

A/C.1/L.322. Australia, Belgium, Canada, Colombia, France, Greece, Luxembourg, Netherlands, New Zealand, Philippines, South Africa, Thailand, Turkey, United Kingdom, United States: draft resolution, adopted by First Committee on 18 December 1962, meeting 1306, by roll-call vote of 65 to 11, with 26 abstentions, as follows:

In favour: Argentina, Australia, Austria, Belgium, Bolivia, Brazil, Cameroon, Canada, Central African Republic, Chad, Chile, China, Colombia, Congo (Brazzaville), Costa Rica, Cyprus, Dahomey, Denmark, Dominican Republic, El Salvador, Federation of Malaya, France, Gabon, Greece, Guatemala, Haiti, Honduras, Iceland, India, Iran, Ireland, Israel, Italy, Ivory Coast, Japan, Jordan, Laos, Liberia, Luxembourg, Madagascar, Mauritania, Mexico, Netherlands, New Zealand, Nicaragua, Niger, Norway, Pakistan, Panama, Paraguay, Peru, Philippines, Rwanda, South Africa, Spain, Sweden, Thailand, Trinidad and Tobago, Turkey, United Kingdom, United States, Upper Volta, Uruguay, Venezuela, Yemen.

Against: Albania, Bulgaria, Byelorussian SSR, Cuba, Czechoslovakia, Hungary, Mongolia, Poland, Romania, Ukrainian SSR, USSR.

Abstaining: Afghanistan, Algeria, Burma, Burundi, Cambodia, Ceylon, Ethiopia, Finland, Ghana, Guinea, Indonesia, Iraq, Jamaica, Mali, Nepal, Nigeria, Portugal, Senegal, Sierra Leone, Somalia, Sudan, Syria, Togo, Tunisia, United Arab Republic, Yugoslavia.

A/C.1/L.323. USSR: draft resolution.

A/5383. Report of First Committee.

RESOLUTION 1855(xvii), as submitted by First Committee, A/5383, adopted by Assembly on 19 December 1962, meeting 1199, by 63 votes to 11, with 26 abstentions.

"The General Assembly,

"Having noted the report of the United Nations

Commission for the Unification and Rehabilitation of Korea signed at Seoul, Korea, on 1 September 1962, and the addendum to the report signed at Seoul on 19 November 1962,

"Reaffirming its resolutions 112(II) of 14 November 1947, 195(III) of 12 December 1948, 293(IV) of 21 October 1949, 376(V) of 7 October 1950, 811(IX) of 11 December 1954, 910 A(X) of 29 November 1955, 1010(XI) of 11 January 1957, 1180(XII) of 29 November 1957, 1264(XIII) of 14 November 1958, 1455(XIV) of 9 December 1959 and 1740(XVI) of 20 December 1961,

"Noting that the United Nations forces which were sent to Korea in accordance with United Nations resolutions have in greater part already been withdrawn, and that the Governments concerned are prepared to withdraw their remaining forces from Korea when the conditions for a lasting settlement laid down by the General Assembly have been fulfilled,

"Recalling that the United Nations, under its Charter, is fully and rightfully empowered to take collective action to repel aggression, to restore peace and security and to extend its good offices to seeking a peaceful settlement in Korea,

"1. Reaffirms that the objectives of the United Nations in Korea are to bring about, by peaceful means, the establishment of a unified, independent and democratic Korea under a representative form of government, and the full restoration of international peace and security in the area;

"2. Calls upon the North Korean authorities to accept those established United Nations objectives which have been repeatedly affirmed by the General Assembly;

"3. Urges that continuing efforts be made to achieve those objectives;

"4. Requests the United Nations Commission for the Unification and Rehabilitation of Korea to continue its work in accordance with the relevant resolutions of the General Assembly."

THE QUESTION OF WEST NEW GUINEA (WEST IRIAN)

Plans for settling the political future of the territory of West New Guinea (West Irian) were the subject of an agreement reached on 15 August 1962 between the Governments of Indonesia and the Netherlands.

