

tenance of British troops in Egypt and the Sudan was not contrary to the General Assembly resolution 41 (I) of 14 December 1946. He denied that the United Kingdom had adopted a policy designed to sever the Sudan from Egypt. He concluded that the Charter had provided that international disputes should be settled in accordance with international law and justice and, therefore, the Security Council was not entitled to override treaty rights. Mindful of the principle of *pacta sunt servanda*, the Security Council should find that the Egyptian Government had failed to make a case and should remove the matter from the agenda.¹⁹⁶

The representative of Poland, Syria and USSR expressed the view that a dispute existed within the meaning of the Charter.¹⁹⁷

Decision of 28 August 1947 (198th meeting): Rejection of draft resolution submitted by the representative of Brazil

At the 189th meeting on 20 August 1947, the representative of Brazil submitted a draft resolution¹⁹⁸ to recommend to the parties to resume direct negotiations and, in the event of their failure, to seek a solution by other peaceful means of their own choice; and to keep the Council informed of the progress of the negotiations. The representative of Belgium submitted an amendment¹⁹⁹ to the Brazilian draft resolution to specify among the peaceful means available to the disputants reference of disputes concerning the validity of the Treaty of 1936 to the International Court of Justice.

At the 193rd meeting on 22 August 1947, the representative of Australia proposed an amendment that, in so far as the negotiations affected the future of the Sudan, they should include consultation with the Sudanese.²⁰⁰ The Australian amendment was supported by the representative of the United Kingdom. The representative of Egypt opposed it and stated that the relations between the peoples inhabiting the two parts of the Nile Valley were an internal domestic matter which would not be discussed with the United Kingdom.²⁰¹

The representative of China introduced, at the 189th meeting and at the 198th meeting, two amendments²⁰² to the Brazilian draft resolution, which were both accepted by the representative of Brazil.²⁰³

At the 198th meeting on 28 August, the Belgian amendment was rejected by 4 votes in favour, none against and 6 abstentions.²⁰⁴ The Australian amendment was rejected by 2 votes in favour, none against and 8 abstentions.²⁰⁵ The Brazilian draft resolution, as revised, was rejected by 6 votes in favour, 1 against and 3 abstentions.²⁰⁶

¹⁹⁶ 176th meeting: pp. 1768, 1773-1782, 1784; 179th meeting: pp. 1891-1893, 1896, 1897; 182nd meeting: pp. 1954-1956.

¹⁹⁷ 182nd meeting: p. 1965; 196th meeting: pp. 2237, 2249; 189th meeting: p. 2109.

¹⁹⁸ S/507, 189th meeting: pp. 2108-2109.

¹⁹⁹ S/507/Add.1, 189th meeting: p. 2115. For related discussion in connexion with Article 36 (3), see chapter X, Case 24.

²⁰⁰ S/516, 193rd meeting: p. 2169.

²⁰¹ 197th meeting: pp. 2247, 2254.

²⁰² S/507/Add.1, 189th meeting: p. 2112; 198th meeting: p. 2301.

²⁰³ 196th meeting: p. 2234; 198th meeting: p. 2301.

²⁰⁴ 198th meeting: pp. 2302-2303.

²⁰⁵ 198th meeting: p. 2303.

²⁰⁶ 198th meeting: pp. 2304-2305.

Decision of 29 August 1947 (200th meeting): Rejection of draft resolution submitted by the representative of Colombia

At the 198th meeting on 28 August 1947, the representative of Colombia submitted a draft resolution to call for the resumption of direct negotiations, to define the objectives of the negotiations and to provide for the Council to be kept informed of their progress.²⁰⁷

At the 200th meeting on 29 August, the Colombian draft resolution was voted on in parts and rejected.²⁰⁸

Decision of 10 September 1947 (201st meeting): Rejection of draft resolution submitted by the representative of China

At the 201st meeting on 10 September 1947, the representative of China submitted a draft resolution to recommend the resumption of negotiations and the submission of a report to the Council in the first instance not later than 1 January 1948.²⁰⁹

At the same meeting, the Chinese draft resolution was rejected by 2 votes in favour, none against, 8 abstentions and 1 member not participating in the vote.²¹⁰

The Egyptian question was retained on the list of matters of which the Security Council is seized.²¹¹

THE INDONESIAN QUESTION (II)

INITIAL PROCEEDINGS

By letter dated 30 July 1947,²¹² Australia drew the attention of the Security Council to the hostilities in progress in Java and Sumatra between armed forces of the Netherlands and of the Republic of Indonesia, which in its view constituted a breach of the peace under Article 39. Australia proposed, as a provisional measure under Article 40, that the Council call upon the two Governments, without prejudice to their respective rights, claims or positions, to cease hostilities forthwith and to commence arbitration in accordance with Article XVII of the Linggadjati Agreement which the two Governments had signed on 25 March 1947.

By letter dated 30 July 1947,²¹³ India drew the Council's attention to the Indonesian situation under Article 35, and requested the Council to take the necessary measures provided by the Charter to put an end to the situation.

At its 171st meeting on 31 July 1947, the Council included the question on its agenda.²¹⁴

The Council considered the Indonesian question (II) at 69 meetings held between 31 July and 13 December 1949: 171st, 172nd, 173rd, 178th, 181st, 184th, 185th, 187th, 192nd-195th, 206th-211th, 213th-219th, 222nd, 224th-225th, 247th-249th, 251st-252nd, 256th, 259th, 316th, 322nd-323rd, 326th, 328th-329th, 341st-342nd,

²⁰⁷ S/530, 198th meeting: p. 2305.

²⁰⁸ 200th meeting: pp. 2338-2340.

²⁰⁹ S/547, 201st meeting: p. 2344.

²¹⁰ 201st meeting: p. 2362.

²¹¹ 201st meeting: p. 2363. For discussion regarding retention on the agenda, see chapter II, Case 59.

²¹² S/449, O.R., 2nd year, Suppl. No. 16, annex 40.

²¹³ S/447, O.R., 2nd year, Suppl. No. 16, annex 41.

²¹⁴ 171st meeting: p. 1617. On inclusion in the agenda, see chapter II, Cases 20 and 31.

387th-393rd, 395th-398th, 400th-406th, 416th-421st, 455th-456th meetings.²¹⁵

The representative of the Netherlands, in his statement to the Council at its 171st meeting,²¹⁶ maintained that the Council lacked competence to deal with the situation in Indonesia. He contended that what was going on in Indonesia was a "police action". Article 2 (1) indicated that the Charter was designed to operate between sovereign States, and it could not be contended that the Indonesian Republic had full sovereignty. Furthermore, the matter was one essentially within the domestic jurisdiction of the Netherlands and thus, under Article 2 (7), excluded from the Council's competence. Even assuming for the sake of argument that the Charter was applicable, he maintained that there was no threat to international peace and security, much less a breach of the peace or an act of aggression such as would have to exist if Chapter VII were to be applied.

At the same meeting, the representative of Australia stated²¹⁷ that, when hostilities broke out, his Government had immediately taken action, in consultation with other Members, to persuade the belligerents to cease hostilities and to seek agreement by the peaceful means which Members were bound, under Article 33, to use in the first instance. Since hostilities were nevertheless continuing, the situation had been drawn to the Council's attention for its urgent consideration under Article 39, and he hoped the Council would not attempt to reach any decision with regard to the merits of the case but would confine its deliberations to deciding on a course of action to bring about a cessation of hostilities. He stated that his Government's interests were especially affected by the dispute, which was a situation of international concern with far-reaching repercussions affecting the well-being and stability of the whole area. Since it was well established that hostilities were in progress, there was no occasion for the Council to undertake an investigation of the facts under Article 34. Further, he emphasized that the hostilities represented not merely a "police action" but an armed conflict between two States.

