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VERBATIM RECORD OF THE NINE HUNDRED AND SEVENTH MEETING

Held at Headquarters, New York,
on Thursday, 21 November 1957, at 10.30 a.m.

Chairman: Mr. ABDUH (Iran)
Later: Mr. de BARROS (Vice-Chairman) (Brazil)

The question of West Irian (West New Guinea) [52] (continued)

Statements were made in the general debate on the item by:

Mr. Nosek	(Czechoslovakia)
Mr. Walker	(Australia)
Mr. Miyazaki	(Japan)
Mr. Najib-Ullah	(Afghanistan)
Mr. Kozachenko	(Ukrainian SSR)
Mr. Peive	(USSR)
Mr. Sastroamidjojo	(Indonesia)
Dr. Ismail	(Federation of Malaya)

Note: The Official Record of this meeting, i.e., the summary record, will appear in mimeographed form under the symbol A/C.1/SR.907. Delegations may submit corrections to the summary record for incorporation in the final version which will appear in a printed volume.

AGENDA ITEM 62

THE QUESTION OF WEST IRIAN (WEST NEW GUINEA) (A/3644; A/C.1/L.193) (continued)

Mr. NOSEK (Czechoslovakia): At the request of twenty-one Asian and African countries, the General Assembly is once again seized of the question of West Irian. This is so because all attempts to arrive at an agreement on this question, repeatedly discussed in the United Nations and elsewhere during the past years, have brought no results.

The Czechoslovak delegation had already emphasized repeatedly at previous sessions of the General Assembly that it considered Indonesia's claims as just and from the point of view of international law as fully justified. West Irian, as a part of the former Netherlands East Indies, as confirmed by the Netherlands Constitutions of 1922 and 1948, undoubtedly falls within the provisions of the Charter of Transfer of Sovereignty concluded at the so-called "Round-Table Conference" in 1949. It is regrettable that up to now the Netherlands has failed to fulfil its obligation regarding West Irian to the effect that the question of its political status would be settled by direct negotiation with Indonesia.

The colonial regime is untenable and unacceptable in any form and under any pretext. Therefore, also, any reasons adduced in support of its survival on any territory are unacceptable to us.

We agree with the position of the Government of Indonesia that West Irian is an integral part of Indonesia. This is supported by considerations of a historical, political and legal nature, as the representative of Indonesia so aptly explained yesterday. The unification of West Irian with Indonesia will serve the wellbeing of its people, whose development had been of so deplorably little concern to the colonial regime, as was repeatedly attested.

(Mr. Nosek, Czechoslovakia)

The reason it has been impossible so far to achieve agreement on this question is to be found in the fact that the Netherlands and other countries supporting it in this matter are not concerned with the interests of the people of West Irian but are guided in their actions primarily by the interests of the imperialistic circles which have the utmost interest in seizing the natural wealth of West Irian. At the same time, they look upon this territory as an advantageous strategic point which, according to their schemes, would fit into the network of military bases and pacts in the area of southeastern Asia.

In this connexion, new feelings of anxiety were aroused, as the representative of Indonesia pointed out yesterday, by the joint declaration of the Netherlands and Australia of 6 November of this year on their future policies in West Irian and Eastern New Guinea. Reports on shipments of arms to West Irian only render these apprehensions more acute.

The effort to solve questions such as that of the political status of West Irian from the point of view of power and colonialist interest is certainly a wrong approach, and is merely proof of a lack of understanding of the present epoch and of contemporary trends of development in international relations and human society in general.

The people of West Irian, striving for unification with Indonesia, to which its country is tied by traditional bonds of common historical development and common struggle for liberation from the colonial yoke, is not alone in its fight. Today, as the representative of Ceylon pointed out yesterday, its just struggle for the materialization of its right to national self-determination is inseparable from the powerful national liberation movement of the nations of Asia and Africa for the achievement of political and economic independence and the right of self-determination as proclaimed by the spirit and letter of the Charter.

The question of West Irian can be solved only if all national rights are acknowledged to its people. The people of West Irian will then be able to administer its affairs freely, develop its creative powers and utilize the natural wealth of its country to its own benefit -- provided it is set free from colonial dependence and united with the rest of the Indonesian people in a common independent State. Unanimous support for Indonesia on the question of West Irian was expressed already in 1955 by all the twenty-nine Asian and African countries which participated in the Bandung Conference.

(Mr. Nosek, Czechoslovakia)

In the opinion of the Czechoslovak delegation, Indonesia's claim to West Irian is indisputable, and it is necessary that West Irian should be reunited as soon as possible with the rest of the Indonesian territory, of which, as I have already stressed, it had always been an integral part. The Government of Indonesia has amply proved its readiness to settle this question by negotiation, and thus it is up to the other party not to refuse for ever the hand of negotiation that is offered. A successful solution of the question of West Irian would substantially enhance the peaceful development of international relations in the entire area of southeastern Asia. On the contrary, any further delay in settling the question of West Irian could only mean the continued existence of a dangerous hotbed of tension in that area.

For all these reasons we deem it indispensable that the twelfth session of the General Assembly should adopt necessary and appropriate measures which could be conducive to a final settlement of this protracted controversial issue. This is the more necessary in view of the fact that at the last session, because of the opposition of some delegations, it was not possible to adopt the proposed recommendations which could have facilitated agreement. And it is still in fact one of the main tasks of our Organization to encourage all concrete efforts aiming at a peaceful solution of all outstanding issues.

Czechoslovakia, whose people had sufficient experience throughout its history of the burden of foreign domination, has full understanding for the struggle of the people of West Irian for annexation to Indonesia. The Czechoslovak delegation will, therefore, support the draft resolution (A/C.1/L.193) submitted by nineteen countries because it is convinced that the fulfilment of the recommendations proposed would be helpful in the just solution of the question of West Irian.

Mr. WALKER (Australia): It is an unwelcome task for the Australian delegation to raise its voice in this forum to disagree with a country which is our nearest neighbour and indeed a close friend. Australia has shown on numerous occasions and in many ways -- both before Indonesia became fully independent and since then -- that it desires the stability and unity of Indonesia and nothing less than the best and most friendly relations with a country whose future and its own will inevitable be closely linked. To all this the Government of Australia

(Mr. Walker, Australia)

attaches great significance, for it is embedded deeply in the hearts of our people, and especially, I might say, our young people. But there is this one serious difference of opinion between Indonesia and Australia, for in considering the claims of Indonesia to the territory of Netherlands New Guinea the Australian Government cannot ignore the established principles of international law and the provisions of the United Nations Charter. Nor can we shut our eyes to the interests and welfare of the three-quarters of a million people who live in western New Guinea.

It is a matter of great regret to my delegation that the question of sovereignty over Netherlands New Guinea has again been brought before the General Assembly, and for the fourth time. This has been done despite the fact that it is only a little over eight months since the Assembly rejected a draft resolution which, by supporting the Indonesian claim for negotiations, would have implied that Indonesia had made out a sufficient case to justify the holding of negotiations on its claim to Netherlands New Guinea. The Australian Government cannot accept the view that Indonesia has any such valid claim. Nothing has happened in Netherlands New Guinea since last February to justify the Assembly's taking any different view from that which it took then.

(Mr. Walker, Australia)

By now most delegations know a good deal about Netherlands New Guinea. They know that its area is larger than that of many independent countries that are Members of the United Nations. It is bigger, for instance, than such countries as Malaya, Ceylon or the Philippines. It is one of the most forbidding and rugged regions of the world. Its high mountains, rising to over 16,000 feet, as well as the impenetrability of much of its jungle, have traditionally made communications in all the territory exceedingly difficult and, in large areas, impossible. It is only with the advent of the aeroplane -- that blessing of modern civilization -- that it has become practicable to make any regular contact with large tracts of the territory. Although Netherlands sovereignty goes back a long way, the establishment of a permanent Dutch administration there dates to little more than half a century ago. Like other tropical mountainous under-developed areas, it is sparsely populated. Of its estimated three-quarters of a million population, most still live in small primitive communities and only half of them have ever had any contact with people outside their own tribes. Ethnologically and culturally the people are of Papuan stock. Their ethnological links are with the people of eastern New Guinea and the islands of Melanesia rather than with Indonesia.

