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Chairman: Mr. Victor A. BELAUNDE (Peru).

AGENDA ITEM 63

**Question of West Irian (West New Guinea)
(A/3200 and Add.1, A/C.1/L.173) (*continued*)**

1. U PE KIN (Burma) pointed out that, not only was there admittedly a dispute between two sovereign States concerning West Irian, but that the dispute had grown in bitterness. The longer the dispute continued, the greater was the likelihood of its endangering the maintenance of international peace and security. Accordingly, the General Assembly was called upon to exercise its good offices to bring about a solution of that difference.

2. He recalled that the Charter of the Transfer of Sovereignty (S/1417/Add.1, appendix VII), which formed part of the Round Table Conference agreements reached in 1949, expressly stipulated in article 2 that a dispute existed with respect to New Guinea and that the dispute should be resolved within one year by means of negotiations between the two parties. The fact that the dispute could not be resolved within the one-year period did not detract from the fact that the dispute continued to exist. The arguments advanced by the Netherlands that it was no longer prepared to negotiate, either because negotiations could not lead to any practical results or because the Indonesian Government had terminated the Round Table Conference agreements, were without merit. The difficulty of reaching an agreement did not eliminate the obligation to attempt to do so.

3. Recalling the claim of the Netherlands Government that West Irian did not form part of the territory of the Netherlands East Indies, he said that, in the light of the official documents and the declarations of responsible representatives of the Government of the Netherlands on the question at the time of and subsequent to the transfer of power, which had not been denied by the delegation of the Netherlands, it must be concluded that the present claim of the Netherlands Government was out of step with the trend of events then taking shape, if not a complete reversal of the original intention. Referring to the statement by the representative of Indonesia (857th meeting) in that connexion, he stated that, on the merits of the problem, it could not be denied that a political link between West Irian and the rest of Indonesia had existed even before the Dutch had appeared on the scene and that West Irian, like the rest of Indonesia, had been under the control and administration of the Netherlands East Indies government.

4. Turning to the Netherlands argument that it was under an obligation to continue its control over West

Irian because of the "backwardness" of the population there, he said that he wished to consider that argument in detail since his country had had experience with people at similar levels of development, and he had personally participated in working with them.

5. Under British rule in Burma, the Shan states, the Karenni and the tribal hills were governed and administered differently from Burma proper. The tribesmen affected included such primitive peoples as the Was and the Nagas, the latter inhabiting certain tracts adjacent to the Indian border. Even though those tracts had been administered differently from the part of Burma subject to ministerial control, in contrast to the unified administrative control of the Netherlands East Indies, the United Kingdom had placed no obstacles in the way of the incorporation of those peoples and their respective areas into the Union of Burma when the Union had achieved its independence on 4 January 1948.

6. In the opinion of the Burmese delegation, there were certainly no greater grounds to justify the retention of the colonial status for the people of West Irian than for the primitive peoples of Burma or for the approximately 19 million persons living in tribal conditions in India when it had achieved independence. The fact was that what the British had done in Burma and India was in conformity with the generally recognized procedure for charting the political course of aboriginal peoples.

7. He also pointed out that the politically literate people of West Irian had participated in the nationalist struggle for independence through the Irian Party for the Independence of Indonesia, whereas the Burma Frontier Areas Commission of Inquiry in 1947 had found it impracticable to procure witnesses from the Naga hills and the Wa states on account of the primitive nature of their civilization. The incorporation of so-called backward peoples in the nation with which they had geographical and traditional ties was certainly not, as the representative of Australia had claimed, dumping millions of people like cattle. Nor was it colonialism by a non-European Power. In that connexion, U Pe Kin was glad that the representatives of the Netherlands and Australia had upheld the principle of self-determination.

8. Citing the progress made in Burma, India and Indonesia in the educational, social and economic field since their achievement of independence, he said that there could be no doubt that the future of the people of West Irian would be best protected by its unification with the rest of Indonesia, which had a natural interest in accelerating the progress of one of its constituent elements. He suggested that the desire of the Netherlands to assist in the progressive development of the people of West Irian could best be implemented by its providing technical and economic assistance based on the knowledge of the territory it had acquired during the many years in which it had assumed responsibility for the welfare of the inhabitants.

