Norway, Panama, Peru, Sweden, Turkey, Union of South Africa, United Kingdom of Great Britain and Northern Ireland, France, Iceland, Israel, Luxembourg, Netherlands; abstaining (3) Guatemala, Haiti and United States of America. (Ibid., p. 461.)

³⁷ Breakdown of the vote in the plenary meeting of the General Assembly on the second operative paragraph - the same as the vote on the first operative paragraph, except that Mexico switched from voting in favor to abstaining. (Ibid., p. 461.)

latter part of that year, careful groundwork on other levels had attempted to assure maximum success for this assault. At the Colombo Conference held in Ceylon, April, 1954, Indonesia's Prime Minister Ali Sastroamidjojo suggested the holding of an Asian-African conference.³⁸ Details of this conference were to be worked out later in the year at Bogor, Indonesia. The "Bogor Conference" convened on December 28, 1954.³⁹ Ali Sastroamidjojo specifically reminded the other members of the West Irian issue. The Prime Ministers of Burma, Ceylon, India, Indonesia and Pakistan also considered matters concerning the main object of the gathering - the proposed Asian-African conference. The group agreed that those invited should not be restricted to the Afro-Asian nations within the United Nations. In addition to the United Nations' Afro-Asian group, invitations were sent to Cambodia, Japan, Jordan, Libya, Nepal, North Vietnam, South Vietnam and the partially independent states (at the time) of Gold Coast, Sudan and Central African Federation; only the last declined.⁴⁰ India's Jawaharlal Nehru's proposal for inviting the People's Republic of China, whose government the five "Colombo" states recognized, was accepted. The five prime ministers also agreed that the Asian-African Conference would be held in Indonesia during the last week in April, 1955. Each country would be represented by its prime minister or foreign minister; the Conference was to determine its own procedure and agenda, the general scope of which would follow its four stipulated objectives: (1) to promote goodwill and cooperation among the nations of Asia and Africa, to explore and advance their mutual, as well as common, interest and to establish and further friendliness and neighborly relations; (2) to consider social,

³⁸ S. L. Poplai, Asia and Africa in the Modern World, (Bombay-Calcutta, 1955), p. 211.

³⁹ Ibid., pp. 202-205.

⁴⁰ Had it accepted, its Prime Minister, Sir Godfrey Huggins, would have been the only chief delegate of European descent at Bandung although he would have spoken in the name of an overwhelmingly African population. (G. McT. Kahin, The Asian-African Conference, April, 1955, (Ithaca, 1956), pp. 2-3.

economic and cultural problems and relations of the countries represented; (3) to consider problems of special interest to Asian-African peoples; for example, problems affecting national sovereignty and of racialism and colonialism; and (4) to view the position of Asia and Africa and their peoples in the world of today and the contribution they can make to the promotion of world peace and cooperation.⁴¹

In a final communique from Bogor, the Prime Ministers made clear their own stand on several of the issues which they expected the Asian-African Conference to discuss. One of these issues was that they, "in the context of their well know attitude towards colonialism, took note of the case of West Irian."⁴² The Prime Ministers of Burma, Ceylon, India and Pakistan supported the position of Indonesia in this matter. They further expressed the earnest hope that the Netherlands Government would reopen negotiations to implement their "obligations under the solemn agreements concluded by them with Indonesia."⁴³

Indonesia proceeded with vigor to translate the idea of having a conference into reality. The Conference itself presented a challenge and offered an opportunity. The Indonesian Government had been in power for only five years since the transfer of sovereignty of December, 1949. The reconstruction of their economy torn by war and revolution was far from complete. They had not achieved either economic or political stability. The mountains around Bandung, the city chosen as the site for the Asian-African Conference, were renowned not only for their beauty but also as hideouts of fanatic terrorists.⁴⁴ But all arrangements were completed in three and a half months. Bandung's streets were repaired; its communications expanded; its buildings redecorated. By April 18th all scaffolding had been removed, and the city was ready. During the conference delegates and observers praised Indonesia

⁴¹ Poplai, op. cit., pp. 212-213.

⁴² Ibid., p. 213.

⁴³ Ibid.

⁴⁴ G. J. Pauker, The Bandung Conference, (Cambridge, 1955), p. 4.

for the job done. Even the complex security measures involved in protecting some of the world's best known leaders were handled gracefully and effectively. Despite large numbers of helmeted and armed troops, the city did not take on a militarist atmosphere.⁴⁵

During the weekend preceding the opening of the Conference, hotels and villas, requisitioned for the occasion were occupied by delegates and correspondents from the twenty-nine countries represented.⁴⁶ Accomodation was allocated by drawing lots. The delegations to be housed varied in size from Japan's 34 members, inconspicuous in their business suits, to the Gold Coast's 3, towering impressively over every gathering in their colorful robes.⁴⁷

At preliminary meetings delegation leaders agreed that at the inaugural open session, speeches were not to be read but tabled and distributed. Delegates were urged, primarily by Prime Minister Nehru and other neutralist leaders, to avoid sharp controversy so as to limit discussions to general expressions of views on broad international questions. Controversial issues and problems were to be sidetracked. The suggestion, accepted by a majority of delegates, had been made in the absence of Prime Minister Mohammed Ali of Pakistan, who was to arrive later in Bandung. At the first formal closed session of the conference, however, Mohammed Ali's firm objection, supported by other "pro-Western" delegates, forced a change in procedure. It was now decided that delegates could deliver addresses at the public sessions.⁴⁸

Although unsuccessful in his attempt to persuade the other participants to forego opening speeches at the Conference, Mr.

⁴⁵ Ibid., pp. 4-5.

⁴⁶ Afghanistan, Burma, Cambodia, Ceylon, People's Republic of China, Egypt, Ethiopia, Gold Coast, India, Indonesia, Iran, Iraq, Japan, Jordan, Laos, Lebanon, Liberia, Libya, Nepal, Pakistan, Philippines, Saudi Arabia, Sudan, Syria, Thailand, Turkey, North Vietnam, South Vietnam and Yemen. (Ibid., p. 5.)

⁴⁷ Ibid.

⁴⁸ Collective Defense in South East Asia. A report by a Chatham House Study Group, (London-New York, 1956), pp. 106-107.

Nehru did get adopted an even more important procedural decision - that there should be no formal voting. Instead, the President or committee chairmen were to ascertain whether or not there was a "consensus of opinion" amongst the delegations; if consensus could not be found, no decision was to be taken. All decisions taken by the Conference had, therefore, to be unanimous.⁴⁹

The Asian-African Conference was formally opened by Indonesia's President Soekarno. In his address he noted that the countries represented at Bandung were bound together by the common experience of previous enforced subservience to the West and that colonialism was as yet by no means dead.⁵⁰ Acknowledging that the delegations to the Conference represented nations "of many different social backgrounds and cultural patterns," he argued and keynoted the spirit of the conference, that they were united by "more important things than those which superficially" divided them, "for instance, by a common detestation of colonialism in whatever form it appears . . . by a common detestation of racialism . . . and by a common determination to preserve and stabilize peace in the world."⁵¹ While insisting that "the days are now long past when the future of Asia can be settled by other and distant peoples," he cautioned the delegates assembled that they should not be parochial in their approach to world problems.⁵² Soekarno urged the majority of the world's population represented at the Conference, to take a more positive part, a role more commensurate with their numbers, in influencing the course of international decisions: "We can inject the voice of reason into world affairs and mobilize all the spiritual, all the moral and all the political strength of Asia and Africa on the side of peace. Asia and Africa, 1,400 million strong . . . can mobilize . . . the moral voice of nations in favor

⁴⁹ Ibid., p. 107.

⁵⁰ Ibid.

⁵¹ Selected Documents of the Bandung Conference. Texts of selected speeches and final communique of the Asian-African Conference, Bandung, Indonesia, April 18-24, 1955, (Institute of Pacific Relations, 1955), p. 2.

of peace."⁵³ Asking for mutual understanding, he observed that, though having much in common, the peoples of the countries represented knew very little of one another. The Conference would be a success to the extent that it could overcome this shortcoming and educate the participants to a better understanding of one another's point of view; out of that understanding would come a greater appreciation of each other. Out of that appreciation would come collective action.⁵⁴

Then was ushered in the long series of opening speeches by heads of the several delegations. All but those of Burma, India, Indonesia and Saudi Arabia availed themselves of this opportunity. Among those that did speak, Syria introduced the problem of West Irian to the Conference and made reference to the continuance of colonialism in Southeast Asia.⁵⁵

On the third day of meetings the Conference went into the first of a series of closed sessions devoted to discussions of substantive matters. One of the issues considered was the dispute between Indonesia and the Netherlands over West Irian. Here the Conference adopted the following resolutions:

The Asian-African Conference, in the context of its expressed attitude on the abolition of colonialism, supports the position of Indonesia in the case of West Irian, based on the relevant agreements between Indonesia and the Netherlands. The Asian-African Conference urges the Netherlands Government to reopen negotiations as soon as possible to implement their obligations under the above-mentioned agreements (Article 2 of the Charter of the Transfer of Sovereignty) and expresses the earnest hope that the United Nations will be able to assist the parties concerned in finding a peaceful solution to the dispute.⁵⁶

The Conference refused to incorporate a phrase in the resolution advocated by Syria (and supported by Afghanistan, China, Egypt, India and Iraq) regretting that the Ninth General Assembly of the United Nations had "failed to assist the parties in finding a peaceful solution of the dispute."⁵⁷ Though it had hoped for

⁵³ Ibid., p. 3.

⁵⁴ Ibid., p. 3.

⁵⁵ Ibid.

⁵⁶ U. N. Doc. A/2932, August 10, 1955, pp. 6-7.

