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COMMITTEE OF GOOD OFFICES

ON THE

INDONESIAN QUESTION

SECOND INTERIM REPORT OF THE COMMITTEE TO

THE SECURITY COUNCIL

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LETTER FROM THE COMMITTEE OF GOOD OFFICES TO THE
PRESIDENT OF THE SECURITY COUNCIL,
SUBMITTING THE SECOND INTERIM REPORT

Hotel des Indes,
Batavia,
19 May 1948.

We have the honour to forward herewith the Second Interim Report of the Committee of Good Offices on the Indonesian Question which is submitted in accordance with the second resolution adopted by the Security Council at its two hundred and fifty-ninth meeting on 28 February 1948.

The Committee wishes to draw attention to the fact that this Report was closed on 30 April 1948 and therefore does not include developments in the political negotiations which have occurred since that date, many of which are of importance. The delay in forwarding the Report has been due partly to the difficulties resulting from the move of the Conference from Jogjakarta to Batavia on 3 May and partly to the procedure followed in submitting the Report to the parties for their comments. The Committee intends to re-examine the latter procedure in an effort to reduce the delay in the future.

The representatives on the Committee of Good Offices take this opportunity to renew to the President, and representatives on the Security Council, the assurance of their highest consideration.

T. Critchley (Australia)

R. Herremans (Belgium)

C. duBois (United States)

The President of the Security Council,
United Nations
Lake Success,
New York

/SECOND

SECOND INTERIM REPORT OF THE COMMITTEE OF GOOD OFFICES
TO THE SECURITY COUNCIL

Introduction

After consideration of the terms of the second resolution adopted by the Security Council at its 259th meeting on 28 February, requesting both parties and the Committee of Good Offices to keep the Council directly informed about the progress of political settlement in Indonesia, the Committee of Good Offices suggested to the delegations of the parties that the reports of the Committee and of the parties would be of greater value to the Council if they were co-ordinated. The Committee offered to submit to the delegations of the parties, at regular monthly intervals if possible, situation reports on which both delegations would have an opportunity to make any comments they might consider necessary; the reports would then reflect the views of both parties and of the Committee when transmitted to the Security Council. It was made clear that if urgent matters arose, a report might be submitted in advance of the time at which a regular report would be due. The Committee further suggested that under this procedure the parties undertake to submit to the Steering Committee of the Conference between the delegations of the parties, under the auspices of the Committee of Good Offices, matters which they considered should be included in reports to the Security Council, rather than submit these matters separately; the other party and the Committee would thus have an opportunity to submit comments on such matters at the same time.

The Chairman explained that this procedure would not mean that either party gave up its right to report separately to the Security Council if the necessity arose, although the parties undertook to submit any such report to the other party and to the Committee. He also expressed the hope that the parties would use their discretion in not submitting a great number of matters for reference to the Security Council. After these explanations the procedure suggested by the Committee was adopted.

This report, therefore, was submitted to the delegations of the parties and takes into account their comments thereon. The report is a continuation of the Committee's first interim report to the Security Council (S/649) and deals with the important activities of the Committee of Good Offices with the delegations of the parties through 30 April, including those in connection with the implementation of the Truce Agreement, since the Committee is of the opinion that all of these activities have a bearing on the progress of the political settlement.

CHAPTER I

Organization of the Work

Following the acceptance at the fifth meeting on 19 January 1948 of the six additional principles which, together with the twelve principles accepted at the time of the signing of the Truce Agreement on 17 January, were to form the basis for further political negotiations between the delegations of the parties, an ad hoc Sub-Committee was established to discuss plans and procedure for the future work of the Conference. The Sub-Committee was composed of representatives of the delegations of the parties and of the Committee of Good Offices. At the second meeting of the Sub-Committee the parties agreed in principle that it was no longer necessary to hold meetings of the Conference on board the U.S.S. RENVILLE. On 9 February the Conference considered and approved the report of the Sub-Committee which included the following recommendations:

- "(1) The meetings of the Conference should be held for periods of approximately three weeks alternately in Batavia and Jogjakarta, commencing in Batavia.
- (2) All arrangements for the meeting place should be the responsibility of each Government in its respective capital in Indonesia.
- (3) There should be established four Main Committees of the Conference to deal separately with subjects in the following fields:
 - (a) political affairs
 - (b) military affairs
 - (c) economic and financial affairs
 - (d) social and administrative affairs.

The Sub-Committee recommends that the names of these committees be determined by the Committee of Good Offices, since there was a difference of opinion between the parties on the name of the Committee concerned with military affairs. (The parties later accepted the suggestion of the Committee of Good Offices that this Committee be named the "Security Committee").

- (4) Each party should be represented on the four Main Committees by one member of its delegation. Such representation would not exclude the attendance of other members and advisors of the delegations who may be permitted to take part in the discussion. The chairmanship of the Main Committees should be held by the Chairman of the Committee of Good Offices or his representative. The Republican delegation

/requested

requested that where possible all three delegations on the Committee of Good Offices be represented on all four Main Committees, while the Netherlands delegation had no objection to this request but did not think it necessary for all three delegations on the Committee to be represented at every meeting.

(5) A Steering Committee should be established consisting of the Chairman or deputy Chairman of the delegation of each party, and the representatives on the Committee of Good Offices. The task of the Steering Committee should be to establish an agenda for the Conference, assign the items on the agenda to the Main Committees and co-ordinate the work of the Main Committees.

(6) The Steering Committee should consider at an early meeting the rules of procedure for the Conference and the Main Committees.

(7) The general procedure of the Conference should allow full opportunity for initial informal discussions on the agenda items."

The first meeting of the Steering Committee was held at the Hotel des Indes, Batavia on 13 February 1948, and discussed rules of procedure for the Conference and the Main Committees. On the basis of this discussion a small sub-committee drafted a number of rules which, after being amended and approved by the Steering Committee, were adopted by the Conference on 21 February (see Appendix I).

The Security Committee was formed immediately and carried on the functions of an ad hoc committee, which had been established largely from the personnel of the former Special Committees immediately after the signing of the Truce Agreement to deal with matters arising out of its implementation.

Representatives on the other Main Committees were nominated by the Republican delegation on 19 February and by the Netherlands on 11 March and these Committees commenced work during the week of 15 March. In the interim, the Steering Committee continued to meet, and as matters for discussion were raised by the parties, designated them for the attention of the appropriate Main Committee when it should finally be established, or referred them directly to the delegations of the parties. The Committee has continued to follow the practice of referring to the Steering Committee letters from one party which are of concern to the other.

The subjects which have to date been referred by the Steering Committee to the four Main Committees are indicated in the following chapters dealing with the work of each Main Committee.