The representative of India* explained²¹⁸ that his Government had asked for consideration under Chapter VI because it felt that, not being a member of the Council, it was not entitled to invoke Chapter VII.

Decision of 1 August 1947 (173rd meeting): Calling upon the parties to cease hostilities forthwith and to settle their disputes by arbitration or by other peaceful means

At the 171st meeting on 31 July 1947, the representative of Australia submitted a draft resolution,²¹⁹ which was revised at the 171st and 172nd meetings at the suggestion of the representatives of China²²⁰ and the United States,²²¹ to call upon the parties to cease

hostilities forthwith and to settle their disputes by arbitration or other peaceful means in accordance with Article XVII of the Linggadajati Agreement.

The Council also had before it a USSR amendment²²² to call for the withdrawal of the forces of both parties to the positions they occupied before the beginning of military operations, a French amendment²²³ to specify that the Council action would not in any way decide the juridical questions concerning the competence of the Council, and a Polish amendment²²⁴ to call upon the parties to keep the Council informed of the progress of the settlement.

At the 173rd meeting, the Council voted on the revised draft resolution and the amendments to it. The French and USSR amendments were rejected, and the Polish amendment was adopted. The draft resolution was adopted in a paragraph by paragraph vote.²²⁵ The resolution read as follows:²²⁶

"The Security Council,

"Noting with concern the hostilities in progress between the armed forces of the Netherlands and the Republic of Indonesia,

"Calls upon the parties:

"(a) To cease hostilities forthwith, and

"(b) To settle their disputes by arbitration or by other peaceful means and keep the Security Council informed about the progress of the settlement."

Decision of 25 August 1947 (194th meeting): Establishment of the Consular Commission at Batavia²²⁷

At the 181st meeting on 12 August 1947, the representative of Australia suggested that, since there were conflicting reports regarding the situation in Indonesia and the observance of the cease-fire orders, an agency of the Council should be set up to observe and help stabilize the situation.²²⁸

At the 193rd meeting on 22 August, taking into account certain suggestions made by the representatives of the Netherlands and the Republic of Indonesia, the representatives of Australia and China submitted a joint draft resolution²²⁹ to request the Governments members of the Council that had career consular representatives in Batavia to ask them to prepare reports jointly for the Council.

The USSR representative submitted an amendment²³⁰ to delete the provisions regarding the consular investigation and to establish a commission composed of the States members of the Council to supervise the implementation of the decision of 1 August.

At the 194th meeting on 25 August, the USSR amendment was rejected, and the joint draft resolution was adopted by 7 votes in favour, none against and 4 abstentions.²³¹ The resolution read as follows:²³²

²¹⁵ 172nd meeting: p. 1665.

²¹⁶ 173rd meeting: p. 1678.

²¹⁷ 173rd meeting: p. 1710.

²¹⁸ 173rd meeting: pp. 1700-1703, 1710.

²¹⁹ S/459, 178th meeting: p. 1839, n. 1.

²²⁰ On the working of the Commission, see: "Organization and Procedure of United Nations Commissions: IV, The Security Council Consular Commission at Batavia" (United Nations publications 1949.X.6). See also chapter V, Case 4.

²²¹ 181st meeting: pp. 1917-1918.

²²² S/513, 193rd meeting: pp. 2173-2174.

²²³ 194th meeting: p. 2197.

²²⁴ 194th meeting: pp. 2199-2200. For discussion on the claim of domestic jurisdiction, see chapter XII, Case 8.

²²⁵ S/525.

²¹⁵ At 10 meetings of the Council, while the Indonesian question (II) was not included in the agenda, references were made to matters concerning the question: 186th, 201st, 212th, 229th, 288th, 410th, 422nd, 431st, 454th, and 517th meetings.

²¹⁶ 171st meeting: pp. 1639-1648.

²¹⁷ 171st meeting: pp. 1616-1617, 1622-1627.

²¹⁸ 171st meeting: p. 1620.

²¹⁹ S/454, 171st meeting: p. 1626. For discussion in relation to Article 39, see chapter XI, Case 4; and on the claim of domestic jurisdiction, see chapter XII, Case 7.

²²⁰ 171st meeting: p. 1633.

²²¹ 172nd meeting: p. 1648.

"Whereas the Security Council on 1 August 1947 called upon the Netherlands and the Republic of Indonesia to cease hostilities forthwith,

"And whereas communications have been received from the Governments of the Netherlands and of the Republic of Indonesia advising that orders have been given for the cessation of hostilities,

"And whereas it is desirable that steps should be taken to avoid disputes and friction relating to the observance of the 'cease fire' orders, and to create conditions which will facilitate agreement between the parties,

"The Security Council

"1. Notes with satisfaction the steps taken by the parties to comply with the resolution of 1 August 1947,

"2. Notes with satisfaction the statement by the Netherlands Government issued on 11 August, in which it affirms its intention to organize a sovereign, democratic United States of Indonesia in accordance with the purpose of the Linggadjati Agreement,

"3. Notes that the Netherlands Government intends immediately to request the career consuls stationed in Batavia jointly to report on the present situation in the Republic of Indonesia,

"4. Notes that the Government of the Republic of Indonesia has requested appointment by the Security Council of a commission of observers,

"5. Requests the Governments members of the Council who have career consular representatives in Batavia to instruct them to prepare jointly for the information and guidance of the Security Council reports on the situation in the Republic of Indonesia following the resolution of the Council of 1 August 1947, such reports to cover the observance of the 'cease-fire' orders and the conditions prevailing in areas under military occupation or from which armed forces now in occupation may be withdrawn by agreement between the parties,

"6. Requests the Governments of the Netherlands and of the Republic of Indonesia to grant to the representatives referred to in paragraph 5 all facilities necessary for the effective fulfilment of their mission,

"7. Resolves to consider the matter further should the situation require."

Decisions of 25 August 1947 (194th meeting):

- (i) Rejection of draft resolution submitted by the representative of Australia;
- (ii) Establishment of a Committee of Good Offices²³³

At the 193rd meeting on 22 August 1947, the representative of Australia submitted a draft resolution²³⁴ to request the two parties to submit all matters in dispute between them to arbitration by a Commission consisting of one arbitrator selected by the Republic of Indonesia, one by the Netherlands, and one by the Council.

At the 193rd meeting on 22 August, the representative of the United States submitted a draft resolution

²³³ On the working of the Committee of Good Offices, see: "Organization and Procedure of United Nations Commissions: V. The Security Council Committee of Good Offices on the Indonesian Question." (United Nations publications, 1949.X.7.) See also chapter V, Case 3.

²³⁴ S/512, 193rd meeting: p. 2174.

whereby the Council would resolve to tender its good offices to the parties to assist in the pacific settlement of their dispute.²³⁵

At the 194th meeting on 25 August, the representative of Poland submitted an amendment to the Australian draft resolution to establish a commission of the Council to act as mediator and arbitrator.²³⁶

At its 194th meeting on 25 August, the Council, after rejecting the Polish amendment, rejected the Australian draft resolution by 3 votes in favour, none against and 8 abstentions.²³⁷

At the same meeting, the Council adopted the United States draft resolution by 8 votes in favour, none against and 3 abstentions.²³⁸ The resolution read as follows:²³⁹

"The Security Council

"Resolves to tender its good offices to the parties in order to assist in the pacific settlement of their dispute in accordance with paragraph (b) of the resolution of the Council of 1 August 1947. The Council expresses its readiness, if the parties so request, to assist in the settlement through a committee of the Council consisting of three members of the Council, each party selecting one, and the third to be designated by the two so selected."