⁵⁷ Kahin, op. cit., p. 16.

inclusion of this phrase, the Indonesian delegation was satisfied with the resolution of the Conference. The delegation believed that when the issue would again be placed before the General Assembly of the United Nations its prospects would be far better. It also could rely upon the backing of at least one state that had previously supported the Netherlands, namely Turkey.⁵⁸ Agreement was reached at Bandung on many points, particularly colonialism. The Conference was able to establish a substantial common denominator of anti-colonialism, sufficient to provide the basis for considerable latitude of joint effort.

The first indication of a renewed assault in the U. N. General Assembly was a joint letter (dated August 10, 1955) by the representatives of 15 member states (Afghanistan, Burma, Egypt, India, Indonesia, Iran, Iraq, Lebanon, Liberia, Pakistan, the Philippines, Saudi Arabia, Syria, Thailand and Yemen) requesting the inclusion of "the question of West Irian (West New Guinea)" on the agenda of the tenth session of the General Assembly. In an accompanying explanatory memorandum, the signatories recalled that the Assembly at its ninth session had failed to adopt a resolution recommended by the First Committee which expressed the hope that the Governments of Indonesia and the Netherlands would pursue their endeavors to find a solution of the dispute in conformity with the principles of the Charter. Since the close of the ninth session, the December, 1954, meeting of the Prime Ministers of the Five Colombo Powers and the subsequent Asian-African Conference held at Bandung, had urged that the two Governments should reopen negotiations on the issue. Accordingly, it was considered appropriate to bring the question to the attention of the General Assembly in order that it might again consider the problem of bringing both parties concerned together in resumed negotiations for a peaceful solution to their dispute.⁵⁹

The formal request was forwarded by the Assembly to the

⁵⁸ Ibid., p. 17.

⁵⁹ U. N. General Assembly, Official Records: Eleventh Session, (1956), No. 1, p. 30.

General Committee for consideration as an agenda item of the tenth session. At the 104th meeting of the Committee on September 29, 1955, the question was brought up for discussion. Dr. Sudjarwo, the Indonesian delegate, again held the floor emphasizing that this year the inclusion of the question of West Irian on the Assembly's agenda had been requested not only by Indonesia but by 15 member states of the United Nations. At its ninth session, the General Assembly had not adopted the draft resolution submitted to it by the First Committee. The present sponsors of the request for inclusion of the item were, nevertheless, convinced that the United Nations could exert a favorable influence on the efforts to find a solution to the dispute. Furthermore, the improvement which had taken place in international relations appeared to favor the peaceful settlement of a question in which the government and the people of Indonesia were "supremely interested."⁶⁰ Sudjarwo pointed out that Indonesia had endeavored to reach a pacific settlement of the dispute by bilateral negotiations with the Netherlands. The question had been raised at the Bandung Conference (April, 1955) which had unanimously adopted a resolution recommending the Government of the Netherlands to reopen negotiations for a peaceful settlement. An appeal had also been addressed to the United Nations by that Conference asking it to help the parties concerned to solve the problem. That appeal was a tribute to the United Nations: it showed that a large part of mankind considered that organization capable of finding means for the peaceful settlement of an international dispute. He continued by saying:

There is no doubt that the Assembly is competent to deal with the question, as it was included in the agenda of the ninth session and was considered with great interest by the First Committee at meetings 726 through 736. Although the draft resolution was not adopted by the Assembly, the reason was simply that the required two-thirds majority was not obtained. The problem is still unresolved. The situation is still serious. The Indonesian Government has succeeded in creating an atmosphere which is more favorable to negotiations and the United Nations must foster this improvement

⁶⁰ U. N. General Assembly, Official Records: Tenth Session, General Comm., 104th Meeting, (September 29, 1955), p. 15.

in accordance with the spirit of the Charter. The question of West Irian does not concern Indonesia alone. It is an international question in which various nations are interested, as is shown by the Bandung resolution.⁶¹

Dr. Sudjarwo, therefore, urged the Committee to recommend the inclusion of the item since Indonesia was convinced that the taking of such a decision by the Assembly would facilitate a peaceful and friendly settlement of the dispute. In conclusion, he quoted a passage from the annual report of 1953 - 1954 of the Secretary-General in which it was pointed out that the peoples of Asia and Africa were moving towards a new relationship with what history called "the West" and that the world organization was the place where that emerging new relationship in world affairs could most creatively be forged.⁶²

The representative of the Netherlands, C. W. A. Schurmann, now held the floor. Quoting Articles 34 and 35⁶³ he said:

There are disputes and situations which are not in the least likely to endanger the maintenance of international peace and security. There are also disputes and situations of which a discussion in the General Assembly, with its attendant publicity, will do more harm than good. The Committee will do well, before taking a decision on an application for the inclusion of an additional item in the agenda, to carefully consider whether a debate in the General Assembly will help the emergence of a settlement in conformity with the principles of justice and international law.⁶⁴

He further proposed to show that in the case under discussion the Assembly could make a greater contribution towards the desired settlement by rejecting the request for inclusion rather than by opening the door for a renewed debate. He further recalled the discussions to which the question of West New Guinea had given

⁶¹ Ibid.

⁶² Ibid., pp. 15-16.

⁶³ Article 34 of the Charter of the United Nations states that the Security Council may investigate any dispute, or any situation which might lead to international friction or give rise to a dispute, in order to determine whether the continuance of the dispute or situation is likely to endanger the maintenance of international peace and security. For Article 35 see p. 48.

⁶⁴ U. N. General Assembly, Official Records: General Comm., 104th Meeting, op. cit., p. 16.

rise at the ninth session and the various arguments put forward by both sides. At the conclusion of the debate, the Assembly had not adopted the draft resolution proposed by the First Committee. The General Committee should now ask itself whether any new events had taken place which would make it likely that a renewed debate would lead to a different outcome or serve any useful purpose. Moreover, to judge from the explanatory memorandum presented by the fifteen delegations which had requested the inclusion of the item, the only events which would appear to be new were the statements made at two conferences by the representatives of member states of the United Nations which had already taken the opportunity of expressing their views at the ninth session. Their statements, therefore, could be a surprise to no one. When the question of West New Guinea had been brought before the General Assembly, Indonesia had ostensibly asked only for negotiations with the Netherlands. During the debate, however, it had become evident that the aim was to induce the Netherlands to engage in negotiations for the transfer to Indonesia of sovereignty over West New Guinea. The Government of the Netherlands had stated at that time that such a decision was not within the competence of the Assembly. The Netherlands Government did not contemplate any transfer to Indonesia of sovereignty over a territory which it was pledged to administer and whose inhabitants would have to decide their own future. The new application to the General Committee was motivated, therefore, by precisely the same purpose as the one introduced the previous year. The Dutch delegate further asked what purpose would be served by a further examination of the question of West New Guinea by the Assembly. He pointed out that since the last session relations between Indonesia and the Netherlands had unfortunately left much to be desired. He concluded by stating:

The Government of the Netherlands is convinced that further discussion in the General Assembly will in no way contribute to the creation of a friendlier atmosphere between the two countries. On the contrary, it is certain that such a discussion, reported in the world press, will only arouse passions and increase tension between the two countries. Such a development would be regrettable, especially at a time when Indonesia has a new Government which has given certain indications of being animated by the same desire as

the Government of the Netherlands for an improvement in the relations between the two countries. Such an improvement will be brought about only if the two parties display patience and goodwill and if they discuss matters calmly without public debate.⁶⁵

For many other reasons (already elaborated upon by Von Balluseck, his predecessor, in the General Committee at the ninth session) he urged all Members to vote against the inclusion of the question of West New Guinea on the agenda of the Assembly.⁶⁶

Next to speak was Sir Leslie Munro, the representative of New Zealand. He stated that his delegation had been unable to support the application for the inclusion of the question when the matter had been brought up at the ninth session. He further urged the need for a cautious and practical approach and expressed doubts whether any constructive and useful results could be obtained from intervention by the United Nations.⁶⁷ Sir Leslie Munro proposed, since both Indonesia and the Netherlands had recently expressed a desire for an improvement in their mutual relations, to postpone for the time being consideration of the request for inclusion of the question on the agenda of the tenth session. The United Nations should give the two members more time in which to consult together and reconcile their views. He also asked that the Committee give priority to his proposal.⁶⁸

Australia's representative, Sir Percy Spender, agreed with the Indonesian representative that an effort should be made to settle the dispute by peaceful means, but he thought, like the Netherlands representative, that inclusion of the question of West New Guinea on the agenda would not yield any positive results. In an effort to determine whether the item should or should not be included in the agenda, he took up the various arguments put forward by Indonesia in favor of inclusion: First, the Indonesian delegation felt that a dispute which was likely to endanger the maintenance

⁶⁵ Ibid.

⁶⁶ Ibid.

⁶⁷ U. N. General Assembly, Official Records: Eleventh Session, (1956), No. 1, p. 30.

⁶⁸ Ibid., pp. 30-31.

of international peace and security existed between its Government and that of the Netherlands. That allegation, which had already been made at the ninth session, appeared to be devoid of foundation. Second, the Indonesian delegation had emphasized that the dispute between the two Governments concerned the interpretation of agreements concluded at the Round Table Conference held at The Hague in 1949. The Assembly was not competent, however, to interpret agreements. Finally, Indonesia asserted that sovereignty over West New Guinea should be transferred to it; but the General Assembly could examine that question only if the situation were likely to endanger the maintenance of international peace and security. That, however, did not seem to be the case.⁶⁹ Moreover, the Netherlands representative had shown that the situation had not changed since the question had been dealt with at the ninth session of the General Assembly. Further discussion, far from producing any positive result, might even give rise to misunderstanding and embitter relations between the two countries. Australia could not, therefore, vote for inclusion of the item in the agenda.⁷⁰

Recommending inclusion of the item in the agenda, Mr. Borooah of India pointed out that fifteen member states had asked for the question of West New Guinea to be included in the agenda because they hoped that a second examination of the problem by the General Assembly would enable the parties to reach a peaceful settlement. He did not intend to reply, moreover, to the argument that the inclusion of the item in the agenda would be contrary to the provisions of the Charter. By including the item in the agenda of its ninth session, the Assembly had already taken a stand on the matter. The proposal was intended to induce the two parties to start negotiations. An unresolved dispute existed between two states and constituted an obstacle to the establishment of friendly relations between their two Governments. It was important that the dispute should be settled by peaceful means. The United Nations had to take action, particularly as the international

⁶⁹ U. N. General Assembly, Official Records: General Comm., 104th Meeting, op. cit., pp. 16-17.