CHAPTER II

Work of the Political Committee

There were five meetings of the Political Committee during the period covered by this report. On 16 March, the Republican delegation submitted a working paper entitled "subjects, agreement on which shall have to find expression in the political agreement." The Netherlands delegation submitted two working papers, one giving its general views on the settlement of the dispute and a second on the principal outlines of the United States of Indonesia; the Republican delegation later submitted comments on both of these working papers. A general discussion of these working papers and the Republican comments thereon, first in the Steering Committee and then in the Political Committee, proved cumbersome and the Committee of Good Offices offered its assistance to the parties by making a list of agenda items based on the matters which these initial working papers indicated the parties wished to discuss. Furthermore, since examination of these working papers showed that there were a number of points on which the parties were in substantial agreement, the Committee suggested the establishment of a Sub-Committee to be composed of the representatives of the parties which would begin immediately to study these working papers with a view to finding the points on which there was already agreement. This suggestion of the Committee of Good Offices was accepted by the parties and as a result of the discussion in Sub-Committee 1 a better understanding was reached on the respective view points of the two parties. A survey of this discussion dated 6 April revealed that similar views were held by the parties on a number of points including the following:

1. The procedure for the submission of the political agreement to the Governments of the parties;
2. The order in which the items should be discussed;
3. The possibility of a method of popular consultation other than a plebiscite;
4. The desirability of considering how far it is possible to combine;

(a) The determination of whether the populations of the various territories in Java, Sumatra and Madura wish their territory to form part of the Republic of Indonesia or of another state within the United States of Indonesia.

(b) The election of the constituent assembly.

(c) The election of representatives of the people.

/5. The

5. The character of the United States of Indonesia with regard to its sovereignty, its independence, and its democratic and federal nature.
6. The eligibility of territories in Indonesia for participation and membership in the United States of Indonesia.
7. The general procedure for the election of the head of state of the United States of Indonesia.
8. The general form of government of the member states of the United States of Indonesia.
9. Relationship between the provisions of the constitutions of the member states and the constitution of the United States of Indonesia.
10. General powers and objectives of the United States of Indonesia.
11. The safeguarding of the rights of minorities.
12. The safeguarding of fundamental rights and freedoms provided for in the United Nations Charter.
13. The promotion and development of Indonesian education and culture.
14. The composition of the legislature.
15. The general provisions to be included in the constitution of the United States of Indonesia regarding the administration of justice.
16. A number of questions which are properly matters for consideration in the constituent assembly.

The report of Sub-Committee I also listed points on which further discussion was necessary and the following points on which no understanding had yet been reached:

1. Measures for co-operation during the interim period.
 - (a) Transfer of governmental functions which are to be exercised by the Netherlands as sovereign authority during the interim period.
 - (b) Transfer of governmental functions that at present do not or will not appertain to the Member States.
 - (c) Restoration of rights belonging to the Netherlands Indies as a whole or to a third party.
2. The date of the plebiscite.
3. Territories involved in the plebiscite.
4. The status of New Guinea.

The report requested the assistance of the Committee of Good Offices in referring the items on the agenda of the Political Committee to sub-committees. The following suggestion of the Committee of Good Offices was accepted on 20 April and daily meetings of these sub-committees commenced on 26 April.

Sub-Committee 2

(Essentials of the Federation and of the Union)

A. United States of Indonesia

Item Pol. 1 The principal outlines of the federal structure of the United States of Indonesia, including:

(a) Relation of the Member States to the Federal Government of the United States of Indonesia.

(b) Relation of the Member States to each other.

Item Pol. 3 Principal outlines of the provisions in the Constitution of the United States of Indonesia relating to:

(a) Right of self-determination and self-government.

(b) Rights and duties of the Member States.

(c) Division of powers and duties of the United States of Indonesia and Member States.

(d) Human rights and freedoms mentioned in the Charter of the United Nations.

(e) Rights of minorities.

(f) Citizenship.

(g) Administration of Justice.

Item Pol. 5 Future status of the autonomous native states in Indonesia

B. Union

Item Pol. 2 Principal outlines of the Structure of the Netherlands Indonesian Union

Item Pol. 13 Principal outlines of measures for the administration of justice within the framework of the Netherlands-Indonesian Union

C. Transition

Item Pol. 8 Rights, duties, responsibilities, competencies and working procedure of a Provisional Federal Government

Item Pol. 9 Participation of the Republican Government in a Provisional Federal Government

Item Pol. 12 Measures for co-operation during the interim period

(a) Transfer of governmental functions which are to be exercised by the Netherlands as sovereign authority during the interim period.

(b) Transfer of governmental functions that at present do not or will not appertain to the Member States.

/(c) Restoration

(c) Restoration of rights belonging to the Netherlands Indies as a whole or to a third party.

Sub-Committee 3

(Defense)

- Item Pol. 4 Principal outlines of measures for defense and internal security within the United States of Indonesia.
- Item Pol. 6 Principal outlines of measures for co-operation with regard to defense within the framework of the Netherlands-Indonesian Union.

Sub-Committee 4

(Procedure)

- Item Pol. 10 Provisions for obtaining the free expression of popular will in Java, Sumatra and Madura regarding the relations of these territories to the United States of Indonesia.
- Item Pol. 11 The procedure (plebiscite or otherwise) for the delineation of States in Java, Sumatra and Madura.
- Item Pol. 7 Composition, task and procedure for convening the Constituent Assembly.

CHAPTER III

Economic and Financial Committee

There were five meetings of the Economic and Financial Committee during the period of this report, the first of which was held on 17 March. The work of the Committee to date may be divided into three categories: firstly, consideration of the principal outlines of the United States of Indonesia and the Netherlands-Indonesian Union in the economic and financial fields; secondly, consideration of matters connected with the implementation of paragraph 6 of the Truce Agreement and paragraph 5 of the political principles concerned with the resumption of trade and intercourse; thirdly, the examination of specific and local economic problems.

There is general agreement that the problems of primary importance are those associated with the future political Agreement. At the same time the Republican delegation has stressed the urgency of restoring normal economic intercourse and the Committee of Good Offices, at the time of the Renville Agreement, directed the attention of the parties to the need for examining forthwith provisions of a practical character to this end. The parties have agreed to deal with both these matters as quickly as possible and are discussing them concurrently in a number of sub-committees.

1. The Principal Outlines of the United States of Indonesia and the Netherlands-Indonesian Union in the Economic and Financial Fields

On 22 March the Steering Committee referred the following two general items to the Economic and Financial Committee:

- (a) Principal outlines of the United States of Indonesia in the economic and financial fields.
- (b) Principal outlines of the Union between the Netherlands and the United States of Indonesia in the economic and financial fields.

The Netherlands delegation working paper on financial and economic questions concerned both of these items and the Netherlands delegation suggested that the two items on the agenda might, from a practical point of view, be dealt with simultaneously. After some discussion, it was agreed that the two items could be combined initially, on the understanding that at a later stage the items could be separated into the two topics assigned by the Steering Committee. The Main Committee established Sub-Committee 3, composed of representatives of the parties, to conduct a general survey of the whole field on the basis of the Netherlands working paper and comments thereon by the Republican delegation.

After ten meetings Sub-Committee 3 submitted an interim report on 21 April. The report showed complete agreement between the parties as to the general purpose of a future agreement; viz: an economic unity of the future federation which would be strong externally and which would permit internally the greatest possible degree of freedom of economic intercourse. There was also general agreement on the conditions necessary to attain that economic unity. In particular, the following principles were agreed upon:

(a) That there should be unity of currency for the whole of Indonesia and a central bank of issue. It was agreed that "de Javasche Bank", subject to necessary modifications in management and supervision, should act as a central bank of issue as long as no other bank had been appointed by the United States of Indonesia. Discussions are continuing on the following items:

- (i) the material form of the types of money current for the whole of Indonesia;
- (ii) the quantity of the money needed in the Republic;
- (iii) the procedure of withdrawal of Republican money and other types of money to be replaced;
- (iv) the position of the Bank Negara (The Republican State Bank) under federal and pre-federal conditions, both with respect to the central bank of issue and to the other banks within and outside Republican territory.

