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CONTENTS

Chairman: **Mr. Francisco URRUTIA (Colombia).**

AGENDA ITEM 61

The question of West Irian (West New Guinea) (A/2694, A/C.1/L.109, A/C.1/L.110, A/C.1/L.111) (*continued*)

1. Mr. SUDJARWO (Indonesia) recalled that the Netherlands representative had stated (734th meeting) that the second paragraph of the preamble to the Indonesian draft resolution (A/C.1/L.109) was incorrect, because according to him the disagreement mentioned in that paragraph dated from before the Round Table Conference and had existed ever since 1946. The fact remained, however, that the disagreement had been formally acknowledged at the Round Table Conference in article 2 of the Charter of transfer of sovereignty (S/1417/Add.1).

2. The Netherlands representative had had no objection to the third paragraph of the preamble. It was obvious that the residency of New Guinea formed part of Indonesia, since the term itself designated an Indonesian administrative unit.

3. The seventh paragraph of the preamble referred to a matter which could be appraised in different ways. None the less, there existed in West Irian a movement of discontent with the Netherlands Administration, which was making efforts to suppress it. The Indonesian Government viewed that situation with deep concern, since the prolongation of the dispute was likely to endanger the friendly relations between the two parties. If the Netherlands Government did not share that attitude, it was regrettable. In any case, the Netherlands authorities' assertion that the situation in West Irian was satisfactory should be accepted with reserve.

4. It was regrettable that the Netherlands objected to the resumption of the negotiations provided for in the Charter of transfer of sovereignty. It was clear that negotiations were the only way to solve the problem peacefully, and that there could be no reason for a peace-loving government to refuse to settle a dispute by negotiation. The Netherlands delegation had tried to justify that refusal by quoting from speeches by the President of Indonesia, Mr. Soekarno. Those quotations had been taken out of their context. In his speech of 17 August 1950, the President of Indonesia had actually stated that, if the dispute were not settled as provided in the Round Table Conference agreements, then the question would arise as to who was to be the recognized authority in West Irian. The second speech quoted by the Netherlands representative had been made in November 1952, in other words, after the Netherlands Government's refusal to negotiate further. Mr. Soekarno had then said that the Indonesian Government would thenceforward make its own plans. Those two speeches could not therefore be interpreted as meaning that the Indonesian Government had taken the initiative in breaking off negotiations.

5. Under paragraphs 2 and 3 of the operative part of the draft resolution, the United Nations would encourage a resumption of negotiations, but would pass upon the merits of the dispute. The Indonesian Government believed that the intervention of a third party might help to settle the dispute, and that the Secretary-General or a person appointed by him might play a valuable part by placing the good offices of the United Nations at the disposal of the parties.

6. Mr. MARQUES CASTRO (Uruguay) said he would have voted for any draft resolution like that suggested by the representative of Mexico (731st meeting) which would have commanded a substantial majority. In any case, the Uruguayan delegation would vote only for a draft resolution which gave first place to the interests of the inhabitants of West Irian.

7. Without prejudice to a more detailed analysis, Mr. Marques Castro would vote for the eight-Power draft resolution (A/C.1/L.110), which expressed the hope that a solution would be found in conformity with the principles of the Charter, meaning, in the case at issue, a solution which took account of the interests of the inhabitants of the territory. Furthermore the draft expressed the United Nations interest in the future of those inhabitants, as it requested the parties to report progress to the tenth session of the General Assembly.

8. Mr. URQUIA (El Salvador), recalling the terms of rule 121 of the rules of procedure, pointed out that the eight-Power draft resolution (A/C.1/L.110) had only just been distributed, and wondered whether it should be discussed before the following day—the Committee could so decide if it wished.

9. The chairman explained that the provisions of rule 121 were not mandatory, and considered that, in the absence of any objection, the discussion could be continued.

10. Mr. URQUIA (El Salvador) recalled that the representatives of the United Kingdom and Peru had criticized the eight-Power draft resolution (A/C.1/L.110) on the ground that it made no mention of the interests and wishes of the people of West Irian. Article 73 of the United Nations Charter had been quoted in that connexion. Clearly, however, that article did not apply to the case at issue, since it was not a question of relations between a parent State and a colony. Had that been the case, the question would have been

referred, not to the First Committee, but to the Fourth Committee. It was not under Article 73, but under Article 14, that the First Committee was dealing with the matter, inasmuch as a dispute likely to impair the general welfare and friendly relations between two sovereign States was involved.

