

Notulen van de vergadering van de Ministerraad op 15 aug. 1962

*'s Middags te 2 uur aangevangen en 's avonds voortgezet, Trêveszaal.

Aanwezig: De Minister-President De Quay en de Ministers Van Aartsen, Beerman, Klompé, Korthals, Luns, Marijnen, Toxopeus, Veldkamp, Visser en Zijlstra (afwezig zijn de Ministers Cals en De Pous).

Voorts zijn aanwezig de Staatssecretarissen Bot, Calmeyer, Van Houten en De Jong.

Secretaris: J. Middelburg.

Nieuw-Guinea

De Minister-President richt een woord van welkom tot Staatssecretaris Van Houten.

Spreker meent, dat het ontvangen ontwerp van de wapenstilstandsovereenkomst als zodanig wel goed is. President Sukarno heeft voorts laten weten, dat hij akkoord gaat met een regeling voor het vlaghijsen, waarbij de Nederlandse vlag naast de VN-vlag zal wapperen van 1 oktober tot het eind van het jaar en vervolgens gedurende het verdere VN-bestuur de Indonesische vlag naast de VN-vlag.

Minister Luns heeft laten weten, dat de toespraak van de Nederlandse vertegenwoordiger bij ondertekening van overeenkomsten met Indonesië formeel moet zijn en dat deze ondertekening ook niet via de satelliet Telstar naar Nederland moet worden uitgezonden.

De Minister-President zal deze avond een toespraak voor de radio en de televisie houden, als tot ondertekening is overgegaan; voorts zullen Minister Luns en hij in de loop van de dag een vertrouwelijk gesprek met hoofdredacteuren houden. Spreker brengt vervolgens in bespreking de tekst van een voorlopig ontwerp voor de overeenkomst, waaromtrent deze dag onder leiding van de VN-Secretaris-Generaal U Thant nog verder onderhandeld zal worden.

Minister Beerman stelt de vraag of de tekst op blz. 3 betekent, dat de Nederlandse ambtenaren die op Nieuw-Guinea op een tijdelijke basis verder zullen werken nog van Nederlandse zijde salaris zullen krijgen. De Minister-President meent, dat over de financiële kant van de overeenkomsten nog niets bekend is. Minister Zijlstra heeft bericht ontvangen, dat men vandaag nog verder gaat met de financiële besprekkingen. De ambtenaren zullen na 1 oktober wel volgens het UNTEA-statuum worden betaald en Nederland en Indonesië zullen elk de helft van de gewone begroting en van de UNTEA-uitgaven betalen. Spreker stelt de vraag of het dubbele zal ingaan. Minister Luns antwoordt, dat dit wel zijn bedoeling is.

Minister Toxopeus merkt op, dat de Regering aan de Nederlandse delegatie kan zeggen, dat zij de overeenkomst óf onder conditie van een bevredigende oplossing van bepaalde punten kan tekenen óf na de slotonderhandelingen zonder meer kan tekenen. De Minister-President acht het het beste, dat men de conceptovereenkomst nagaat en dat dan ministers zeggen als hun iets onaanvaardbaar voorkomt.

(De Minister-President en de Minister Luns verlaten korte tijd de vergadering voor een telefoongesprek met Ambassadeur Van Roijen).

De Minister-President deelt mede, dat hij Dr. Van Roijen heeft gezegd, dat de Regering geen toestemming tot ondertekening van de overeenkomst kan geven, als zij de tekst niet kent. De Ambassadeur meende, dat de slotonderhandelingen nog wel twaalf uur tijd in beslag zouden nemen; hij zou de tekst van elk artikel waarover overeenstemming werd bereikt naar Nederland laten overseinen.