/(b) that

- (b) that there should be unity of trade policy for the whole of Indonesia;
- (c) that there should be unity of foreign exchange regulations and a central foreign exchange fund for the whole of Indonesia;
- (d) that there should be unity of customs territory and of customs regime;
- (e) that there should be unity of policy with regard to the supply of goods, especially for primary commodities and with regard to price control for the whole of Indonesia as long as this is considered necessary.

The report stated that discussions were also held on the financial system of Indonesia. Budget figures were produced by both parties and revenue experts held preparatory meetings. The division of taxes between the federal and member-state governments and the merger of existing bodies of revenue officers were important topics in question. Finally, two meetings were held on stability and legal security in the economic and financial fields, and the restoration of property in Republican territory to the owners. Initial talks indicated that both parties were anxious to arrange as soon as possible for the restoration of property to the rightful owners. Discussions on this subject are continuing.

2. Resumption of Trade and Intercourse

The Steering Committee early referred to the Economic and Financial Committee agenda items dealing with the resumption of trade and intercourse and under these items the Republican delegation submitted working papers on the following subjects:

Transport and communications.

Post, Telegraph and Telephone Services.

Gas and Electricity.

Public Works.

Railways.

Transit traffic through the territory of the other party.

Reopening of corridors for sea traffic.

Civil aviation.

Road transport.

Traffic across the status-quo line.

Irrigation.

Electricity.

Highways.

Partial abolition of regulations during the truce period in regard to import goods needed for reconstruction in Republican territories.

Shipping.

/In order

In order to facilitate the study of working papers on such topics, Sub-Committee 2, composed of representatives of the parties, was established to make a preliminary examination of the papers with a view to dividing the problems into two categories:

- (a) Matters of a technical, temporary and local nature.
- (b) Matters involving general principles in the economic and monetary fields.

Calling on specialized experts of both parties for assistance, the Sub-Committee started work immediately on the problems of the first category, reporting back matters in the second category to the Economic and Financial Committee for further study.

Sub-Committee 2 has reported on technical discussions concerning highways, irrigation, public roads and bridges, and railways. These reports are preliminary reports for information. They show, however, a wide area of agreement on the technical principles involved in opening up communications and the joint use of public works. Implementation will be carried out by experts of both parties as soon as possible and the details of execution will be announced by the Republican and Netherlands Indies Governments.

Problems which were reported back to the Main Committee as involving general principles were referred to Sub-Committee 4, a new sub-committee also composed of representatives of the parties. On 14 April this sub-committee reported on the resumption of economic intercourse across the status-quo line as an implementation of the Truce Agreement. The report deals with local and long distance traffic of goods and the movement of persons. The parties agree that for the time being the existing regulations of the Netherlands Indies Government and the Republican Government controlling trade across the Status-Quo line will remain in force. The regulations prohibit the movement of military stores and of currency over a certain value. In addition, the Republic will not permit the export of textiles and the Netherlands as a general rule will not permit trade in estate produce. Special arrangements will be made for local border trade and all other trade will be subject to a quantitative licensing system. Trade will be conducted along certain routes agreed to by the respective governments and according to agreed methods of control. Monetary exchanges have not been included in the agreement as they are not an essential requirement in such traffic of goods, which usually takes place on a barter basis. Provisions are contemplated which would enable the Republic to conduct trade by sea with a minimum of interference. Detailed regulations for the control of movement of persons are under consideration.

/At the

At the meeting of the Main Committee at which the report was considered the Republican representative stressed the urgency of implementing the agreement reached by the Sub-Committee and expressed the hope that it would soon be possible to amend the existing laws and regulations so that resumption of economic intercourse across the Status-Quo line could be facilitated and speeded up. The Netherlands representative pointed out that its delegation had no power to modify the existing regulations, but agreed with the Republic as to the urgency of the implementation and indicated the willingness of his delegation to request the assistance of the Netherlands Indies Government where desirable. The Chairman asked the parties to take up with the Netherlands Indies and Republican Governments respectively all matters which concerned the implementation of the agreement reached by the Sub-Committee. As the report points out several practical problems still have to be solved, while much also depends on the technical possibilities. It is expected, however, that practical results will soon be obtained.

In conformity with its earlier decisions as to the importance of this problem, the Committee of Good Offices is endeavouring to encourage as far as possible the resumption of normal trade and intercourse. It has received reports from its military assistants that restrictive regulations on trade and intercourse across the Status-Quo line and by sea, together with the generally unsatisfactory conditions of communications, are resulting in economic and political difficulties in Republican controlled areas, and in particular in acute shortages of textiles and transport equipment. The Committee of Good Offices has suggested that Sub-Committee 4 should be continued on a semi-permanent basis to deal with the re-opening of trade and communications and to take up with the Netherlands Indies and Republican Governments all matters concerned with the implementation of the agreement so far reached. The Committee of Good Offices has further suggested that naval experts from both parties assist the Sub-Committee in working out regulations for sea traffic. These suggestions have been accepted by the parties.

3. Specific and Local Economic Problems

On 16 March the Steering Committee referred to the Economic and Financial Committee on a basis of urgency a request from the Republican delegation for a detailed scheme to permit the transport of rice as border traffic from the Netherlands controlled areas to the Republican controlled areas in the Kemit region. This problem arose because the drawing of the Status-Quo line in this region entailed the loss by the Republican controlled area of access to some 3,200 hectares, which had

/contributed

contributed to the rice requirements of the people in Republican-controlled territory. Sub-Committee I, composed of representatives of the parties, which was set up to deal with this problem, quickly agreed that the population of the Netherlands controlled area concerned should be allowed to transport to Republican controlled areas across the Status-Quo Line 500 tons or 5,000 bags of rice in exchange for services already received from the population of those areas and goods (exclusive of estate produce and rice) to be delivered in the future. This agreement is being satisfactorily carried out.

On 2 April Sub-Committee 5 composed of representatives of the parties was established as a matter of urgency to deal with a request from the Republican delegation for co-operation from the Netherlands authorities in order to ensure the successful production and milling of sugar in the Republic for the 1948 season. The Sub-Committee reported on 8 April that contact had been established with sugar organizations and that the Sub-Committee was hopeful of achieving early results. However, on 22 April the Sub-Committee reported that some difficulties had been encountered in the implementation of the principles agreed upon which the Sub-Committee was endeavouring to overcome.

CHAPTER IV

Work of the Social and Administrative Committee

The Social and Administrative Committee held three meetings during the period of the report, the first of which was on 19 March. Three major questions have been considered all of which have been referred to separate sub-committees consisting of representatives of the two parties.

1. The present welfare of civil servants of one party now in territory controlled by the other party

This agenda item was referred to the Social and Administrative Committee on 12 March after a number of letters had been received from the Republican delegation giving specific instances of difficulties being encountered by Republican civil and police officials in the territories occupied by the Netherlands forces after 21 July 1947. On 8 April the Sub-Committee to which this question had been referred recommended that the following statement be issued by the Netherlands Indies and Republican Governments:

"The Netherlands Indies Government and the Republican Government have decided that Republican civil servants at present in Netherlands controlled territory can enter government service on the usual terms applying to that service pending a definite arrangement, which shall be agreed upon at the proper time as a consequence of the

/political

political agreement to be concluded between the Netherlands and Republican Governments. With regard to those persons who for some reason cannot yet be employed, the two delegations will endeavour to find a means of preventing personal hardship".