⁷⁰ Ibid., p. 17.

climate seemed favorable to a peaceful solution of the problem. The Bandung Conference had recommended that the Netherlands Government should resume negotiations as soon as possible and had appealed to the United Nations to help the parties settle their dispute by peaceful means. The Government of India thought that a solution would be facilitated if the question were discussed by the Assembly.⁷¹

The Union of Soviet Socialist Republics also favored inclusion of the item in the agenda. Mr. Kuznetsov, representative of the U.S.S.R., pointed out that the inclusion in the agenda of the question of West Irian had been requested by fifteen States of Africa and Asia, representing one-fourth of the membership of the United Nations. This fact alone was sufficient to warrant very careful consideration of the request by the Committee. It should not be forgotten that the Assembly had already considered the question of West Irian at its ninth session. For reasons known to all the Assembly had not been able to arrive at a decision. The question, which was a source of friction between the Members of the Organization, remained pending. The United Nations could not allow that situation to continue indefinitely, for its duty under the Charter was to promote the pacific settlement of disputes.⁷²

Representatives of eight other states subsequently spoke: four in favor (Thailand, Egypt, Mexico and Haiti) and four against (United Kingdom, France, Norway and China) the issue under consideration in the 104th meeting of the Committee.⁷³

Two proposals were before the Committee when the discussion had finally drawn to a close. The first was a recommendation to the General Assembly that the question of West Irian should be included in the agenda. The second was the New Zealand recommendation that the Assembly should postpone for the time being consideration of the question of placing the item on the agenda. The

⁷¹ Ibid.

⁷² Ibid., p. 18.

⁷³ U. N. General Assembly, Official Records: Tenth Session, General Comm., 104th Meeting, (September 29, 1955), pp. 16-17.

New Zealand representative had also moved that priority be given to the second proposal. The Committee voted on the priority motion first. The motion was not adopted, 6 votes being cast in favor and 6 against with 2 abstentions. By 7 votes to 5, with 2 abstentions, the Committee decided to recommend the inclusion in the agenda of the question of West Irian (West New Guinea). The Chairman, Mr. José Maza of Chile, pointed out that as the Committee had decided to recommend the inclusion of the item in the agenda there was no further need to vote on the second proposal. He proposed that the Committee recommend to the Assembly that the item be referred to the First Committee, and the Committee decided to do so.⁷⁴

At the 532nd plenary meeting of the General Assembly on October 5, 1955, the representatives of the Netherlands and Australia explained their reasons for considering a discussion of the question neither desirable nor useful.⁷⁵ Joseph M. A. H. Luns (Netherlands) asked that if this item should be incorporated in the agenda, what would be the results? A public debate in which both sides would be forced to revive old grievances for which the United Nations had no remedy? It had been argued by some representatives in the General Committee that a debate could assist the parties in reaching a solution. He considered it his duty to state on behalf of his Government that, so far as the Netherlands was concerned, this was definitely not the case. He also pointed out that the debate that was held in 1954 had done nothing to bring about a rapprochement between the parties nor had it made any contribution towards a solution of the problem itself. Continuing he said that one of the reasons why last year's debate only served to worsen relations between the two countries was the actual meaning underlying the

⁷⁴ Ibid., p. 19.

⁷⁵ Rule 23 of the Rules of Procedure of the General Assembly states that debate on the inclusion of an item in the agenda, when that item has been recommended for inclusion by the General Committee, is limited to three speakers in favor of and three against the inclusion. The President may limit the time to be allowed to speakers under this rule. (Amry Vandenbosch, op. cit., p. 128.)

resolution proposed by Indonesia. The object of this seemingly harmless resolution was in reality to induce the Netherlands Government to transfer the territory of Netherlands New Guinea to Indonesia. It was very fortunate for all concerned that this proposed resolution was rejected. That the United Nations should endeavor to lend assistance to the efforts of one country to obtain part of the territory of another was unacceptable to the Netherlands, he concluded.

Sir Percy Spender (Australia) reminded the Meeting that if last year's debates proved anything, they indicated that the General Assembly was not willing to make itself a party to any campaign of pressure aimed at territorial change. Under the Charter, the General Assembly was not a body which could properly be used to this end. He stated:

After last year's experience, and after the intentions of the parties had been made so manifestly clear, it would not only be a waste of the Assembly's time to inscribe the matter again this year but also, by virtue of the Assembly's recognition last year that it cannot support the Indonesian claim, would tend to bring this great gathering of ours into disrepute by attempting to make it the instrument of pressure in support of one individual Members' claims against another's. The Assembly, as I have said, plainly cannot make a practical contribution in this matter. It can only contribute to spreading discord and unnecessary friction.⁷⁶

The representatives of Indonesia, Bolivia and Thailand, on the other hand, expressed the belief that consideration by the United Nations would be of assistance to the parties in reaching a peaceful solution. Mr. Anak Agung Gede Agung (Indonesia) remarked that it was important to note that the General Committee's recommendation for inclusion came at a time when international tensions had been somewhat relaxed. Hope for peaceful negotiations on several international problems gave greater encouragement than last year. He added that it was for this very purpose and reason that Indonesia, along with fourteen other member states of the Organization, had presented this question again to the General Assembly, since his Government was still seeking negotiated settlement of the dispute; that is, a solution by way of negotiations "as demanded by the

⁷⁶ U. N. General Assembly, Official Records: Plenary, 532nd Meeting, (October 3, 1955), pp. 228-229.

relevant agreements of 1949 between the Indonesian and the Netherlands Governments and, indeed, in accordance with the Charter of the United Nations."⁷⁷

Adding support to Indonesia's case, Mr. Quiroga Galdo (Bolivia) pointed out:

During the interval between the ninth and tenth sessions of the General Assembly, there has been the Bandung Conference, whose efforts and achievements have been described from this very platform . . . as highly important and auspicious for the maintenance of world peace. What happened at Bandung with regard to the question of West Irian? What happened was, simply, that the representatives of 1,400 million human beings unanimously agreed that Indonesia was absolutely right in asking for the resumption of negotiations with Netherlands . . . I should like to ask the Assembly whether or not the Bandung Conference was sufficiently important for its results to have any influence on the decisions of the representatives of sixty nations who are present here on behalf of some 800 million human beings . . . If the reply were in the affirmative, we should have nothing more to say, but if it is in the negative, a new and more urgent question arises. Have the representatives of less than 800 million human beings the right to consider inopportune and undesirable the very thing that the representatives of 1,400 million people deemed opportune and urgently desirable?"⁷⁸

The United Nations was a center for harmonizing the actions of nations and for developing friendly relations, Prince Wan Waithayakon of Thailand emphasized. He further pointed out that the General Assembly was a forum for calm and friendly discussions with a view to a peaceful settlement of disputes. It existed not in order to set member states apart or to set them against each other but to bring them together into harmony and concord, inspiring them with a spirit of cooperation and goodwill. "The discussion of this item in the General Committee was calm and friendly and I am confident that the adoption of the West Irian question as an item of the agenda of the present session will not prejudice, but rather will promote, the search for a peaceful solution of the question," he concluded.⁷⁹

⁷⁷ Ibid., p. 226.

⁷⁸ Ibid., pp. 227-228.

⁷⁹ Ibid., p. 228.

A roll call vote was taken at the cessation of debate. By a vote of 31 to 18, with 10 abstentions,⁸⁰ the General Assembly decided to include the item in the agenda of the session and referred it to the First Committee for consideration and report.⁸¹

Prior to the meeting of the First Committee, however, in a joint statement issued on December 7, 1955, Indonesia and Netherlands, announced that they had decided to hold a conference which would open on December 10th. Among the items included in the agenda was a discussion of certain problems concerning New Guinea. It was to be understood that, with respect to its sovereignty, each party maintained its own position.⁸²

On December 12th in the First Committee's 811th meeting, the representative of Ecuador introduced a draft resolution⁸³ which provided that the General Assembly, having considered "The question of West Irian (West New Guinea)," hoping that the problem would be peacefully resolved and noting the joint statement issued by the Governments of Indonesia and the Netherlands on December 7, 1955, expressed the hope that the negotiations referred to in the joint statement would be fruitful. On behalf of the co-sponsors the representative of Ecuador expressed further hope that the Committee

⁸⁰ The vote was as follows: In favor (31), India, Indonesia, Iran, Iraq, Lebanon, Liberia, Mexico, Pakistan, Philippines, Poland, Saudi Arabia, Syria, Thailand, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Uruguay, Yemen, Yugoslavia, Afghanistan, Argentina, Bolivia, Burma, Byelorussian Soviet Socialist Republic, Costa Rica, Czechoslovakia, Ecuador, Egypt, El Salvador, Ethiopia, Guatemala, Haiti; against (18), Honduras, Iceland, Israel, Luxembourg, Netherlands, New Zealand, Nicaragua, Norway, Panama, Sweden, Union of South Africa, United Kingdom of Great Britain and Northern Ireland, Australia, Belgium, Colombia, Cuba, Denmark, Dominican Republic; abstaining (10), Paraguay, Peru, Turkey, United States of America, Venezuela, Brazil, Canada, Chile, China and Greece. (*Ibid.*)

⁸¹ U. N. General Assembly, Official Records: Tenth Session, Plenary Meeting, 532nd, (October 3, 1955), pp. 229-230.

⁸² U. N. General Assembly, Official Records: Tenth Session, Annexes, Agenda Item 65, (1955), p. 3.