11. The sponsors of the joint draft resolution had not indicated that the interests and wishes of the inhabitants of the territory should be taken into account, because that would have been tantamount to siding with the Netherlands.

12. Mr. DE HOLTE CASTELLO (Colombia) recalled that his delegation had said (728th meeting) that it opposed the Indonesian draft resolution (A/C.1/L.109) because it did not take into account the right to self-determination of the population of the disputed territory. The Colombian delegation deprecated over-ambitious solutions; the adoption of resolutions which might not be respected only compromised the prestige of the United Nations.

13. The Colombian delegation was therefore submitting an amendment (A/C.1/L.111) providing that paragraph 1 of the operative part of the eight-Power draft resolution A/C.1/L.110) should be replaced by the following:

> "1. Expresses the hope that a solution concerning the future of West New Guinea (West Irian) will be found in conformity with the principles of the Charter of the United Nations and especially with the interests and rights of the inhabitants of West New Guinea (West Irian).

14. Mr. ALBERTSSON (Iceland) did not consider that the state of affairs in West New Guinea justified United Nations interference with a view to facilitating a transfer of sovereignty.

15. The claims of Indonesia were based on the fact that West New Guinea was a Netherlands colony, as had been the territory which had later become Indonesia. That fact, however, did not give Indonesia the right to claim sovereignty over West New Guinea. Furthermore, the views of Australia on the future of the territory were no less important than those of Indonesia. Finally, the inhabitants of West New Guinea had never expressed their wishes. The dispute, therefore, was clearly of a territorial nature, and there was no reason for the United Nations to intervene therein.

16. The Iceland delegation would therefore vote against the Indonesian draft resolution (A/C.1/L.109) and against the eight-Power draft resolution (A/C.1/L.110).

17. Mr. SUDJARWO (Indonesia) said his delegation still believed that its draft resolution was the most suitable one for achieving a peaceful solution of the question. However, it was also fully aware of the spirit of reconciliation which had moved the sponsors of the joint draft resolution, a spirit for which it had the greatest appreciation. The two draft resolutions reflected the same attitude: both sought a peaceful solution of the question, though the joint draft resolution did not go so far as the Indonesian draft resolution.

18. Sir Percy SPENDER (Australia), while aware of the good will of those who had sponsored the joint draft resolution (A/C.1/L.110) and of their desire not to prejudge the issues, wished to make certain criticisms.

19. First, however, he wished to know whether the Indonesian delegation was going to withdraw its draft resolution and, if not, whether it wanted priority for its draft resolution? If the answer to both those questions was "no", and if the eight-Power draft resolution was adopted, then, assuming that priority had been given to the joint draft resolution, would the Indonesian delegation ask for a separate vote on its own draft resolution? The answers to those questions were all-important.

20. The eight-Power draft resolution was more moderate than the Indonesian draft (A/C.1/L.109). But it was just as unacceptable, since its aims, though less precisely stated, were in fact the same. Sir Percy proceeded to enumerate the main objections to the joint draft.

21. The second paragraph of the preamble reduced the scope of the agreements reached at the Round Table Conference, which was in fact far more extensive, as the Netherlands representative had pointed out. Moreover, that paragraph cast a veiled doubt on the legality of Netherlands sovereignty over West New Guinea, and its adoption might weaken the position of the Netherlands. Actually what remained in dispute was the views of the parties concerned, and not the status of West New Guinea.

22. Paragraph 1 of the operative part of the eight-Power draft resolution was also unacceptable, because it provided that endeavours should be made to resume negotiations on the political status of West New Guinea. Its aim was thus the same as that of the Indonesian draft resolution: the resumption of negotiations concerning a territory held *de jure* and *de facto* by one of the parties.

23. Paragraph 2 of the operative part would leave the question open. That would have the most harmful effects for both parties to the dispute, and also for others, including Australia.

24. Lastly, the eight-Power draft resolution omitted to emphasize the rights and interests of the indigenous inhabitants. The representative of El Salvador had said that the sponsors of the draft resolution had not wanted to take sides. Their intention was a good one; but to stress a principle expressed in the Charter was not to take sides. There could be no possible objection to a statement in a draft resolution that a territory could not be handed over except in accordance with the will of the inhabitants. In the twentieth century a people could no longer be treated as chattels, to emphasize the rights of that people was not to show partiality.