It was further agreed by the Sub-Committee that civil servants in Netherlands controlled areas, who entered government service should receive and obey instructions solely from the government and that only civil servants who possessed the qualifications essential to their employment could be admitted to the service.

The Main Committee approved the report of the Sub-Committee and as the agreement concerned the Netherlands Indies Government rather than the Netherlands Government, it was decided that the Netherlands Indies Government and the Republican Government should exchange formal letters embodying the context of the proposals. These letters have been exchanged. The Social and Administrative Committee directed the Sub-Committee to report back on details for the implementation of the arrangements agreed upon, these details to be based on a recommendation from the Committee that a Joint Advisory Board representing the two parties should be established. Such a Board has since been established and is now functioning.

2. Release of prisoners not held as prisoners of war.

On 16 March the Steering Committee referred to the Social and Administrative Committee a working paper of the Republican delegation requesting that serious attention be given to the release of prisoners who did not fall within the category of prisoners of war (which category was being dealt with in the Security Committee) but who had been deprived of their freedom solely because of their political convictions. The working paper added that the granting of amnesty to those persons whose capacities were valuable to the work of reconstruction would constitute an act of good-will which would relieve the social tension.

At the meeting of the Social and Administrative Committee at which this working paper was first considered, the Netherlands representative stated that no one was detained by the Netherlands authorities or deprived of his freedom exclusively on the grounds of his political convictions although many civilians had been arrested by the Netherlands troops and charged with subversive activities. Each of these cases was thoroughly investigated and all those found not guilty were immediately released. Some persons who had committed no actual offense against the law were being held because they were thought likely to create unrest and disorder and others who had participated in acts of terrorism were held because
/they might

they might again commit similar offenses. These persons could not be generally released but each case was being judged on its own merits. The Netherlands representative also pointed out that according to the figures in his possession several thousands of prisoners were still detained in Republican controlled territory.

The Chairman of the Committee of Good Offices noted that the statements by the parties indicated the existence of prisoners on both sides which could be divided into the following categories: (1) civil prisoners guilty of offences against the civil code and (2) persons charged with activities in connection with the present dispute; in this discussion only the second category was involved. He pointed out that Article 7 of the Truce Agreement established the principle of the release of prisoners of each party, such release to be in principle without regard to the number of persons held by either party and that it was clear from other paragraphs of the same article of the Truce Agreement that persons accused of terrorism, intimidation, etc. were included within the scope of this agreement. He also referred to the statement of the Committee of Good Offices at the time of the signing of the Truce Agreement that "in view of point (a) of Article 7 of the Truce Agreement prohibiting, *inter alia*, reprisals or violence against individuals or groups of individuals, the final political agreement between the parties should include a general political amnesty which would apply to all citizens, in particular to soldiers and ex-soldiers or civil servants and ex-civil servants of both parties". He suggested that as the Truce Agreement was being implemented subversive activities and acts of intimidation should no longer occur and therefore the amnesty referred to in the statement of the Committee of Good Offices should be considered.

Following this discussion the parties agreed to the principles expressed by the Chairman and to the establishment of Sub-Committee 2 composed of the representatives of the parties to investigate individual cases of persons detained by the parties and to decide upon the terms of their release.

At the next meeting the Netherlands representative stated that in the opinion of his delegation neither paragraph 7 of the Truce Agreement itself nor sub-paragraph 7 (f) lead to the conclusion that persons accused of terrorism, intimidation, etc. were included in the release of persons without exception or discrimination. Furthermore, the Netherlands representative referred to the statement made by the Lieutenant Governor

/General

General on 26 January* to the Committee of Good Offices and said that the Netherlands delegation, while bearing in mind the principles of a general political amnesty, could not consider itself bound by the statements of the Committee of Good Offices as referred to by the Chairman.

On 30 April, Sub-Committee 2 submitted a report which was approved by the Committee. The report defines political prisoners as being all persons in Java, Madura and Sumatra who have been entirely or partly, legally and/or actually deprived of their liberty in connection with the extraordinary conditions prevailing in these areas relating to the political dispute existing between the two parties and who are not prisoners of war or criminals; it includes "displaced persons" i.e. persons who are interned, are in protective custody or are limited in any other way in their liberty of movement as well as those who are incapable of independent action as lunatics, mentally deficient, orphans under age or other children whose transfer from the area controlled by the one party is requested by the other. Both parties will endeavour to release political prisoners as soon as possible, subject to certain provisions laid down in the report. The report further reaffirms the principle of reciprocity in the release of prisoners, which will be respected without regard to the number of persons held by either party. Finally it recommends that a Joint Board of representatives of the Netherlands Indies and Republican Governments be established in order to facilitate and accelerate the implementation of the decisions reached, and to further the contact between the authorities charged with their execution.

CHAPTER V

WORK OF THE SECURITY COMMITTEE

After the signing of the Truce Agreement on 17 January 1948, an ad hoc Committee was established largely from the personnel of the former Special Committees, to deal immediately with matters arising out of the implementation of this Agreement. When the Main Committees of the Conference were later established, the military phases of the implementation of the Truce Agreement were taken over by the Security Committee while the non-military aspects were referred to the Economic and Financial or Social and Administrative Committees.

* In this statement the Lieutenant Governor General declared that the statement issued by the Committee of Good Offices on 17 January 1948, giving an interpretation of the six additional principles for the negotiations towards a political settlement without the foreknowledge of the Netherlands Government which had previously accepted these principles without any such interpretation, could not be taken into consideration by that Government.

For discharging its responsibilities in connection with the implementation of the Truce Agreement, the Committee of Good Offices obtained the services of the Consular Commission, together with its military assistants, in accordance with the resolution of the Security Council of 1 November 1947. The military assistants were formed in a pool under the direction of a Military Executive Board composed of the senior military assistants of the members of the Committee of Good Offices acting as a body and without regard to rank. The senior military assistants of China, France and the United Kingdom, the members of the Consular Commission not represented on the Committee of Good Offices, may attend the meetings of the Military Executive Board and the Security Committee as observers, when they are concerned with technical matters. Orders and directives issued to the officers of these countries are transmitted through the respective senior military assistants and are subject to the approval of the Consul General concerned, since an oath of allegiance taken by these officers precludes their accepting orders from any but military or civilian authorities of their own country. The number of military assistants was increased to 15 Australians, 4 Belgians, 15 Americans, 5 Chinese, 6 French and 10 British, a total of 55, which has now been reduced to 47 by normal attrition.

The matters with which the Security Committee has been concerned are as follows:

1. General Cease Fire

On 17 January 1948 at the time of the signing of the Truce Agreement, the parties agreed on the text of a preliminary cease hostilities order which was issued separately and simultaneously by both parties immediately upon the signing of the Truce Agreement. The Committee's military assistants have reported that this order has generally been well observed.

2. Delineation of the Status Quo Line and Demilitarized Zones

Shortly after the signing of the Truce Agreement the military assistants arranged meetings between the local commanders of the parties at a number of places along the status quo line laid down in the Truce Agreement. At these meetings agreements were reached as to the delineation and marking of the status quo line and the demilitarized zones in the field. At the second meeting of the Security Committee on 23 February the parties reported that the Status Quo Line and demilitarized zones had been delineated in all areas without major difficulties, except in (1) the Kemit area in Central Java, (2) the Pronodjiwo area in East Java and (3) the Gubug area in /Central Java.