⁸³ Resolution 915(X) sponsored by Ecuador, India, New Zealand, Norway and Syria.

would adopt the draft resolution without discussion of the substance of the question. Its adoption would assist the two Governments in their efforts to solve the problem. The First Committee adopted the draft resolution without discussion and without vote and also recommended that the General Assembly do the same.⁸⁴ At its 559th plenary meeting on December 16th, the General Assembly adopted the draft resolution without discussion or vote.⁸⁵

⁸⁴ U. N. General Assembly, Official Records: Tenth Session, First Comm., 811th Meeting, (December 12, 1955), p. 296.

⁸⁵ U. N. General Assembly, Official Records: Tenth Session, Plenary Meeting, 559th, (December 16, 1955), p. 188.

VI. RENEWED ATTEMPT AT DIRECT NEGOTIATIONS

The representatives of the Netherlands and Indonesia met at The Hague on December 10, 1955. Only a few days after the talks had begun they agreed to move the conference site to Geneva. At Geneva not only the New Guinea issue was considered but also problems connected with termination of the Netherlands-Indonesian Union, such as guarantees for Dutch economic concessions and profits in Indonesia, as well as the question of arrest and trial of several Dutch nationals on charges of subversive acts against the Indonesian Government.¹

The Indonesian Government broke off the talks on January 7, 1956, and the delegation that had been negotiating with the Dutch was summarily recalled. No agreement of any significance was reached.² The talks had caused a Government crisis in Indonesia. The Moslem coalition Cabinet of Premier Burhanuddin Harahap was on the verge of collapse. Two of the Moslem parties participating in the Cabinet threatened to withdraw their support if the talks continued.³ President Soekarno, who had opposed the talks from the first, was believed to have aroused the P.S.I.I. Kedua, a minority political group, to demand they be halted. The Nahdat'ul Ulama,⁴ third strongest part in the country at the time, also

¹ The London Times Weekly Review, February 16, 1956.

² New York Times, January 17, 1956.

³ Nippon Times, January 11, 1956.

⁴ The Nahdat'ul Ulama (N.U.) was founded in 1926 in Surabaya by a group of orthodox Ulama (religious scholars) who were disturbed by the increasing influence of reformism. The N. U. endeavors to propagate orthodoxy in Islam on the basis of an unconditional acceptance of the Figh books, canonical books on Islam containing regulations for the lives of the faithful in all their aspects. Up to 1952 the N. U. had been part of a greater Islamic political movement encompassed by the Masjumi Party. Internal tensions with the Masjumi caused the N. U. to withdraw and establish itself as an independent party. Although the N. U. has

joined in asking that the negotiations end.⁵

The Nahdat'ul Ulama's opposition had developed after return of a party delegation from the United Nations General Assembly. The delegation had reported that the Foreign Minister had not pressed Indonesia's claim to West New Guinea strongly enough at the Assembly, despite the fact that support from other members of the Afro-Asian bloc had been available.⁶ Shortly after the return of the delegation to the United Nations, the Nahdat'ul Ulama met in convention. The convention formally charged that the Government's policies were detrimental to Indonesia's interests. An ultimatum was issued to the Cabinet to resign within one week. The ultimatum further stated that if the Cabinet failed to resign, Nahdat'ul Ulama Ministers would be called upon to leave the coalition Government or be expelled from the party.⁷

Constitutional - but strongly partisan - President Soekarno was not only opposed to the talks but was also hostile to the strongly anti-Communist Masjumi party⁸ of Premier Harahap. It was

acted as an independent party since 1952, it has retained its original religious character. It is therefore considered as a religious organization active in politics rather than a political party. The policy followed by the N. U. is of an opportunistic nature, which is attributed to its lack of political experience. Although the leaders repeatedly declare that the party's opposed to communism on principle, they often collaborate with the Partai Komunis Indonesia. The N. U. has, however, opposed the P.K.I., particularly on unfair election tactics. The Party appears to collaborate with the Communist as long as the latter "play fair." Furthermore, the N. U. is fundamentally anti-Western because it sees in Western influence a threat to the Islamic faith in the simple form in which it is held by its members. Every government has to take the N. U. into serious account, for it occupies a key position as the third major party. (Bernard H. Vlekke, Indonesia in 1956: Political and Economic Aspects, The Hague, 1956, pp. 26, 31-33.)

⁵ Nippon Times, January 11, 1956.

⁶ New York Times, January 14, 1956.

⁷ Nippon Times, January 12, 1956.

⁸ The Masjumi is the most important Islamic political party in Indonesia. It was originally established during the Japanese occupation (in October, 1943) as a federation of Moslem religious and social organization. In 1945 it was converted into a political party. The official policy of the Masjumi fluctuates between the conservative and progressive wings of the party. The conservatives are opposed in principle to co-operation with the West

an opportune time for him to break Moslem unity, and particularly the Masjumi, by fomenting public discontent toward the negotiations and "beating the drum" on the West Irian issue. The President went further by also suggesting Harahap might resign and a new Cabinet be formed consisting of twenty-two persons appointed by him to represent all groups in the new Parliament. He proclaimed that the other parties must co-operate with the Communists, something the Masjumi had refused to do.⁹

All appearances of Moslem unity vanished on January 16, 1956. The Nahdat'ul Ulama and P.S.I.I. Kedua parties notified Premier Harahap that they were withdrawing their ministers and support from his Cabinet. They urged the Premier to return his mandate to President Soekarno. They maintained that Harahap's recall of the delegations from Geneva did not "completely" fulfill their demands that the ministerial level talks with the Netherlands be broken off.¹⁰ Climaxing five days of hectic political activity in an endeavor to forestall the impending Cabinet crisis, Premier Harahap was forced to summon a special Cabinet meeting to receive the resignations. After the Nahdat'ul Ulama and P.S.I.I. Kedua members

and the employment of foreign capital. While, on the other hand, the progressives take a more practical view. They realize that only by damaging itself can the Indonesian Republic be separated from the West. In spite of the divergent views on the problem of "opening up" Indonesia to Western influences, there are no differences of principle among Masjumi leaders with respect to important socio-economic problems. They consider capitalism, as well as communism, objectionable because both of them are based on materialism. According to the Masjumi's political platform, "the national economy should be based on the principle of planned economy," and vital industries should be nationalized. The strong anti-communist attitude of the Masjumi is apparent. Collaboration with the Communists is severely censured by many Masjumi leaders as constituting a serious danger to the country. An anti-communist front has been formed under the leadership of the Masjumi. At its congress, held in December, 1954, in Surabaya, the Masjumi decided to denounce as infidel all Moslems who professed the communist ideology. With respect to constitutional problems, the Masjumi takes the position that a presidential system in which the president has executive power is preferable. It also favors two chambers. The State, the party believes, should be founded on Islamic doctrine. (Vlekke, op. cit., pp. 25-30.)

⁹ New York Times, January 20, 1956.

¹⁰ Nippon Times, January 17, 1956.

had walked out, it was decided that since the Geneva delegation had been withdrawn in the first place primarily to please these parties there was no longer any reason why it should not stay on to negotiate. New instructions were forwarded to Foreign Minister Anak Agung Gde Agung to remain in Geneva and to decide whether an agreement with the Dutch could be signed.¹¹

The Netherlands agreed in principle to resume discussions in Geneva, but the Dutch asked that some questions be settled before tackling a proposed agenda. They requested Indonesia to clarify its attitude toward the suspended conference on problems outstanding between the two countries and supply an explanation of "certain statements" made to the press by officials in Djakarta, particularly statements by President Soekarno intimating the talks were "doomed to failure from the beginning."¹²

By early February, however, outstanding differences between the two governments had been resolved and relations had become more amicable. The Netherlands agreed to an Indonesian proposal to exchange Dutch prisoners in Indonesia for Indonesian prisoners in West New Guinea.¹³ They further agreed to reopen negotiations at Geneva. These new negotiations opened on February 7th, but after only four days of proceedings the conference was again deadlocked.¹⁴ The deadlock stemmed from Indonesia's insistence that sovereignty over West New Guinea had been transferred by the Round Table Conference, and the Dutch should immediately turn the disputed area over to Indonesia.¹⁵ After the much re-stated "wearisome" argument was issued by the Indonesian delegation, the Netherlands delegation refused to continue the discussions. Foreign Minister Anak Agung Gde Agung promptly warned of possible "far reaching consequences."¹⁶ In a note of February 13th to Netherlands High Commissioner Count W. F. L. van Bylandt, the Indonesian Government officially informed the Netherlands it had

¹¹ Nippon Times, January 21, 1956.

¹² New York Times, January 27, 1956.

¹³ Ibid., February 5, 1956.

¹⁴ Nippon Times, February 6, 1956.

¹⁵ New York Times, February 14, 1956.

¹⁶ Nippon Times, February 13, 1956.

nullified the Netherlands-Indonesian Union and relations between the two countries would be on a normal diplomatic basis.¹⁷ Shortly thereafter Indonesia announced that the cancellation of all financial, economic and cultural agreements between the two countries would soon follow. The Indonesian Chargé d'Affaires delivered a note to the Netherlands Foreign Ministry stating that his government was no longer bound either by the agreement signed in 1949 or financial and economic agreements annexed to the master accord.¹⁸

The Dutch immediately rebuked Indonesia for her unilateral repudiation. They further accused the Djakarta Government in an official communiqué that "the unilateral withdrawal from agreements such as these, solemnly concluded with the assistance of the United Nations Commission for Indonesia, is without precedent in international relations in time of peace and sets a bad example to the world."¹⁹ On February 28th the Netherlands delegate to the United Nations, Von Balluseck, notified the organization of Indonesia's abrogation of the treaty. Indonesia countered Dutch charges. It claimed that the Netherlands deliberately stranded the Geneva conference because she wanted to retain special financial, economic and cultural privileges in New Guinea. It further accused the Netherlands Government of reneging on provisional agreements reached before the Geneva talks "recessed" on January 7th. Indonesia claimed it had done its utmost to reach a settlement although it knew beforehand the Dutch lacked the sincerity to establish healthy mutual relations.²⁰

The failure of the Geneva talks was the final blow to the tottering government of Premier Harahap. President Soekarno called upon Ali Sastroamidjojo to form a new Cabinet. The Cabinet was brought together and Premier Sastroamidjojo proclaimed a policy of

¹⁷ Ibid., February 16, 1956.