25. Consequently the Colombian amendment (A/C.1/L.111) would considerably improve the eight-Power draft resolution.

26. Mr. CAÑAS (Costa Rica) said that the question of West Irian was a dispute between two sovereign States, one of which had brought the matter before the United Nations after its efforts to solve the problem through normal diplomatic channels had failed. Quite apart from the merits of the case, it obviously could not be asserted that the matter was one which was essentially within the domestic jurisdiction of a State, so that Article 2 paragraph 7, of the Charter could not validly be invoked.

27. The Costa Rican delegation had co-sponsored the joint draft resolution (A/C.1/L.110) in the hope that the parties to the dispute would pursue their endeavours to find a solution. It had no intention of pronounc-

ing on the substance of the question or on the validity of the arguments put forward by either party.

28. Reference had been made to the right of the inhabitants of West New Guinea to self-determination, and it had even been asserted that the incorporation of the territory into Indonesia would be detrimental to those inhabitants, as the General Assembly would then no longer have the power to exercise protective supervision which it enjoyed under Article 73 e of the Charter. The essential purpose of that article was to protect non-self-governing peoples, and it could not be invoked in the settlement of a dispute. If such a precedent were created, it would be impossible ever to resolve the disputes between the United Kingdom and Argentina, and between the United Kingdom and Guatemala, over the Falkland Islands and British Honduras respectively.

29. Some representatives considered that non-self-governing peoples had no effective protection other than that provided under Article 73 e of the Charter. Was it to be supposed, for instance, that the aboriginal peoples of the interior of Brazil were not sufficiently protected by the Brazilian Government, and that they would be happier under the administration of an extra-continental Power which submitted annual reports on them to the General Assembly? Article 73 e referred to the special case of peoples administered by foreign States, and the Charter did not thereby assert that there was no other way of promoting the development of peoples.

30. The sponsors of the joint draft resolution were prepared to accept any amendment that referred specifically to the interests of the inhabitants of West New Guinea. They had not made a specific reference to that principle themselves because they had thought it out of place for the Assembly to tell Indonesia and the Netherlands under what conditions they should continue their efforts to reach agreement; the General Assembly should be able to rely on the Netherlands and Indonesia on that point.

31. The Indonesian draft resolution called upon the parties to resume negotiations without delay. The amendment submitted by Colombia to the joint draft resolution merely expressed the hope that a solution would be found. The eight-Power draft resolution occupied an intermediate position between those two extremes; it did not urgently insist that negotiations should be resumed, but expressed the hope that endeavours to find a solution would be pursued. The Costa Rican delegation hoped that the joint draft resolution would be adopted by a large majority.

32. Mr. BELAUNDE (Peru) said that he had always considered that relationships between peoples and territories should be governed by human rather than by territorial factors.

33. The eight-Power draft resolution was an improvement upon the Indonesian draft resolution. The Committee could not conclude its examination of the problem without adopting a resolution which took into account the interests of the two parties, the interests of the people concerned, and the competence of the United Nations in the matter. The Colombian amendment (A/C.1/L.111) was an excellent one, for it did not prejudice the rights of the parties and laid down the principle that a solution in conformity with the principles of the Charter and with the interests of the inhabitants of the territory should be sought.

34. The Peruvian delegation would vote for the Colombian amendment. If that amendment were accepted, it would also vote for the eight-Power draft resolution (A/C.1/L.110) as amended. It would abstain on the draft resolution if the amendment were rejected.

35. Mr. JOHNSON (Canada) said that his delegation had taken no part in the general debate, for, like the New Zealand delegation, it had doubted whether the discussion would benefit either party concerned and whether the United Nations had competence in the matter. That was why the Canadian delegation had not supported the inclusion of the item in the agenda.

36. While it was true that the statements of the Indonesian, Netherlands and Australian representatives had kept the debate on a serious level, nothing good could come of it. Canada had no primary concern in the dispute, but it had been much interested in the efforts made to reach a just solution. It was in that spirit that Canada had taken part in the Security Council discussions in 1948 and 1949 on the dispute between the Netherlands and Indonesia, which had culminated in the conclusion of the Round Table Conference agreements.