Decisions of 26 August 1947 (195th meeting):

- (i) Rejection of draft resolution submitted by the representative of Belgium;
- (ii) Calling upon the parties to adhere strictly to the Council's recommendation of 1 August 1947

At the 194th meeting on 25 August 1947, the representative of Belgium submitted a draft resolution to request the International Court of Justice for an advisory opinion concerning the Council's competence to deal with the Indonesian question.²⁴⁰

At the 195th meeting on 26 August, the representative of Poland introduced a draft resolution to remind the parties of the Council's resolution of 1 August 1947.²⁴¹

At the 195th meeting on 26 August, the Belgian draft resolution was rejected by 4 votes in favour, one against, and 6 abstentions.²⁴² The Polish draft resolution was adopted at the same meeting by 10 votes in favour, none against and 1 abstention.²⁴³ The resolution read as follows:²⁴⁴

"The Security Council,

"Taking into consideration that military operations are being continued on the territory of the Indonesian Republic:

"1. Reminds the Government of the Netherlands and the Government of the Indonesian Republic of its resolution of 1 August 1947, concerning the 'cease-fire order' and peaceful settlement of their dispute;

²³⁵ S/514, 193rd meeting: p. 2179.

²³⁶ 194th meeting: pp. 2203-2204.

²³⁷ 194th meeting: p. 2209.

²³⁸ 194th meeting: p. 2209.

²³⁹ S/525.

²⁴⁰ S/517, 194th meeting: p. 2193. For text and discussion, see chapter XII, Case 9, and chapter VI, Case 27.

²⁴¹ S/521, 195th meeting: pp. 2224-2225.

²⁴² 195th meeting: p. 2224.

²⁴³ 195th meeting: p. 2232.

²⁴⁴ S/525.

"2. Calls upon the Government of the Netherlands and the Government of the Indonesian Republic to adhere strictly to the recommendation of the Security Council of 1 August 1947."

Decision of 3 October 1947 (207th meeting): Requesting the Committee of Good Offices to proceed to exercise its functions with the utmost dispatch

Following reports from the parties that clashes were still occurring between their respective armed forces, the Council resumed consideration of the Indonesian question at its 206th meeting on 1 October 1947.

At its 207th meeting on 3 October, the representative of Australia submitted a draft resolution which was adopted at the same meeting by 9 votes in favour, none against and 2 abstentions.²⁴⁵ The resolution read as follows:

"The Security Council resolves:

"That the Secretary-General be requested to act as convenor of the Committee of Three and arrange for the organization of its work; and

"That the Committee of Three be requested to proceed to exercise its functions with the utmost dispatch."

Decisions of 31 October 1947 (217th meeting): Rejection of draft resolutions submitted by the representatives of Australia and the USSR

The Consular Commission, established under the Council's decision of 25 August 1947, submitted two interim reports, dated 22 September and 13 October 1947²⁴⁶ and later a full report, dated 14 October 1947.²⁴⁷ Between 3 October and 1 November 1947, the Council discussed the situation in Indonesia, in the light of the Consular Commission's reports.

At the 207th meeting on 3 October, the representative of the USSR submitted a draft resolution²⁴⁸ to consider it necessary that the troops of both sides should be immediately withdrawn to the positions they occupied before the beginning of military operations.

At the 210th meeting on 11 October, the representative of Australia submitted a draft resolution,²⁴⁹ which was subsequently revised,²⁵⁰ to call upon the parties to withdraw their respective forces at least 25 kilometres behind the positions held on 1 August 1947.

At the 217th meeting on 31 October, the USSR draft resolution was rejected by 4 votes in favour, 4 against and 3 abstentions.²⁵¹

At the same meeting, the Australian draft resolution was rejected by 5 votes in favour, 1 against and 5 abstentions.²⁵²

Decisions of 1 November 1947 (219th meeting): (i) Interpreting the resolution of 1 August 1947 and requesting the Committee of Good Offices to assist the

parties to implement its terms; (ii) Rejection of draft resolution submitted by the representative of Poland

At its 218th meeting on 1 November, the Council had before it a draft resolution prepared by a sub-committee of the Council which had been set up to consider a United States draft proposal and amendments submitted thereto by Australia, Belgium and China.²⁵³

At its 219th meeting on 1 November, the draft resolution was adopted by 7 votes in favour, 1 against and 3 abstentions.²⁵⁴ The resolution read as follows:²⁵⁵

"The Security Council,

"Having received and taken note of the report of the Consular Commission dated 14 October 1947, indicating that the Council's resolution of 1 August 1947 relating to the cessation of hostilities has not been fully effective;

"Having taken note that according to the Report no attempt was made by either side to come to an agreement with the other about the means of giving effect to that resolution;

"Calls upon the parties concerned forthwith to consult with each other, either directly or through the Committee of Good Offices, as to the means to be employed in order to give effect to the cease-fire resolution, and, pending agreement, to cease any activities or incitement to activities which contravene that resolution, and to take appropriate measures for safeguarding life and property;

"Requests the Committee of Good Offices to assist the parties in reaching agreement on an arrangement which will ensure the observance of the cease-fire resolution;

"Requests the Consular Commission, together with its military assistants, to make its services available to the Committee of Good Offices;

"Advises the parties concerned, the Committee of Good Offices, and the Consular Commission that its resolution of 1 August should be interpreted as meaning that the use of the armed forces of either party by hostile action to extend its control over territory not occupied by it on 4 August 1947, is inconsistent with the Council resolution of 1 August 1947; and

"Invites the parties, should it appear that some withdrawals of armed forces be necessary, to conclude between them as soon as possible the agreements referred to in its resolution of 25 August 1947."

At the same meeting, the Council also voted on a draft resolution,²⁵⁶ submitted by the representative of Poland at the 215th meeting, to call upon the Netherlands to withdraw its forces and administration from the territory of the Indonesian Republic and to call the attention of the Netherlands to the fact that its failure to comply with the Council's measures would create a situation which might lead to the application of enforcement measures. It was rejected by 2 votes in favour, 4 against and 5 abstentions.

²⁵³ S/594, 218th meeting: pp. 2723-2724.

²⁵⁴ 219th meeting: pp. 2749-2750. For discussion in relation to the competence of the Council, see chapter XII, Case 10.

²⁵⁵ S/597.

²⁵⁶ S/589, 215th meeting: pp. 2661-2662. For discussion in relation to Article 40, see chapter XI, Case 6.

²⁴⁵ S/574, 207th meeting: p. 2503.

²⁴⁶ S/573, 205th meeting: p. 2A27; S/581, 211th meeting: pp. 2570-2571.

²⁴⁷ S/586, O.R., 2nd year, Special Suppl. No. 4.

²⁴⁸ S/575, 207th meeting: p. 2491. For discussion in relation to Article 39, see chapter XI, Case 5.

²⁴⁹ S/579, 210th meeting: p. 2555.

²⁵⁰ S/579/Rev.1, 215th meeting: p. 2668.

²⁵¹ 217th meeting: p. 2698.

²⁵² 217th meeting: p. 2700.