9. Apart from the merits of the question, he appealed to all the Members of the General Assembly to lend their fullest support to the draft resolution (A/C.1/L.173). There could be no doubt that the dispute had resulted in widespread tension, not only between Indonesia and the Netherlands, but throughout South Asia. The Burmese delegation, believing that it was in the interest of both parties to the dispute that an amicable settlement should be reached before the tension increased, commended the draft resolution as a constructive attempt to bring about such a solution. His delegation wished to see both normal and intimate relations restored between the two parties involved and earnestly hoped that Burmese efforts would not be construed as yet another attempt to harass a colonial Power. He observed that the draft resolution did not prejudge the merits of the case, but provided only that machinery should be created in an attempt to resolve the dispute.

10. Mr. CAÑAS (Costa Rica) said that his delegation did not wish to approach the question of West Irian (West New Guinea) as a "colonial" question. In its opinion, the matter was basically a dispute between two friendly nations, and it would like to see the dispute solved in a way satisfactory to all. The delegation of Costa Rica approached the question in the same spirit as it had at the General Assembly's ninth session, when it had tried to find some common ground between the disputants. Observing that the Costa Rican delegation had never referred to the substance of the question, he said that it had done so deliberately, because its only concern was the fact that a dispute existed.

11. Recalling that the General Assembly at its eleventh session had demonstrated, with respect to so-called colonial issues, an ability to arrive at unanimous or almost unanimous resolutions, he hoped that a similar agreement could be achieved on the present item.

12. The delegation of Costa Rica did not believe that the General Assembly could achieve a definite and final solution of the problem as it was now presented. The Assembly could only see to it that the interested parties themselves should try to solve the problem. Costa Rica, being a member of the American regional system, would be remiss in its duty if it were to refuse to assist in encouraging a peaceful settlement of any dispute, regardless of the failure of previous negotiations.

13. The Costa Rican delegation had reason to think that the draft resolution (A/C.1/L.173) it had co-sponsored would contribute to a constructive solution of the problem and might help avoid an acrimonious debate. Recalling the friendship of his country with Indonesia and the Netherlands, he said that his Government had agreed to become a co-sponsor of the draft resolution because, as a friend, it would like to see Indonesia and the Netherlands once again enjoy friendly relations. He thought that the submission of the draft resolution calling for the establishment of a good offices commission tended to conciliate the different positions expressed, without adopting any particular point of view. He was of the opinion that the draft resolution would make unnecessary a further attempt at compromise and that the sponsors would be ready to consider any amendment and accept any co-operation so that the present question might be solved as harmoniously as the previous questions before the First Committee had been.

14. Mr. SAWADA (Japan) stated that he had listened with great attention to the statements made at the 857th meeting by the representatives of Indonesia

and the Netherlands and that he was also aware of the keen interest expressed by the representative of Australia (858th meeting) on the question of West Irian.

15. Observing that Japan had friendly and amicable relations with all those countries, he said that it was distressing that the Netherlands and Indonesia disputed the issue of West Irian and that the dispute had persisted since the independence of the new republic.

16. His delegation had every reason to hope that the two countries would promptly come to an agreement. He warned that a continuation of the dispute would not only retard the economic development of the island, but would undoubtedly jeopardize the maintenance of peace and tranquillity in South-East Asia, and, consequently, in the whole world.

17. Observing that members of the Committee should not accuse one another or aggravate tension, he said that he had noted with deep satisfaction the highly constructive tone of the statements of the representatives of both Indonesia and the Netherlands. In particular, he was gratified to note that the two Governments had in common the ultimate benefit of the inhabitants of West Irian as their primary concern. The Japanese delegation believed that a satisfactory political arrangement might eventually be worked out if the parties concerned concerted their endeavours towards that common end.

18. His delegation did not believe that there would be an improvement in the situation regarding West Irian if the United Nations refrained from concerning itself with it. That did not mean that the United Nations was in a position to dictate the lines of action which the parties concerned should take. Rather, that the United Nations should endeavour to facilitate the resumption of negotiations between the countries directly concerned. If the two parties accepted the good offices of the United Nations, the Japanese delegation believed that an offer of good offices would be a very constructive step for the Organization to take. His delegation would support any proposal designed to facilitate the resumption of negotiations with a view to reaching a satisfactory solution of the question.