37. The essential feature of the Indonesian draft resolution (A/C.1/L.109) was that it called for a resumption of negotiations between the parties without delay. That was not an unreasonable request on the face of it, but it overlooked two facts. In the first place, negotiations had been carried on for more than a year and had not been broken off by the Netherlands but had been terminated because no solution had been reached. It should be recalled, in that connexion, that Indonesia had stated that it was prepared to resume negotiations only if its sovereignty over West New Guinea were recognized, despite the final paragraph of article 2 of the Charter of transfer of sovereignty (S/1417/Add.1). The second factor which had been ignored was the Australian attitude towards and interest in the matter.

38. The adoption of the Indonesian draft resolution would imply a rebuke to the Netherlands by the General Assembly and an invitation, though perhaps not explicitly expressed, to the parties to resume negotiations on the terms laid down by Indonesia. For those reasons, the draft resolution was not acceptable, although not all its provisions were bad.

39. Since the prolongation of the dispute was undesirable, it behoved the Indonesian Government to modify its premises and select other means to persuade the Netherlands to reopen negotiations. Canada had much sympathy for Indonesia, but could not support its thesis that it had the right to annex a territory which adjoined its own but was distinct from it. Indonesia could perhaps seek an advisory opinion from the International Court of Justice. In any event, the decisive criterion in the question of West New Guinea, as Mr. Nehru, the Prime Minister of India, had said, on 17 June 1950, was the interests of New Guinea and the wishes of its population. If sovereignty were transferred to Indonesia, the provisions of Article 73 e of the Charter would no longer apply, to the detriment of the inhabitants.

40. As the New Zealand representative had said (730th meeting), the issue was not colonial but territorial. Canada was primarily concerned with the welfare of the inhabitants of West New Guinea, and it therefore welcomed the assurance of the Netherlands that they

would be given the opportunity to determine their own future.

41. Lastly, to call upon the parties to resume negotiations on the initiative of one of them would be to put the other in the wrong.

42. For those reasons, the Canadian delegation would vote against the Indonesian draft resolution. The Canadian delegation had not had sufficient time to study the eight-Power draft resolution (A/C.1/L.110) and the Colombian amendment (A/C.1/L.111) thereto, and therefore hoped that they would not be put to the vote at the current meeting. If they were put to the vote, however, Canada would probably vote in favour of the amendment and, if that amendment was adopted, it would probably not vote against the eight-Power draft resolution, although it had strong reservations about paragraph 2 of the operative part.

43. Mr. BRILEJ (Yugoslavia) said that in his opinion the General Assembly should recommend direct contact between the parties involved.

44. In co-sponsoring the joint draft resolution (A/C.1/L.110), the Yugoslav delegation had borne in mind the rights and interests of the population of the disputed territory. In a spirit of conciliation it had accepted a wording of paragraph 1 to the effect that a solution to the dispute should be sought in conformity with the principles of the United Nations Charter. But it was self-evident that those principles included the principle that the rights, interests and opinions of the population concerned must be taken into account

45. Mr. VON BALLUSECK (Netherlands) said that he could not accept the eigth-Power draft resolution for the reasons which had already been stated by the representatives of the United Kingdom, Australia and Colombia.

46. The preamble was not happily worded and omitted any reference to the origins of the dispute and to the relation between the dispute and the Round Table Conference. The most serious defect was the omission of any reference to the interests of the population of West New Guinea. Consequently the Colombian amendment, which stressed that important point, represented a great improvement.

47. Some delegations had accused the Netherlands of adopting a rigid attitude and had alleged that it had no intention of resuming negotiations. That reproach was quite unfounded. In the view of the Netherlands Government, the dispute did not bear on the status of West New Guinea, for it had been decided at the Round Table Conference to maintain the *status quo*. The dispute bore on the future status of the territory. The negotiations on that question had achieved no result, and the *status quo* was therefore maintained. New Guinea would remain under Netherlands administration until its inhabitants were capable of determining their own future.

48. In the meanwhile, the Netherlands would continue to supply information on New Guinea under Article 73 e of the Charter. Indonesia could not say the same, as it wished to incorporate New Guinea permanently into its own territory. Even if it gave a certain amount of local autonomy to the population of New Guinea, that population would never have the opportunity to choose a future that would mean a parting of the ways with Indonesia. It was clear, therefore, that the Netherlands attitude was very flexible, and was in the interests of West New Guinea.

