

CHAPTER VIII

THE QUESTION OF WEST IRIAN (WEST NEW GUINEA)

The dispute between Indonesia and the Netherlands over the political status of West Irian (West New Guinea) was considered at the ninth, tenth and eleventh sessions of the General Assembly. At the eleventh session, a resolution recommended by the First Committee was not adopted by the General Assembly for lack of the required two-thirds majority.

On 16 August 1957, the representatives of Afghanistan, Burma, Ceylon, Egypt, Ethiopia, India, Indonesia, Iran, Iraq, Jordan, Lebanon, Libya, Morocco, Nepal, Pakistan, the Philippines, Saudi Arabia, Sudan, Syria, Tunisia and Yemen, requested that the question of West

Irian (West New Guinea) be put on the agenda of the Assembly's twelfth session. They explained that the failure of the Assembly at its previous session to recommend specifically a peaceful approach had not in fact helped to lessen tensions between Indonesia and the Netherlands. In their view, the continuance of the situation deterred the encouragement and improvement of friendlier relations between the two countries. Under these circumstances, they felt it incumbent on the General Assembly, utilizing adequate measures and machinery, to promote a peaceful solution of this long-standing political dispute.

On 18 September 1957, the Assembly's General Committee decided by 7 votes to 4, with 4 abstentions, to recommend that the item be put on the Assembly's agenda. The Assembly agreed to this at a plenary meeting on 20 September 1957, by a roll-call vote of 49 to 21, with 11 abstentions.

The item was referred to the First Committee where it was considered at eight meetings between 20 and 26 November 1957.

At the second meeting devoted to this question, the Committee received a joint draft resolution submitted by the following 19 Members: Afghanistan, Bolivia, Burma, Ceylon, Egypt, Ethiopia, India, Indonesia, Iraq, Jordan, Lebanon, Libya, Morocco, Nepal, Saudi Arabia, Sudan, Syria, Tunisia and Yemen. By this draft, the Assembly would: (1) invite both parties to pursue their attempts to find a solution of the dispute in conformity with the principles of the United Nations Charter; and (2) request the Secretary-General to assist the parties concerned as he deemed appropriate in the implementation of the resolution. The Secretary-General was to report on the progress made to the Assembly's next regular session.

During the debate, the Indonesian representative stated that the West Irian problem had not lost its urgency since it was first brought before the United Nations. The problem was a matter of emergency requiring prompt solution. It was a continuous source of tension between Indonesia and the Netherlands.

Instead of the United Nations being allowed to serve as an instrument for reconciling the differences between the two States, numerous pretexts were being invoked to prevent a peaceful settlement, notably the principle of "self-determination". The Indonesian representative found it curious that certain powers which had proclaimed their adherence to the principle of reunification of divided States were conducting a movement exactly in reverse of that principle with respect to West Irian. Indonesia was fighting against the amputation of West Irian from the rest of Indonesia and for the principle of reunification and national unity. Any thought of splitting Indonesia into several smaller States was illusory. If Indonesia were to disintegrate and if the present democratic character of the State were to come to an end and be re-

placed by a different political system, it would not be a development designed to increase the stability or ensure the peace and security of South-East Asia.

Indonesia was still in favour of peaceful negotiations without adherence to rigid positions on the issue of sovereignty. If the Netherlands Government were prepared to consider the issue within the proper context of Netherlands-Indonesian relations and international relations in general, further negotiations would have some chance of success. If the Netherlands Government were to persist in its present position, confident in the superiority of its physical strength, Indonesia for its part would also have to concentrate on its physical defences. Such a development would replace the rule of international law by that of the jungle.

The Indonesian Government was deeply concerned by the joint statement of the Netherlands and Australia of 6 November 1957 with regard to their future policies in West Irian and East New Guinea. That statement might have been intended as an effective weapon to counter an Indonesian request in the United Nations for a peaceful settlement of the question of West Irian. The Indonesian Government feared, however, that the statement might also have military implications and that it was a foreboding of the formation of a military alliance directed against a country with which a dispute existed.

The Indonesian representative, while admitting that his country had internal difficulties, added that Indonesia had survived predictions of doom before. It was certainly in a position, however, to promote the educational and social advancement of West Irian.

Indonesia had once again come to the United Nations seeking a settlement. It was difficult to say whether it was its last effort, for the patience of the Indonesian people was not inexhaustible. The Indonesian Government, however, was ready to co-operate fully in an endeavour to reach a settlement consonant with the principles and purposes of the Charter.