Minister *Luns* acht de tijd die de Nederlandse regering wordt gelaten om de overeenkomst te overwegen te kort; bij de vrede van Versailles in 1919 kregen de Duitsers een week voor beoordeling van het verdrag. De *Minister-President* zegt, dat de Raad ook kan besluiten pas de volgende dag een beslissing te zullen nemen. Minister *Klompé* ziet de overhaasting ook als zeer bezwaarlijk, maar men zal ook de bestaande situatie in het oog moeten houden. Minister *Zijlstra* meent, dat de ministers niet kunnen zeggen, dat zij wegens het nachtelijke uur, waarop de tekst bekend zal zijn, niet voor morgen een beslissing meer zullen kunnen nemen.

De *Minister-President* stelt na enige verdere discussie voor, dat aan Dr. Van Roijen telefonisch zal worden gevraagd of de teksten zo tijdig kunnen worden ontvangen, dat de Ministerraad vandaag nog een beslissing zal kunnen nemen. De *Raad* verklaart zich hiermede akkoord.

De *Minister-President* brengt vervolgens de telegrafisch ontvangen tekst voor een wapenstilstandsovereenkomst in bespreking. Minister *Visser* zegt hieromtrent, dat deze met de chefs van staven is besproken. Het is niet een ideaal stuk, maar wel logisch opgebouwd, zodat Defensie niet ontevreden hierover is. Minister *Marijnen* stelt de vraag of Indonesië - nu deze wapenstilstand pas op 18 augustus zal ingaan - niet de gelegenheid zal aangrijpen om intussen nog honderden militairen op Nieuw-Guinea te brengen. De *Minister-President* erkent, dat dit een zorgelijk punt is. Staatssecretaris *De Jong* licht nog toe, dat de Indonesiërs niet zo snelle verbindingen hebben om de wapenstilstand direct aan hun geïnfiltreerde militairen bekend te maken. Dit zal ook nog gebeuren door pamfletten, die door VN-vliegtuigen zullen worden verspreid. Staatssecretaris *Van Houten* ziet niet in, waarom onzerzijds niet kan worden voorgesteld, dat op 16 en 17 augustus geen nieuwe Indonesische militairen mogen worden overgebracht, welk voorstel de Indonesiërs dan eventueel verwerpen. Staatssecretaris *De Jong* merkt op, dat dit een wederkerige zaak is: enerzijds zijn er de Indonesische infiltraties, anderzijds de Nederlandse aanvallen op de infiltranten. Na de wapenstilstand moeten beide acties afgelopen zijn. De *Raad* stemt vervolgens met de ontvangen tekst van de wapenstilstandsovereenkomst in.

Minister *Zijlstra* deelt het volgende mede omtrent de onderhandelingen in Amerika over de financiële zaken. Van Nederlandse zijde is gevraagd in een briefwisseling vast te leggen, dat de lopende activa en passiva met het bestuur worden overgenomen. De Indonesische delegatie was het met het beginsel eens, maarachtte het moeilijk zich hierover uit te spreken, zolang de aard en de omvang van deze verplichtingen onbekend waren. Besloten is over dit punt niet in een briefwisseling vast te leggen. Wel is aan de financiële vertegenwoordiger van U Thant gevraagd de VN-functionaris, die de UNTEA-begroting zal vaststellen, in te lichten over de principiële overeenstemming inzake deze overneming. Omtrent de geldomloop is geen bepaling opgenomen; volgens de overeenkomst inzake de bestuursoverdracht zullen de bestaande wetten en reglementen gehandhaafd worden, wat inhoudt, dat de UNTEA ook de Nieuw-Guineagulden zal moeten handhaven. In de briefwisseling over financiële vraagstukken zal nu worden gezegd, dat de UNTEA-begroting moet worden voorbereid door één vertegenwoordiger van U Thant, één van Nederland en één van Indonesië. De ramingen voor deze begroting zullen geschieden op basis van een wisselkoers van 1 dollar = 3,62 Nieuw-Guineaguldens.

(De *Minister-President* en de Ministers *Luns* en *Zijlstra* verlaten de vergadering voor het telefonisch gesprek met Dr. Van Roijen, waartoe eerder in deze vergadering was besloten.)