¹⁸ New York Times, February 22, 1956.

¹⁹ Nippon Times, February 23, 1956.

²⁰ Ibid., March 6, 1956.

cooperation with Western and Communist countries without political or military ties. The newly organized Parliament offered new legislation to sever the Netherlands-Indonesian Union, replacing a bill passed February 29th by the provisional Parliament. Sastroamidjojo reiterated that relations with the Netherlands were such that all 1949 Hague agreements had to be abrogated unilaterally.²¹

²¹ New York Times, April 10, 1956.

VII. INDONESIA AGAIN BRINGS THE PROBLEM TO INTERNATIONAL SCENE

In view of the fact that the direct Geneva negotiations between the two Governments, from December, 1955, to February, 1956, had failed to produce results, Indonesia decided to bring the issue again before the United Nations. On October 8, 1956, fifteen Asian and African States (Afghanistan, Burma, Cambodia, Ceylon, Egypt, India, Indonesia, Iraq, Jordan, Lebanon, Libya, Pakistan, Saudi Arabia, Syria and Yemen) requested that the question of West Irian (West New Guinea) should be included in the agenda of the eleventh session.¹ On October 17th Iran joined as a co-sponsor. In an explanatory memorandum it was stated that the failure of the negotiations had not only resulted in a deterioration of relations between Indonesia and the Netherlands but had "in its wider context, as an unresolved remnant of a colonial problem, affected adversely the whole complex of international relations with regard to that part of the world." The United Nations had a responsibility to make further efforts to find a solution of the dispute.²

The sixteen nation request was referred to the General Committee for discussion. On November 14th the Committee decided by a vote of 6 to 3 with 5 abstentions to recommend inclusion of the item in the agenda.³

The General Assembly, at its plenary meeting on November 15, 1956, considered the recommendation of the General Committee for inclusion of the West Irian question on the agenda. The item was placed on the agenda by a roll-call vote, 47 to 18 with 14 ab-

¹ U. N. General Assembly, Official Records: Eleventh Session, Annexes Agenda Item 63, (1956-1957), p. 1.

² Ibid., p. 2.

³ The vote was not a roll-call vote so no record was kept. (U. N. General Assembly, Official Records: Eleventh Session, General Comm., 108th Meeting, November 14, 1956, p. 10.)

stentions,⁴ and the First Committee was requested to consider and report on the matter.

The First Committee considered the question at seven meetings held between February 23 and 28, 1957. On February 23, 1957, a thirteen-power (Bolivia, Burma, Ceylon, Costa Rica, Ecuador, Ethiopia, India, Iraq, Pakistan, Saudi Arabia, Sudan, Syria and Yugoslavia) resolution was introduced whereby the Assembly, "re-calling its resolution of December 16, 1955,⁵ and noting that negotiations between the Governments of Indonesia and the Netherlands had so far not resolved this issue," would: (1) request the President of the General Assembly (Prince Wan Waithayakon - Thailand) to appoint a good offices commission, consisting of three members, with a view to assisting in negotiations between the Governments of Indonesia and the Netherlands in order that a just and peaceful solution of the question might be achieved in conformity with the "Principles and Purposes" of the United Nations Charter; and (2) request the good offices commission to report to the General Assembly at its twelfth session.⁶

Opening the debate in the First Committee, Indonesia's representative, Sudjarwo, stated that the continuance of the dispute, which he described as "essentially a colonial problem," had led to

⁴ The breakdown of the vote in the plenary meeting: in favor (47) Nepal, Pakistan, Panama, Philippines, Poland, Romania, Saudi Arabia, Spain, Sudan, Syria, Thailand, Tunisia, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Uruguay, Yemen, Yugoslavia, Afghanistan, Albania, Argentina, Bolivia, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Cambodia, Ceylon, Cuba, Czechoslovakia, Ecuador, Egypt, El Salvador, Ethiopia, Greece, Guatemala, Haiti, Hungary, India, Indonesia, Iran, Iraq, Ireland, Jordan, Laos, Lebanon, Libya, Mexico, Morocco; against (18) Netherlands, New Zealand, Norway, Portugal, Sweden, Union of South Africa, United Kingdom of Great Britain and Northern Ireland, Australia, Belgium, Chile, Denmark, Dominican Republic, Finland, France, Iceland, Israel, Italy, Luxembourg; abstaining (14) Nicaragua, Paraguay, Peru, Turkey, United States of America, Venezuela, Austria, Brazil, Canada, China, Colombia, Costa Rica, Honduras and Liberia. (New York Times, November 16, 1956.)

⁵ Refer to the Tenth Session of the General Assembly, resolution 915(X), December 16, 1955, page 74.

⁶ U. N. General Assembly, Official Records: Eleventh Session, Annexes Agenda Item 63, (1956-1957), p. 3.

a deterioration of relations between Indonesia and the Netherlands.⁷ The dispute had arisen as a result of the Netherlands attempt to withhold from the people of West Irian the freedom and independence gained by the Indonesian people. West Irian, a part of Indonesia, had been left temporarily under Netherlands administration when sovereignty was transferred in 1949, with the understanding that its political status would be determined within one year through negotiations, he added. Negotiations had failed because of the Netherlands insistence on "maintaining colonial rule" over the territory. He emphasized, however, that the door was still open for common efforts and that the United Nations "must endeavor to use its good offices towards this end with a view to a solution which will be advantageous not only to Indonesia but to the Netherlands as well."

The delegate of the Netherlands, C. W. A. Schurman, had the floor and announced that he would not burden the Assembly by reiterating all the considerations which had been set forth in the official records of the General Assembly's ninth session when it had rejected the First Committee's draft resolution.⁸ He felt that a discussion of the question at this time could neither promote a settlement nor improve relations between the Netherlands and Indonesia.⁹ The Indonesian claim to West New Guinea, he contended, had no judicial basis, especially since Indonesia had, during the past year, unilaterally abrogated the Round Table Conference Agreements of 1949 on which the claim had earlier been based.¹⁰ The Indonesian Government had made it clear that the only acceptable solution of the problem was immediate transfer of sovereignty over West New Guinea. The Netherlands Government was unable to undertake negotiations under these conditions. Such negotiations would not only constitute an infringement of the guarantee of territorial integrity of the Netherlands, as embodied

⁷ U. N. General Assembly, Official Records: Eleventh Session, First Comm., 857th Meeting, (February 23, 1957), pp. 280-281.

⁸ Ibid., p. 281.

⁹ Ibid., pp. 282-283.

¹⁰ U. N. General Assembly, Official Records: Eleventh Session, First Comm., 861st Meeting, (February 27, 1957), pp. 304-305.

in Article 2 of the Charter,¹¹ but would also be contrary to the obligations of the Netherlands to the Non-Self-Governing Territory under Article 73 of the Charter. He concluded that the Netherlands had solemnly proclaimed its intentions of according the inhabitants, in due course, the exercise of the right of self-determination. Only the rejection of all Indonesian demands for transfer of sovereignty, negotiation or mediation would serve the true interests of the people of the territory.¹²

The delegate from Australia, Sir Percy Spender, again rose in defense of the Dutch position. He pointed out that his Government had a direct interest in West New Guinea, which was adjacent to territory under Australian Administration, and that the question, moreover, did not constitute a threat to the peace but consisted solely of an Indonesian claim to territory under Netherlands sovereignty. There should certainly be no objection to peaceful solutions of problems or disputes, Sir Percy continued; but it would be setting "a new standard if peaceful solutions are sought for disputes which have no foundation and which have arisen because one party has put forward a claim over the territory of another's." Certainly no member state would be prepared to surrender territory simply because another State had put a claim on it. What Indonesia was seeking was that the United Nations should assist it in furtherance of its aims.¹³ The question, furthermore, could not be regarded as "a remnant of a colonial problem" since the people of West New Guinea were

¹¹ Article 2 paragraph 4 of the United Nations Charter stipulates that all Members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the Purposes of the United Nations. It should be noted that Article 2 paragraph 7 has also been used by the Netherlands to support their case. This paragraph states that nothing contained in the Charter shall authorize the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any state or shall require the Members to submit such matters to settlement under the present Charter.

¹² U. N. General Assembly, Official Records: First Comm., 861st Meeting, op. cit., pp. 304-305.

¹³ U. N. General Assembly, Official Records: Eleventh Session, First Comm., 848th Meeting, (February 25, 1957), p. 285.

entirely different from the peoples of Indonesia in race, religion, language, appearance and social structure. He opposed the draft resolution on the ground that it would imply an admission that Indonesia had a claim in substance, law and procedure. Negotiations could not develop out of a unilateral claim on one side and a flat rejection on the other.

The delegate for the Soviet Union, Zarubin, rose in support of Indonesia's position and said that there was no doubt about the importance of the question of West Irian: first, because it had been asked to be included in the agenda of the General Assembly for the second time at the request of a large number of countries; and secondly, because it had repeatedly been discussed at various international conferences. Unfortunately, however, up to the present time it had remained unsolved, producing an unfavorable effect on international relations in a very important part of the world.¹⁴ He further felt that the difficulties which had been encountered in connection with the problem had arisen as a result of the "collapsing colonial system." These difficulties had been created by the "colonial powers" themselves, who were attempting to "ignore the process of social development" which had been characterized in recent times by the "broad mass movement" of the peoples of Asia and Africa towards independence. Seemingly those colonial Powers did not wish to accept the end of colonialism. This end, however, was a "historical phenomenon" which was bound to come. The solidarity of the countries of the East in the defense of their rights and aspirations was increasing. That was demonstrated in connection with the question of West Irian. At the Bandung Conference twenty-nine countries of Asia and Africa pressed for the abolition of colonialism and unanimously declared their support for Indonesia on the question of West Irian. Continuing, Zarubin said that the people of the Soviet Union fully understood the decisions of the Bandung Conference and the desire of the peoples of the East for independence.¹⁵

¹⁴ U. N. General Assembly, Official Records: Eleventh Session, First Comm., 859th Meeting, (February 25, 1957), p. 294.