Decision of 19 December 1947 (224th meeting): Statement by the President concerning the composition of the Committee of Good Offices

At the 224th meeting on 19 December 1947, the President (Australia) stated that it was the understanding of the Council that the membership of the Committee of Good Offices should remain unchanged, despite Australia ceasing to be a member of the Council after 31 December of the year.²⁵⁷

Decision of 28 February 1948 (259th meeting): Commending the Committee and maintaining the Council's offer of good offices

At the 247th and 248th meetings on 17 February 1948, the Committee of Good Offices reported on its work leading up to the signature of a truce agreement (the Renville Truce Agreement) between the parties and acceptance by them of a set of political principles forming an agreed basis for the negotiation of a political settlement.

At the 249th meeting on 18 February, the representative of Canada submitted a draft resolution²⁵⁸ to commend the work of the members of the Committee, to maintain the Council's offer of good offices and to request both parties and the Committee to keep the Council directly informed about the progress of the political settlement.

At the 252nd meeting on 21 February, the representative of Colombia submitted an amendment²⁵⁹ to invite the parties to strive towards full and early implementation of the agreed political principles and avail themselves of the Committee's services for the solution of any difference, and to request the Committee to continue to assist the parties to reach a settlement.

At the 259th meeting on 28 February, the Colombian amendment was voted upon in parts and rejected.²⁶⁰ The Canadian draft resolution was adopted by 7 votes in favour, none against and 4 abstentions.²⁶¹ The resolution read as follows:

"The Security Council,

"Having considered the report of the Committee of Good Offices, informing the Council of the steps taken by the Netherlands Government and the Government of the Republic of Indonesia to comply with the Council's resolution of 1 August 1947;

"Notes with satisfaction the signing of the Truce Agreement by both parties and the acceptance by both parties of certain principles as an agreed basis for the conclusion of a political settlement in Indonesia;

"Commends the members of the Committee of Good Offices for the assistance they have given the two parties in their endeavours to settle their dispute by peaceful means;

"Maintains its offer of good offices contained in the resolution of 25 August 1947, and, to this end,

"Requests both parties and the Committee of Good Offices to keep the Council directly informed about the progress of the political settlement in Indonesia."

Decision of 28 February 1948 (259th meeting): Requesting the Committee to report on political developments in Western Java and Madura

At the 252nd and 256th meetings on 21 and 26 February, the representative of the Republic of Indonesia stated that the Netherlands had plans to create new States in West Java, Madura and East Sumatra, without the plebiscite called for in the agreements recently concluded between the parties under the auspices of the Committee of Good Offices.

At the 259th meeting on 28 February, the representative of China submitted a draft resolution²⁶² which was adopted at the same meeting by 8 votes in favour, none against and 3 abstentions.²⁶³ The resolution read as follows:

"The Security Council

"Requests the Committee of Good Offices to pay particular attention to the political developments in Western Java and Madura and to report to the Council thereon at frequent intervals."

Decision of 17 June 1948 (323rd meeting): Request to the Committee for information concerning the suspension of negotiations

During the consideration of the Second Interim Report of the Committee of Good Offices and its reports on the political developments in Western Java and Madura at the 322nd meeting on 17 June, the Council was informed by the representative of Australia* that negotiations in Indonesia had been discontinued for the time being by the Netherlands delegation in view of the publication of the contents of a confidential Australian-United States working paper submitted to it.²⁶⁴ At the 323rd meeting on 17 June, the Council agreed without objection that the President (Syria) should request information from the Committee regarding the suspension of negotiations, forwarding to the Committee at the same time a record of the Council's proceedings concerning this matter.²⁶⁵

Decision of 23 June 1948 (326th meeting): Request to the Committee to continue to help bring about a peaceful settlement

At its 326th meeting on 23 June, the Council, after considering the Committee's Third Interim Report as well as another report concerning the impasse in the negotiations, agreed without objection to the suggestion of the President (Syria) that he communicate the record of the discussion to the Committee and ask it to continue its efforts towards the attainment of a peaceful adjustment between the parties, keeping the Council informed of the progress of events.²⁶⁶

Decision of 1 July 1948 (328th meeting): Rejection of a proposal submitted by the representative of China

At the 328th meeting on 1 July, following a report to the effect that the parties had been unable to find a formula that would enable them to discuss the Australian-United States Working Paper, the unauthorized publication of the contents of which had earlier led to the suspension of negotiations, the

²⁵⁷ 224th meeting: p. 2799.

²⁵⁸ S/678, 249th meeting: pp. 187-88.

²⁵⁹ S/682, 252nd meeting: p. 253.

²⁶⁰ 259th meeting: p. 393/

²⁶¹ 259th meeting: pp. 392-393.

²⁶² S/689.

²⁶³ 259th meeting: pp. 376-377, 384.

²⁶⁴ 322nd meeting: pp. 23-24.

²⁶⁵ 323rd meeting: pp. 37-49.

²⁶⁶ 326th meeting: p. 35.

representative of China proposed that the Committee be asked to make available to the Council the paper in question.²⁶⁷ At the same meeting, the proposal was rejected by 6 votes in favour, none against, and 5 abstentions.²⁶⁸

Decision of 6 July 1948 (329th meeting): Request to the Committee for information on trade restrictions in Indonesia and on the implementation of the Truce Agreement

On 6 July 1948 the Council received chapters II to VI of the Third Interim Report of the Committee of Good Offices;²⁶⁹ these chapters described the stage reached in the work of the Political, Social and Administrative, Economic and Financial, and Security Committees, and other matters dealt with by the conference of the parties under the auspices of the Committee.

At its 329th meeting on 6 July, after statements from the representatives of the two parties on the allegation that an economic blockade had been imposed on the Indonesian Republic, the representative of China proposed "That the President (Ukrainian SSR) of the Security Council cable to the Committee of Good Offices for an early report on the existence of restrictions on the domestic and international trade of Indonesia, and the reasons for the delay in the implementation of Article 6 of the Truce Agreement".²⁷⁰

At the same meeting, the proposal as stated above was adopted by 9 votes in favour, none against, and 2 abstentions.²⁷¹

Decision of 29 July 1948 (342nd meeting): Calling upon the parties to observe, with the assistance of the Committee, the military and economic articles of the Truce Agreement, and to implement fully and early the agreed political principles

By cablegram dated 23 July 1948,²⁷² the Committee of Good Offices reported that from that date the Republican delegation would participate only in the work relating to the implementation of the Truce Agreement. The Republican delegation had pointed out that there had been a complete standstill in political negotiations during the preceding eight weeks and that the Netherlands delegation had categorically refused to discuss the Australian-United States draft outline of an over-all political settlement, whereas the Republican Government considered that the proposals in that draft outline constituted the only possible means of resolving the deadlock. The Netherlands delegation, on the other hand, had maintained that there was no standstill in the political negotiations.

In response to the Council's decision of 6 July 1948, the Committee submitted, on 24 July, a report²⁷³ on the restrictions on the trade of Indonesia and the reason for delay in the implementation of article 9 of the Truce Agreement.

At the 341st meeting on 29 July 1948, the representative of China submitted a draft resolution²⁷⁴ which was adopted at the next meeting held on the

same day by 9 votes in favour, none against and 2 abstentions.²⁷⁵ The resolution read as follows:

"The Security Council,

"Having considered the Committee of Good Offices' Report on the Federal Conference opened in Bandung on 27 May 1948 (S/842), Third Interim Report (S/848 and S/848/Add.1), Report on Standstill in Political Negotiations (S/918) and Report on Restrictions on Trade in Indonesia (S/919);

"Calls upon the Governments of the Netherlands and the Republic of Indonesia with the assistance of the Council's Committee of Good Offices, to maintain strict observance of both the military and economic articles of the 'Renville' Truce Agreement, and to implement early and fully the Twelve 'Renville' Political Principles and the Six Additional Principles."