Central Java. The difficulties in the first and third cases arose from the fact the Netherlands authorities maintained that the delineation of the Status Quo Line should be carried out on the basis of the map presented by the Netherlands delegation as an annex to the general regulations under the Truce Agreement; the Republican authorities were of the opinion that the delineation should be based primarily on the text of the proclamation of the Lt. Governor of 29 August 1947, as stated in the Truce Agreement. The difficulties in the second case were due to an administrative boundary change during the Japanese occupation. The Security Committee appointed a Sub-Committee, consisting of the Military Executive Board and two military experts from each party, to examine the situation in these areas in detail. The report of this Sub-Committee was discussed at the third and fourth meetings of the Security Committee on 26 February and 1 March, and agreement was reached in regard to the delineation of the Status Quo Line in these areas.

3. Evacuation of Republican Forces from Netherlands-controlled Territory to Republican-Controlled Territory

Paragraphs 8 and 9 of the Truce Agreement provided that elements of the Republican military forces continuing to offer resistance behind the present forward positions of the Netherlands forces should be withdrawn, together with arms and warlike equipment, to Republican-controlled territory within 21 days of the signing of the Truce Agreement. Following the meeting of the local commanders referred to above, the Committee's military assistants, in co-operation with the military authorities of both parties, established contact with Republican military personnel on the Netherlands side of the Status Quo Line and explained the provisions of the Truce Agreement providing for their evacuation. Several assembly centres were set up to which the TNI troops could report for evacuation and from these centres move to Republican-controlled territory under the observation of the military assistants.

From the start, the work of evacuation was carried out smoothly. When the original 21 days time limit for evacuation specified in the Truce Agreement expired on 7 February, the Republican delegation requested an extension until the evacuations were completed. Upon receipt of confirmation from its military assistants that the evacuation was not concluded in the time scheduled because of technical difficulties, the Committee transmitted the Republican request to the Netherlands delegation. The Netherlands military authorities then

/authorized

authorized the Netherlands local commanders to extend the period for evacuations beyond 7 February, when and where necessary. However, on 17 February the Committee was informed by its Military Executive Board that the Netherlands Command had stated that it could not continue extending the period indefinitely and considered that by 2400 hours on 17 February the evacuations should have been carried out; consequently, Republican military personnel who had not reported by that time for evacuation were considered to be unwilling to carry out the orders of their commanders and were therefore not entitled to the same treatment as those who reported before that time. The Committee immediately addressed a letter to the Netherlands delegation expressing its hope that the Netherlands Command would postpone any action which might interrupt the progress of evacuation in areas where the local Republican commanders had not yet stated that these evacuations were completed. Following the discussion of this matter at the first meeting of the Security Committee on 19 February at which the Republican representative stated that the evacuation could be completed by 22 February, the Netherlands delegation informed the Committee on 24 February of the final decision made by the Netherlands Command that TNI troops who reported during the period 17 February 2400 hours and 22 February 2400 hours would be evacuated in the same manner as those who reported before 17 February 2400 hours. At the third meeting of the Security Committee held on 26 February, the parties expressed agreement that the evacuation of Republican forces under the Truce Agreement had been satisfactorily completed. The total number of Republican combatants evacuated was about 35,000.

4. Release of Persons Being Held as Prisoners of War

This item was submitted to the Steering Committee by the Republican delegation and referred to the Security Committee where it was first considered at the second meeting on 23 February. The Republican representative pointed out that paragraph 7 (f) of the Truce Agreement provided for the acceptance by the parties of the principle of the release of prisoners of war and early commencement of discussions on this point. It was agreed that the Security Committee was competent to deal only with prisoners of war and not with political prisoners and that each party should pass to the other a list of names, numbers, ranks and location of prisoners of war held together with, if possible, a list of its own missing personnel. Sub-Committee 4, composed of representatives of the parties and one representative of the Committee of Good Offices, was established to deal with this question.

/After holding

After holding two meetings the Sub-Committee encountered difficulties. On 23 February and 3 March, the Netherlands delegation submitted a complete list of 197 missing personnel of the Netherlands Forces. The reply of the Republican delegation gave the names of only 12 prisoners of war of whom 6 were still being held by the Republic, 2 had died, while the remainder had already been exchanged. On 20 March, the Netherlands delegation in a letter to the Committee of Good Offices expressed its deep regret that the Republican Government was able to supply information on only 8 of the 197 missing Netherlands military personnel. The letter stated that the majority of soldiers (about 150) were reported missing or fallen into Republican hands during the latter half of the year 1946 and in the course of 1947, during which period it would appear that revolutionary conditions no longer existed; it added that in the circumstances there was not only no basis for an exchange of persons held as prisoners of war, but further meetings of Sub-Committee 4 could be of no avail until such time as the Republican authorities had produced full details of the great majority of the 197 missing persons. The letter requested the help of the Committee's military assistants in tracing the missing personnel and it stated that instructions had been given to the Netherlands members on the Sub-Committee to suspend the meetings with the Republican members.

By letter dated 23 March the Committee informed the Netherlands delegation that it did not think there was at present sufficient information to determine whether the missing Netherlands personnel were ever held by the Republic as prisoners of war and therefore requested the Netherlands to furnish the Committee's representatives on the Security Committee with any further information on this matter which it might have. Furthermore, the Committee stated in letters to both parties that its military assistants would endeavour to help trace the missing Netherlands military personnel, as requested by the Netherlands delegation, and urged the Republican delegation to make every effort to locate these persons. The letters also expressed the Committee's opinion that in the meantime the Sub-Committee should continue to work out the details for the release of persons held as prisoners of war, in accordance with paragraph 7 of the Truce Agreement. By letter dated 24 March, the Republican delegation expressed gratitude for the offer of the Committee of Good Offices, adding that all possible efforts to gather full details as regards these persons had been made but from the information thus far obtained the Republican delegation had reason to believe that most of the missing Netherlands military personnel might be considered as having been killed in action.

/At the seventh

At the seventh meeting of the Security Committee on 7 April, the Netherlands delegation agreed that the Sub-Committee should resume its work as soon as possible. On 23 April, the Sub-Committee reported that agreement had been reached on this subject and that the actual release of prisoners of war by both parties would commence. The following week, approximately 1500 prisoners of war were released by the Netherlands authorities and 6 (total number so far known to be held) by the Republican authorities. Efforts to trace the other missing Netherlands personnel are continuing.

5. Evacuation of Families of Military Personnel and their Present Welfare

This item was submitted to the Steering Committee by the Republican delegation and referred to the Security Committee where it was considered at the third meeting on 26 February. The problem had arisen as a result of the establishment of the Status Quo Line and the evacuation of Republican military personnel from Netherlands controlled territory. Many of the families of evacuated Republican military personnel were still in Netherlands-controlled territory, and similarly many families of Netherlands military personnel were in Republican-controlled territory. Sub-Committee 3 was established at the third meeting of the Security Committee held on 26 February to consider practical measures in regard to this problem. The Sub-Committee made a progress report, at the sixth meeting of the Security Committee on 24 March, that agreement had been reached between the parties on all technical factors such as places of assembly and routes of evacuation. The evacuation of families from both sides of the Status Quo Line commenced on 26 April and is continuing.