Political consciousness is virtually non-existent in Netherlands New Guinea -- a fact which was recognized by the then Indonesian Prime Minister, and later Vice-President, Mr. Mohammed Hatta, in a statement on 25 November 1949. In that statement Mr. Hatta said that the people of the territory was "with the exception of a very small group, incapable of expressing its political will". There is no indigenous movement for independence or association with Indonesia or any other country; indeed, there cannot be at present, because the people are still unfamiliar, generally speaking, with such political ideas as nationhood and independence. I am aware that the Indonesian Government claims that there are spokesmen for western New Guinea in Indonesia; but these people -- and they are very few -- are unrepresentative expatriates who have long since lost any links they may once have had with the territory. They represent no one but themselves. As the economic and social conditions of the territory develop and the population expands, there will be a gradual growth of political consciousness among the indigenous population of Netherlands New Guinea, but it will take time.

(Mr. Walker, Australia)

Meanwhile, without any indication of the wishes of the local population, the Assembly would be wholly wrong to endorse any course of action which would have the effect of denying the people of western New Guinea the opportunity, when they are ready, of determining their own political future.

The Netherlands Government has attacked with determination the formidable task of promoting the political, social and economic advancement of western New Guinea, with the objective of attaining conditions in which the people will be able to express effectively their will as to their future. Let us not underestimate the difficulties of such a task, given the nature of the terrain and the extremely primitive state of the communities established there. The Netherlands Government, as we see it, has long been committed to principles and policies expressed in Chapter XI of the Charter. These provisions are well known to members of the Committee, but I may be permitted to refer to them in this context since they are of very great importance in relation to the primitive people of Netherlands New Guinea. They include the following:

The Netherlands Government -- and I quote from Article 73 of the Charter -- "recognise the principle that the interests of the inhabitants of these territories are paramount, and accept as a sacred trust the obligation to promote to the utmost, within the system of international peace and security established by the present Charter, the well-being of the inhabitants of these territories". In furtherance of this general obligation, the Netherlands has accepted responsibilities under a number of specific heads. Under Article 73(a) they have undertaken "to ensure, with due respect for the culture of the peoples concerned their political, economic, social, and educational advancement, their just treatment, and their protection against abuses". This is a policy to which the Netherlands Government has scrupulously adhered, and on which it has reported annually to the United Nations. Under Article 73(b) the Netherlands has undertaken "to develop self-government, to take due account of the political aspirations of the peoples, and to assist them in the progressive development of their free ... institutions, according to the particular circumstances of each territory and its peoples and their varying stages of advancement".

(Mr. Walker, Australia)

Article 73(c) of the Charter commits the Netherlands "to further international peace and security" in so far as its administration in Western New Guinea is concerned. That is an important objective, against the background of some recent discussion. I believe that any objective observer of the situation in Netherlands New Guinea will agree that this undertaking is being fulfilled. Internally, the situation in the territory is completely quiet and normal, and, externally, the Dutch administration in Western New Guinea and the small military forces which they have stationed there represent a threat to nobody. I know that some Indonesian leaders have expressed the fear that Western New Guinea would be or was being used as a base against the Republic of Indonesia. I will only say that never has there been any credible evidence that this fear has the slightest justification in fact. If there were, the Security Council would be the proper place for the matter to be aired.

In Article 73(d) of the Charter, the Netherlands has agreed "to promote constructive measures of development, to encourage research, and to co-operate with [other Members of the United Nations] and, when and where appropriate, with specialized international bodies with a view to the practical achievement of the social, economic, and scientific purposes set forth in this Article." This is being done in many ways. Each year large sums of money are made available from the Netherlands budget. I would remind representatives that the retention of Netherlands New Guinea imposes a net financial burden on the Dutch Treasury which I understand is about twenty million dollars each year; the Netherlands is participating, through the South Pacific Commission, in the promotion of research and other co-operative undertakings from which Netherlands New Guinea benefits; and co-operation in administrative matters of common concern has been going on with Australia for more than four years. Those are the "constructive measures of development", the encouragement of research and the co-operation with other Members referred to in the Article.

Finally, the obligations towards the United Nations which the Netherlands Government has accepted include the regular submission to the Secretary-General, under Article 73(e) of the Charter, of information relating to economic, social and educational conditions in Netherlands New Guinea. This is an important

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(Mr. Walker, Australia)

obligation and one which the Netherlands Government has faithfully discharged. These reports, as Members of the General Assembly will know, have been transmitted regularly and they provide a most valuable guide and barometer to conditions in the territory. The United Nations is indebted to the Netherlands for the care and thoroughness with which these reports have been prepared.

(Mr. Walker, Australia)

These commitments have been voluntarily made by the Netherlands and are being faithfully and energetically pursued. They could not, however, be invoked if Netherlands New Guinea became an integral part of the Republic of Indonesia in the same way -- and I understood this to be the Indonesian intention -- as Borneo, Sumatra or the Moluccas, for instance, are part of the unitary Indonesian State. If this happened, Indonesia would be in a position to reject any claim by the United Nations to receive information regarding the conditions of the people in West New Guinea. And we believe that it is extremely important that the conditions of such a primitive and under-developed people, who have now been launched on a long and important phase of development, should be kept under review by the United Nations. That is the meaning of the Charter in this connexion.

The Committee has already noted the joint statement issued by the Netherlands Government and the Australian Government on 6 November 1957. This statement is, of course, fully consistent with the terms of Chapter XI of the Charter, to which I have been referring. It has, I know, aroused considerable interest among delegations since it appeared in the Press earlier this month. The agreed principles are as follows:

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

"2. The Territories of Netherlands New Guinea, the Australian Trust Territory of New Guinea, and Papua are geographically and ethnologically related and future development of their respective populations must benefit from co-operation in policy and administration.

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

(Mr. Walker, Australia)

"4. At the same time, the two Governments will continue, and strengthen, the co-operation at present existing between their respective administrations in the Territories.

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

I should like to invite the attention of the Committee to each paragraph of the statement; all five are important. In particular, the last of the five principles is of special interest in relation to the question we are now considering. What the Netherlands Government, for its part, is offering the people of Western New Guinea is eventual self-determination. The joint statement further provides that the policies of the Netherlands and Australian Governments will be such as to prepare the people of New Guinea politically, economically, socially and educationally for the day when, throughout the different parts of the Island, they will be able to determine their own future. When that time comes, their choice must be a free one. We believe that that applies to the people of West New Guinea as well as to the rest of the people. This joint statement of our two Governments is a solemn undertaking of a long-term policy nature, based on a recognition that the interests of the people of the whole Island are to be of paramount importance in the shaping of the policies of both Governments, with respect to the particular matters for which each Government is responsible.

The foundations for this joint policy have already been laid as a result of the agreement on administrative co-operation concluded in June 1953. That agreement provided for consultation and co-operation in administrative matters of common concern, such as quarantine, agriculture and education -- very important matters in primitive, tropical, under-developed countries. This consultation will be continued, and expanded into other fields as necessary, to ensure that the development policies of the two Governments do not get out of line and are consistently directed towards producing the conditions that will enable the people of both parts of the Island to determine their own future.