De *Minister-President* deelt na het telefoongesprek met Dr. Van Roijen mede, dat erop gerekend kan worden, dat omstreeks zes uur de definitieve tekst van de overeenkomst in New York bekend zal zijn. Minister *Luns* heeft telefonisch aan Dr. Van Roijen gezegd, dat voor het geval de VN met Indonesië een regeling zou willen treffen over financiële hulp die Nederland gedurende drie jaar aan Nieuw-Guinea zou willen geven dit aanbod als vervallen moet worden

beschouwd. Minister *Zijlstra* herinnert eraan, dat was afgesproken, dat deze hulp zou moeten passen in het kader van de Nederlandse hulp aan ontwikkelingsgebieden.

De *Minister-President* wil na ondertekening van de overeenkomst in New York een toespraak voor radio en televisie houden; de tekst hiervan is rondgezonden. De *Raad* stemt - nadat enkele wijzigingen zijn besproken - met de tekst van deze rede in.

De *Minister-President* komt vervolgens op de kwestie van de behandeling van de overeenkomst van Middleburg in de Tweede Kamer. De voorzitter heeft gevraagd de betrokken Kamercommissie al de volgende dag hierover in te lichten, maar spreker heeft in overleg met Minister Luns gezegd, dat dit zaterdag zal kunnen gebeuren. Als de overeenkomst met het wetsontwerp ter goedkeuring en de memorie van toelichting op 25 augustus in de Kamer kunnen zijn, worden de stukken de week daarop in de afdelingen behandeld en kan de week daarna de mondelinge behandeling plaats hebben. Als de goedkeuring in de vorm van een Rijkswet wordt gevraagd, zal een en ander in de Rijksministerraad moeten komen.

Minister *Toxopeus* heeft de vraag bestudeerd of de overeenkomst met gewone meerderheid dan wel op grond van artikel 63 van de grondwet met tweederden meerderheid goedgekeurd zal moeten worden. De *Minister-President* verzoekt Minister *Toxopeus* een notitie rond te zenden ter bespreking in de Ministerraad van de volgende vrijdag.

Staatssecretaris *Bot* heeft Gouverneur Platteel zo goed mogelijk ingelicht. Men zit thans voor de kwestie van het vragen van het oordeel van de Nieuw-Guinearaad. Minister *Toxopeus* is van mening, dat ons Parlement het advies van de Nieuw-Guinearaad over deze overeenkomst in zijn beschouwingen zal kunnen betrekken. Eerder is echter wel gezegd, dat Nederland zijn beleid in deze kwestie niet geheel afhankelijk kan maken van de wensen van Papoea's. Minister *Zijlstra* meent, dat men kan stellen, dat het horen van de Nieuw-Guinearaad over de overeenkomst, voordat tot ondertekening ervan zou worden overgegaan catastrofaal voor land en volk van Nieuw-Guinea zou kunnen zijn geweest. Minister *Klompé* stelt de vraag of het niet wenselijk is, dat de betrokken bewindslieden een persoonlijk telefoongesprek voeren zowel met Gouverneur Platteel als met Schout-bij-Nacht Reeser. Staatssecretaris *Bot* zal nagaan of dit de volgende dag mogelijk is. Spreker herinnert eraan, dat hij een bezoek aan Nieuw-Guinea zou brengen. Nadat de omstandigheden dit aanvankelijk niet wenselijk deden zijn, lijkt het hem goed dit in verband met de spraakverwarring die er heerst, opnieuw te overwegen.

(De vergadering wordt geschorst tot 's avonds half negen.)

De *Minister-President* deelt bij de hervatting van de vergadering mede, dat de definitieve tekst van de overeenkomst nog niet beschikbaar is.