¹⁵ Ibid., p. 295.

The Egyptian delegate, Mahmoud, stated that his delegation would vote in favor of the draft resolution. He said that Indonesia had again displayed moderation in presenting its case to the United Nations. Moreover, it had always sought negotiations which had never been broken off on the initiative of Indonesia. Since the last phase of negotiations had ended unsuccessfully in February, 1956, the question remained unresolved; for it could not be disposed of by "arbitrary annexation" by the Netherlands in violation of the Charter of the Transfer of Sovereignty.¹⁶ He added that the document did not state that "the question must be settled within one constitutional framework." The dissolution of the Netherlands-Indonesian Union was thus irrelevant, particularly since the Union has been dissolved by mutual consent.¹⁷ Mahmoud further argued that in calling for negotiations the General Assembly would assist the relations between the Netherlands and Indonesia, which were jeopardized by the problem of West Irian. Once the dispute was settled, Indonesia and the Netherlands would be able "to cooperate on the basis of the ancient relationships between them."¹⁸

The debate in the First Committee indicated that the majority of the representatives held the view that the United Nations should lend its good offices to assist in negotiations in order that a just and peaceful solution of the question might be achieved. They felt that it was the responsibility of the Organization to promote a peaceful solution of a dispute which impaired the relations between two member states. The draft resolution, in their view, merely proposed a procedure to promote negotiations and did not prejudge the merits of the case. It was supported as a constructive attempt to bring about an amicable settlement. A strong minority of the representatives, however, opposed the draft resolution, expressed concern about the interpretation of the 1949 treaty and felt that the legal controversy should be decided by judicial means. They felt that the

¹⁶ U. N. General Assembly, Official Records: Eleventh Session, First Comm., 862nd Meeting, (February 27, 1957), p. 310.

¹⁷ The delegate was in error here, see pp. 79-80.

¹⁸ U. N. General Assembly, Official Records: First Comm., 862nd Meeting, op. cit., p. 311.

establishment of a good offices commission could not serve any useful purpose in view of the attitudes of the parties concerned.

The First Committee took a roll-call vote on the thirteen-Power draft resolution on February 28, 1957. The resolution passed 39 to 25, with 9 abstentions.¹⁹ Later on that same day, The General Assembly voted by roll-call on the draft resolution in plenary meeting. Receiving 40 votes in favor, 25 against and 13 abstentions,²⁰ the resolution went down to defeat since it failed to obtain the required two-thirds majority.²¹

¹⁹ The breakdown of the vote in the First Committee: in favor (39) Rumania, Saudi Arabia, Syria, Thailand, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Yemen, Yugoslavia, Afghanistan, Albania, Bolivia, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Cambodia, Ceylon, Costa Rica, Czechoslovakia, Ecuador, Egypt, El Salvador, Ethiopia, Greece, Guatemala, Haiti, India, Indonesia, Iran, Iraq, Japan, Jordan, Lebanon, Liberia, Libya, Morocco, Nepal, Pakistan, Philippines, Poland; against (25) Sweden, United Kingdom of Great Britain and Northern Ireland, Australia, Austria, Belgium, Brazil, Canada, China, Colombia, Cuba, Denmark, Dominican Republic, France, Honduras, Iceland, Ireland, Israel, Italy, Luxembourg, Netherlands, New Zealand, Nicaragua, Norway, Peru, Portugal; abstaining (9) Spain, Turkey, United States of America, Uruguay, Argentina, Chile, Finland, Laos and Mexico. (U. N. General Assembly, Official Records: Eleventh Session, First Comm., 863rd Meeting, February 28, 1957, p. 318.)

²⁰ The breakdown of the vote in the plenary meeting: in favor (40) Thailand, Tunisia, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Yemen, Yugoslavia, Afghanistan, Albania, Bolivia, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Ceylon, Costa Rica, Czechoslovakia, Ecuador, Egypt, El Salvador, Ethiopia, Greece, Guatemala, Haiti, India, Indonesia, Iran, Iraq, Japan, Jordan, Lebanon, Liberia, Libya, Morocco, Nepal, Pakistan, Philippines, Poland, Rumania, Saudi Arabia, Sudan, Syria; against (25) Union of South Africa, United Kingdom of Great Britain and Northern Ireland, Australia, Austria, Belgium, Brazil, Canada, China, Cuba, Denmark, Dominican Republic, France, Honduras, Iceland, Ireland, Israel, Italy, Luxembourg, Netherlands, New Zealand, Nicaragua, Norway, Peru, Portugal, Sweden; abstaining (13) Spain, Turkey, United States of America, Uruguay, Argentina, Chile, Finland, Laos, Mexico, Venezuela, Panama, Paraguay and Cambodia.

²¹ U. N. General Assembly, Official Records: Eleventh Session, Plenary Meeting, 664th, (February 28, 1957), p. 1263.

Undaunted by the array of setbacks, Indonesia's representative, Ali Sastroamidjojo, requested the inclusion in the agenda of the "Question of West Irian (West New Guinea)" at the opening of the twelfth assembly of the United Nations on August 17, 1957. The General Assembly referred the formal request again to its General Committee.

During debate on the question in the General Committee, Jonkheer van Asch van Wijck, representing the Netherlands, somewhat wearily summarized the Dutch position:

This is the fourth time in succession that a proposal is made to place on the agenda of the General Assembly the question of Indonesia's claim that the Netherlands should hand over the Territory of Netherlands New Guinea. During the previous sessions this claim was amply discussed, and each time the General Assembly decided not to approve the resolutions which Indonesia would have had it adopt. Since the last decision to that effect was taken only a few months ago, it seems that this Committee should consider whether there are any weighty reasons that would justify a renewal of the discussion of this question. The Netherlands Delegation can see no such reason.²²

Following the debate the General Committee decided, however, by a vote of 7 to 4 with 4 abstentions, to recommend to the General Assembly the inclusion of the item on the agenda.²³

The General Committee's recommendation for inclusion of the West Irian question in the agenda was adopted by the General Assembly after a discussion in plenary meeting on September 20, 1957. The vote was 39 to 10 with 10 abstentions and the item was again referred to the First Committee for consideration and report.²⁴

Prior to the meeting of the First Committee, the Governments of the Netherlands and of Australia issued respectively on November 6, 1957, a statement concerning the future of New Guinea.²⁵ The statement read:

²² New York Times, September 19, 1957.

²³ Ibid., September 20, 1957.

²⁴ Indonesian Observer, September 21, 1957.

²⁵ Consultations between the two administrations became an established practice following the visit to New Guinea and Australia by the Netherlands Minister of Foreign Affairs in July, 1953. During that visit discussions were held on practical measures of co-

The Netherlands and Australian Governments base their policies with regard to the territories of New Guinea, for which they are responsible, on the interests and inalienable rights of their inhabitants in conformity with the provisions and the spirit of the United Nations Charter.

The territories of Netherlands New Guinea, the Australian trust territory of New Guinea, and Papua are geographically and ethnologically related and the future development of their populations must benefit from cooperation in policy and administrations.

The Australian and Netherlands Governments are therefore pursuing, and will continue to pursue, policies directed toward the political, economic, social and educational advancement of the peoples in their territories in a manner which recognizes this ethnological and geographical affinity.

At the same time, the two Governments will continue and strengthen the cooperation at present existing between their respective administrations in the territories.

In so doing the two Governments are determined to promote an uninterrupted development of this process until such time as the inhabitants of the territories concerned will be in a position to determine their own future.²⁶

The statement concerning New Guinea, however, did not effect the proceedings of the First Committee which convened on November 18th. At this meeting the Committee had before it a joint resolution submitted by nineteen member states: Afghanistan, Bolivia, Burma, Ceylon, Egypt, Ethiopia, India, Indonesia, Iraq, Jordan, Lebanon, Libya, Morocco, Nepal, Saudi Arabia, the Sudan, Syria, Tunisia and Yemen. (All except Bolivia were members of the "Afro-Asian bloc" within the United Nations.) The resolution provided that the General Assembly having considered the question of West Irian (West New Guinea) - viewing with deep concern that prolongation of this political dispute was likely to endanger the peaceful development of that area; realizing that a peaceful solution of this problem should be obtained without further delay - invited both parties to pursue their endeavors to find a solution of the dispute in conformity with

operation at the administrative level; and an agreement was reached that there should be a continuing exchange of information between the two administrations. (Sir Philip McBride, "Netherlands New Guinea: Netherlands-Australian Cooperation in New Guinea," Current Notes on International Affairs, Vol. 28, No. 11, November, 1957, 883.)

²⁶ Memorandum on Netherlands New Guinea, Vol. II, (New York, November, 1957), 1.

the principles of the United Nations Charter and requested the Secretary General to assist the parties concerned in the implementation of the resolution and submit a progress report to the thirteenth session of the General Assembly.²⁷

The resolution was sharply attacked by C. W. A. Schurmann, head of the Netherlands delegation. He told the Committee that his country could not and would not engage in talks to settle the status of the territory "without the inhabitants having exercised their rights of deciding their own political future." Mr. Schurmann continued by saying that Indonesia sought only the "annexation" of West New Guinea and had refused to negotiate on any other basis.²⁸

Dr. Subandrio, Foreign Minister of Indonesia, presenting his country's case before the Committee, warned that this might be the last time the United Nations would be asked to take a hand in the settlement of the problem. He declared that "the patience of a people is not inexhaustible" and that if the world organization would fail to obtain a solution, Indonesia could "take other action short of war" to back her claim. He exclaimed that no nation with any sense of self-respect could permit its reasonable request for negotiations to be ignored. He also pointed out that the November 6, 1957, declaration of Australia and the Netherlands, on a joint policy for New Guinea, seemed to have "military implications."²⁹

Mr. Schurmann countered Indonesia's allegations by stating that, "If there is any threat to peace, that threat does not come from the Netherlands but from Indonesia." He further observed that it was Indonesia by her repudiation of the Netherlands-Indonesia agreement of 1949 that had put an end to earlier negotiations over West New Guinea.