(Mr. Walker, Australia)

Let us never forget that the Indonesian claim is not merely a claim to territory. We are dealing here with people. The United Nations cannot ignore their interests or preclude their right to be consulted about their political future. We cannot impose on them an irrevocable association with Indonesia when there is no evidence that this is the wish of the local population. In essence, the Indonesian case is that the people of Western New Guinea -- Papuans, who are very different from the people of Indonesia -- are to be handed over, with the support and blessing of the United Nations, from one nation to another, to be compulsorily separated forever from their fellows in the great Island of New Guinea.

What I have said amounts to this: The issue brought to the First Committee by Indonesia is purely and simply a claim for the transfer of territory and population. It is not a colonial issue. There is no indigenous popular movement in Netherlands New Guinea which demands union with Indonesia. There is no threat to the peace arising from conditions in Western New Guinea; in fact, the situation is perfectly quiet and normal there, as it has been throughout the last seven years. It is surely anomalous that a country which has only recently gained its own independence should demand that the United Nations give support and encouragement to its claim that three-quarters of a million people, the indigenous inhabitants of Netherlands New Guinea, be brought under its control without any prospect of choosing their own political future. On the other hand, the Netherlands offers them the promise of self-determination as soon as they are able to make the choice. We in Australia believe that the people of Western New Guinea must be assisted to prepare for self-government. We believe that that should be the view of the United Nations. The joint Netherlands-Australian statement represents, I submit, a positive and constructive policy for the future of New Guinea.

In his statement, yesterday, the representative of Indonesia suggested that the Dutch-Australian joint statement had military implications in addition to those aims openly referred to in the document. On behalf of the Australian Government, I state categorically that any such suggestion is completely unfounded. I should be grateful if this friendly assurance could be conveyed to the Indonesian Foreign Minister, Mr. Subandrio, by the members of his delegation.

(Mr. Walker, Australia)

The joint statement is no more than it purports to be -- namely, an undertaking by both Governments that they will follow policies in the political, economic, social and educational fields which take into account the ethnological and geographical affinity of both parts of the Island, and will continue to do this until the indigenous people are in a position to determine their own future.

I do not intend today to deal in any detail with the allegations made yesterday by the Soviet Union representative. I spoke at once yesterday to rebut these extraordinary Soviet charges regarding Australia's policy, and particularly Australia's attitude towards New Guinea and the countries of Asia. I wish to stress once again in this connexion that we reject categorically the ridiculous Soviet suggestion that the joint statement of the Australian and Netherlands Governments is directed against the interests of the Indonesian people. The joint statement is directed towards one thing, and one thing only -- the interests of the people of New Guinea.

(Mr. Walker, Australia)

Regarding the connexion which the Soviet representative sought to infer between this joint statement and SEATO, this is of course completely absurd and I am sure it will not serve the obvious purpose of the Soviet representative -- which is simply to raise doubts and confuse the Committee about a joint statement of policy that has a clear and simple meaning. Of course, everybody knows that the Netherlands is not one of the members of SEATO.

My observations so far have related primarily to the positive side of the case for the retention of the status quo in Netherlands New Guinea. I have shown that there is no case for interrupting the Netherlands in its task. This conclusion is reinforced by the weakness of the legal and political aspects of the Indonesian claim.

In its initial presentation -- although the emphasis has since changed considerably -- the Indonesian claim to Western New Guinea rested on the primary ground that under the Round Table Conference Agreements in 1949 sovereignty was legally transferred to Indonesia and that the Netherlands was, in effect, now illegally administering the territory of New Guinea. This allegation was based on a unilateral interpretation by Indonesia of the Round Table Conference Agreements, a unilateral interpretation that cannot be supported by an objective reading of that document. It is very significant that Indonesia has consistently rejected the Dutch offer to have the International Court of Justice give a ruling on the matter. In any event, as we know, Indonesia unilaterally abrogated the Round Table Conference Agreements in 1956, so it can hardly now adduce them in its support.

Following the abrogation of these agreements, Indonesia seems to have shifted its legal grounds. These now appear to rest mainly on the "Proclamation of Independence" in August 1945; but, as the representative of the Netherlands pointed out at the eleventh session, New Guinea was not included in the specific list of territories comprising Indonesia as given in a number of authoritative Indonesian statements at that time.

Indonesia's refusal to submit its case to the International Court shows up its claim for what it really is -- namely, a political claim on the territory of a neighbour. In a world where frontiers have ebbed and flowed over the centuries, it would seem to my delegation to be an extremely dangerous precedent

(Mr. Walker, Australia)

for the United Nations to give its support, however, indirect, to the prosecution of a territorial claim by one Member State against another. Where is this process to stop, if it once begins?

It may be argued that there is no harm in the General Assembly merely endorsing a claim for negotiations and establishing machinery to assist in these negotiations. This, it may be suggested, will take some of the heat out of the New Guinea question and perhaps help to make a solution easier. I fully appreciate the excellent motives which inspire some delegations which hold this view. The Australian delegation, however, is strongly of the view that this is a serious misconception.

In the first place, it is surely improper for the General Assembly to help further a claim by one Member if it does not feel that a reasonable, or at least arguable, case has been made out for it. Secondly, the Indonesian Government has always refused to consider anything less than the full transfer of sovereignty. Those who support renewed negotiations should not lose sight of the fact that negotiations did take place in 1950, and that during these the Netherlands made a series of proposals designed to bridge the difference between the Dutch and the Indonesian viewpoints. The history of these discussions can be found in the official records of the Security Council in document S/2087 of 13 April 1951. This document is a report to the Council by the United Nations Commission for Indonesia and it contains the following comment by the Commission in paragraph 57:

"The Indonesian Government was prepared to resume negotiations only if it were understood in advance that sovereignty over Western New Guinea would be transferred to Indonesia".

This clearly remains the Indonesian aim, and in these circumstances, a call for negotiations is foredoomed to failure. All that an appeal by the General Assembly for negotiations between the two parties would accomplish would be initially to raise unjustifiable hopes about a settlement; and, when the call for a solution through negotiations proved fruitless, to generate a demand for stronger United Nations action in succeeding years. The ultimate effect, I fear, would be not to reduce tension between Indonesia and the Netherlands, but to increase it.

(Mr. Walker, Australia)

In studying the records of previous debates on this subject, I have been struck by the fact that, apart from the communist countries,-- of course the Communists have their own fish to fry in Asia -- there are very few members of this Committee that accept and endorse Indonesia's claim to Netherlands New Guinea as well founded. Most of the delegations represented here recognize that there is something wrong with a legal claim that the claimant is not prepared to submit to a court of law. Most of the delegations represented here recognize that it is not the function of the General Assembly to undertake or promote transfers of territory from one Member State to another. Most delegations I am sure, are equally opposed to the involuntary transfer of populations from one State, that has committed itself to fostering the self-determination of those people, to another State which does not even admit their right to express themselves on their own political future. Yet a number of delegations, that do not support, I feel, the substance of the Indonesian claim, and are often most careful to avoid the use of any words that might tend to support the substance of the claim, nevertheless have been prepared to vote for, and perhaps even to sponsor, resolutions calling for negotiations between the Netherlands and Indonesia on this claim. To some extent this attitude is an expression of courtesy and goodwill towards Indonesia. To some extent it is a reflection of a feeling of solidarity on the part of other countries which, like Indonesia, have only recently gained their independence and whose sympathies instinctively go towards Indonesia in any difference of opinion it may have with the Netherlands, as the former ruling power. These are emotional reactions. One can understand such emotions and even appreciate their nobility. But such emotions do not necessarily lead to wise or just decisions.