Minister *Klompé* dringt erop aan duidelijk te maken, dat het feit, dat repatriërende Nederlanders door de overheid worden opgevangen, niet betekent, dat dezen eerder voor een woning in aanmerking komen dan repatrianten, die bij hun familie kunnen komen. Er zullen ook nog mogelijkheden gezocht moeten worden om het verblijf in contractpensions niet te lang te doen zijn. Minister *Zijlstra* merkt op, dat veel gerepatrieerden snel in Nederland geplaatst zullen worden. Minister *Beerman* merkt op, dat de opvangmogelijkheid moeilijker is in verband met de grote groepen spijtoptantant, die de Regering op aandrang van het parlement naar Nederland laat overkomen. Spreker is van oordeel, dat ten aanzien van de bewoners van Nieuw-Guinea geen ander toelatingsbeleid moet worden gevuld, aangezien anders weer moeilijkheden ontstaan met mensen in Indonesië die naar Nederland willen komen. Minister *Klompé* zal in overleg met Binnenlandse Zaken voor eind augustus een notitie over deze kwestie naar de Ministerraad zenden.

Minister *Luns* stelt de vraag welke instructie is gegeven aan Admiraal Pröpper voor zijn besprekingen over de militaire zaken in New York. Minister *Visser* antwoordt dat aan Admiraal Pröpper gezegd is te trachten er het beste van te maken.

De Minister-President is van mening, dat de wapenstilstandsovereenkomst technisch een goed stuk is. Staatssecretaris *Van Houten* stelt de vraag welke instructies aan de Nederlandse militairen op Nieuw-Guinea worden gegeven voor het geval de Indonesische parachutisten agressief optreden. Staatssecretaris *De Jong* antwoordt, dat tot de datum van de wapenstilstand (18 augustus) de instructie aan de militairen ongewijzigd is; daarna zullen zij bij agressief optreden van Indonesische zijde dit aan de VN moeten rapporteren. Minister *Visser* wijst erop, dat de Nederlandse troepen na 18 augustus geen militaire taak meer op Nieuw-Guinea hebben; spreker heeft er ernstig bezwaar tegen Nederlandse troepen onder gezag van de VN te laten optreden. De Minister-President is van oordeel, dat in het algemeen kan worden gesteld, dat als Nederlandse militairen hen zullen beschermen, waarna de overtreding van de wapenstilstand bij de VN-instanties zal worden gemeld. Spreker stelt voor met deze interpretatie de wapenstilstandsovereenkomst te aanvaarden. De Raad verklaart zich hiermede akkoord.

Staatssecretaris *Bot* stelt de vraag welke de positie van de Nieuw-Guineagulden straks - na 1 oktober a.s. - zal zijn; dit is van belang in de eerste plaats voor het particuliere bedrijfsleven, doch evenzeer ook voor de ambtenaren, men denke aan de noodzaak van vrije transfer, met name ook van die van spaargelden. Spreker breekt in dit verband ook een lans voor een spoedige totstandkoming van het complex van garanties voor het particuliere bedrijfsleven. Minister *Zijlstra* antwoordt dat tot 1 oktober de transfermogelijkheid wordt gehandhaafd. Degenen die daarna blijven moeten in hun overeenkomst met het UNTEA-bestuur een clausule inzake de transfer van gelden laten opnemen. De economisch-financiële bepalingen in de te sluiten overeenkomst hebben voornamelijk betrekking op de concessies en de investeringen op Nieuw-Guinea.

Minister *Toxopeus* leest de oorspronkelijke tekst van de algemene overeenkomst voor teneinde vergelijking met de nieuwe tekst, die inmiddels ter vergadering is rondgedeeld mogelijk te maken. Bij vergelijking van de teksten blijkt, dat in artikel 9 de datum van 1 mei is weggevallen evenals in artikel 12.

Staatssecretaris *Van Houten* stelt met betrekking tot artikel 24 de vraag of een plafond is gesteld aan de uitgaven tijdens het UNTEA-bestuur. Minister *Zijlstra* antwoordt, dat de UNTEA-begroting in overleg met Nederland en Indonesië wordt vastgesteld en dat beide landen voor gelijke delen de kosten hiervan dragen.