Decision of 20 December 1948 (387th meeting): Request to the Committee of Good Offices for further information regarding military operations in Indonesia

On 15 November 1948, the Committee of Good Offices submitted its Fourth Interim Report.²⁷⁶ On 12 and 18 December, the Committee submitted special supplementary reports²⁷⁷ (S/1117 and S/1129). These reports described the Committee's unsuccessful efforts to bring about a resumption of negotiations and the collapse of direct talks between the parties. The Committee expressed doubts that truce enforcement could be maintained at even the unsatisfactory level then existing as the possibility of political agreement became more remote.

By letter dated 19 December 1948,²⁷⁸ the representative of the United States requested that the Council convene in emergency session on 20 December to consider the question further in the light of the military operations which, according to reports received by the United States Government, had commenced in Indonesia on 18 December.

At the 387th meeting on 20 December, the Council decided, on the suggestion of the representative of Syria, to cable the Committee of Good Offices requesting further information regarding military operations in Indonesia.²⁷⁹

Decision of 24 December 1948 (392nd meeting): Calling upon the parties to cease hostilities forthwith and to release immediately political prisoners: rejection of draft resolution submitted by the representative of the USSR

The Committee of Good Offices submitted two reports²⁸⁰ which the Council received on 20 and 22 December. The Committee expressed the view that, in commencing military operations on 19 December, the Netherlands Government had acted in violation of its obligations under the Renville Truce Agreement and

²⁶⁷ 328th meeting: pp. 38-39.

²⁶⁸ S/1085 and S/1085/Add.1 O.R., 3rd year, Suppl. for Dec. 1948, pp. 1-117.

²⁶⁹ S/1117 and S/1117/Add.1, O.R., 3rd year, Suppl. for Dec. 1948, pp. 122, 126; S/1129 and S/1129/Add.1, O.R., 3rd year, Suppl. for Dec. 1948, pp. 215-228.

²⁷⁰ S/1128, O.R., Suppl. for Dec. 1948, p. 214.

²⁷¹ 387th meeting: pp. 3, 8.

²⁷² S/1129 and S/1129/Add.1, O.R., 3rd year, Suppl. for Dec. 1948, pp. 215, 224; S/1138, O.R., 3rd year, Suppl. for Dec. 1948, p. 287. See also S/1144 and S/1146, O.R., 3rd year, Suppl. for Dec. 1948, pp. 295, 297.

²⁶⁷ 328th meeting: p. 15.

²⁶⁸ 328th meeting: pp. 34-35.

²⁶⁹ S/848/Add.1, O.R., 3rd year, Suppl. June 1948, p. 122.

²⁷⁰ 329th meeting: pp. 28, 30.

²⁷¹ 329th meeting: p. 30.

²⁷² S/918, O.R., 3rd year, Suppl. for July 1948.

²⁷³ S/919, O.R., 3rd year, Suppl. for July 1948, p. 89.

²⁷⁴ S/931, 341st meeting: p. 22.

that the possibilities of negotiations under the auspices of the Committee had not been exhausted nor even adequately explored.

At the 389th meeting on 22 December, the representatives of Colombia, Syria, and the United States submitted a draft resolution²⁸¹ to call upon the parties to cease hostilities at once and to withdraw their forces to their former positions.

At the 390th meeting on 23 December, the representative of Australia submitted an amendment to the joint draft resolution calling for the release of the President of the Indonesian Republic and other political prisoners arrested since 18 December.²⁸²

At the 392nd meeting on 24 December, the representative of the USSR submitted a draft resolution²⁸³ to condemn the aggression of the Netherlands Government, to require the cessation of the military operations and the withdrawal of Netherlands troops to positions held before the renewed outbreak of hostilities, and to set up a commission representative of the whole Council to supervise the implementation of the resolution and to assist in settling the dispute.

At the same meeting, the joint draft resolution and the amendment to it were voted upon paragraph by paragraph and the resulting text was adopted by 7 votes in favour, none against, with 4 abstentions.²⁸⁴ The USSR draft resolution was rejected by a vote taken in parts.²⁸⁵ The resolution adopted read as follows:

"The Security Council,

"Noting with concern the resumption of hostilities in Indonesia and,

"Having taken note of the reports of the Committee of Good Offices,

"Calls upon the parties:

"(a) To cease hostilities forthwith, and

"(b) Immediately to release the President and other political prisoners arrested since 18 December;

"Instructs the Committee of Good Offices to report to the Security Council fully and urgently by telegraph on the events which have transpired in Indonesia since 12 December 1948, and to observe and report to the Security Council on the compliance with sub-paragraphs (a) and (b) above."

Decision of 24 December 1948 (392nd meeting): Rejection of draft resolution submitted by the representative of Canada

At its 392nd meeting on 24 December, the representative of Canada submitted a draft resolution²⁸⁶ which, as revised at the suggestion of the representative of the United States,²⁸⁷ would instruct the Committee of Good Offices to report in order to enable the Council to decide on the practicable steps it might take to establish peace in Indonesia.

The representative of Syria submitted an amendment²⁸⁸ to instruct the Committee to report on the technical possibility of withdrawing armed forces to pre-hostilities positions, and sponsored an Australian amendment²⁸⁹ to request the Consular Commission to continue to make available the services of its military assistants.

At the same meeting, the two amendments were rejected. The revised draft resolution was rejected by 6 votes in favour, none against and 5 abstentions.²⁹⁰

Decisions of 27 December 1948 (393rd meeting): Rejection of draft resolutions submitted by the representatives of the Ukrainian SSR and USSR

By cablegrams dated 25 and 26 December,²⁹¹ the Committee of Good Offices reported to the Council pursuant to its resolution of 24 December. The reports outlined the chief events since 12 December, summarized the military operations since 19 December, analyzed facts relating to the truce and the general role of the Committee, and set out the texts of letters addressed to the parties concerning the Council's resolution of 24 December.

At the 393rd meeting on 27 December, the representative of the Ukrainian SSR submitted a draft resolution²⁹² to consider it necessary that Netherlands troops should be withdrawn to the positions held by them before the second outbreak of hostilities.

The representative of the USSR, considering that a statement made by the Netherlands representative earlier at the same meeting constituted a direct refusal on the part of his Government to cease hostilities against the Republic, submitted a draft resolution²⁹³ to note that the Netherlands had so far failed to cease military operations against the Indonesian Republic and to order the cessation of military operations within 24 hours.

At the same meeting, the Ukrainian SSR draft resolution was rejected by 5 votes in favour, none against and 6 abstentions.²⁹⁴

The USSR draft resolution was rejected by 4 votes in favour, none against and 7 abstentions.²⁹⁵

Decision of 28 December 1948 (395th meeting): Calling upon the Netherlands to set free forthwith the President of the Republic of Indonesia and all other political prisoners

At the 395th meeting on 28 December, the representative of China submitted a draft resolution²⁹⁶ which was adopted at the same meeting by 8 votes in favour, none against and 3 abstentions.²⁹⁷ The resolution read as follows:²⁹⁸

"The Security Council,

"Noting that the Netherlands Government has not so far released the President of the Republic of

²⁸⁸ 392nd meeting: pp. 52, 55.

²⁸⁹ 392nd meeting: pp. 49, 52, 56.