Some delegations, again, seem to feel that since Indonesia has appealed to the United Nations, and has lodged a complaint against the Netherlands which the Netherlands refuses to entertain, this imposes an obligation on the United Nations to undertake some sort of conciliatory or mediatory activity, thoroughly impregnated with goodwill towards both parties to be sure, but without any regard to the merits of the case. The United Nations, we are told, must endeavour to harmonize conflicting interests; it cannot reject an appeal to promote the peaceful solution of any international problem; it must act. If not, we are told, Indonesia will lose faith in the United Nations, and in the method of peaceful negotiation.

(Mr. Walker, Australia)

I know that this line of argument is superficially attractive. But consider where it leads. Any country can -- if it dares -- lay claim to another country's territory, and, perhaps, when the other country refuses, submit its claim to the United Nations. It need not submit the legal issues to the International Court; all it need do, apparently, is to convince enough people that because its claim to someone else's territory has been rejected, there is an international dispute which the United Nations should settle by pacific means. And so, regardless of whether the territorial claim has any legal or other foundation, the United Nations will be urged not to turn the claimants away, but to use its good offices to get negotiations going -- negotiations that cannot reach any conclusion unless the claim is either abandoned or conceded.

This is not the purpose for which the United Nations was established, to bring moral pressure to bear upon nations to start negotiating with those who wish to deprive them of their territory -- territory the legal title to which the claimant is not prepared to test in a court of law.

Mr. Chairman, you suggested yesterday that speakers in this debate might complete their general statements by expressing their views on the draft resolution presented, on behalf of the various sponsors, by the representative of Ceylon. I accept your suggestion respectfully, Mr. Chairman. Australia is not able to vote for this draft resolution.

I propose to show the true intention and purpose of this draft resolution.

If this draft text were adopted, it would mean that the United Nations would have been led into a situation of giving implicit support to a unilateral claim put forward by one Member State to gain possession of some territory of another State, and to absorb the people of that territory. It does not matter whether the draft resolution purports to be moderate in its wording. The fact is that its intention has dangerous implications for the working of this Organization, is quite out of harmony with the Charter, and, if achieved, could be used as an unwarranted precedent for the prosecution of claims directed against established sovereignty over territories and established forms of administration concerning peoples.

(Mr. Walker, Australia)

The General Assembly has in the past three years dealt successively in one way or another with varied proposals giving expression to the Indonesian position on this matter of Netherlands New Guinea. In 1954, a draft resolution somewhat similar in form to the present draft failed of adoption in the Assembly. In 1955, the Assembly, without debating the substance, approved a procedural formula. In 1956-1957, a further attempt to secure the benediction of the United Nations for prosecution of the territorial claims of Indonesia once more met with failure.

In 1954, when this matter was unhappily brought here for the first time, Indonesia alone tabled a draft resolution on the opening day of the debate in the First Committee. The Indonesian case in 1954 was based on the Round Table Conference held in The Hague in 1949 and, more specifically, on the Charter of Transfer of Sovereignty. The Indonesian draft resolution of 1954 referred to the new relationship established at the Round Table Conference between the Netherlands and Indonesia and called on Indonesia and the Netherlands to resume negotiations without delay within the framework of the Round Table Agreements. This was the request which the United Nations was asked, in 1954, to endorse. What occurred? Indonesia was unable to bring the draft resolution to a vote because many representatives regarded its provisions as going far beyond the competence of this Committee; that is to say, the Committee was being asked to make an interpretation of an international treaty -- furthermore, an international treaty the interpretation of which Indonesia had been unwilling to submit to the International Court of Justice for adjudication.

In these circumstances, a so-called "compromise" draft resolution was introduced by eight countries. Although this compromise draft resolution was adopted in the First Committee, it failed to get the necessary majority in the Assembly's plenary session. But it is worth comparing its text with the text of the present draft resolution because, in a sense, this so-called draft resolution of 1954 may be regarded as the parent of this draft resolution.

The first preamble of the 1954 compromise draft resolution and the first preamble of this year's draft resolution are virtually the same. In 1954 the second preamble was a direct reference to the Round Table Agreements, and particularly to the Charter of Transfer of Sovereignty. The third and fourth preambular paragraphs also recalled the ideals of friendship and co-operation to which Indonesia and the Netherlands had pledged themselves explicitly in the Round Table Agreements.

(Mr. Walker, Australia)

This year, of course, there is no reference whatever in the draft resolution to the Round Table Agreements. How could there be, since these Agreements have been unilaterally abrogated by Indonesia? Instead we have a second preamble: "Viewing with deep concern that the prolongation of this political dispute is likely to endanger the peaceful development of that area". This is unacceptable to us because we see no present danger to the peaceful development of the area of New Guinea. But how are we to account for the re-inclusion of this notion of alleged dangers to peace in the area which figured in the original Indonesian draft of 1954? This was omitted from the eight-Power draft in 1954, presumably because the supporters of Indonesia at that time did not in fact feel any deep concern or conviction in this respect. In seeking a reason why this particular preamble has been inserted again this year, we must, unfortunately, take into account public statements which have recently been made in Indonesia.

Last year and the year before we learned nothing in the Assembly of any reasons why the United Nations should feel deep concern at the possibility that the peaceful development of Netherlands New Guinea would be endangered. Why must such a contingency be brought up this year? We are now told by official Indonesian spokesmen that if the claim to Netherlands New Guinea is not "satisfied" Indonesia will have to employ other means, must embark upon another course, have resort to methods which will startle the world, and so on.

Only a few months ago the General Assembly declined to endorse Indonesia's claim to this territory. Now, apparently, Indonesia considers it appropriate to come back to the Assembly again, this time with a background of statements that, I am sorry to say, sound very much like threats. Is the United Nations to accept this foundation for promoting the prosecution of territorial claims in the United Nations by one Member State against another? This would be contrary to the Charter and a most dangerous precedent.

The operative paragraphs of the unsuccessful 1954 compromise draft resolution also afford some interesting comparisons with this year's draft resolution.

(Mr. Walker, Australia)

Both the 1954 draft resolution and the present draft resolution are aimed at getting Indonesia and the Netherlands to pursue their endeavours in respect of New Guinea, but the 1954 resolution was less ambitious than this year's. In 1954 the Netherlands and Indonesia were requested to report to the next session of the General Assembly, while this year an attempt is being made to impose some sort of vague supervisory machinery in the form of the Secretary-General to assist the Netherlands and Indonesia as he deems fit in the implementation of this resolution, and to report to the next session.

The resolution which was rejected at the eleventh session of the General Assembly, as recently as March of this year, also offered some mediatory machinery, namely, a good offices commission to assist Indonesia and the Netherlands in negotiations and to report to the present session. It was perfectly plain at the eleventh session that many delegations were extremely disturbed at this proposed procedure of imposing a good offices body to assist in negotiations which were unacceptable to one of the parties named. In effect, the proposal was still that the United Nations should take steps to force the parties together with a view to "negotiating" an acceptance of the Indonesian territorial claim. The failure of that resolution is of such recent date that the circumstances must still be clearly in the minds of many representatives here today.

Now I turn to the operative paragraphs of the present draft resolution (A/C.1/L.193). The first operative paragraph invites both parties to pursue their endeavours to find a solution of the dispute in conformity with the principles of the United Nations Charter. What is the meaning to be attributed to the phrase "to pursue their endeavours to find a solution of the dispute in conformity with the principles of the United Nations Charter"? It is necessary to be very careful of the meaning we attribute to words in such a resolution. In the first place, what is the "dispute" that is referred to? The word "dispute" has, in ordinary language, various shades of meaning ranging from a difference of opinion through an argumentative controversy to an outright quarrel. However, when the word "dispute" is used within the context of a legal instrument it acquires a specific operative meaning because the recognition of a dispute entrains such action as may be provided in law or in a particular organization for the settlement of disputes.