6. Alleged Violations of the Truce Agreement

Early in February, the Committee began receiving from both parties allegations of violations of the Truce Agreement. The Committee therefore proposed a procedure for handling these allegations which was slightly amended and adopted as follows:

(a) Incidents outside the demilitarized zones, which have occurred after completion of the evacuations, will not be considered for investigation by the Committee of Good Offices, unless there is prima facie evidence that such incidents were instigated by the Government of the other party. Reports of such incidents should be forwarded directly to the Committee of Good Offices.

(b) As a general rule, military incidents occurring in the demilitarized zones should be reported to the Committee of Good Offices by its military assistants in the region concerned, except in cases where such incidents have been settled locally by these military assistants, as provided for in Article 4 of the Truce Agreement. The Committee of Good Offices will then decide on the action to be taken.

/(c) In order

(c) In order to ensure speedy handling of requests for investigation, the Committee of Good Offices will be free to deal with them in each case as it sees fit, after due consultation with the parties.

(d) Reports of other alleged infringements, not accompanied by specific requests for investigation, should be addressed directly to the Chairman of the Security Committee, unless they are of an urgent character, in which case the urgent character should be indicated and the reports sent directly to the Steering Committee. All such reports will be submitted to the other party for comment. If, after having received and examined such comments, the party alleging the infringement wishes further examination of the matter, this party will so inform the Chairman of the Security Committee. The representatives of the Committee of Good Offices on the Security Committee, in consultation with the senior military assistants, will then recommend to the Committee of Good Offices what further action they consider necessary.

Most of the allegations have been in connection with paragraphs 7 (a) and (b) of the Truce Agreement, in which the parties agree to prohibit sabotage, intimidation and reprisals, and to refrain from broadcasts or any other kind of propaganda aimed at provoking disturbances amongst troops and civilians. Allegations of infiltration and subversive activities have also been submitted, as well as allegations of violations by naval and air forces. These allegations have been dealt with in accordance with the procedure outlined above and the Committee does not consider it necessary to comment on any of these allegations in detail or to attempt to weigh the relative responsibility of the parties.

7. Widening of the Demilitarized Zones

Paragraph 2 of the Annex to the Truce Agreement provides that: "If, as expected, the Truce Agreement is increasingly implemented and the general situation continues to develop favourably, the demilitarized zones will, as a matter of course, be further extended". In a letter dated 5 April, addressed to the parties, the Committee of Good Offices suggested that the parties might wish to discuss the widening of the demilitarized zones, with a view to authorizing the respective local commanders to arrange between them, where possible, a widening of the zones where the present width was less than 5 kilometres on either side of the Status Quo Line. At the eighth
/meeting

meeting of the Security Committee on 23 April, the parties agreed to proceed with discussions on this matter and Sub-Committee 6 was set up to make a preliminary survey of the problem and report to the Security Committee.

3. Other Matters Considered by the Security Committee

At its second meeting on 23 February, the Security Committee considered a Republican request for the loan by the Netherlands Command of equipment such as cars, trucks, wires and telephone material, etc. in order that the Republican police forces in the demilitarized zone could satisfactorily carry out their duties in connection with the implementation of the Truce Agreement. On 28 February the Netherlands replied by letter that it considered that the quantities specified by the Republican delegation were far in excess of the actual requirements for the use of the Republican police forces in the demilitarized zone and also that the Netherlands own needs for their equipment did not allow, even temporarily, for such a loan. The Republican delegation then raised in the Steering Committee the question of the purchase of the required materials direct from abroad but so far no agreement has been reached on this question which is being dealt with in general terms in Sub-Committee 4 of the Economic and Financial Committee.

On 4 March, the Security Committee adopted General Regulations for the use of aircraft in connection with paragraph 23 of the General Regulations under the Truce Agreement, after they had been discussed in a Sub-Committee of the Security Committee. When this agreement was referred to the Steering Committee for adoption at a plenary session of the Conference, the Netherlands delegation declined to confirm it until agreement could be reached on the additional matter of flights from Republican-controlled territories to points outside Indonesia. However, in the interim, the regulations have been provisionally put into effect by both the parties.

On 30 March, the Steering Committee referred to the Security Committee an agenda item on the question of disposition of Japanese and German nationals now in Republican-controlled territory, together with a Netherlands working paper on the subject. The Netherlands indicated that in view of the Netherlands Government's obligations to adhere to the International Regulations concerning trial of war criminals and extradition of enemy nationals, it was essential that the Republican authorities make arrangements for handing over
/to the Netherlands Indies

to the Netherlands Indies Government all Japanese and German nationals who were living in Republican-controlled territory. This matter, which is additional to matters dealt with in the Truce Agreement, is now being dealt with by Sub-Committee 5 of the Security Committee established on 23 April.

CHAPTER VI

Other Phases of the Work of the Conference

1. Letter from the Republican Delegation dated 15 March 1948 Concerning the Formation on 9 March of "The Provisional Federal Government for Indonesia."

On 15 March the Committee received a letter from the Republican delegation protesting the unilateral course followed by the Lieutenant Governor General of the Netherlands Indies in the formation of "the Provisional Federal Government for Indonesia" on 9 March 1948 (see Appendix II). The letter further stated that the Republican delegation trusted the Committee would lodge its protest directly with the Security Council and with the Netherlands delegation. On 17 March the Committee replied to the Republican delegation that with respect to the request that the Committee itself lodge the protest of the Republican delegation with the Security Council, it remained of the opinion that it should continue to follow its long-established practice which had been expressed in a letter of 2 January 1948 in the following terms:

"The Committee's task of good offices can best be carried out if the parties do not request the Committee to refer particular matters to the Security Council. The Committee is of the opinion that it can be of the most assistance to the parties by following the procedure which it has adopted in the past, namely, to discuss those matters brought to its attention by one party with the other party, in order to ascertain where agreement between them is possible."

In this connection, the Committee noted that the parties had agreed at a meeting of the Steering Committee on 16 March to discuss the question of the participation of the Republican Government in a provisional federal government and expressed the hope that a solution satisfactory to both parties would ensue from these discussions. A copy of the Republican letter and the Committee's letter were forwarded to the Netherlands delegation. It is noted that neither the Committee of Good Offices nor, in its opinion, the Netherlands delegation consider the Provisional Federal Government formed on 9 March as the provisional government envisaged in the Remville principles.

2. Protest of the Republican Representative to the Security Council
Concerning the Formation of an East Sumatra State

On 25 March the Committee of Good Offices was informed by the Netherlands delegation that the representative of the Republic of Indonesia at Lake Success had forwarded a letter dated 19 March to the Security Council with respect to the formation of an East Sumatra State. The Netherlands delegation pointed out that this action was contrary to the procedure for reports to the Security Council adopted by the Steering Committee on 16 March (see Introduction). After informal discussions with the representatives of the Netherlands and the Republic on the Steering Committee, the Committee of Good Offices addressed a communication to the President of the Security Council (S/703) suggesting that consideration of the Republican representative's letter might be delayed in order to provide opportunity for the Committee and the Netherlands to comment on the letter.