49. The Colombian amendment stressed that aspect of the problem. Nevertheless, the Netherlands delegation maintained its objections to the eight-Power draft resolution.

50. Mr. MENON (India) was surprised that some speakers had criticized the second paragraph of the preamble to the joint draft resolution. The charge had been made that the paragraph referred to past history, but actually it did no more than recall that certain agreements had been concluded between the two countries concerned and that those agreements had established a new relationship between them. There was no reason why the mere recalling of a fact should give rise to objections, particularly in connexion with agreements in the establishment of which the United Nations had taken a considerable part. Furthermore, in view of the fact that Netherlands sovereignty had previously extended over both countries, it was desirable to recall that the agreements in question had established those two countries as independent sovereign States. As the agreements had referred to the divergences of views between the parties concerning West Irian, it would appear quite normal for the draft resolution to mention that fact. The facts recited in that paragraph had not been unfairly selected, and there was no unfair omission in it. It had been in order to secure the largest common measure of agreement, or at least acquiescence, that those elements which had not appeared essential had been omitted from the recital of facts.

51. The eight-Power draft resolution did not advocate the transfer of sovereignty over West Irian from the Netherlands to Indonesia. India took the position that that transfer had already taken place under the Charter of transfer of sovereignty. The substance of the dispute was the government of the territory. It was not a question of two States disputing over possession of a colonial territory, but of the completion of Indonesian autonomy. Article 73 of the United Nations Charter was therefore entirely irrelevant. Mr. Menon wondered what would happen if every independent State were called upon to submit information concerning certain peoples in its territory because they did not exercise the franchise. Did Article 73 apply automatically to certain backward peoples who, in some countries, perhaps, did not enjoy the right to vote? So far as Indonesia was concerned, it conferred the franchise on its entire population, so that the question of Article 73 did not arise.

52. The third paragraph of the preamble simply recalled the words of the agreement between the two countries. The First Committee was clearly under an obligation to encourage the parties to settle their dispute by peaceful and reasonable means.

53. The Indian delegation could not accept the Colombian amendment (A/C.1/L.111) to paragraph 1 of the operative part. "The hope that a solution concerning the future ... will be found" was a vague formula, as it did not even mention the parties. It constituted neither pressure nor condemnation with regard to anyone. As to the rest of the amendment, the high sentiment which inspired it distorted the true picture of the situation. The joint draft resolution did not provide for the establishment of an autocratic authority — in this case, the Indonesian Government — over a people unable to protect itself. The reference to the principles of the Charter in

ıragraph 1 of the draft resolution should suffice on at point.

. The fact that for some 120 years the peoples of ıdonesia had been unable freely to determine their ıture cast some uncertainty on the statement that, ıder the present system, the population of West ian would eventually achieve the right of self-dermination. History furnished proofs that sovereignty as abandoned only as a result of foreign conquest. y adopting the joint draft resolution, the Assembly ould leave it to Indonesia and the Netherlands to ork out methods of settling the problem which was using the dispute between them. If the solution of at problem was to be found in the right of peoples determine their own future, it must be added that at right was not an end in itself but merely the ay to self-government.

. The arguments adduced against paragraph 1 of e operative part of the joint draft resolution were erefore very weak. The sponsors of the draft had ıped to obtain the acquiescence of both parties. It as rather surprising to find in the Committee an atude of opposition to negotiations. Furthermore, there as little basis for the objection to paragraph 2 of the ıerative part, requesting the parties to report progress the following session, because either party need ily make the request and the item would be included ain in the agenda of the following session of the eneral Assembly.

. It had been alleged that the Indonesian Govnment at some stage in its correspondence had said at sovereignty over West Irian had already been ansferred. There was no evidence that such a statent had been made, and indeed, the Indonesian Govnment could not have made it, as there had been partition of territory and West Irian had not been parated from the Netherlands East Indies.

. As a co-sponsor of the draft resolution, the ıdian delegation hoped that the Indonesian and Nerlands delegations would be able, if not to support e text, at least to refrain from opposing it. A gative vote by either of the principal parties would stroy any hope of a solution based on the principles the United Nations Charter.

. Mr. URQUIA (El Salvador) thought that the aft resolution of which his delegation was a coonsor was impartial and objective.