The territory's political status had been a matter of dispute between the two Governments for several years prior to the agreement. It had been the subject of various discussions at the ninth, tenth, eleventh, twelfth and sixteenth sessions of the General Assembly (in 1954, 1955, 1956-57, 1957 and 1961.)¹

¹ See Y.U.N., 1954, pp. 56-60; Y.U.N., 1955, pp. 61-63; Y.U.N., 1956, pp. 125-27; Y.U.N., 1957, pp. 76-80, and Y.U.N., 1961, pp. 51-55, 57.

After the discussion at the Assembly's sixteenth session, and following appeals by the Acting Secretary-General, the Governments of Indonesia and the Netherlands entered into negotiations early in 1962, with Ellsworth Bunker (a former United States Ambassador) acting as a mediator at the request of the Acting Secretary-General. The Acting Secretary-General was kept fully informed of the progress of the negotiations and the results achieved, and the final negotiations took place at United Nations Headquarters, New York, under his chairmanship.

As a result, an agreement was reached on the basis of proposals put forward by Mr. Bunker

and was signed by the representatives of Indonesia and the Netherlands on 15 August 1962 at United Nations Headquarters.

The agreement provided that it would come into force upon the date on which the General Assembly adopted a resolution taking note of the agreement and authorizing the Secretary-General to carry out the tasks entrusted to him therein. Indonesia and the Netherlands jointly were to submit a draft resolution to this effect.

The following were among the main points stipulated in the agreement: Shortly after it entered into force, the Netherlands would transfer the administration of West New Guinea (West Irian) to a United Nations Temporary Executive Authority (UNTEA), established by, and under the jurisdiction of, the Secretary-General, who would appoint a United Nations Administrator to head it. The Administrator would have discretion to transfer all or part of the administration of the territory to Indonesia at any time after 1 May 1963. The inhabitants of West New Guinea (West Irian) were to exercise their right of self-determination before the end of 1969, and were to decide whether they wished to remain with Indonesia or to sever their ties with it. At the invitation of Indonesia, the Secretary-General would appoint a Representative to carry out his responsibilities to advise, assist and participate in arrangements for the act of free choice; the Secretary-General would appoint the Representative at the proper time to enable him and his staff to assume their duties in the territory one year prior to the date of self-determination. The staff would include a number of United Nations experts who would be designated to remain in the territory at the time of the transfer of full administrative authority to Indonesia. The United Nations Representative would report to the Secretary-General on the arrangements arrived at for freedom of choice, and, after the right of self-determination had been exercised, Indonesia and the Representative would submit final reports to the Secretary-General who, in turn, would report to the General Assembly on the conduct and results of the act of self-determination. The agreement also contained guarantees for the rights of the population, and for their participation in the act of free choice. All costs to the United Nations under the agreement

would be met by Indonesia and the Netherlands on an equal basis.

By a note dated 20 August, the Acting Secretary-General proposed for inclusion in the provisional agenda of the General Assembly's seventeenth session an item concerning this agreement. The text of the agreement and of related understandings was attached, together with an explanatory memorandum covering the proposed item. The understandings included provision for a cease-fire which became effective on 18 August.

The covering memorandum expressed the hope that the General Assembly would give the highest priority to the item since, as stated above, the principal agreement would only come into force after the Assembly had acted upon it.

The item was included in the Assembly's agenda and was taken up at a meeting held on 21 September. On the previous day, Indonesia and the Netherlands circulated a joint draft resolution whereby, among other things, the Assembly would take note of the agreement, acknowledge the role conferred on the Secretary-General in it and authorize the Secretary-General to carry out the tasks entrusted to him in the agreement. This text was adopted as resolution 1752(XVII) on 21 September, by a roll-call vote of 89 to 0, with 14 abstentions. (For voting details, see DOCUMENTARY REFERENCES below.) Senegal subsequently informed the Secretary-General that it wished to have its vote recorded as negative rather than affirmative.