On 5 April the Republican representative in the Steering Committee explained that the letter of the Republican representative on the Security Council had been based on telegraphic instructions from the Republican Government dated 16 March which were prior to the agreement reached in the Steering Committee on 19 March that such matters would be brought to the attention of the Committee of Good Offices and the other parties. He noted that he would submit a letter giving the reasons why the Republican Government intended to raise this matter in the Security Council. This letter (Appendix III) was received on 29 April and referred to the Netherlands delegation.

APPENDIX I

RULES OF PROCEDURE FOR THE CONFERENCE

CHAPTER I - MEETINGS

Rule 1

Meetings of the Conference shall be held at the call of the Chairman. Normally no more than one plenary meeting of the Conference shall be held on the same day.

Rule 2

The Chairman shall call a meeting at the request of the Committee of Good Offices, the Head of the Netherlands delegation, or the Head of the delegation of the Republic of Indonesia,

Rule 3

Meetings of the Conference shall be formal, and records shall be maintained as provided in Chapter XII. Opportunity shall be given for informal discussions of which no record shall be kept and to which no reference may be made in any meeting or in any document having an official status.

CHAPTER II - CHAIRMANSHIP

Rule 4

The Chairmanship of the plenary meetings, meetings of the Steering Committee, and meetings of the Main Committees, shall be held by the Chairman of the Committee of Good Offices or his representative. The Chairman shall preside over the meetings.

CHAPTER III - STEERING COMMITTEE

Rule 5

There shall be a Steering Committee consisting of the representatives on the Committee of Good Offices, the Head of the Netherlands delegation and the Head of the delegation of the Republic of Indonesia or their deputies. The function of the Steering Committee shall be to establish an agenda for the Conference, assign the items on the agenda to the Main Committees and co-ordinate the work of the Conference.

Rule 6

A provisional agenda shall be drawn up for meetings of the Steering Committee by the Secretary, in consultation with the Chairman. The provisional agenda shall include any item the consideration of which has been requested in writing by the Committee of Good Offices or the Head of the delegation of either party.

/Rule 7

Rule 7

The provisional agenda for a meeting of the Steering Committee shall be communicated by the Secretary to the Committee of Good Offices and to the parties at least twelve hours before the meeting, but in urgent circumstances it may be communicated simultaneously with the notice of the meeting.

Rule 8

The first item on the provisional agenda for each meeting of the Steering Committee shall be the adoption of the agenda. At the discretion of the Chairman additional items may be included in the provisional agenda immediately prior to the adoption of the agenda.

Rule 9

The adoption of the agenda of the Steering Committee shall be by a majority vote of the Chairman, on behalf of the Committee of Good Offices, the Head of the delegation of the Netherlands and the Head of the delegation of the Republic of Indonesia, each of whom shall have one vote.

Rule 10

Decisions of the Steering Committee in discharge of its functions set forth in Rule 5 shall be taken by agreement between the delegations of the Netherlands and the Republic of Indonesia.

CHAPTER IV - MAIN COMMITTEES

Rule 11

There shall be four Main Committees of the Conference as follows:

1. Political Committee
2. Security Committee
3. Economic and Financial Committee
4. Social and Administrative Committee

The function of the Main Committees shall be to consider and report on agenda items referred to the Main Committees by the Steering Committee.

Rule 12

The members of the Committee of Good Offices and the parties shall be represented on all of the Main Committees. A meeting of a Main Committee may be held when the Chairman of the Committee of Good Offices, or his representative, and the representatives of the Netherlands and the Republic of Indonesia are present.

Rule 13

The agenda of each Main Committee shall consist of the items referred to the Committee by the Steering Committee. The order of
/consideration

consideration shall be determined by agreement between the representatives of the Netherlands and the Republic of Indonesia on the Main Committee. Any item referred to the urgent attention of a Main Committee by the Steering Committee shall be considered ahead of all other items.

Rule 14

A Main Committee may appoint a sub-committee to consider and report on a particular question.

CHAPTER V - PLENARY MEETINGS

Rule 15

The representatives on the Committee of Good Offices, the Head of the Netherlands delegation, and the Head of the delegation of the Republic of Indonesia, or their deputies, assisted by members of the delegations, shall constitute a plenary meeting of the Conference.

CHAPTER VI - CREDENTIALS

Rule 16

The credentials of a representative shall be communicated to the Secretary no later than twenty-four hours before that representative participates in a plenary meeting, a meeting of the Steering Committee or a meeting of a Main Committee.

CHAPTER VII - SECRETARIAT

Rule 17

The Secretary of the Committee of Good Offices shall act in the capacity of Secretary of all plenary meetings, meetings of the Steering Committee or meetings of the Main Committees. The Secretary may authorize a deputy to act in his place at any meeting.

Rule 18

The Secretary shall be responsible for the preparation of all documents required for the meetings and shall, when possible, distribute them in advance of the meeting at which they are to be considered. Documents for consideration at meetings shall be communicated to the Secretary as far in advance of meetings as possible.

CHAPTER VIII - CONDUCT OF BUSINESS

Rule 19

The Chairman shall call upon the representatives of the Committee of Good Offices or of the parties in the order in which they signify their desire to speak. At the request of a representative, a member of the delegation of a party or an adviser of the Committee of Good Offices
/may speak

may speak in a meeting on a particular point about which he has a special knowledge, upon being recognized by the Chairman. In a Main Committee, an adviser of the delegation of a party may also speak upon being recognized by the Chairman. The Chairman may permit other persons to supply the meeting with information or to give other assistance in examining matters pertaining to the meeting.

Rule 20

If a speaker raises a point of order, the Chairman shall immediately state his ruling. If it is challenged, the Chairman shall submit his ruling to the immediate decision of the meeting, as in Rule 22.

Rule 21

The following motions shall also be submitted to the decision of the meeting as in Rule 22:

1. to adjourn the meeting,
2. to adjourn the meeting to a certain day or hour,
3. to refer any matter to a sub-committee.

Any motion for the simple adjournment of the meeting shall be decided without debate.

CHAPTER IX - DECISIONS

Rule 22

Decisions on all matters of procedure shall, when necessary, be taken by a majority vote of the Chairman, on behalf of the Committee of Good Offices, the Head of the delegation of the Netherlands, and the Head of the delegation of the Republic of Indonesia, each of whom shall have one vote.

Rule 23

Decisions on all matters of substance shall be taken by agreement between the delegations of the Netherlands and the Republic of Indonesia. Only decisions taken at a plenary meeting of the Conference shall be considered as binding.

Rule 24

If a decision on what constitutes a matter of procedure is necessary, it shall be taken by agreement between the delegations of the Netherlands and the Republic of Indonesia.

CHAPTER X - LANGUAGES

Rule 25

Dutch, English, French and Indonesian may be employed at any meeting. All speeches delivered in Dutch, French or Indonesian shall
/be translated

be translated into English. Delegations using Dutch or Indonesian shall furnish their own interpreters whose work shall be generally supervised by the interpreter of the United Nations Secretariat. All interpretations into English shall serve for purposes of the record. Speeches may also be interpreted into Dutch, French or Indonesian upon request.

Rule 26

Documents shall be made available by the United Nations Secretariat in English. Documents submitted to the United Nations Secretariat shall be accompanied by an authorized English translation.