(Mr. Walker, Australia)

In the 1954 resolution "the dispute that now exists between the parties" clearly meant a dispute within the context of the Round Table Agreements which themselves provided for negotiations on matters that remained in dispute between the Netherlands and Indonesia at that time. These included Indonesia's claim that New Guinea should be included in the territory whose sovereignty was transferred to Indonesia, a claim which the Netherlands was not prepared to admit. When Indonesia abrogated those Round Table Agreements it destroyed the framework in which that particular dispute existed, and in which they might have pursued their endeavours to settle it.

In what sense then is there still a dispute over Netherlands New Guinea? Is there a dispute concerning the interpretation of a treaty or concerning the existence of any fact which if established would constitute a breach of the Netherlands international obligations? If so, it is a legal dispute within the framework of the Statute of the International Court of Justice. Article 36 of the Statute of the Court makes that clear. But Indonesia will not hear of this.

Is there a dispute in the sense of Chapter VI of the United Nations Charter, that is, a dispute the continuance of which is likely to endanger the maintenance of international peace and security? Do the sponsors of the draft resolution before this Committee seriously propose that the United Nations should establish the existence of a dispute within the meaning of Chapter VI of the Charter? Such a dispute would be different in nature from the dispute that existed under the now extinct Round Table Agreements. Before establishing the existence of such a dispute the United Nations surely would be obliged to ask who proposed to take action likely to endanger the maintenance of international peace and security.

Of course, the draft resolution avoids this issue, so embarrassing for Indonesia. It simply invites both parties to pursue their endeavours to find a solution of the dispute in conformity with the principles of the Charter, but without defining the nature of the so-called dispute.

(Mr. Walker, Australia)

We must then ask what is the meaning to be attributed to the word "endeavours"? What can this mean but the resumption of the negotiations concerning the political status of the territory? Does this mean anything more than putting pressure on the Netherlands to hand over Netherlands New Guinea to Indonesia?

If this be so, what meaning is to be attached in this draft resolution to the words "in conformity with the principles of the United Nations Charter"? Is it in conformity with the United Nations Charter to refuse to submit a legal issue to the International Court of Justice, and then try and whip up international pressure against one's opponent, as well as uttering threats? I must say that operative paragraph 1 strikes my delegation as being completely impossible of adoption by the General Assembly in present circumstances.

Regarding operative paragraph 2, the proposal to appoint the Secretary-General to assist the parties in the implementation of this resolution is, of course, objectionable in view of the contradictions, ambiguities and one-sided interpretations contained in the first operative paragraph. Moreover, since we know that all that would happen if the Assembly were to adopt a resolution of this nature would be that Indonesia would use the opportunity to press its "all or nothing" claim to take over Netherlands New Guinea, it seems hard to see in what way any impartial person or body appointed under such a resolution could be of any assistance.

The proposal for a report to the next Assembly could only have the effect of bringing this matter back again as a continuing source of friction.

I think I have made it plain to the Committee that the Australian delegaton is strongly opposed to this draft resolution and hopes that it will not be adopted. The First Committee cannot decide the legal issues involved. It is certainly not competent to interpret treaties or to say whether they have been implemented or not. Above all, the United Nations should not lend itself to endorsing an "all or nothing" territorial claim by one member country against another.

(Mr. Walker, Australia)

Finally, having said why my delegation firmly rejects the contents of this draft resolution and the intention of it, I would like to draw attention again to something that is not to be found in it. The draft resolution makes no reference to the people of Netherlands New Guinea, or where they may stand in this matter, or how their interests are to be preserved in accordance with the principles of the Charter. The draft resolution simply omits and ignores the people of Netherlands New Guinea. This is a most eloquent silence.

Mr. de Barros (Brazil) Vice-Chairman, took the Chair.

Mr. MIYAZAKI (Japan): The delegation of Japan participated, for the first time, in the debate of this question last year. In the course of last year's debate, the position of the Government of Japan concerning the question of West Irian was clearly stated in a speech by a representative of Japan. To itemize the views expressed in that speech, they are as follows: first, the United Nations should concern itself in the question of West Irian; secondly, the United Nations is not in a position to dictate the lines of action which the parties concerned should take; thirdly, the countries directly concerned should proceed promptly to negotiate for a peaceful settlement in a constructive and reasonable spirit; and fourthly, the United Nations should endeavour to facilitate the resumption of negotiations.

About two years before the above-mentioned speech, my country had another occasion to make its position in the matter widely known. Japan participated in the Asian-African Conference held at Bandung and put a signature to a document, containing an agreed policy, among others, on the West Irian question, namely, the Final Communique of the Bandung Conference. The relevant passage of the Communique said:

"The Asian-African Conference, in the context of its express attitude on the abolition of colonialism, supported the position of Indonesia in the case of West Irian based on the relevant agreement between Indonesia and the Netherlands.

(Mr. Miyazaki, Japan)

"The Asian-African Conference urged the Netherlands Government to re-open negotiations as soon as possible, to implement their obligations under the above-mentioned agreements and expressed the earnest hope that the United Nations would assist the parties concerned in finding a peaceful solution to the dispute."

(Mr. Miyazaki, Japan)

These are two outstanding instances in which the broad policy of my Government was so far made public in connexion with the question of West Irian.

The position of the Government of Japan, with reference to this question, has not undergone a change since last year, nor, for that matter, since the Bandung Conference. There has not been any new development, in the opinion of my delegation, that would call for any change.

The people and the Government of Japan have a deep sympathy for all the countries that achieved independence after the war and an ardent hope to see advancement made in all fields of their national activities.

Japan agreed with other participants in the Bandung Conference in declaring that "colonialism in all its manifestations is an evil which should speedily be brought to an end."

However, the question of West Irian is a complex one. It originated in the process of readjustment after World War II, in bringing about some balance between divergent influences. It may be inaccurate to classify it as a mere colonial issue or a mere territorial question.

Fundamentally, there is a deep gap between Indonesia and the Netherlands in the interpretation of the Charter of Transfer of Sovereignty. I will not repeat the different interpretations presented by both parties as they are already well known to this Committee.

Such confrontation of different interpretations of a treaty is deplorable, especially as it is continuing between two countries with which Japan is on close and friendly terms. But, in a way, it might have been inevitable, since the treaty itself was a product of compromise by each of the parties concerned with a view to enabling the speedy independence of Indonesia. It was concluded at the cost of allowing an interpretation advantageous and convenient to each of the two parties. Herein lies the seed of dispute confronting us today. In the opinion of my delegation, this is a circumstance with great historical significance that should always be borne in mind by all parties concerned in the evaluation of the West Irian question. This circumstance may be considered as obligating each disputant to pursue further negotiations. This must be a pivot around which future negotiations may revolve.

(Mr. Miyazaki, Japan)

The one-year period mentioned in article 2 of the Charter of Transfer of Sovereignty should be construed as giving a mere target period in which negotiations were to be terminated. Unless it was intended as a subterfuge from the beginning, this provision should not be interpreted as giving advantage to a party which, by taking an intransigent attitude, delays the conclusion of the negotiations beyond the time limit. It is not to be inferred here, however, that in actuality intransigency prevailed in the negotiations that took place; logic alone is here stated.

The United Nations concerned itself with the question of West Irian in its initial or even preliminary stages. The United Nations Commission for Indonesia was present at the Round Table Conference held at The Hague to assist the parties in their negotiations. It was this United Nations Commission which suggested -- as a compromise between the confronting views of both parties -- the wording actually used in the text of the Charter of Transfer of Sovereignty. Therefore, as stated by the representative of Jordan yesterday, my delegation believes that the United Nations is responsible, at least partially, for a peaceful settlement of this question, which originated mainly in the ambiguity of the wording of the treaty concluded at that Conference. As I have already admitted, it was at that time inevitable or even wise to have left it as it was. Nevertheless, for this same reason, the United Nations is under obligation to the parties concerned and the world in general to find a solution of the question in particular, in addition to this Organization's inherent obligations as a world organ for the peaceful settlement of disputes.