The representative of the Netherlands summed up the basic position of his Government as follows: (1) The Netherlands, in accordance with Chapter XI of the United Nations Charter, was responsible for the administration of

Netherlands New Guinea and was fulfilling its obligations under Article 73. (2) If the Netherlands were to agree to transfer the territory to Indonesia without first ascertaining the wishes of the inhabitants, it would be forsaking its duty to them and to the United Nations. (3) The Netherlands had solemnly promised the territory's inhabitants that they would be granted the opportunity to decide their own political future as soon as they were able to express their will on this. (4) In the absence of such a decision, the Netherlands could not and would not comply with any Indonesian demands for the annexation of the territory. Nor would it enter into any negotiations about its future status.

The Agreement on Transitional Measures signed by Indonesia and the Netherlands at the Round Table Conference, the Netherlands representative continued, had established the right of territories to exercise self-determination with regard to their position within the federal Republic of Indonesia and with regard to the possibility of negotiating a special relationship outside the Republic. These provisions would have been applicable to New Guinea, in view of its particular circumstances and its stage of development. They had, however, remained a dead letter, particularly after the Republic of the United States of Indonesia had been replaced in 1950 by a unitary state, in which there was no place for federal states or territories, nor for any special relationship of any territory either with the Netherlands or with Indonesia. Moreover, Indonesia had unilaterally abrogated the Round Table Agreements in 1956. Thus, any possible relevant obligations on the part of the Netherlands under these Agreements had lapsed.

The Netherlands representative further stated that Indonesia was not really advocating negotiations with the Netherlands so as to reach a solution by common consent which would take the wishes of the territory's inhabitants into account. On the contrary, it was urging the General Assembly to advocate negotiations on the basis of two assumptions: (1) that Netherlands New Guinea was legally part of Indonesia and illegally occupied by the Netherlands, and (2) that the territory should be transferred to Indonesia without its population being previously consulted.

The Netherlands, he added, was willing to have the first assumption tested by the International Court of Justice. The second assumption, he thought, was a denial of the right of self-determination and thus contrary to the Charter.

There were indications that the Indonesian Government was trying to create a threat to international peace, even though it was clear that Western New Guinea posed no such threat. Outrages had been committed against Netherlands nationals in Indonesia and the Indonesian President had indicated that Indonesia would resort to methods which would startle the world if the United Nations did not comply with his Government's wishes.

The Netherlands representative explained that the joint Australian-Netherlands statement of 6 November 1957 clarified the aims and principles of the co-operation of the two Authorities administering the area. It did not prejudice the decision which the inhabitants of the two parts of the island would eventually have to make for themselves. It recognized their ethnological and geographical affinity and opened up possibilities for their future development along sound lines for their existence in the modern world.

The representative of Australia regretted that the Indonesian Government had again brought this question before the Assembly only eight months after the Assembly had rejected a draft resolution which advocated the Indonesian claim that there was a case for negotiations over Western New Guinea. The Netherlands Government, he felt, had attacked the task of promoting the territory's development with determination and in accordance with the principles and policies set forth in Chapter XI of the Charter. It was abiding by its obligations under Article 73. But these obligations would cease to exist if the territory became an integral part of the Republic of Indonesia, since the latter would then be in a position to reject any claim by the United Nations for information on conditions in West New Guinea.

The joint Netherlands-Australian statement of 6 November 1957 was fully consistent with the terms of Chapter XI of the Charter, the Australian representative said. It was a solemn undertaking by the two Governments that their policies would be such as to prepare the people

of New Guinea for the time when they would be able to determine their own future. That statement had no military implications. It was not directed against the interests of the Indonesian people. Nor was it connected in any way with SEATO (the South-East Asia Treaty Organization).

Indonesia's claim for negotiations was purely political, the Australian representative continued, since it had refused to submit its case to the International Court of Justice and had unilaterally abrogated the very Agreements it sought to invoke. In Australia's view, adoption of the 19-power draft resolution would mean that the United Nations was implicitly supporting a unilateral claim of one Member State to some of the territory of another Member State.

Support for the 19-power draft resolution came, however, from the representatives of a number of Members, among them: Afghanistan, Bolivia, Bulgaria, Burma, the Byelorussian SSR, Ceylon, Costa Rica, Czechoslovakia, Egypt, Ethiopia, Ghana, Greece, Haiti, India, Iraq, Japan, Jordan, Laos, the Federation of Malaya, Nepal, Pakistan, the Philippines, Poland, Romania, Saudi Arabia, Sudan, Syria, Thailand, the Ukrainian SSR, the USSR and Yemen.