Y. V. Peive of the Soviet Union asserted that the United Nations must bend every effort to put an end to the present situation caused by the "unlawful seizure" of the territory by The Hague and backed by "oil interests" in the United States. He also attacked Australia

²⁷ Indonesian Observer, November 18, 1957.

²⁸ New York Times, November 21, 1957.

²⁹ Indonesian Observer, November 21, 1957.

and charged the Netherlands with a "brutal regime of colonial oppression and violence." The Soviet representative further suggested that the territory was a "SEATO [Southeast Asia Treaty Organization] spearhead against the Asian liberation movement."³⁰

E. Ronald Walker of Australia protested against the "hostile remarks" by the representative of the Soviet Union. He further rejected Indonesia's interpretation of the November 6th joint policy declaration of Australia and the Netherlands regarding New Guinea. Mr. Walker called the joint statement a "solemn undertaking of a long-term policy based on a recognition that the interests of the people of the whole island are to be of paramount importance." He added that the General Assembly had no right to intervene in a claim by one member for a territory occupied by another. Indonesia, he said, had proceeded with "statements which sound very much like threats" to force the issue before the Assembly.³¹

R. S. Gunewardene of Ceylon disagreed with the Australian representative and attacked the Australian-Netherlands joint statement. He regretted that "two powerful nations should so combine to offer a moral if not physical threat to the Indonesians." Gunewardene said that Ceylon and Australia were bound together by strong ties. He appealed to them "not to conjure up this imagination of security and deny to the West Irianese their lawful rights and to the Indonesians their dues." The Ceylonese delegate also said that it would be more useful for Australia to have a progressive, contented and developed Indonesia as its neighbor. The security of Australia could never suffer from such a neighbor.³²

Japanese delegate, Akira Miyazaki, told the Committee that there had been no change in Japan's attitude since it signed the Bandung declaration supporting Indonesia. He summarized Japan's position emphasizing four main headings: the United Nations should concern itself with the question of West Irian; the United Nations is not in

³⁰ New York Times, November 21, 1957.

³¹ Ibid., November 22, 1957.

³² Indonesian Observer, November 22, 1957.

a position to dictate the lines of action which the parties should take; the countries directly concerned should proceed promptly to negotiate for a peaceful settlement in a constructive and reasonable spirit; and the United Nations should endeavor to facilitate a resumption of negotiations.³³

Final speeches were presented on November 26, 1957, before a vote was scheduled to be taken on the nineteen-nation resolution. Allan Noble, the United Kingdom's representative, bluntly advised the Committee not only to reject the resolution but to strike the subject from the agenda for future consideration. He added, "It is Indonesia alone which is keeping this dispute alive and it is Indonesian actions which are causing a rise in the political temperature."³⁴ V. K. Krishna Menon of India and Farid Zeineddine of Syria came to the defense of Indonesia. They accused the Netherlands of attempting to preserve its "colonial" status in the area.³⁵ Indonesia's Ali Sastroamidjojo told the Committee that unless the United Nations acted in the controversy, Indonesia might choose its "own way" of solving the problem. Indonesia was "not a helpless nation" and would be compelled to take "all possible measures" to offset the determination of the Netherlands and Australia to develop the territory apart from Djakarta.³⁶

The delegates from Thailand and Ceylon, supporting the resolution, took exception to the Soviet suggestion, however, that the Southeast Asia Treaty Organization (SEATO) was directed against Indonesia. Prince Wan Waithayakon of Thailand said that as a member of the SEATO council he categorically denied that there was "any truth in the allegation that West Irian is being developed as a SEATO base of any kind." R. S. Gunewardene of Ceylon, speaking on behalf of the resolution's sponsors, added that they were not responsible for references to SEATO. "We do not expect any aggression from any of the SEATO powers on Indonesia or any part of Asia."³⁷

³³ Bangkok Tribune, November 24, 1957.

³⁴ Indonesian Observer, November 27, 1957.

³⁵ New York Times, November 27, 1957.

³⁶ Ibid.

³⁷ The Bangkok Post, November 27, 1957.

The United States, on the other hand, although directly involved in SEATO failed to counter Soviet accusations. The United States maintained a policy it had initiated at the General Assembly's ninth session and had carried through each succeeding session: a policy of neutrality and abstention propagated by its delegate, Henry Cabot Lodge, without vocal expression on any phase of the West Irian (West New Guinea) issue.

A vote was taken November 26th on the nineteen-nation proposal for resumption of negotiations. The resolution received a simple majority (42 in favor, 28 against and 11 abstentions)³⁸ and was sent to the General Assembly for consideration and adoption.

The General Assembly again listened to the pros and cons of the West Irian (West New Guinea) issue. Ali Sastroamidjojo, Indonesia's delegate and Joseph M. A. H. Luns, Netherlands Foreign Minister, addressed the Assembly. Ali Sastroamidjojo warned the Assembly that the alternative to negotiation probably was an "invitation to reliance on physical strength."³⁹ Luns declared that the Indonesian proposal was designed not to bring about talks about the fate of West New Guinea but to provide only for its cession to the Indonesian Republic.⁴⁰

The debate - as was to be expected - made no perceptible change on the position of the various delegations; and when the vote was taken on November 29, 1957, the proposal received 41 votes in favor,

³⁸ The breakdown of the roll-call vote in the First Committee: in favor (42) Afghanistan, Albania, Bolivia, Bulgaria, Burma, Byelorussia, Ceylon, Costa Rica, Czechoslovakia, Egypt, El Salvador, Ethiopia, Ghana, Greece, Guatemala, Haiti, Hungary, India, Indonesia, Iran, Iraq, Japan, Jordan, Laos, Lebanon, Libya, Malaya, Morocco, Nepal, Pakistan, Philippines, Poland, Romania, Saudi Arabia, Sudan, Russia, Thailand, Tunisia, Ukraine, Syria, Yemen and Yugoslavia; against (28) Argentina, Australia, Austria, Belgium, Brazil, Canada, Chile, China, Colombia, Cuba, Denmark, Dominican Republic, France, Honduras, Iceland, Ireland, Israel, Italy, Luxembourg, Netherlands, New Zealand, Nicaragua, Norway, Peru, Portugal, Spain, Sweden and the United Kingdom; abstentions (11) Cambodia, Ecuador, Finland, Liberia, Mexico, Panama, Paraguay, Turkey, United States, Uruguay and Venezuela; absent (1) South Africa). (Ibid.)

³⁹ Indonesian Observer, November 30, 1957.

⁴⁰ New York Times, November 30, 1957.

29 against with 11 abstentions.⁴¹ Failing to secure the two-thirds majority required in the Assembly on important questions, the resolution was not adopted.⁴²

Dr. Subandrio (Indonesia) addressed the Assembly after the vote. He intimated that grave consequences might be in store: "Up to now we have done our utmost to conduct our policy in such a way as to discourage any action which might lead to disturbances in the territory under dispute and its surroundings." This policy, however, had now become almost impossible for any Indonesian Government to maintain. He also criticized the neutral position of the United States on the issue and its abstention in voting. He said that the United States was driving Indonesia into the hands of the Communists and added that the United States could not "carry out a global policy by reflecting the interests of the North Atlantic Treaty Organization's members."⁴³

Foreign Minister Luns' final statement after the voting was that he too regretted the United States' neutrality in the New Guinea issue. He said his country had been one of the most loyal allies of the United States in the North Atlantic Treaty Organization.⁴⁴

With the defeat in the twelfth session of the General Assembly of the resolution calling for the Netherlands to reopen negotiations with Indonesia, Dr. Subandrio's warning that Indonesia could "take other action short of war" to back her claim came to pass. On November 30, 1957, Minister of Information Dr. Sudibjo announced in Djakarta that Indonesia would take action in accordance with the "liberate West Irian campaign resolution" adopted earlier in the month.⁴⁵ This resolution had been presented and passed at a mass

⁴¹ The 41 to 29 with 11 abstentions vote in the General Assembly was identical with the vote in the First Committee, with the exception of previously absent South Africa voting against the resolution and the Philippines, which had voted in favor, being absent this time. (Ibid.)

⁴² New York Times, November 30, 1957.

⁴³ Indonesian Observer, November 29, 1957.

⁴⁴ New York Times, op. cit.

⁴⁵ The Japan Times, December 2, 1957.

rally sponsored by the "West Irian Liberation Committee." The public meeting had been held in Djakarta and had been addressed by President Soekarno. According to newspaper reports an estimated one million people had attended.⁴⁶ The resolution, in event of Indonesia's failure in the diplomatic struggle for West Irian, urged: the nationalization of Dutch-owned vital enterprises; the repatriation of Dutch nationals who were of no use to Indonesia's reconstruction; to speed "Indonesianization" of Dutch enterprises in Indonesia, to make all enterprises corporate bodies established in Indonesia and subject to Indonesian laws; to withdraw permits of Dutch nationals practicing "liberal" professions; and to establish a West Irian "reconstruction brigade" and a West Irian fund.⁴⁷

Retaliatory measures went into effect on December 2nd. The Indonesian Government ordered a general strike, which was almost one hundred percent effective, against all Dutch enterprises.⁴⁸ Some 150,000 Indonesians stopped work, causing a shutdown of stores, banks, hotels, garages, plantations, trading concerns and other business establishments owned by Dutch nationals.⁴⁹ Two other anti-Dutch decrees were put into force. A ban was imposed on all Dutch language publications, including movies with Dutch subtitles, and (six) daily newspapers. Flights in and out of Djakarta by KLM, Netherlands international airline, were also terminated by the cancellation of landing rights.⁵⁰ After a week of anti-Dutch maneuvering, an expulsion order came from Minister of Justice G. A. Maengkom which called for all unemployed Dutch citizens to leave Indonesia. The order also applied to those whose jobs could be filled by Indonesians. At the same time the Foreign Ministry informed the Netherlands diplomatic mission in Djakarta to close its consulates.⁵¹ Foreign Minister R. Subandrio, commenting on the order, said that

⁴⁶ Indonesian Observer, November 19, 1957.