IMPLEMENTATION OF AGREEMENT

The task of assisting in the implementation of the arrangements for the cease-fire which came into force on 18 August 1962 was entrusted to Brigadier-General I. J. Rikhye, Military Adviser to the Secretary-General. Twenty-one military observers were provided by six Member States (Brazil, Ceylon, India, Ireland, Nigeria, and Sweden) to supervise these arrangements. On 21 September, Brigadier-General Rikhye was able to report that all actions concerning the cessation of hostilities, including the concentration of the Indonesian forces in four main areas, the provision to them of emergency supplies and the repatriation of over 500 Indonesian detainees had been completed without incident.

The Secretary-General appointed José Rolz-Bennett, his Deputy Chef de Cabinet, as his Representative in West New Guinea (West Irian) to make preliminary arrangements for the transfer of administration to UNTEA in accordance with the Agreement. On 21 September, after the United Nations observer team had completed its task, the Secretary-General's Representative arrived in the territory and in cooperation with Netherlands officials prepared a detailed plan for the transfer of authority to UNTEA on 1 October 1962.

Before his departure from the territory on 28 September, the Netherlands Governor—in a statement before the New Guinea Council—appealed to the population to give its support to the United Nations administration. In messages from the Secretary-General and from the Secretary-General's personal representative, who was designated as Temporary Administrator, the population was informed that UNTEA would endeavour to ensure the welfare of the inhabitants. The Secretary-General expressed confidence that the spirit of understanding and consideration shown by the parties to the Agreement during the period of negotiation would continue to prevail. The Temporary Administrator signed an order, effective 15 October, granting amnesty to all political prisoners sentenced prior to 1 October 1962.

On 1 October 1962, the Governments of Indonesia and the Netherlands established liaison missions to UNTEA in Hollandia/Kotabaru.

The United Nations Administrator, Dr. Djatal Abdoh, was appointed by the Secretary-General on 22 October 1962, under the terms of the Agreement. At the beginning of November he visited The Hague and Djakarta for consultations, and on 15 November 1962 he arrived in the territory to take up his assignment.

In response to the Secretary-General's request, the Government of Pakistan provided a force of some 1,500 men to serve as the United Nations Security Force (UNSF). The Governments of Canada and the United States provided supporting aircraft and crews. Major-General Said Uddin Khan of Pakistan, appointed by the Secretary-General as Commander of UNSF, arrived in Hollandia on 4 September for preliminary discussions with the Netherlands authorities for a survey of future requirements.

By 3 October, an advance party of 340 men

of UNSF had arrived in the territory. On 5 October, the balance of the Pakistan contingent took up its positions. Also included in UNSF were some sixteen officers and men of the Royal Canadian Air Force, with two Otter aircraft, and a detachment of approximately sixty United States Air Force personnel with three DC3 aircraft. These provided troop transport and communications. The administrator also had under his authority the Papuan Volunteer Corps, the civil police and the Netherlands forces remaining until their repatriation, as well as Indonesian troops, totalling approximately 1,500.

On 1 October, when authority was transferred to UNTEA, the Indonesian troops in the territory consisted of those who had been brought in by parachute during the Dutch-Indonesian conflict and those who had infiltrated the territory. Agreement was reached with the Indonesian authorities to replace a large number of these troops from Indonesia. It was also agreed that the number of Indonesian troops in the territory would not exceed the strength of the Pakistan contingent of UNSF, except with the prior consent of the UNTEA administration.

The withdrawal of the Netherlands naval and land forces from the territory was effected in stages in accordance with a time-table agreed upon by the Temporary Administrator, the Commander of UNSF and the Commander-in-Chief of the Netherlands forces in the territory. By 15 November 1962, this process had been completed without incident.