The arguments they advanced included one that a call for new negotiations could not prejudice the substance of the case, but might rather lead to a relaxation of tension between Indonesia and the Netherlands.

Opposition to the 19-power draft resolution came from the spokesmen for Argentina, Austria, Belgium, Brazil, China, Cuba, the Dominican Republic, France, Ireland, Israel, Italy, Mexico, New Zealand, Peru, Spain, Sweden, the United Kingdom, Uruguay and others.

One argument against the draft resolution was that the General Assembly, under Article 2, paragraph 7, of the United Nations Charter, was not competent to discuss the question. Another argument was that the Charter of Transfer of Sovereignty expressly provided that the status quo of New Guinea was to be maintained, thereby best protecting the right of the inhabitants to self-determination under the present circumstances.

Some representatives mentioned the possibility of establishing a United Nations Trusteeship for the entire island of New Guinea, in order that the population as a whole might in due course decide its own future.

On 26 November 1957, the First Committee approved the 19-power draft resolution by a roll-call vote of 42 to 28, with 11 abstentions. It failed to be adopted, however, when it came up for final approval at a plenary meeting of the Assembly, since it did not secure the required two-thirds majority. The vote in plenary, by roll-call, was taken on 29 November 1957. The result was 41 votes in favour, 29 against, with 11 abstentions.

DOCUMENTARY REFERENCES

GENERAL ASSEMBLY—12TH SESSION
Plenary Meetings 682, 724.
General Committee, meeting 111.
First Committee, meetings 905-912.

A/3644. Letter of 16 August 1957 from Permanent Representatives of Afghanistan, Burma, Ceylon, Egypt, Ethiopia, India, Indonesia, Iran, Iraq, Jordan, Lebanon, Libya, Morocco, Nepal, Pakistan, Philippines, Saudi Arabia, Sudan, Syria, Tunisia, Yemen requesting inclusion in agenda of 12th Assembly session of item entitled "Question of West Irian (West New Guinea)".

A/C.1/L.193. Afghanistan, Bolivia, Burma, Ceylon, Egypt, Ethiopia, India, Indonesia, Iraq, Jordan, Lebanon, Libya, Morocco, Nepal, Saudi Arabia, Sudan, Syria, Tunisia, Yemen draft resolution adopted by roll-call vote of 42 to 28, with 11 abstentions, as follows:

In favour: Afghanistan, Albania, Bolivia, Bulgaria, Burma, Byelorussian SSR, Ceylon, Costa Rica, Czechoslovakia, Egypt, El Salvador, Ethiopia,

Ghana, Greece, Guatemala, Haiti, Hungary, India, Indonesia, Iran, Iraq, Japan, Jordan, Laos, Lebanon, Libya, Federation of Malaya, Morocco, Nepal, Pakistan, Philippines, Poland, Romania, Saudi Arabia, Sudan, Syria, Thailand, Tunisia, Ukrainian SSR, USSR, Yemen, Yugoslavia.

Against: 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, United Kingdom.

Abstaining: Cambodia, Ecuador, Finland, Liberia, Mexico, Panama, Paraguay, Turkey, United States, Uruguay, Venezuela.

A/3757. Report of First Committee.

Draft resolution, as recommended by First Committee, A/3757, having failed to obtain the required two-thirds majority, was not adopted by the Assembly on 29 November 1957, meeting 724. The vote by roll-call, was 41 to 29, with 11 abstentions as follows:

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In favour: Afghanistan, Albania, Bolivia, Bulgaria, Burma, Byelorussian SSR, Ceylon, Costa Rica, Czechoslovakia, Egypt, El Salvador, Ethiopia, Ghana, Greece, Guatemala, Haiti, Hungary, India, Indonesia, Iran, Iraq, Japan, Jordan, Laos, Lebanon, Libya, Federation of Malaya, Morocco, Nepal, Pakistan, Poland, Romania, Saudi Arabia, Sudan, Syria, Thailand, Tunisia, Ukrainian SSR, USSR, Yemen, Yugoslavia.

Against: 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, Union of South Africa, United Kingdom.

Abstaining: Cambodia, Ecuador, Finland, Liberia, Mexico, Panama, Paraguay, Turkey, United States, Uruguay, Venezuela.