. It was surprissing that paragraph 1 of the operative rt should have been interpreted as prejudicing the sult of any efforts which might be made by the two untries concerned. The text confined itself to exessing the hope that the parties would pursue their ideavours to find a solution to the dispute. The istence of that dispute could hardly be contested, ıce it was the cause of the current debate. Even the Netherlands contested it by stating that the spute had ended when the negotiations had broken wn, the fact that the other party took the contrary ew meant that there was a dispute.

. Paragraph 2 of the operative part was designed lely to keep the question on the Assembly's agenda a perfectly normal procedure. In any event, if the fficulties continued into the following year, either rty could always arrange for the inclusion of the m in the Assembly's agenda.

61. Some delegation stressed the rights and interests of the population concerned. If that was the problem, then the question should be referred to the Fourth Committee, but, under Article 14 of the Charter, the question under discussion was within the competence of the First Committee.

62. As for the strong feeling shown by the Powers responsible for the administration of Non-Self-Governing Territories on the subject of the rights and interests of the indigenous population, El Salvador, which took an active part in the work of the Fourth Committee and had for three years been a member of the Trusteeship Council, and therefore knew how some of those territories were administered, could only express its astonishment. In the case under discussion, if after more than a century the population of West Irian was still in a state of manifest backwardness, there were grounds for wondering how many centuries would still be required, allowing the Netherlands argument, before that population could be regarded as being in a position to claim the right to govern itself. Any reference, therefore, to the rights and interests of the population of the territory concerned, would be tantamount to taking sides in the dispute and supporting the position of one of the parties.

63. The Colombian amendment had several disadvantages. It did not refer to the parties to the dispute, which was rather suprising, and the very terms in which it was couched showed a bias towards the Netherlands side. The text of that amendment would seem to endorse the maintenance of the *status quo* for an indefinite period until the population of West New Guinea was in a position to express its will.

64. Mr. Urquía recalled that the representative of Argentina had inquired (732nd meeting) whether, at the time when Indonesia had been constituted as an independent State, the inhabitants had been consulted. It was true that when Indonesia had achieved its independence, with the consent of the Netherlands and under the auspices of the United Nations, there had been no plebiscite, but that did not mean that the proceedings had been illegal.

65. Mr. FRANCO Y FRANCO (Dominican Republic) said that his delegation could not support the Indonesian draft resolution, owing principally to the essentially legal character of the problem. The Charter of transfer of sovereignty, established in 1949, had not provided for the transfer of sovereignty over West Irian. On the contrary, it had provided for the maintenance of the *status quo* and for the opening of negotiations within one year. That argument — which, of course, was open to discussion — was the juridical basis of the firm position of the Netherlands. One of the parties to the dispute, in particular, was taking its stand on weighty legal arguments: the General Assembly was thus faced with a legal problem which it was not competent to settle. The mere fact that the United Nations recommended the resumption of negotiations would be equivalent in law to deciding against one of the parties.

66. The Dominican delegation nevertheless believed, as it had already stated in the general debate (732nd meeting), that the Assembly could play an essential part in the matter by urging the parties to make every effort towards conciliation so as to achieve a solution which, in conformity with the spirit of the Charter, would take the welfare and progress of the indigenous

population fully into account. The amendment submitted by Colombia (A/C.1/L.111) would therefore be a very valuable addition to the joint draft resolution (A/C.1/L.110).

67. A problem which concerned the welfare and advancement of the Irianese was the length of time that would be needed before they could attain to self-government. In the absence of any other formula, it would be better for them to live in a dependent territory, under the present conditions, than to be simply attached to some other country. When the Netherlands referred to the possibility of the speedy advancement of the people of the territory, it was stating intentions which were fully in accord with the United Nations Charter.

68. The delegation of the Dominican Republic would therefore vote against the Indonesian draft resolution. It would support the eight-Power draft resolution, with the Colombian amendment, and it might if necessary, support certain amendments to the preamble.

69. Mr. QUIROGA GALDO (Bolivia) said that his delegation would vote for the Indonesian draft resolution unless priority was given to the eight-Power draft resolution, which reflected a spirit of justice and conciliation.

70. Bolivia wished to support the principle that no Member of the United Nations had the right to take a unilateral decision modifying a solemn undertaking. The Netherlands could not afford to persist in its refusal to pursue negotiations which it had undertaken to continue.