19. Mr. URQUIA (El Salvador) said that the question of West Irian (West New Guinea) was the latest episode in the nationalistic effort to attain complete emancipation of the Indonesian archipelago. Recalling the role of the Security Council in bringing about a cessation of hostilities and its offer of its good offices for the peaceful settlement of the Indonesian question, he observed that the full independence of Indonesia was recognized in the Charter of the Transfer of Sovereignty to the United States of Indonesia, signed at the Round Table Conference at The Hague, the document coming into force on 27 December 1949.

20. Article 1 of that Charter recognized the new Republic's sovereignty. Article 2, however, stated that the Residency of New Guinea was still in dispute and that the *status quo* would be maintained; but that one year from the date of the transfer of sovereignty to Indonesia, the political status of New Guinea would be decided upon by means of negotiations between the Netherlands and the Republic of Indonesia.

21. The negotiations produced no results within the time limit foreseen in the Charter nor since then, and the Netherlands Government consequently considered the matter closed and was ready to continue administering West Irian (West New Guinea) indefinitely as a Non-Self-Governing Territory in accordance with Chapter XI of the Charter of the United Nations. The

Indonesian Government, on the other hand, considering the matter still open, called for the assistance of the General Assembly in finding a solution.

22. The delegation of El Salvador still maintained the objective stand that it had taken on the question in previous years. It was of the opinion that a dispute existed between two States and it was the responsibility of the United Nations to see to it that a peaceful settlement was found, especially since the parties concerned had, in a treaty signed under the auspices of the United Nations, agreed to solve their problems by means of direct negotiations.

23. Mr. Urquía recalled that the Security Council had considered its intervention in the question of Indonesia as having been completed when the Netherlands recognized Indonesia as a sovereign State. Therefore, in the case of West Irian, which emerged later, Article 12 of the Charter of the United Nations was not applicable. On the other hand Articles 10 and 14 of the Charter left no doubt as to the competence of the General Assembly to deal with the matter. In that connexion, he noted that the question of West Irian could adversely affect and impair both the general welfare and the friendly relations among nations. Notwithstanding the reliance of certain Members on Article 2, paragraph 7 of the Charter, the Government of El Salvador considered that a dispute such as the one between Indonesia and the Netherlands could not be considered as a matter essentially within the domestic jurisdiction of the Netherlands. The existence of an international dispute was expressly recognized by the Charter of the Transfer of Sovereignty. That document contained commitments and obligations on both States, which no unilateral stand could undermine.

24. As to the one-year time limit for negotiations set by that Charter, that provision could not be taken as meaning that failure to reach agreement within that period would result in the disappearance of the controversy. As a result of the lack of agreement between the parties, the dispute still existed and the United Nations must therefore use its good offices to end a dispute between two Member States.

25. His delegation would vote in favour of the draft resolution (A/C.1/L.173) because it was of the opinion that a good offices commission established by the General Assembly might be expected to be as successful as the United Nations Security Council's Committee of Good Offices on the Indonesian Question, which had brought peace and independence to the Republic of Indonesia. In that connexion, if one compared the thirteen-Power draft resolution with the resolutions adopted by the General Assembly on the question of Algeria (resolution 1012 (XI)) and on the question of Cyprus (resolution 1013 (XI)), it would be seen that the only new element in the draft was the provision for a good offices commission. That idea was not something that need in any way alarm anyone, since it was one of the most successful procedures by which difficulties between States could be solved. His delegation considered that the suggestions contained in the draft resolution should be adopted unanimously by the Committee.

26. Mr. VAN LANGENHOVE (Belgium) stated that the position of his delegation remained one of principle. The question affected the right of the Netherlands to exercise sovereignty over West New Guinea and thereby fell essentially within the domestic jurisdiction of the Netherlands, and the Charter did not allow the United Nations to intervene.

27. The question of West New Guinea furnished a typical case of one State laying claim to a territory which fell under the sovereignty of another State. It was doubtful whether many States would agree to submit similar disputes of their own to the judgement of a committee of good offices of the United Nations or of the General Assembly.