The strength of the UNSF contingent and other units, as of December 1962, was as follows:

Countries	Staff Personnel	Troops	Air Force	Navy	Total (for Country)
Canada			12		12
Pakistan	18	1,394		110	1,522
United States			64		64
Total (by category)	18	1,394	76	110	1,598
Total Strength as of December 1962					1,598

COMMUNICATIONS CONCERNING THE QUESTION OF WEST NEW GUINEA (WEST IRIAN)

A number of communications from the Netherlands and from Indonesia were circulated

as documents of the Security Council in connexion with this question during 1962. In one such letter, dated 16 May, the Prime Minister of the Netherlands, stating that Indonesia had landed more parachutists on West New Guinea and had continued its aggressive acts, requested the Acting Secretary-General to make an appeal to Indonesia to remind it of its primary obligations under the Charter of the United Nations and to refrain from all aggressive acts against the territory and the people of West New Guinea. The Netherlands presence in New Guinea was of a temporary nature and his Government was prepared to give its fullest co-operation to the Secretary-General's efforts to find for the residents of West New Guinea an honest and just solution on the basis of Article 73 of the Charter, and General Assembly resolutions on the question of colonialism.

In a reply dated 22 May, the Acting Secretary-General stated that, while he was concerned about developments in the area and had appealed already to the parties concerned to exercise the utmost restraint, he could not accept

the suggestion to approach Indonesia with an appeal which would imply that he was taking sides in the controversy. He felt, however, that a situation had arisen where it appeared appropriate to appeal to both Governments to refrain from all aggressive action, both in view of their obligations under the Charter and in order not to jeopardize the efforts being made by Ambassador Bunker.

Other communications circulated included an Indonesian letter dated 23 May stating that the reported landings of Indonesians in West New Guinea could not be termed an act of aggression because the Indonesians were merely entering into an integral part of their own territory which was under the illegal occupation of the Netherlands. Thus, Article 73 and General Assembly resolution 1514(XV) were not applicable.

Other letters from the Netherlands concerning incidents or developments were dated 18 January, 23 May, 25 June, and 10 and 14 August.

DOCUMENTARY REFERENCES

- S/5062, S/5123, S/5126, S/5135, S/5155, S/5157.
 Letters of 18 January, 16 and 23 May, 25 June, 10 and 14 August 1962, from Netherlands.
 S/5124. Letter of 22 May 1962 from Acting Secretary-General to Prime Minister of Netherlands.
 S/5128. Letter of 25 May 1962 from Indonesia.
 S/5169. Letter of 21 September 1962 from Acting Secretary-General to President of Security Council transmitting: (A) Agreement between Republic of Indonesia and Kingdom of Netherlands concerning West New Guinea (West Irian); (B) Related understandings; and (C) Procès-verbal of exchange of instruments of ratification.

GENERAL ASSEMBLY—17TH SESSION
 General Committee, meeting 148.
 Plenary Meetings 1125, 1127.

- A/5170 and Corr.1 and Add.1. Note by Secretary-General proposing following item for inclusion in agenda: "Agreement between the Republic of Indonesia and the Kingdom of the Netherlands concerning West New Guinea (West Irian)," and transmitting text of agreement together with "related understandings."
 A/5202. Report of Security Council to General Assembly, Chapter 24.
 A/5227. Report of General Committee.
 A/L.393. Indonesia and Netherlands: draft resolution.
 RESOLUTION 1752(xvii), as submitted by Indonesia

and Netherlands, A/L.393, adopted on 21 September 1962, meeting 1127, by roll-call vote of 89 to 0,* with 14 abstentions, as follows:

In favour: Afghanistan, Albania, Argentina, Australia, Austria, Belgium, Bolivia, Brazil, Bulgaria, Burma, Burundi, Byelorussian SSR, Cambodia, Canada, Ceylon, Chile, China, Colombia, Congo (Leopoldville), Costa Rica, Cuba, Cyprus, Czechoslovakia, Denmark, Ecuador, El Salvador, Ethiopia, Federation of Malaya, Finland, Ghana, Greece, Guatemala, Guinea, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Laos, Lebanon, Liberia, Libya, Luxembourg, Mali, Mexico, Mongolia, Morocco, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Romania, Saudi Arabia, Senegal,* Sierra Leone, Somalia, Spain, Sudan, Sweden, Syria, Tanganyika, Thailand, Tunisia, Turkey, Ukrainian SSR, USSR, United Arab Republic, United Kingdom, United States, Uruguay, Venezuela, Yemen, Yugoslavia.