²⁹⁰ 392nd meeting: pp. 56-57.

²⁹¹ S/1154, S/1156, O.R., 3rd year, Suppl. for Dec. 1948, pp. 305, 307.

²⁹² S/1158, 393rd meeting: p. 6.

²⁹³ S/1159, 393rd meeting: p. 8.

²⁹⁴ 393rd meeting: p. 35.

²⁹⁵ 393rd meeting: p. 35.

²⁹⁶ S/1162, 395th meeting: p. 51.

²⁹⁷ 395th meeting: p. 67.

²⁹⁸ S/1164.

²⁸¹ S/1142, O.R., 3rd year, Suppl. for Dec. 1948, p. 294.

²⁸² S/1145, 390th meeting: pp. 15-16.

²⁸³ S/1148 and Corr.1, 392nd meeting: p. 3.

²⁸⁴ 392nd meeting: pp. 30-38.

²⁸⁵ 392nd meeting: pp. 39-42. For discussion in relation to Article 39, see chapter XI, Case 7; and on the claim of domestic jurisdiction, see chapter XII, Case 11.

²⁸⁶ S/1149, O.R., Suppl. for December 1948, p. 298.

²⁸⁷ 392nd meeting: p. 51.

Indonesia and all other political prisoners, as required by the resolution of 24 December 1948,

"Calls upon the Netherlands Government to set free these political prisoners forthwith and report to the Security Council within 24 hours of the adoption of the present resolution."

Decision of 28 December 1948 (395th meeting): Requesting the Consular Commission to report on the situation in the Republic of Indonesia

At the 395th meeting on 28 December, the representative of Colombia submitted a draft resolution²⁹⁹ to call for a report from the Consular Commission on the withdrawal of troops. In order to overcome the objection that the character of the Committee of Good Offices might be changed if it were assigned such a task, he explained that he had followed the Council's resolution of 25 August 1947 in asking the consular representatives in Batavia to report.

At the same meeting, the Colombian draft resolution, with drafting changes accepted by the Colombian representative, was adopted by 9 votes in favour, none against and 2 abstentions.³⁰⁰ The resolution read as follows:

"The Security Council

"Requests the consular representatives in Batavia referred to in paragraph 5 of the resolution adopted on 25 August 1947, at the 194th meeting of the Council, to send as soon as possible, for the information and guidance of the Security Council, a complete report on the situation in the Republic of Indonesia, covering in such report the observance of the cease-fire orders and the conditions prevailing in areas under military occupation or from which armed forces now in occupation may be withdrawn."

Decision of 28 January 1949 (406th meeting): Establishing the United Nations Commission for Indonesia and recommending the procedures and terms of a settlement³⁰¹

At its 397th meeting on 7 January 1949, the Council had before it a report from the Committee of Good Offices³⁰² stating neither sub-paragraph (a) nor (b) of the resolution of 24 December had been implemented. It requested the Council to define the respective functions of the Committee and of the Consular Commission under the resolutions of 24 and 28 December, and raised the question whether the continuance of the Committee in the present circumstances would serve any useful purpose. The Council also received a request from the Consular Commission for clarification of its position in relation to the Committee.

By cablegram dated 8 January,³⁰³ the Committee of Good Offices reported that arrangements had been approved by Netherlands authorities for the dispatch of military observers to various areas in Java and Sumatra. On 14 January the Committee of Good Offices forwarded the first report³⁰⁴ of its military observers following their return to the field.

By cablegram dated 23 January 1949,³⁰⁵ the Foreign Minister of India transmitted to the Council a resolu-

tion adopted by the Conference on Indonesia held in New Delhi from 20-23 January and attended by representatives and observers of 17 Members of the United Nations from Africa, Asia and the Pacific region, in addition to representatives and observers of two non-Member Governments.

On 24 January, the Committee of Good Offices forwarded to the Council an analysis³⁰⁶ of the military situation in Indonesia. The report concluded that, to be completely effective, a cessation of hostilities necessarily must be agreed upon by both parties. Since the Republican Government had been prevented from functioning, there was no authority on the Republican side to implement the Security Council resolution. Despite the Netherlands orders to its troops to cease hostilities, such cessation had not been and could not be attained in the prevailing situation.

At the 402nd meeting on 21 January, the representative of Cuba submitted a draft resolution on behalf of the delegations of Cuba, China, Norway and the United States,³⁰⁷ and at the 405th meeting on 27 January, the representative of China, on behalf of the sponsors, introduced certain amendments.³⁰⁸ At the latter meeting, the representative of Canada submitted an amendment, which was accepted by the sponsors.³⁰⁹

At the 406th meeting on 28 January, the representative of the USSR submitted an amendment³¹⁰ to replace the first paragraph of the operative part by a provision that Netherlands troops should immediately be withdrawn to the Renville Truce positions.

At the same meeting on 28 January, the USSR amendment was rejected and the revised joint draft resolution was adopted by a vote in parts.³¹¹ The resolution read as follows:³¹²

"The Security Council,

"Recalling its resolutions of 1 August 1947, 25 August 1947, and 1 November 1947, with respect to the Indonesian question;

"Taking note with approval of the reports submitted to the Security Council by its Committee of Good Offices for Indonesia;

"Considering that its resolutions of 24 December 1948 and 28 December 1948 have not been fully carried out;

"Considering that continued occupation of the territory of the Republic of Indonesia by the armed forces of the Netherlands is incompatible with the restoration of good relations between the parties and with the final achievement of a just and lasting settlement of the Indonesian dispute;

"Considering that the establishment and maintenance of law and order throughout Indonesia is a necessary condition to the achievement of the expressed objectives and desires of both parties;

"Noting with satisfaction that the parties continue to adhere to the principles of the Renville Agreement and agree that free and democratic elections should be held throughout Indonesia for the purpose

²⁹⁹ S/1160, 395th meeting: p. 80.

³⁰⁰ 395th meeting: pp. 80, 82.

³⁰¹ Regarding the Commission, see chapter V, Case 5.

³⁰² S/1189, O.R., 4th year, Suppl. for Jan. 1949, p. 6.

³⁰³ S/1193, O.R., 4th year, Suppl. for Jan. 1949, p. 19.

³⁰⁴ S/1212, O.R., 4th year, Suppl. for Jan. 1949, p. 49.

³⁰⁵ S/1222, *Ibid.*, p. 56.

³⁰⁶ S/1223, *Ibid.*, p. 60.

³⁰⁷ S/1219, *Ibid.*, p. 53.

³⁰⁸ S/1230, *Ibid.*, p. 65.

³⁰⁹ S/1232, *Ibid.*, p. 66.

³¹⁰ S/1233, *Ibid.*, p. 66.

³¹¹ 406th meeting: pp. 21-33. For discussion on the competence of the Council, see chapter XII, Case 12.

³¹² S/1234, O.R., 4th year, Suppl. for Feb. 1949.

of establishing a constituent assembly at the earliest practicable date, and further agree that the Security Council should arrange for the observation of such elections by an appropriate agency of the United Nations; and that the representative of the Netherlands has expressed his Government's desire to have such elections held not later than 1 October 1949;

"Noting also with satisfaction that the Government of the Netherlands plans to transfer sovereignty to the United States of Indonesia by 1 January 1950, if possible, and, in any case, during the year 1950;

"Conscious of its primary responsibility for the maintenance of international peace and security, and in order that the rights, claims and position of the parties may not be prejudiced by the use of force;

"1. *Calls upon* the Government of the Netherlands to ensure the immediate discontinuance of all military operations, calls upon the Government of the Republic simultaneously to order its armed adherents to cease guerrilla warfare, and calls upon both parties to co-operate in the restoration of peace and the maintenance of law and order throughout the area affected.