The Japanese delegation wishes to make clear here at this stage of the debate that it is not its intention to countenance the claim of sovereignty of one of the contending parties before negotiations take place. To cite an example, the Government of Japan views the national feelings of the Indonesian people with great sympathy, but finds it difficult to agree to the wording of the explanatory memorandum attached to the requests. The passage in question reads, "West Irian, the easternmost part of the Republic of Indonesia." My delegation is constrained to take exception to this clause on the ground that this wording could be interpreted as prejudging the result of the negotiations that may be taking place between the two parties. In stating this, my delegation wishes to make it clear that it wants to follow the process of logic.

(Mr. Miyazaki, Japan)

The wording of the explanatory memorandum notwithstanding, the draft resolution contained in document A/C.1/L.193 submitted by the delegation of Indonesia together with eighteen sponsoring countries to the present Assembly does not ask for the settlement of the substance of the question, but merely invites further endeavours for a solution and requests the assistance of the Secretary-General. We are well aware of the Indonesian claim in regard to the sovereignty of West Irian. Therefore, we can rightly concede that the Indonesian proposal as embodied in the nineteen-Power draft resolution is a very modest request indeed emanating from the Indonesian delegation. The Japanese delegation strongly supports such a proposal for the reasons already stated and is unable to share the view that negotiations would be futile when the difference of views is as wide as at present.

My delegation feels that there are many things still undone in connexion with the question of West Irian. For instance, one of the reasons for the maintenance of the status quo of the Residency of New Guinea is given in article 2 of the Charter of Transfer of Sovereignty as "the limited research that has been undertaken and completed with respect to the problem of New Guinea." It indicates that both parties were aware that a fuller research might have narrowed the gap between them. A later attempt at a more complete research has not been successful.

In the event the nineteen-Power joint draft resolution is adopted and as a result of such negotiations being held, a fuller and more impartial investigation may be made available, which would mark a great step toward a satisfactory solution of the problem. The suggestion may be made that perhaps the United Nations may be able to assist such an investigation.

(Mr. Miyazaki, Japan)

The draft resolution before us, in essence, points to the advisability of negotiations being resumed. It does not call for the settlement of the question by the General Assembly. It is just as well. The question of the sovereignty or the political status of West Irian may be best discussed in the course of such resumed negotiations. It is in this sense that my delegation would like to register its strong support of the draft resolution before us. Furthermore, my delegation holds that the United Nations cannot escape from the responsibility it once assumed and left unfulfilled and that it is the least that the United Nations can do in the matter to help and facilitate the reopening of negotiations between the Netherlands and Indonesia.

Mr. NAJIB-ULLAH (Afghanistan): In the last few years -- as well as during this session -- the Afghan delegation has followed with great interest, care and consideration the debates in the United Nations General Assembly on West Irian.

We have close fraternal relations with Indonesia. We had the privilege of welcoming its independence in 1946. Perhaps the first permanent diplomatic mission of Indonesia was established in the Afghan capital. We also took part in the conference of Asian nations on Indonesia in January 1949 in New Delhi, and we attended the other important phases of the attainment of the independence of that great country. It was by mere coincidence that I had the honour of representing my country at the international conference of Asian peoples in 1949 as well as on the occasion of the transfer of power which took place on 27 December 1949 in Jakarta. Our cordial relations with Indonesia continue and will develop in strength in the course of time.

We have also deep sentiments of respect and friendship towards the Netherlands. We had deep sympathy for the people and the State of the Netherlands during their trials and difficulties in the last war, and our friendly and economic relations with Holland have developed more and more in these last years in accordance with our mutual desires. We are sure that the future will give us more opportunity for closer links and co-operation with the Netherlands.

(Mr. Najib-Ullah, Afghanistan)

If we sympathize with our Indonesian friends in their demand, it is not out of any unfriendly feeling towards the Netherlands or any fanatical or emotional outlook. It is due to our objective approach to the problem and our appreciation of a fact: namely, the evolution of dependent peoples towards freedom and independence. The appreciation of this fact is a great factor in deciding the future destiny of Asia and Africa, as well as its unfortunate negation.

We are the co-sponsors of a draft resolution which proposes that both parties pursue their endeavours to find a solution to the dispute in conformity with the principles of the United Nations Charter. I do not think that a more conciliatory proposal could be offered. In taking part in this draft resolution, my delegation was considering the point of view of the Netherlands too, which was so eloquently explained again by the eminent representative of the Netherlands. It is in consideration of the divergence of the views that we place greater stress on our suggestion that both parties should display all efforts to find a solution. That means that each side would find every possibility for trying to clarify its respective point of view, with the help of this great Organization, and to reach an understanding on the basis of justice and reason.

I personally had the honour and privilege of being the instrument of my Government in the establishment of the exchange of diplomatic missions between the Netherlands and Afghanistan. I was also the first representative of His Majesty the King to the court of The Hague. I have great personal admiration for that country and its genius. I had talks with my eminent Dutch friends and I appreciate their awareness of the world evolution. I have heard from many responsible Dutch friends that the Netherlands as a country is more prosperous than happy now than when it was in possession of its former colony of the East Indies, because the Dutch have based their economic life, with their great ability and skill, on scientific and new conditions.

In any case, the points of view of both parties are eloquently explained in this Assembly by their eminent speakers. We do not find any necessity to take the time of this august body to argue on those points of view, except to repeat that what the Afghan delegation proposes, jointly with so many other friendly delegations, is to proceed peacefully towards an understanding through negotiation and all other methods of conciliation, under the auspices of the United Nations. I hope that this proposal will meet with the approval of this Assembly.

Mr. KOZACHENKO (Ukrainian Soviet Socialist Republic) (interpretation from Russian): The dispute between the two Members of the United Nations, Indonesia and the Netherlands, on the question of West Irian has been going on for eight years. The General Assembly has tried three times to settle it. However, owing to the obstructionist position of a group of Western Powers, this dispute, which is the main cause of tension between the two countries, remains unsolved, while relations between the Netherlands and Indonesia continue to deteriorate. Friction between the two States becomes intensified with every passing year and presents a threat to stability in South East Asia.

The question of the reunification of West Irian with Indonesia is a problem of paramount importance not for Asia alone. The Netherlands Government has obdurately frustrated the reunification of West Irian with Indonesia. Its refusal to engage in bilateral negotiations on this subject is nothing but an attempt to retain for an indeterminate period its colonial domination over a part of the inalienable territory of the sovereign Republic of Indonesia.

What are the arguments of the Netherlands Government in support of its retention of colonial domination over West Irian? They argue, first of all, that West Irian has no connexions with any other parts of Indonesia and, secondly, that the unification of West Irian with Indonesia would be at variance with the interests of the population of the territory. The artificial and fallacious character of these arguments should be clear.

It is well known that West Irian has been linked by fraternal bonds with Indonesia since time immemorial. West Irian was once part of Madjapahit, a state which existed in Indonesia between the thirteenth and sixteenth centuries. Indonesia existed as a unitary whole together with West Irian politically, economically and culturally. This was also the case while Indonesia was a Dutch colony. West Irian was an integral part of the Netherlands East Indies and was governed by the Netherlands together with and as a part of that colony.

The unity of the former colony of the Netherlands East Indies is confirmed by Netherlands legislative acts, especially the Constitution of 1922. During the Second World War, the Irians fought bravely against the Japanese militarists, together with the whole population of Indonesia, along with the other Indonesian provinces, for the independence and freedom of their fatherland.