28. The Indonesian Government had repudiated the 1949 Round Table Conference agreements. In view of the abrogation of the agreements, the arguments remaining to support the Indonesian claim were essentially of a geographical and historical nature. In the past, that was the classical justification of a policy of annexation and of territorial aggrandizement which disposed of a territory without the consent of the inhabitants. But the world had certainly gone beyond that stage now that the principle of self-determination of peoples was included in the Charter.

29. Despite affirmations to the contrary, it would in fact be difficult to prove that the populations of West New Guinea had given their consent to their inclusion in the Indonesian nation. Recalling the remarks of the representative of Burma regarding whether such consent was necessary, the representative of Belgium stated that his delegation did not conceive of the principle of self-determination in that way.

30. The people of New Guinea were made up of Papuans and of a minority of Negritos. They were among the most primitive people known; with some exceptions, they were completely illiterate. They continued to practice the most barbarous customs in their vast territory which was covered with jungle and was extremely difficult to penetrate. Despite its efforts, the Administration had been able to establish contact only with a fraction of the population; the rest had no idea of the outside world and of its civilization. He wondered how, in those circumstances, consent could have been given by the people of New Guinea to their inclusion in the Indonesian nation. If one assumed that the tribal population in New Guinea was aware of the existence of the Indonesian nation, one was confronted with the fact that no one had consulted them concerning their desire to be integrated in that nation and if one assumed that there had been a possibility of consulting them, one might wonder what their consent would have been worth, given their primitive state.

31. In that connexion, he recalled that one of the most outstanding leaders of the Indonesian national movement, Mr. Mohammad Hatta, had stated on 25 November 1949 that, with the exception of a very small group, the population of West New Guinea was "incapable of expressing a political will". He also recalled the experience of the General Assembly in connexion with the question of South West Africa in 1946 and its resolution 742 (VIII) of 27 November 1953 concerning the factors which should be taken into account in deciding whether a territory was or was not a Territory whose people had not yet attained a full measure of self-government. One factor was the opinion of the population of the Territory, freely expressed by informed and democratic processes, as to the status or change in status which they desired. He believed that everyone would readily admit that the tribal population of New Guinea had not reached the stage of freely expressing such an opinion. If it were true that sovereignty over West New Guinea had been transferred from the Netherlands to Indonesia in 1949, it would mean that, by a single stroke of the pen and unknown to the majority of the population, the tribes had been

given the ability to govern themselves in conformity with the factors set forth by the General Assembly. Such were the curious consequences of the Indonesian argument.

32. Another result of acceptance of the views of the Indonesian Government would be to continue to consider as a Non-Self-Governing Territory that part of New Guinea under Australian Administration, whereas the other part, inhabited by the same primitive population, which continued to live within the framework of its tribal organization, would become an allegedly metropolitan territory.

33. Furthermore, though the Indonesian Government might apply its Constitution to the territory and consider the inhabitants equals, such action would not affect or become known to most of the tribal populations living in inaccessible jungles. Recalling the illusions which certain European and American countries had formerly held in that regard, he declared that it was not enough for the aborigine to be a citizen in law; he must be a citizen in fact. That result required a long and persevering effort.

34. As to the assertion that the question of West New Guinea was essentially one of colonialism, he observed that that word acted like a stimulant to provoke stereotyped reactions and that its emotional power was exploited in order to gain concrete objectives and to promote particular interests. The Soviet Union furnished the most striking example.

35. As Belgium did in Central Africa, the Netherlands pursued a policy of ensuring the political, economic and social progress of the population and developing their education and their ability to govern themselves. The obligations that Belgium and the Netherlands had assumed under Chapter XI of the Charter clearly implied the elimination of all foreign exploitation and the impossibility of maintaining under foreign domination, against the will of the majority, a population that had acquired the ability to govern itself. If sovereignty over West New Guinea were transferred to Indonesia, Indonesia would inherit the responsibility of the Netherlands for the primitive population and therefore would assume the obligation stated in Article 73 of the Charter. Whereas the Netherlands Government had committed itself to consult the population of New Guinea at the proper time to determine whether it was really prepared to accept union with Indonesia, it appeared from a statement of the Indonesian Government made on 2 September 1953 that Indonesia did not intend to do likewise.