71. With regard to the Colombian amendment, it introduced into the debate an element that was irrelevant to the problem, which was primarily a political dispute between the Netherlands and Indonesia. If the General Assembly refrained from recommending a resumption of the negotiations, it might create a general impression of failure.

72. Mr. DE LA COLINA (Mexico) said that the eight-Power draft resolution was not quite what he would have desired. He had had in mind a text in which the interest of the General Assembly in the welfare and progress of the people of New Guinea would be reaffirmed on the basis not of Article 73 of the Charter, but of Article 1, paragraph 2. Nevertheless, the joint draft resolution was designed to promote an understanding between the parties, in conformity with the principles of the Charter.

73. With regard to the Colombian amendment, which clearly reflected a conciliatory spirit, the part concerning the people of West New Guinea should perhaps have been inserted in the preamble to the draft resolution.

74. Mr. BLANCO (Cuba) said that his delegation whole-heartedly supported the joint draft resolution (A/C.1/L.110). The United Nations could not refuse to encourage the resumption of negotiations for the settlement of a dispute. The eight-Power draft resolution expressed the hope that the parties would pursue their endeavours in that respect in conformity with the principles of the Charter of the United Nations; those principles included the obligation to promote to the utmost the well-being of the indigenous peoples, as well as the obligation to respect the right of peoples to self-determination. The Colombian amendment was therefore unnecessary.

75. Mr. HOPPENOT (France) said that althou the eight-Power draft resolution was more moder than the Indonesian draft, it was none the less u acceptable. To vote for it would amount to admitti that the General Assembly had the right to interve in a matter within the domestic jurisdiction of State, as well as the right — and the authority — interpret a treaty.

76. The Colombian amendment, if it were accep and inserted in the text of the draft resolution, wo be equally unacceptable to the French delegation. for paragraph 2 of the operative part of the dr resolution, it could obviously not be approved by legations which, like the French delegation, had vo against the inclusion of the question in the ager of the current session.

77. Mr. SERRANO (Philippines) said that the eig Power draft resolution came closer to the views the Philippine delegation than the Indonesian dr resolution.

78. It might, however, be advisable, taking into count the statements made by the representatives Australia and the Netherlands, to delete from second paragraph of the preamble the statement t "a new relationship as between the two countries, sovereign independent States," had been established the agreements concluded at The Hague.

79. Similarly, in paragraph 1 of the operative pa the general construction of the sentence could amended by placing the words "in conformity w the principles of the Charter of the United Natio directly after the words "expresses the hope tha The paragraph would thus come within the scope Article 33 of the Charter, which mentioned negot tion, inquiry, mediation, etc., as methods to be us in seeking solutions to disputes. If, on the other ha that paragraph was not amended, the phrase "in c formity... United Nations" would apply to the disp itself, and the paragraph might be interpreted prejudging the issue.

80. It was, moreover, regrettable that the eight-Pow draft resolution did not reproduce the paragraph the Indonesian draft resolution in which the Secreta General was invited to assist the parties.

81. The Philippine delegation would support joint draft resolution if it was amended as he h suggested and if the Indonesian delegation agr to give it priority.

82. Mr. RIZK (Lebanon) stated that his delegati still supported the Indonesian draft resolution. Th was, however, nothing in the eight-Power draft reso tion that was contrary to the principles of the Char of the United Nations or to the Charter of trans of sovereignty. Furthermore, that draft resolution w a praiseworthy effort towards compromise.

83. With regard to the criticism levelled at the eig Power draft, the existence of a dispute between donesia and the Netherlands could hardly be c tested, and the second paragraph of the preamble w therefore quite justified. The failure of the negot tions which, under article 2 of the Charter of transf should have been completed within one year, sho not prevent the parties from making another atten to solve the problem. The third paragraph of preamble was unexceptionable, and the fourth pa graph merely repeated what the two parties h already affirmed many times.

The Lebanese delegation had no desire to read o the text something which it did not say. Read in light of the preamble, the operative part merely ed that a dispute existed and that efforts had been de in the past to solve it, and expressed the hope t the parties would pursue their endeavours to d a solution to that dispute in conformity with principles of the United Nations Charter.

The Lebanese delegation would therefore vote the joint draft resolution (A/C.1/L.110), but inst the Colombian amendment (A/C.1/L.111), ich prejudged the question.