(Mr. Kozachenko, Ukrainian SSR)

When the independence of Indonesia was proclaimed on 17 August 1945, all sorts of mendacious pretexts were used to keep West Irian as a colony of the Netherlands. To justify the retention of West Irian, the Netherlands Government now resorts to fallacious and often preposterous stratagems. It is alleged that the population of West Irian differs ethnically from the remainder of the Indonesian people. However, no great effort is required to demonstrate that the population of West Irian is surely closer to the population of the remainder of Indonesia than it is to the population of the Netherlands. It is universally known that many contemporary nations consist of different ethnic groups. Even the Netherlands itself is not unitary in its composition. At the present time the Dutch have the question of granting permission to use the Frisian language in schools and courts in Friesland Province.

Why do the Dutch claim that they are vested with the high mission of leading the population of West Irian along the path to progress? The Indonesians, who for centuries found themselves under this guidance and leadership, are surely entitled to doubt the fruitful results of that leadership. That type of leadership left Indonesia after 300 years with a population 94 per cent illiterate. It left a heritage of a colonial structure in political, economic and social fields. The characteristic traits of this leadership are still to be seen in West Irian. They are distinguished by the utter absence of political freedoms, crass racial discrimination, a very low level of education and health services and a very low standard of living of the population. The true meaning of this guidance and leadership comes down to keeping this richly-endowed territory in the clutches of the Dutch, because the Dutch companies and the other foreign companies with which they are associated need the coal and oil of West Irian. The Netherlands and other colonial Powers with which the Netherlands acts in concert likewise need the military bases which are being built on the territory of West Irian.

It is no accident that the Dutch colonizers have stripped the Irian people of the most elementary civil rights: of the right to establish any political or trade union organization for example; of the right to have relationships with Indonesian citizens from Java, Sumatra and the Celebes; of the right to read newspapers published in Indonesia; of the right to participate in the political and social life of the country in general. In supressing the legitimate

(Mr. Kozachenko, Ukrainian SSR)

aspirations of the Irians for unification and fraternity with the Indonesians, the Netherlands authorities are very busy arresting and jailing supporters of Irian freedom.

In connexion with this repression, the Central Federation of Indonesian Trade Unions has sent a protest to the Netherlands Government demanding that the harsh repression against the population of West Irian should be halted.

The population of West Irian lives in dreadful misery. The maximum pay of a skilled worker is less than half the minimum pay of a Dutch worker. Diseases are endemic, especially malaria. Many workers suffer from vitamin deficiency, and beri-beri is rampant. Millions of inhabitants are serviced by only one doctor; child mortality is as high as 40 per cent. As a result of epidemic diseases, one tribe has almost disappeared. All this shows that the continuation of the so-called civilizing activity of the Netherlands promises no good for the Irian people in the future, just as it promised no good for them during the past century. The happiness and welfare of the population of West Irian will only flow from its reunification with the independent and fraternal Republic of Indonesia. The Irians are fully alive to this fact, because they are actively struggling for reunification with Indonesia.

Therefore, the just struggle of the Indonesian people for the reunification of West Irian with Inonesia commands the wholehearted support and sympathy of all freedom loving peoples. The demands of Indonesia on the West Irian question were supported by the Bandung Conference, at which countries with a population exceeding half the population of the globe were represented. The Bandung Conference expressed great hope that the United Nations would be able to assist the parties concerned in finding a peaceful solution of this dispute.

The General Assembly has likewise received a communication from the World Federation of Trade Unions, in which that organization strongly urges the General Assembly to adopt, in accordance with the Charter of the United Nations, an equitable and clear decision, recognizing the fact that West Irian should belong and does belong to the Republic of Indonesia.

The reunification of West Irian with Indonesia in a unified State is essential both for the well being of the people of West Irian and for the well being of the people of Indonesia, who have already gained independence. The reunification of West Irian with Indonesia is called for by the principles of justice and the interests of peace throughout the world.

(Mr. Kozachenko, Ukrainian SSR)

As long as West Irian is still dominated by a colonial regime, the situation in all of South East Asia will remain tense. West Irian is symbolized by the Indonesian people by the bird of paradise. We are sure that that bird of paradise does not wish to be cooped up in the cage of colonialism. Sooner or later, it will fly out, and it is the duty of the United Nations to help free that bird from its cage as soon as possible.

Allow me to conclude my words by quoting a statement of the President of the Indonesian Republic, Mr. Sukarno:

"The restoration of West Irian remains for us an unfulfilled part of our national political aspirations. This is the last payment of a colonial duty. We see our brethren who want their independence with us still in bonds. Therefore, our own national freedom is not yet complete. We cannot fully enjoy our own freedom so long as all of Indonesia has not yet been reunified and has not been able to enjoy the freedom which is the inalienable right of all men."

The Ukrainian delegation will support the draft resolution appearing in document A/C.1/L.193 which has been presented to this Committee by a group of countries.

Mr. PEIVE (Union of Soviet Socialist Republics) (interpretation from Russian): I should like to make use of my right of reply. The representative of Australia, yesterday and again this morning, sought to refute some of the evidence and facts that were cited by the Soviet delegation. However, all that we heard was loud but rather inappropriate. The representative of Australia used very strong expressions in this Committee which were addressed to the Soviet delegation, but such expressions can never replace arguments or refute facts. I wish to say that nothing that the Soviet Union delegation said yesterday has been refuted.

Mr. SASTROAMIDJOJO (Indonesia): May I take this opportunity to make some remarks with regard to the statements made in particular by the representative of Australia this morning in connexion with that made by the representative of the Netherlands, especially regarding some pertinent points which they attempted to stress in defending the Dutch colonial cause in West Irian.

In a sense, I am happy that they made that stress since that only shows the difference of approach and policy of the Dutch and Australian attitude, and indeed the Dutch and Australian mind on the one hand, and the Indonesian attitude and policy with regard to West Irian on the other hand, as supported by so many Members of this Assembly, not only by the Eastern European countries, but also -- very expressly -- by the countries of Asia and Africa bound together under the resolutions, in particular the anti-colonial resolutions, of the Asian African conference in Bandung.

It is amazing, but maybe typical, of the attitude of some colonial countries that the representative of Australia in his statement chooses to minimize the attitude of the Asian and African countries which support the position of the Indonesian Government.

The representative of Australia suggested that support is only an expression of courtesy and good-will towards Indonesia, and that their attitude against the retention of Dutch colonial rule in West Irian is only one of emotion.

It is not for me to interpret the attitude of my Asian and African friends, but it is typical how countries like Australia feel entitled to minimize the attitude and policies of Asian and African countries which are now independent and sovereign countries, and which certainly assume no less responsibility than Australia, and indeed than any other Western country, in affairs of international character and importance.

I do not think that the Australian statement will do good to the cause advanced by the Netherlands Government.

As I said, it only shows the difference of policies and mind between colonial countries and ours, of the typical colonial attitude which, amazingly, still can be displayed in this august body of the United Nations.

With regard to the people of West Irian, for instance, I do not remember how many times the representative of Australia referred to the primitiveness of the West Irian people. He seemed satisfied that the Netherlands Government after more

(Mr. Sastroamidjojo, Indonesia)

than one hundred years "education" of the West Irian people have maintained that people in a state of such primitiveness and such backwardness. He denied the existence of a movement in West Irian, together with the national movement of the whole Indonesian people struggling to full freedom and independence of the former Dutch East Indies.

He seems to forget that many West Irians have been jailed or put in concentration camps in West Irian, that the jails in West Irian were and still are filled with these freedom fighters in West Irian. Our recent reports only confirm the continuation and even the aggravation of this colonial suppression of freedom in West Irian. And yet the representative of Australia spoke of the serenity, of the so-called normal and quiet internal conditions in West Irian.