"2. *Calls upon* the Government of the Netherlands to release immediately and unconditionally all political prisoners arrested by it since 17 December 1948 in the Republic of Indonesia; and to facilitate the immediate return of officials of the Government of the Republic of Indonesia to Jogjakarta in order that they may discharge their responsibilities under paragraph 1 above and in order to exercise appropriate functions in full freedom, including administration of the Jogjakarta Area, which shall include the city of Jogjakarta and its immediate environs. The Netherlands authorities shall afford to the Government of the Republic of Indonesia such facilities as may reasonably be required by that Government for its effective function in the Jogjakarta area and for communication and consultation with all persons in Indonesia.

"3. *Recommends* that, in the interest of carrying out the expressed objectives and desires of both parties to establish a federal, independent and sovereign United States of Indonesia at the earliest possible date, negotiations be undertaken as soon as possible by representatives of the Government of the Netherlands and representatives of the Republic of Indonesia with the assistance of the Commission referred to in paragraph 4 below on the basis of the principles set forth in the Linggadjadi and Renville Agreements, and taking advantage of the extent of agreement reached between the parties regarding the proposals submitted to them by the United States representative on the Committee of Good Offices on 10 September 1948; and in particular, on the basis that:

"(a) The establishment of the interim federal government which is to be granted the powers of internal government in Indonesia during the interim period before the transfer of sovereignty shall be the result of the above negotiations and shall take place not later than 15 March 1949;

"(b) The elections which are to be held for the purpose of choosing representatives to an Indonesian constituent assembly should be completed by 1 October, 1949; and

"(c) The transfer of sovereignty over Indonesia by the Government of the Netherlands to the United States of Indonesia should take place at the earliest possible date and in any case not later than 1 July 1950;

"Provided that if no agreement is reached by one month prior to the respective dates referred to in sub-paragraphs (a), (b), and (c) above, the Commission referred to in paragraph 4 (a) below or such other United Nations agency as may be established in accordance with paragraph 4 (c) below, shall immediately report to the Council with its recommendations for a solution of the difficulties.

"4. (a) The Committee of Good Offices shall henceforth be known as the *United Nations Commission for Indonesia*. The Commission shall act as the representative of the Security Council in Indonesia and shall have all of the functions assigned to the Committee of Good Offices by the Security Council since 18 December, and the functions conferred on it by the terms of this resolution. The Commission shall act by majority vote, but its reports and recommendations to the Security Council shall present both majority and minority views if there is a difference of opinion among the members of the Commission.

"(b) The Consular Commission is requested to facilitate the work of the United Nations Commission for Indonesia by providing military observers and other staff and facilities to enable the Commission to carry out its duties under the Council's resolutions of 24 and 28 December 1948 as well as under the present resolution, and shall temporarily suspend other activities.

"(c) The Commission shall assist the parties in the implementation of this resolution, and shall assist the parties in the negotiations to be undertaken under paragraph 3 above and is authorized to make recommendations to them or to the Security Council on matters within its competence. Upon agreement being reached in such negotiations, the Commission shall make recommendations to the Security Council as to the nature, powers, and functions of the United Nations agency which should remain in Indonesia to assist in the implementation of the provisions of such agreement until sovereignty is transferred by the Government of the Netherlands to the United States of Indonesia.

"(d) The Commission shall have authority to consult with representatives of areas in Indonesia other than the Republic, and to invite representatives of such areas to participate in the negotiations referred to in paragraph 3 above.

"(e) The Commission or such other United Nations agency as may be established in accordance with its recommendation under paragraph 4 (c) above is authorized to observe on behalf of the United Nations the elections to be held throughout Indonesia and is further authorized, in respect of the territories of Java, Madura and Sumatra, to make recommendations regarding the conditions necessary (a) to ensure that the elections are free and democratic, and (b) to guarantee freedom of assembly, speech and publication at all times, provided that such guarantee is not construed so as to include the advocacy of violence or reprisals.

“(f) The Commission should assist in achieving the earliest possible restoration of the civil administration of the Republic. To this end it shall, after consultation with the parties, recommend the extent to which, consistent with reasonable requirements of public security and the protection of life and property, areas controlled by the Republic under the Renville Agreement (outside of the Jogjakarta area) should be progressively returned to the administration of the Government of the Republic of Indonesia, and shall supervise such transfers. The recommendations of the Commission may include provision for such economic measures as are required for the proper functioning of the administration and for the economic well-being of the population of the areas involved in such transfers. The Commission shall, after consultation with the parties, recommend which, if any, Netherlands forces shall be retained temporarily in any area (outside of the Jogjakarta area) in order to assist in the maintenance of law and order. If either of the parties fails to accept the recommendations of the Commission mentioned in this paragraph, the Commission shall report immediately to the Security Council with its further recommendations for a solution of the difficulties.

“(g) The Commission shall render periodic reports to the Council, and special reports whenever the Commission deems necessary.

“(h) The Commission shall employ such observers, officers and other persons as it deems necessary.

“5. Requests the Secretary-General to make available to the Commission such staff, funds and other facilities as are required by the Commission for the discharge of its functions.

“6. Calls upon the Governments of the Netherlands and the Republic of Indonesia to co-operate fully in giving effect to the provisions of this resolution.”

Decision of 23 March 1949 (421st meeting): Directive conveying the Council's sense that its Commission should assist the parties in reaching agreement on the implementation of its resolution of 28 January 1949 and on the time and conditions for holding the proposed conference at The Hague

The Council met on 10 March 1949 to consider the Commission's report of 1 March 1949³¹³ concerning the non-compliance of the Netherlands Government with the basic prerequisite for further action under the Council's resolution of 28 January and giving details of a proposal by the Netherlands Government to convene a Round Table Conference on the Indonesian question at The Hague in the very near future.

At the 421st meeting on 23 March, the representative of Canada submitted the text of a draft directive to be transmitted by the President (Cuba) to the Commission.³¹⁴ It was adopted at the same meeting by 8 votes in favour, none against and 3 abstentions.³¹⁵ It read as follows:

“It is the sense of the Security Council that the United Nations Commission for Indonesia, in accordance with the Council's resolution of 28 January

1949, and without prejudicing the rights, claims and positions of the parties, should assist the parties in reaching agreement as to (a) the implementation of the Council's resolution of 28 January, and in particular paragraphs 1 and 2 of the operative part thereof; and (b) the time and conditions for holding the proposed conference at The Hague, to the end that the negotiations contemplated by the resolution of 28 January may be held as soon as possible. It is further the sense of the Council that, if such an agreement is reached, the holding of such a conference and the participation by the United Nations Commission for Indonesia in accordance with its terms of reference, would be consistent with the purposes and objectives of the Council's resolution of 28 January 1949.”

Decisions of 13 December 1949 (456th meeting): Rejection of draft resolutions submitted by the representatives of Canada and the Ukrainian SSR

On 9 May 1949, the Commission reported³¹⁶ that both parties had accepted its invitation to discussions pursuant to the Council's directive of 23 March. The Commission announced on 23 June the results of the discussions. The Netherlands agreed to the restoration of the Republican Government and its return to its capital, and the Republican delegation agreed to make proposals to the Republican Government for a cessation of hostilities and in regard to the time and conditions of the proposed round-table conference at The Hague.