36. On the basis of the definition of colonialism made by the African-Asian Conference, held at Bandung in 1955, the Government of Belgium was no less opposed to colonialism than the participants in that Conference had been, it being understood that the guilty parties were not necessarily Europeans of Western European origin or their descendants who had emigrated overseas.

37. In conclusion, he recalled that the Indonesians and the Belgians had alike separated themselves from the Netherlands; after certain difficulties at the beginning during the transition period, the links between Belgium and the Netherlands had become increasingly strong. He expressed the wish that the relations between the Netherlands and Indonesia might develop in the same direction. But it would not be in the interest of promoting such a development to encourage unjustified territorial claims such as those advocated in the

draft resolution (A/C.1/L.173). He therefore hoped that the Committee would reject the draft.

38. Mr. ALDUNATE (Chile), referring to the questions of Algeria and Cyprus, stated that the representatives of all countries had displayed, in the consideration of those two questions in the Committee and at the plenary meetings, such a profound spirit of conciliation and a broad understanding of the problems that the discussion had resulted in the adoption of resolutions which safeguarded the principles essential to democratic nations. The adoption of those resolutions in his opinion would play a decisive role in establishing the necessary atmosphere in which the problems might be solved, in justice and peace. He had always believed that the United Nations must appeal to the conscience and human feelings of the people and the Governments in attempting to find solutions that were required by a peaceful world.

39. After hearing the statements of the representatives of Indonesia and the Netherlands (857th meeting), he was led to believe that perhaps the present problem was one more of form than of substance. With regard to the statement of the representative of the Netherlands, he found a firm and most comforting reiteration of a promise twice solemnly proclaimed by the Netherlands Government: that it would guarantee to the people of West New Guinea the exercise of the right of self-determination and that the tutorship of the Papuans would be exercised only so long as they did not have the elementary maturity necessary to express their free will. He also found that the statement of the representative of Indonesia contained many expressions of a definite desire to come to an agreement on that question. He read several such passages from the Indonesian statement and asked whether anyone doubted that a just and democratic solution would be achieved in accordance with the traditions of the Governments directly concerned.

40. He wondered whether, as in the cases of Algeria and Cyprus, a formula could be found which would be acceptable to both parties and which would galvanize them into finding a solution in accordance with the democratic principles of the United Nations Charter. He suggested that the matter be left to the parties themselves—to the one because of its lengthy, democratic tradition and its great knowledge and understanding of justice; and to the other because of the moral strength given to it by thousands of years of Asian culture. In that manner he believed the problem might be solved in a full spirit of conciliation and understanding and in a constructive desire to overcome the difficulties.

41. Mr. ZARUBIN (Union of Soviet Socialist Republics) said that there was no doubt about the importance of the question of West Irian, first because it had been included in the agenda of the General Assembly for the second time at the request of a large number of countries (A/3200 and Add.1), and secondly, because it had repeatedly been discussed at various international conferences during the past seven years. Unfortunately, however, up to the present time it had remained unsolved, producing an unfavourable effect on international relations in a very important part of the world.

42. It would not be in the interests of peace and security if the Indonesian Government's wish to reach a settlement of the problem as soon as possible could not be supported by the United Nations. A peaceful settlement of the question would not only improve rela-

tions between two Members of the United Nations, but would also constitute a genuine strengthening of international peace.

43. With regard to the substance of the question, his delegation felt that the position of the Indonesian Republic with regard to West Irian was unchallengeable from the point of view of justice and from that of international law. He noted that the Charter of the Transfer of Sovereignty, signed between the Netherlands and the Republic of Indonesia, had unconditionally transferred complete sovereignty over Indonesia to the latter. It was obvious from that agreement that the sovereignty of the Indonesian Republic must also extend to West Irian, which was an integral part of the Republic of Indonesia, as was confirmed in the Netherlands Constitution of 1922 as amended in 1948.