Indeed, the arrests of nationalists and their jailing is a normal situation in colonial countries, and to call such a situation "quiet" sounds very familiar to us -- very familiar on the part of colonial rulers.

Finally, I should like to reserve the right of my delegation to deliberate on and to answer the statements made by the representative of Australia at a later stage of the debate.

Mr. Abdoh resumed the Chair.

Dr. ISMAIL (Federation of Malaya): As will have been noted, my delegation abstained from voting in the plenary meeting of the General Assembly when it was proposed that the question of West Irian or West New Guinea should be included in the agenda of the twelfth session. My delegation abstained on that occasion for quite a simple reason. The question of the inclusion of this item on the agenda was debated in the General Assembly on 20 September, only three days after our admission to the United Nations. As the representatives of a new Member and of a Government which, until a few months ago, had no responsibility and no dealings whatsoever in the foreign relations of the country, my delegation thought it wise not to vote one way or another on a matter upon which, I must confess, we were in no position to ponder deeply and carefully, and which, we were aware, had great political and emotional significance. Being a new Member of the United Nations, and hoping to play a useful part in this family of nations, my country considered it wise to assume a middle role, particularly in matters which are in dispute between our fellow Members of the Organization. In general, the position of my delegation remains the same today.

On the question of West Irian, which is now before this Committee and which will soon be debated in the General Assembly, my delegation is not interested in taking sides in a matter on which it is now quite convinced that there is a dispute between two of our fellow Members of the United Nations. We note with great regret that during previous sessions of the United Nations General Assembly draft resolution which recognized the existence of a dispute between Indonesia and the Netherlands and sought to bring those countries together to find a peaceful solution to the dispute by negotiation in accordance with the principles of the United Nations Charter itself failed to secure approval by the General Assembly because they were not successful in obtaining a two-thirds majority of Members. Could we, as Members of an Organization whose near-universality is one of its greatest assets and whose main objective is the maintenance of peace and contentment throughout the world, really ignore with a clear conscience the pleas of our Indonesian friends, supported by more than half of the Members of the United Nations, for assistance in finding a solution to a dispute through peaceful means? Could we really, in all conscience, make more than 200 speeches in the United Nations during the last three years, as the representative of the

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Netherlands has remarked, on a problem and not find ways and means of solving that problem? And can we introduce fine distinctions as to the nature of the dispute, based on hard judicial grounds, as between disputes over the existing status of the disputed territory and dispute over the future status of that territory, as the Netherlands representative has done? My Government is firmly convinced that we should take cognizance of this problem, which is already causing international friction and certainly a threat to peace in that part of the world.

Peace is really dear to our hearts -- peace in Southeast Asia and in the rest of the world. We are convinced that the nature of the dispute between the Indonesian Government and the Netherlands Government will sooner or later threaten peace in Southeast Asia. The dispute over West Irian has arisen because there exists in that and other parts of the world the problem of vestigial colonialism. Colonialism in its vestigial form can be as dangerous to the international body politic as colonialism in its full and accepted form. We should recognize, therefore, that the issue in the problem of West Irian is the issue of colonialism, and that this issue manifests itself in a dispute, as it must surely do, between Indonesia, once the subject of a colonial Power, and the Netherlands, the colonial Power itself. We should recognize also that it is because the issue is one of colonialism that it is particularly dangerous.

It may be useful if I draw the attention of this Committee to the example of my own country, the Federation of Malaya, which recently has been able to discard its colonial status. As members of the Committee are aware, the Federation of Malaya, as a dependent territory of the United Kingdom before 31 August 1957, consisted of nine Malay States, each with its own king or sultan under a treaty of protection with the sovereign of the United Kingdom, as well as the two territories of Penang and Malacca which were actual colonial possessions of the British Crown owing direct allegiance to the British Crown. Those two territories were what are called Crown Colonies. The British, when granting full sovereignty and independence to the Federation of Malaya on 31 August of this year, in their wisdom gave away their sovereignty over the whole of the territory known as the Federation of Malaya, including the Crown Colonies of Penang and Malacca. We felt that the British had every justification for retaining Penang and Malacca under the British Crown if they so desired. But true statesmanship impelled them

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to remove even the vestiges of colonialism in the Malay Peninsula, because, as events had proved, the future good relations between the newly independent country and the former colonial Power could not be maintained if the colonial possessions of Penang and Malacca were to continue to remain in that status when the rest of the country was freed from colonialism. It was clear to us, as it was equally clear to the British, that the mantle of colonialism could not remain over parts of the whole territory. The forces of nationalism in Malaya, which had been able to achieve independence for the whole country by peaceful and constitutional means, would have resorted eventually, we feel sure, to other less peaceful methods if islands of colonialism had remained in the country.

(Dr. Ismail, Malaya)

We have heard in this debate expressions of respect by colonial Powers for the principle of self-determination. We have heard solemn promises made by the Netherlands Government to grant to the inhabitants of the disputed territory the opportunity to decide their future for themselves as soon as they are able to express their will. Being from a country which was a colonial territory, I regret to say that these promises, however genuinely they are made, ring hollow in the ears of a colonial people. When Abraham Lincoln freed the slaves in this country, he did not do so after waiting for those Negro slaves to express their will and to have the opportunity to decide for themselves. Abraham Lincoln abolished slavery because it is a crime against humanity. The United Nations must apply the same standard in considering the case against colonialism. My delegation is firmly convinced that the United Nations can no longer bury its head in the sand and ignore the dispute which now exists between two of its Members, a dispute which is the inevitable result of the problem of colonialism, whether in its full form or in its vestigial form, as is the case with West Irian. We have heard that perfect peace exists in West Irian and that there is no desire on the part of the inhabitants to oppose the policies of the colonial Power. The United Nations as a world Organization, and in accordance with the principles and purposes of its Charter, should consider the question whether the people of New Guinea would be better able to achieve a full life in association with Indonesia or by remaining a colonial people under a European Power. My Government stands firmly against any form of colonialism, wherever and whenever it arises in any part of the world, whether in New Guinea, in Africa or anywhere else.

Some emphasis has been given, in the debate on this question, to ethnological and cultural aspects. It has been said that there are no ethnological and cultural links between the peoples of West Irian and Indonesia. I suggest that there is some confusion here -- a confusion between racial characteristics and origins, on the one hand, and national entities, on the other. Indonesia is a national and political entity, regardless of the ethnological and cultural characteristics and origins of the groups of people which comprise the national entity. My delegation therefore considers that the argument that Indonesia has no claim to the territory of West Irian because it has no ethnological and cultural affinity with the people of West Irian is not a valid one, and indeed this argument has quite dangerous implications to many countries.

(Dr. Ismail, Malaya)

Reference has also been made in this debate to the nature of the reactions which some of us here in this Committee may have to the question of West Irian. These reactions have been described this morning as emotional and as not necessarily leading to wise or just decisions. My delegation recognizes -- readily and quite openly recognizes -- that there is an emotional element in this dispute between Indonesia and the Netherlands. I respectfully suggest that there is an emotional content to all questions which find their way to this forum of world opinion, and we shall make a very grave mistake if we disregard and cast aside the emotional reactions of peoples to the issues before the world today. It is because colonialism itself engenders deep emotional reactions that we should find ways and means of removing it from the face of the earth. It is the emotional reactions of peoples against colonialism which have produced the most aggressive types of nationalism.

My delegation will therefore support any measure which seeks a peaceful solution to this dispute between two Members of this Organization. It is a dispute which is a direct result of the problem of colonialism in its vestigial form -- a problem which must be solved if peace is to be maintained in the area. The United Nations, as an Organization dedicated to peace, cannot afford to ignore this problem.

The meeting rose at 12.50 p.m.