CHAPTER XI - PUBLICITY OF MEETINGS

Rule 27

Unless otherwise decided by the Steering Committee, meetings of the Conference shall be held in private. Immediately following the adjournment of every meeting the Chairman or his deputy, in consultation with a member of the delegation of each party appointed for the purpose, shall instruct the Secretary regarding information on the meeting to be made public and shall approve the text before its release.

CHAPTER XII - RECORDS

Rule 28

The United Nations Secretariat shall maintain summary records of the plenary meetings, meetings of the Steering Committee, and meetings of the Main Committees. Copies of the summary records shall be transmitted to the Committee of Good Offices and to the parties.

Rule 29

Corrections to be made in the summary records shall be communicated in writing to the Secretary by the representative wishing to make a correction within three working days after the receipt of the record, as indicated by the date of the documentation. Corrections that have been requested shall be transmitted to the Committee of Good Offices and to the parties and shall be considered approved unless objections are made within three working days after receipt. Any objections shall be annexed to the record of the meeting.

Rule 30

The summary record to which no corrections have been made within the period of time specified in Rule 29 or to which corrections have been incorporated as provided in Rule 29, shall become the official record of the meeting.

/Rule 31

Rule 31

Communications shall be considered as having an official status when they bear the signature of a representative on the Committee of Good Offices or the Head of the delegation of either party or their authorized deputies. Working papers shall be clearly marked as such, shall be classified and marked as confidential, and shall not have any binding character. Copies of such documents may be given a symbol number and be distributed to the Committee of Good Offices and to the parties at the discretion of the Chairman in consultation with the Secretary. Other papers shall be considered as oral notes and shall be destroyed after use, no reference to them being permitted in any meeting or in any document having an official status.

APPENDIX II

LETTER DATED 15 MARCH FROM THE REPUBLICAN DELEGATION CONCERNING THE
FORMATION OF "THE PROVISIONAL FEDERAL GOVERNMENT
FOR INDONESIA"

Jakarta, 15 March 1948

Sir,

I herewith have the honour to request the attention of your Committee for the formation of the "Provisional Federal Government" for Indonesia, of which government the executives were inaugurated into their offices by Lieutenant Governor-General of the Netherlands Indies on 9 March 1948.

The formation of said "Provisional Interim Government" is contrary to the spirit as well as the letter of the Renville Agreement, and particularly so when regarded in the light of article 1 and article 2 of the Six Additional Principles.

By signing the Renville Agreement, the government of the Netherlands and the government of the Republic of Indonesia undertook to approach a political settlement along the way of mutual cooperation.

Cooperation - it follows - ought to mark the formation of such Provisional Federal government, as to which reference is made in article 1 of the Six Additional Principles which form a basis for the negotiations towards a political settlement.

Therefore, the formation of the "Provisional Federal Government" by the Lieutenant Governor-General, being a unilateral action proceeded to without consultation of the Republic, is not at all in accordance with article 1 of the Six Additional Principles.

I may remind you of the fact that the Government of the Republic was first to invite the Netherlands Government to cooperate in the formation of a provisional federal government, as you may note from the letter addressed by Vice President Mohamad Hatta to the Lieutenant Governor-General (letter no. 133/AI/48 dated 9-2-1948; the suggestion was rejected by Dr. van Mook with the argument that the formation of the provisional Federal Government was eventually to evolve from the political negotiations between the Government of the Republic of Indonesia and the Government of the Netherlands (letter received from Dr. van Mook, dated 12-2-1948.)

This correspondence (a translation of which is hereby attached as Annexes I and II) reveal

firstly, the good will of the Republic to solve the political questions in the shortest possible time on the basis of

/cooperation

cooperation, and

secondly, the implicated admission by the Lieutenant Governor-General that the Provisional Federal Government should be formed by the two governments in cooperation.

The formation of the "Provisional Federal Government" on 9 March 1948 contradicts that admission.

May I further refer to the second sentence of article 1 of the Six Additional Principles, which stipulates that it is the Kingdom of the Netherlands that "may confer appropriate rights, duties and responsibilities on a provisional federal government of the territories of the future United States of Indonesia", whereas the provisional federal government which has been formed received its rights, duties and responsibilities from the Lieutenant Governor-General of the Netherlands East Indies.

As regarded from this point of view too, the recent formation of the "Provisional Federal Government" is contrary to the Renville Agreement.

Still further, article 2 of the Six Additional Principles stipulates that "in any provisional federal government created prior to the ratification of the constitution of the future United States of Indonesia, all states will be offered fair representation".

Here again, is a point where the recent formation of the "Provisional Federal Government" conflicts with the Renville Agreement, since there is no representation of the Republic to be found in the "Provisional Federal Government".

These are the reasons why I herewith strongly protest against the unilateral course followed by the Lieutenant Governor-General and I do trust that you will lodge this protest directly with the Security Council of the United Nations, on the ground of the 1st resolution taken by the Security Council on the Indonesian question, and with the Delegation of the Netherlands.

The Government of the Republic has determined its standpoint in regard to the "Provisional Federal Government" in a statement, which you will find together with its translation in English attached to this letter (Annex III).

May I finally add, that the formation of the "Provisional Federal Government" on 9 March 1948 by the Lieutenant Governor-General will in no way alter the standpoint assumed by the Government of the Republic of

Indonesia in regard to the provisional federal government as visualized by the Renville Agreement. It is my hope that the negotiations leading to this end can commence soon.

I have the honour to be, Sir

Your obedient servant,

/s/

Moh. Roem

Chairman

Delegation of the Republic of Indonesia

The Chairman
of the Security Council's
Committee of Good Offices
on the Indonesian Question
JACARTA.

APPENDIX III

LETTER DATED 29 APRIL FROM THE REPUBLICAN DELEGATION
CONCERNING THE FORMATION OF AN EAST SUMATRA STATE

33/K

Kaliurang, 29 April 1948.

Sir,

1. With reference to my letter No. 363 of 5 April 1948 paragraph 4, I have the honour to invite your attention to the following.
2. As may be known to you, on 8 October 1948 the Council of the Daerah Istimewa (Special territory) of East-Sumatra was instituted by decree of the Lieutenant Governor General. The composition of this Council, however, was not arrived at through popular elections.
3. By decree of 25 December 1947, the new constitutional unit formed on the Eastcoast of Sumatra would be designated as "Negara East Sumatra", ostensibly in accordance with the wishes expressed by the Council thus formed.
4. Apart from the fact that the establishment of the Negara East Sumatra as described above, deviated from the customary procedure for the formation of a state, the establishment of the Negara East Sumatra is contrary to article 3 of the principles forming an agreed basis for the political discussions accepted at the fourth meeting on 17 January 1948, and the more so where this particular case concerns a drastic and far-reaching change in the administration of a territory, while the time chosen for this action does not provide a guarantee against the exertion of unwarrantable influences upon the population.
5. Furthermore, there exists a conspicuous lack of any guarantee for impartiality for the population in determining its new status, for which article 4 of the Additional Principles makes provision.
6. On the grounds set forth in the foregoing my Government, sees itself obligated to protest against the establishment of the Negara East Sumatra.
7. May I therefore, avail myself of the good offices of your Committee in forwarding this protest to the Netherlands Delegation.
8. I take this opportunity to renew to the Committee of Good Offices the expression of our high consideration.

Yours sincerely,

/s/
Moh. Roem
Delegation of the Republic
of Indonesia.

Chairman
of the Security Council's
Committee of Good Offices
on the Indonesian Question.