44. Reviewing the past negotiations between the Indonesian and Netherlands Governments, he noted that the Netherlands Government refused to recognize West Irian as an integral part of Indonesia. The Indonesian Government, having met with failure in its attempts to renew the negotiations with the Netherlands, turned to the United Nations for assistance. At the ninth session of the General Assembly the question had been thoroughly discussed in the First Committee, which had adopted an extremely moderate draft resolution (A/2831, para. 9), containing only an expression of hope that the parties concerned would pursue their endeavours in respect of the dispute between them to find a solution in conformity with the principles of the United Nations Charter. That draft resolution was not adopted by the Assembly.

45. The difficulties which had been encountered in connexion with the problem had arisen as a result of the collapsing colonial system. Those difficulties had been created by the colonial Powers themselves, which 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. Those Powers did not wish to accept the end of colonialism. That process was a historical phenomenon and could not be halted. The solidarity of the countries of the East in the defence of their rights and aspirations was increasing. That was demonstrated in connexion 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. The people of the Soviet Union understood fully the decisions of the Bandung Conference and viewed with sympathy the struggle of the peoples of the East for independence. It wished to establish peaceful relations among States on a basis of equality, non-aggression, mutual respect for territorial integrity, and peaceful co-existence.

46. No progress had been made towards the solution of the problem of West Irian despite the opinions expressed by the majority of Members at the General Assembly's ninth session and despite resolution 915 (X), which had been adopted without objection at the Assembly's tenth session. In the opinion of his delegation, the United Nations could not fail to respond to the appeal directed to it by the Asian and African countries and by the World Federation of Trade Unions (A/INF.73/Add.8, No. 166).

47. His delegation regarded the attempts that had been made to link the question of West Irian with the Indo-

nesian Government's refusal to accept the servile conditions of 1949 as completely unwarranted and unfounded. Referring to the Round Table Conference in 1949, he said that it had imposed on the young Indonesian Republic a servile union and the related agreements. Accordingly, the decisions of the Conference had provided the Dutch colonial monopolists possible advantages over Indonesian capital. Foreign trade went through Amsterdam, and the foreign exchange stuck in the pockets of the foreign monopolies.

48. He stressed that the sovereignty of the Indonesian Republic over West Irian could not give rise to any doubt and was not subject to consideration. The United Nations had before it a task of assisting a peaceful settlement in an abnormal situation in one of the important regions of the world. It was a question which affected the national interests and the patriotic feelings of 80 million Indonesians. It was a part of the liberation of the peoples of the East from the remnants of colonialism and of the strengthening of national sovereignty.

49. Mr. BELOVSKI (Yugoslavia) pointed out that his delegation stated its views on the problem in a detailed manner during the ninth session of the General Assembly (732nd meeting). Although the position of his delegation remained the same, he wished to recall some of its basic elements.

50. Reviewing past attempts to settle the question of West Irian between the two parties concerned, his delegation had come to the conclusion that the question undoubtedly constituted an international dispute which was gravely impairing the relations between two Member States. Speaking of the efforts made at the ninth and tenth sessions of the General Assembly with regard to the problem, he noted that the hopes which had been entertained with regard to the direct talks between the two Governments had not been fulfilled. His delegation did not believe that all the possibilities had already been exhausted or that the matter should be left to stand where it was, with the prospect of further deterioration. It was for that reason that his delegation believed that the establishment of the good offices commission for the purpose of aiding the parties concerned in their negotiations toward a just and peaceful solution of the problem would constitute a step which would be in harmony with the basic interests of the United Nations. His delegation believed that the draft resolution before the Committee (A/C.1/L.173) did not prejudge anything, and that it should be acceptable to both parties, as well as to all the members of the Committee. He called upon the General Assembly to assume its full share of responsibility in a dispute which had persisted for a number of years.

51. For those reasons, his delegation co-sponsored the draft resolution. He emphasized that, in doing so, it had been guided by feelings of friendship towards both parties in the dispute and by a sincere desire to eliminate from the international sphere an international problem.