⁴⁷ Ibid.

⁴⁸ The Japan Times, December 3, 1957.

⁴⁹ New York Times, December 2, 1957.

⁵⁰ The Japan Times, op. cit.

⁵¹ Ibid., December 6, 1957.

unless the Netherlands Government took the initiative for an early settlement of the dispute, Indonesia would have to break off all diplomatic relations.⁵²

From the very outset the inflammatory action against the Dutch got out of control. Unauthorized military groups and Communist trade union "workers' Committees" moved independently of government direction.⁵³ Seizure by "workers" paralyzed inter-island shipping, principal business establishments and leading banks. "Workers' Committees" also took over firms handling Indonesia's major exports - rubber, tin, copra, coffee, tea and palm oil.⁵⁴ Dutch owners and managerial officials protested to the Government regarding these unauthorized seizures of property. Premier Djuanda responded to their protests by warning Indonesians that "drastic action" would be taken by the Government against violation of Government policy. The taking over of Dutch business could only be carried out by the Government. He also stated that all persons had to follow the instructions laid down by the Government's West Irian Liberation Committee which was coordinating the protest against Dutch control of Irian.⁵⁵

Sjafruddin Prawiranegara, prominent economist and Governor of the Bank of Indonesia, went even further and spoke out against the whole idea of reprisals.⁵⁶ He recalled that Articles 25 and 27 of Indonesia's Provisional Constitution ensured the personal safety of life and property in Indonesia. The actions taken in efforts towards regaining West Irian "were flagrant violations of the provisions of the constitution."⁵⁷

Realizing that the anti-Dutch campaign must be tempered, lest the country suffer dire economic consequences, Foreign Minister

⁵² Indonesian Observer, December 6, 1957.

⁵³ The Japan Times, December 10, 1957.

⁵⁴ Ibid.

⁵⁵ New York Times, December 5, 1957.

⁵⁶ Mr. Sjafruddin Prawiranegara is the same person who headed the "Rebel government" at Bukittinggi, Sumatra, some two weeks later.

⁵⁷ The Bangkok Post, December 7, 1957.

Subandrio called for the immediate "normalization" of relations with the Netherlands. He also indicated that there would be no mass evacuation of Dutch subjects but possibly only an evacuation of a "sprinkling of Dutch technicians."⁵⁸ Finally, he said that Indonesia was not out to oust Dutch interests from Indonesia; these would be preserved, and no obstacles would be placed in the way of those who wished to do business.⁵⁹ In an effort to keep a semblance of internal order, the Government took over many of the properties seized by "workers." It could not, however, prevent the swift dislocation of the economy. Dutch directors and business managers informed the Government that they still could not operate unless the anti-Dutch campaign lessened.⁶⁰ The results were nearly catastrophic. The shutdown of Dutch shipping hurt rice distribution, and scattered areas were threatened with famine. Indonesians, as well as foreigners, who formerly deposited their money at Dutch banks withdrew their money. In addition there was complete chaos in the money circulation; exports and imports stagnated while the price of rice skyrocketed. Unemployment soared.⁶¹ The economic situation and internal disorder foreshadowed a deep political crisis and a challenge to the authority of the Djakarta Government. The political situation remained exceedingly confused. It was not clear how much control - if any - the central government maintained over Sumatra or any of the other islands outside Java.

⁵⁸ The Japan Times, December 9, 1957.

⁵⁹ Ibid.

⁶⁰ Ibid., December 11, 1957.

⁶¹ Indonesian Observer, December 8, 1957.

VIII. CONCLUSION

In conclusion a review of the Indonesian and Dutch case regarding West Irian (West New Guinea) is called for. To begin with the Indonesian claim has always been, quite simply, that West Irian is a part of Indonesia and that the Dutch occupy it illegally, thereby infringing Indonesian sovereignty. In 1950 the Indonesians refused to negotiate unless it was understood in advance that sovereignty was vested in Indonesia; they would concede only a limited Dutch participation in administration and certain guarantees to Dutch interests. Since 1950 they have "exercised" their sovereignty by appointing a governor of the area and including it within their electoral system. The Indonesians also assert that the Charter of Transfer of Sovereignty in 1949 did include West Irian, despite Dutch denials. They object strongly to the inclusion of the area in the Netherlands constitution of 1952, claiming that the constitution previously referred to the whole area as Indonesia; the amended constitution of 1952 thus amounts to "annexation" in Indonesian eyes. They refuse, however, to place the issue before the International Court of Justice, on the grounds that it is a political and not a judicial question.

As a political question their claim is partly historical - that the Dutch regarded West Irian as part of Indonesia as had done the Sultan of Tidore before them. But it is partly also a claim about the present desires of the people of West Irian. They admit that there are racial differences but assert that what constitutes nationality is not the social or ethnological unity but the community of feeling, the feeling of being one with another - thus, the people of West Irian are Indonesians. Moreover, Dutch promises of self-determination for New Guinea are dismissed as an outmoded argument

with the object of deferring the West Irian question. To the Indonesians, the West Irians are already determined to be Indonesians.

The Indonesians now are quick to rebut the argument that they are not in a position to develop the area as it requires. It is admitted that Indonesia would need to borrow capital for development from abroad, but the Indonesians assert that they could develop West Irian much faster than Dutch colonialism because they have the "spirit and the will to develop." They further maintain that there is considerable support on moral grounds for their case within the Netherlands and that Dutch economic interests in Indonesia are convinced that Holland should hand over New Guinea as the price of improving relations. Finally, Indonesia claims the moral sanctions of anti-colonialism and nationalism; it insists, however, that legality is also a principle of its policy.

On the other hand, the Dutch, in possession of the disputed area, have largely confined their case to a rebuttal of Indonesian claims. Indonesian intransigence is blamed for the breakdown of negotiations; and it is implied that they have always regarded New Guinea as a separate area, administered from Batavia merely for convenience. The Dutch also defend their administration of the region, stressing that between a third and a half of the New Guinea budget is provided by the Netherlands. The limited economic development of the area is explained by the difficult nature of the country and the backward state of the people. But the mainstay of their defense is the promise of self-determination which will be granted as soon as possible. The Indonesians are thus accused of "colonial" aspirations, despite their professed aim of opposing colonialism wherever it may be found. As far as the United Nations is concerned, the Dutch have always denied the General Assembly's jurisdiction in the dispute; they have, moreover, submitted reports on New Guinea as a dependent territory under their control.

Although the Dutch have denied the Assembly's jurisdiction in the dispute, the Indonesians have been able to present their case before that body at four successive sessions. Yet, they have failed to gain United Nations support for their stand. Their case has been strongly argued - argued not only before the United Nations, but

through diplomatic outlets all over the world. Numerous demonstrations have been organized in Djakarta and elsewhere in Java, making it appear that strong public opinion is forcing the Government's hand. Supposedly, anti-colonialism is running high. Furthermore, West Irian sovereignty has been made to appear the prevailing foreign policy issue of the post-independence era in Indonesia. The question must be asked, why then has the United Nations failed to act favorably on it? Dutch opposition may be partly responsible, but it hardly could have prevailed over the strong anti-colonial views being held by a large number - but never a majority in terms of voting requirement - of the Assembly's members. Possibly there is some question as to whether the issue really does concern colonialism. For example, there may be lack of understanding as to why Indonesia is so vitally concerned in extending her geographical limits. The country is in dire economic straits. It certainly does not need new sources of undeveloped raw materials so much as it needs to develop and exploit existing sources over which there is no dispute as to ownership.

Politically Indonesia is a divided country. Sumatra and other large areas have been, and still are, in revolt against the central government. Unpersuaded member states in the United Nations might ask why it is that Indonesia wants to take on additional administrative burdens in one of the world's frontiers of underdevelopment when it is having so much difficulty already in administering the area within the confines of the Republic.

Evidence points to the fact that Indonesia has failed to make a completely convincing case for taking West Irian under her sovereignty. Furthermore, Indonesia has unsolved problems on her hands which seem to reduce the West Irian matter to insignificance by comparison: how to deal with communism, for example, and how to unify the country politically? The West Irian issue seems to persist as a means by which the Djakarta Government diverts public attention from more serious domestic problems.

APPENDIX

EIGHT-POWER JOINT RESOLUTION

(ARGENTINA, COSTA RICA, CUBA, ECUADOR, EL SALVADOR,
INDIA, SYRIA AND YUGOSLAVIA: DRAFT RESOLUTION)

The General Assembly,

Having considered agenda item 61, "The Question of West Irian (West New Guinea),"

Recalling that by the agreements reached at The Hague in 1949 between Indonesia and the Netherlands a new relationship as between the two countries, as sovereign independent States, was established, but that it was not then possible to reconcile the views of the parties on West Irian (West New Guinea) which, therefore, remain in dispute.

Recalling the dedication of the parties to the principle of resolving by peaceful means any differences that exist or arise between them,

Realizing that co-operation and friendship between them is the common desire of both parties,

1. Expresses the hope that the Governments of Indonesia and the Netherlands will pursue their endeavors in respect of the dispute that now exists between them to find a solution in conformity with the principles of the Charter of the United Nations;

2. Requests the parties to report progress to the tenth session of the General Assembly.¹

¹ U. N. General Assembly, Official Records: Ninth Session, Annexes, Agenda Item 61, (1954), p. 4.

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