On 4 August, the United Nations Commission for Indonesia submitted its first interim report³¹⁷ setting out the agreements reached between the parties on (1) the restoration of the Republican Government to its capital; (2) the cessation of hostilities and the arrangements to implement the cease-hostilities order; and (3) the time and conditions for The Hague conference.

On 8 November 1949, the Commission for Indonesia submitted a special report on the Round Table Conference held at The Hague from 23 August to 2 November 1949.³¹⁸ The Commission informed the Council that the Conference had been “eminently successful”, and reported that, under the agreements reached, the Netherlands, by 30 December 1949 at the latest, would unconditionally transfer complete sovereignty to the Republic of the United States of Indonesia. The Commission further stated that it “would continue to carry out its functions in accordance with its terms of reference, and would observe in Indonesia the implementation of the agreements reached at the Round Table Conference”.

At its 455th meeting on 12 December 1949, the representative of Canada submitted a draft resolution³¹⁹ to note the successful completion of The Hague Conference and welcome the forthcoming establishment of the Republic of the United States of Indonesia as an independent and sovereign State, to request the Commission to continue to discharge the responsibilities entrusted to it by the Council, and, in particular, to observe and assist in the implementation of the agreements reached at the Conference, and to report thereon to the Council.

³¹⁰ S/1320.

³¹⁷ S/1373, O.R., 4th year, Special Suppl. No. 5.

³¹⁸ S/1417 and Corr.1, O.R., 4th year, Special Suppl. No. 6.

³¹⁹ S/1431, O.R., 4th year, Suppl. for Sep.-Dec. 1949, p. 13.

³¹³ S/1270 and Corr.1, O.R., Suppl. for March 1949, p. 8.

³¹⁴ 421st meeting: p. 5.

³¹⁵ 421st meeting: pp. 25-26.

At the same meeting, the representative of the Ukrainian SSR submitted a draft resolution³²⁰ by which the Council, with a view to regulating the position in Indonesia, would deem it essential that the following measures be taken: (a) to withdraw Netherlands forces to their Renville Truce positions; (b) to demand that the Netherlands release all political prisoners; (c) to propose the establishment of a Commission composed of representatives of States members of the Council, which body should observe the withdrawal of the Netherlands forces and the release of the political prisoners; (d) to instruct the Commission to submit proposals for the settlement of the conflict; and (e) to dissolve the existing Commission for Indonesia.

At the 456th meeting on 13 December, the Canadian draft resolution was put to a vote in parts and rejected. The first part received 9 votes in favour and 2 against (one vote against being that of a permanent member of the Council). The second part received 8 votes in favour, 2 against and 1 abstention (one vote against being that of a permanent member).³²¹

At the same meeting, the Council rejected the Ukrainian SSR draft resolution by 2 votes in favour and 9 against.³²²

On 9 January 1950, the Commission submitted to the Council its second interim report³²³ describing negotiations and activities in relation to the implementation of the cease-hostilities agreement, the release of political prisoners and prisoners of war, questions of administration and supply in Indonesia, and the arrangements for the transfer of sovereignty, which the Commission reported took place on 27 December 1949. The report concluded that the Commission, in virtue of its terms of reference and in accordance with the covering resolution of the Round Table Conference, would observe and assist in the implementation of the agreements reached at The Hague.

On 28 July 1950, the Commission reported³²⁴ that the Royal Netherlands Indonesian Army and the Netherlands Army High Command in Indonesia had been dissolved on 26 July following an agreement reached between the Governments of the Netherlands and the Republic of Indonesia on 15 July.

On 11 October 1950, the Commission submitted a telegraphic report³²⁵ outlining events which had taken place in South Moluccas since the proclamation, on 25 April 1950, of a "South Moluccas Republic" by a group of persons who had seized authority in the islands.

On 28 October 1950, the Commission submitted a telegraphic report³²⁶ informing the Council that the Contact Committee of Netherlands and Indonesian representatives, under the chairmanship of the Commission, had met on 25 October to consider, among other matters, problems connected with the demobilization and repatriation of troops belonging to the former Royal Netherlands Indies Army.

³²⁰ S/1433, 455th meeting: p. 27.

³²¹ 456th meeting: pp. 33-35. See chapter II, Case 61, for President's statement regarding effect on previous decisions.

³²² 456th meeting: p. 35.

³²³ S/1449.

³²⁴ S/1663.

³²⁵ S/1842, O.R., 5th year, Suppl. for Sept.-Dec. 1950, pp. 78-80.

³²⁶ S/1873 and Corr.1, O.R., 5th year, for Sept.-Dec. 1950, pp. 94-95.

At the 517th meeting on 30 October 1950, the President (United States) drew the attention of the Security Council to the reports of the Commission dated 11 and 28 October 1950 and asked whether any member wished to express any views in the Council on the question of the timing of the consideration of the reports. The Council took no position on the question raised by the President, and in the period covered by this *Repertoire* there was no further discussion in the Council on the matter of the Indonesian question.

On 3 April 1951, the Commission submitted to the Security Council a report on its activities since the transfer of sovereignty.³²⁷ In the concluding part of the report, the Commission stated that, since the military problems were now virtually solved, since no other matters had been submitted by the parties and since no items remained on the agenda, it had decided that, while continuing to hold itself at the disposal of the parties, it would adjourn *sine die*.

At the end of the period covered by this *Repertoire*, the Security Council remained seized of the Indonesian question (II).

THE PALESTINE QUESTION

INITIAL PROCEEDINGS

By letter dated 2 December 1947,³²⁸ the Secretary-General transmitted to the President of the Security Council the text of General Assembly resolution 181 (II) of 29 November 1947 concerning "the future government of Palestine" and invited the attention of the Security Council particularly to paragraphs (a), (b) and (c) of the operative part of the resolution.

At its 222nd meeting on 9 December 1947, the Council included the question in the agenda. After discussion, the Council decided to postpone consideration.³²⁹

The Security Council considered the Palestine question at the following meetings: 1947: 222nd; 1948: 243rd, 253rd to 255th, 258th, 260th to 263rd, 265th, 267th, 270th, 271st, 274th, 275th, 277th, 282nd, 283rd, 287th, 289th, 291st to 299th, 301st to 303rd, 305th to 311th, 313th, 314th, 317th, 320th, 329th to 340th, 343rd, 349th, 352nd to 354th, 356th, 358th, 360th, 365th, 367th, 373rd to 382nd, 386th, 394th to 396th; 1949: 413th, 422nd, 433rd to 435th, 437th, 452nd, 453rd; 1950: 502nd, 503rd, 511th, 514th, 517th, 518th, 521st, 522nd, 524th; 1951: 541st, 542nd, 544th to 547th, 549th to 553rd, 555th, 556th, 558th.

At the 243rd meeting on 10 February 1948, the Council agreed that it should take note of the first monthly report of the Palestine Commission³³⁰ and postpone further discussion until it had received the first special report to the Security Council.

Decision of 5 March 1948 (263rd meeting): To call on the permanent members to consult and to report

At its 253rd meeting on 24 February 1948, the Security Council began consideration of the first

³²⁷ S/2087.

³²⁸ S/614, O.R., 2nd year, Suppl. No. 20, p. 172.

³²⁹ For summary of proceedings, see chapter XII, Case 23 (i).

³³⁰ S/663, O.R., 3rd year, Special Suppl. No. 2, pp. 1-10. On the working of the Palestine Commission, see: "Organization and Procedure of United Nations Commissions. The United Nations Palestine Commission." (United Nations publications, 1949.X.8.)