52. Mr. MEZINCESCU (Romania) stated that his delegation wished to emphasize the fact that it was precisely those problems which derived from the liquidation of colonialism that had held the attention of the eleventh session of the General Assembly for so long a time. The process of the liquidation of colonialism was one of the most characteristic features of the time and was as well a historical need which was formally recognized by the Charter of the United Nations. Certain colonial problems remained unsolved

because of the opposition of some Powers. That opposition constituted a permanent threat to peace in the case of the problems of Algeria, Cyprus and the Middle East. It was equally so in the problem of West Irian. The Romanian people and their Government, feeling deep sympathy for the Indonesian people, attached great importance to a just and peaceful solution of the problem.

53. The problem of West Irian, in the view of his delegation, was a typical example in which a colonial Power attempted to prevent the settlement of a colonial problem. The Government of the Netherlands had violated its commitments, had resorted to some legal technicalities to avoid carrying out the provisions of Article 73 of the Charter, and had ignored the decisions of the General Assembly, particularly the terms of General Assembly resolution 915 (X) of 16 December 1955. His delegation considered that the Committee could do useful work if it were to support the efforts of the Indonesian Government towards the resumption of negotiations. His delegation would also vote in favour of the draft resolution as well as in favour of any proposal designed to get the problem out of the present dead-lock.

54. Mr. CHAVEZ ORTIZ (Bolivia) said the question of West Irian caused his delegation to point out the political aspects of the question, as well as the fact that the controversy between the two countries was a matter that had colonial origins. Referring to the report concerning Indonesia submitted to the United Nations in 1949,¹ he stated that, according to the report, New Guinea would appear to be an integral part of Indonesia, and that without showing any other titles, some of which were prior to the Dutch colonization. Speaking of the Charter of the Transfer of Sovereignty (S/1417/Add.1, appendix VII), signed between the Netherlands and the Indonesian Republic, he observed that article 1 showed that the Netherlands recognized the Republic of the United States of Indonesia as an independent and sovereign State. Article 2 of the Charter stressed the need to renew conversations in order to decide the political status of New Guinea, or West Irian. In that article, there seemed to be at least a promise of the transfer of sovereignty over West Irian, to be settled by future negotiations. That interpretation seemed to be confirmed by the agreements

¹ *Non-Self-Governing Territories: Summaries and analyses of information transmitted to the Secretary-General during 1949*. United Nations publication, Sales No.: 1950.VI.B.1. Vol. II.

signed by both parties prior to the transfer of sovereignty.

55. Referring to the Constitution of the Netherlands of 1922 as amended in 1948, he noted that the old colony of the Netherlands East Indies had become the territory of Indonesia. Speaking of the statement made by the representative of the Netherlands (857th meeting), he noted that there were two other very important questions concerning West Irian which had been established by the Round Table Conference agreements. The first was that the new relationship between the Netherlands and Indonesia would be based on a union between the two countries. The second was that Indonesia committed itself to concede constituent states the right, if they so desired, to set up special relationships with either country. It was on the basis of those two provisions that the Netherlands committed itself to negotiate on the future political status of West New Guinea. The *sui generis* union agreed to between the Netherlands and Indonesia had been abolished by mutual agreement.

56. The power to represent Indonesia externally fell upon the Government of Indonesia itself, and it was also part of the Indonesian Government's duty to fulfill commitments internationally undertaken by the federal State of Indonesia, which had been centralized in the unitary Indonesian Republic. In his opinion, Indonesia had a commitment, as had the Netherlands, to carry out negotiations in order to solve the question of the political status of West Irian.

57. With regard to the theory that the one-year time limit had elapsed, he stated that it did not mean that the conflict no longer existed, and since the conflict did exist, the obligation also existed to solve it by means of peaceful negotiations on the political status of West Irian.

58. He noted that, since the Security Council was no longer considering the matter, one could turn to Article 11, paragraph 2, and observe how the General Assembly could deal with the matter. He believed that the draft resolution (A/C.1/L.173) was completely in accordance with the Charter and was as well a clear cut interpretation of what the General Assembly could do. He observed that, since past negotiations had been fruitless, help was being sought through the good offices of three impartial persons.

59. The draft resolution of which his delegation was a sponsor, was designed to find a satisfactory solution in the interests both of peace and the peaceful co-existence of the free peoples of the world.

The meeting rose at 5.45 p. m.