Mr. AL-JAMALI (Iraq) said that his delega-n, which was anxious that there should be good ations between Europe and Asia and desired that vestiges of colonialism should disappear, supported Indonesian draft resolution (A/C.1/L.109) by tue of which the two parties concerned would be e to resume negotiations and settle their dispute.

The Iraqi delegation also welcomed the eight-wer draft resolution; the text was reasonable and l been drafted in a conciliatory spirit, and in keep-with the principles of the United Nations Charter.

The Colombian amendment seemed unnecessary, the joint draft resolution already referred to the nciples of the Charter. If the parties agreed, and est Irian became not a colony but a part of In-nesia, the interests of the population would be safe-rded, in conformity with the principles of the arter; if West Irian remained a Netherlands colony, Netherlands would also have to respect the prin-les of the Charter. The Colombian amendment s therefore pointless.

The Committee's sole aim should be to secure resumption of the negotiations. The Iraqi delega-n was therefore prepared to support both draft olutions, but would not support the Colombian endment.

Mr. NUTTING (United Kingdom) said that he uld not have thought it necessary to intervene again, l not the Colombian amendment been submitted.

There might have been some misunderstanding respect of his statement at the preceding meeting. at was certainly the case if it was thought that he l said that the inclusion of some reference to the hes of the people of West New Guinea was a *sine non* of any resolution. Mr. Nutting had merely hed to draw the attention of those members of the mmittee who had expressed a desire that the in-est of the people of the territory should be men-ned in the Indonesian draft resolution to the fact t the new draft resolution, submitted by eight Powers /C.1/L.110), did not include any such reference. was well known, the United Kingdom seriously ubted whether the General Assembly had any com-ence to discuss the matter and could not, therefore, e for the Colombian amendment.

In the view of the United Kingdom delegation, new draft resolution carried with it the clear im-ation that negotiations must be resumed between the Governments concerned. That was something it ld not accept. The United Kingdom considered, t, that the Netherlands Government had fully per-med its obligations under the Charter of transfer sovereignty; secondly, that there was no obligation on that Government to resume negotiations; thirdly, that the competence of the United Nations to discuss the matter was seriously in doubt; and fourthly, and above all, that it would not be expedient for the General Assembly to adopt a resolution on the question.

93. The CHAIRMAN stated that the representative of India had proposed that the joint draft resolution (A/C.1/L.110) should be put to the vote first.

94. He asked the Committee to vote on the question of giving that draft resolution priority.

It was decided, by 37 votes to 2, with 18 abstentions, that the joint draft resolution (A/C.1/L.110) should be put to the vote first.

95. The CHAIRMAN put the four paragraphs of the preamble to the joint draft resolution (A/C.1/L.110) to the vote.

The preamble was adopted by 40 votes to 11, with 7 abstentions.

96. The CHAIRMAN put the Colombian amendment (A/C.1/L.111) to the vote.

97. At the request of Mr. COOKE (Argentina) that the amendment should be divided into three parts, the CHAIRMAN put to the vote the words "Expresses the hope that a solution concerning the future of West New Guinea (West Irian) will be found".

That part of the amendment was rejected by 31 votes to 11, with 16 abstentions.

98. Mr. DE HOLTE CASTELLO (Colombia) said he would not press for a vote on the rest of his delegation's amendment.

99. The CHAIRMAN put paragraph 1 of the operative part of the joint draft resolution (A/C.1/L.110) to the vote.

The paragraph was adopted by 35 votes to 14, with 9 abstentions.

100. The CHAIRMAN put paragraph 2 of the operative part to the vote.

The paragraph was adopted by 34 votes to 15, with 8 abstentions.

101. The CHAIRMAN put the joint draft resolution (A/C.1/L.110) to the vote as a whole.

102. Mr. AL-JAMALI (Iraq) requested a roll-call vote.

A vote was taken by roll-call.

Norway, having been drawn by lot by the Chairman, was called upon to vote first.

In favour: 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, Iraq, Lebanon, Liberia, Mexico.

Against: 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: Philippines, United States of America, Brazil, Canada, Chile, China, Dominican Republic, Indonesia, Israel, Nicaragua.

The draft resolution was adopted by 34 votes to 14, with 10 abstentions.

103. Mr. SUDJARWO (Indonesia) said that, response to appeals for conciliation, he would not pre for a vote on the draft resolution submitted by h delegation (A/C.1/L.109).

The meeting rose at 6.45 p.m.

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