Against: None.

Abstaining: Cameroon, Central African Republic, Chad, Dahomey, France, Gabon, Haiti, Ivory Coast, Madagascar, Mauritania, Niger, Rwanda, Togo, Upper Volta.

* In a letter addressed to the Secretary-General on 24 September, the representative of Senegal asked that his vote should be recorded as negative.

"The General Assembly,

"Considering that the Government of Indonesia and the Netherlands have resolved their dispute concerning West New Guinea (West Irian),

"Noting with appreciation the successful efforts of the Acting Secretary-General to bring about this peaceful settlement,

"Having taken cognizance of the Agreement be-

tween the Republic of Indonesia and the Kingdom of the Netherlands concerning West New Guinea (West Irian),

"1. Takes note of the Agreement;

"2. Acknowledges the role conferred upon the Secretary-General in the Agreement;

"3. Authorizes the Secretary-General to carry out the tasks entrusted to him in the Agreement."

THE INDIA-PAKISTAN QUESTION

On 11 January 1962, Pakistan requested a meeting of the Security Council to consider further action in the dispute concerning the State of Jammu and Kashmir, in the light of the last report of the United Nations Representative for India and Pakistan, submitted on 28 March 1958, and subsequent developments. Pakistan stated that it was forced to do this because efforts at the highest level for direct negotiations with India had failed. Moreover, recent statements by responsible people in India constituted a grave threat to the maintenance of peace in the region.

On 16 January, India stated, in a letter to the President of the Security Council, that the Council should refuse to comply with Pakistan's request. Pakistan's contentions regarding the failure of efforts for direct negotiations, and regarding the existence of a threat to peace, were completely unfounded. It was Pakistan which posed a threat to the maintenance of peace by continued attempts at subversion and sabotage. So far as India was concerned, the avenues of direct negotiations were always open; however, the Pakistan Government was trying to exploit the Council as a propaganda forum on the eve of India's general elections, a time which was hardly proper either for direct negotiations or for a discussion in the Council.

On 29 January, Pakistan informed the President of the Security Council, by letter, that a very grave situation prevailed between India and Pakistan which called for immediate consideration by the Council. Recent statements by responsible leaders of opinion in India seemed to indicate that there had been a significant reversal of policy on the part of India with reference to the question of Kashmir and that the Indian Government had apparently decided to repudiate all its obligations, agreements and undertakings in respect of the Kashmir dispute.

The situation, added Pakistan, was exacerbated by repeated declarations to the effect that the existence of Azad Kashmir constituted "aggression" by Pakistan and that the "aggression" should be stopped by the "liberation" of the Azad Kashmir territory. It was clear, Pakistan maintained, that India's stand on possible negotiations was limited by the Indian Prime Minister's frequently repeated statement that he was not prepared to negotiate a settlement of the Kashmir dispute itself, namely, the accession of the State to Pakistan or India, through a fair and impartial plebiscite; he was prepared only to discuss "adjustments," meaning minor rectifications of the cease-fire line. The situation was daily becoming more precarious. Pakistan would, therefore, request the Council to take up the question as an urgent matter.

On 1 February, the Security Council agreed, without objection, to include the item in its agenda and considered it at eleven meetings held between 1 February and 22 June 1962. The representatives of Pakistan and India were invited to participate in the discussions.

The representative of Pakistan, after reviewing the events relating to the question of Jammu and Kashmir and the lack of progress in its solution, stated that during the past few months tension between India and Pakistan had mounted to a dangerous degree, and declarations by Indian leaders had created a sense of crisis in Pakistan and a sense of foreboding that perhaps it might be difficult to maintain peace between the two countries. After quoting from Indian statements to the effect that India might resort to force in having the Azad Kashmir area "liberated," the representative of Pakistan said that, in view of those statements and other declarations to the effect that India would not negotiate on the question of a plebiscite, Pakistan wondered what stock to put by