De Minister-President stelt na enige verdere discussie voor, dat aan Dr. Van Rijen telefonisch twee punten zullen worden gevraagd; in de eerste plaats zal hem gevraagd worden of het wegvallen van de datum van 1 mei 1963 is overeengekomen dan wel een technische fout is. In de tweede plaats zal hem worden gevraagd wat ten aanzien van het hijsen van de vlaggen geregeld is.

Minister *Toxopeus* meent, dat de Raad - nu de tekst bekend is - ja of neen tegen de overeenkomst moet zeggen. Minister *Korthals* neemt aan, dat over de twee punten, die de Minister-President nog noemde nog inlichtingen gevraagd zullen worden, maar dat bij een bevredigd antwoord niet meer neen gezegd kan worden.

Minister *Luns* is van mening, dat hij een dergelijke overeenkomst, waarvan de tekst zoeven pas ontvangen is, moeilijk kan aanvaarden, maar spreker is bereid zich erbij neer te leggen.

Minister *Klompé* heeft in de vergadering van 13 augustus al gezegd, waarom zij ja gezegd heeft tegen deze overeenkomst.

Minister *Visser* zegt in de gegeven omstandigheden eveneens ja. Minister *Toxopeus* geeft - gezien de militaire overmacht en zijn overtuiging, dat een beroep op de Verenigde Naties niet tot een betere regeling voor de Papoea's zou leiden - eenzelfde antwoord.

De Ministers *Marijnen*, *Veldkamp*, *Van Aartsen*, *Zijlstra* en *Beerman* sluiten zich hierbij aan.

De Minister-President is evenals minister *Toxopeus* van oordeel, dat elk alternatief nadeliger is dan aanvaarding van deze overeenkomst. Gezien de grote militaire aanval, die Indonesië reeds enige tijd voorbereidt en die Nederland, zoals nu duidelijk is geworden, alleen zou

moeten afslaan, is de verdere uitvoering van het ontwikkelingsbeleid in Nieuw-Guinea waarvoor Nederland offers heeft gebracht, niet meer mogelijk. Spreker meent daarom, dat de Regering met spijt hierover de overeenkomst zal moeten aanvaarden. De *Raad* besluit aldus.

Minister *Luns* zou aan Dr. Van Roijen willen vragen in het concept voor de Nederlands-Indonesische resolutie voor de Algemene Vergadering van de VN de woorden 'by peaceful means' te schrappen, aangezien die woorden niet nodig zijn. De *Raad* ondersteunt de poging deze woorden eruit te schrappen.

(Kort voor half elf verlaten de Minister-President en de Ministers Luns en Toxopeus de vergadering om telefonisch aan Dr. Van Roijen de beslissing van de Ministerraad mede te delen.)

Minister *Luns* deelt mede, dat Dr. Van Roijen heeft bevestigd, dat door een fout bij het telegrafisch overbrengen de datum van 1 mei 1963 uit de tekst van de overeenkomst was weggevallen.

Minister *Toxopeus* constateert, dat de Raad met moeite de overeenkomst heeft aanvaard. Op papier is deze niet zo slecht, maar de Ministerraad wantrouwt de behoorlijke uitvoering door Indonesië. Naar buiten zullen de bewindslieden de overeenkomst niet toejuichen, maar deze ook niet als verwerpelijk moeten voorstellen. Wel zal men op de overmacht moeten wijzen. De Regering heeft afgezien van de demonstratie van de militaire overmacht van Indonesië; men mocht ook niet wensen, dat die zou komen. Men zal ook niet moeten stellen, dat dit een capitulatie is; Indonesië heeft met deze overeenkomst het externe zelfbeschikkingsrecht van de Papoea's erkend.

De *Minister-President* acht het juist, dat Minister Toxopeus dit stelt; vrijdag zal spreker dit nog verder willen bespreken. Minister *Zijlstra* zal er vrijdag niet zijn. Hij meent dat wat Minister Toxopeus zegt ook zijn instemming heeft. De benadering moet een sobere zijn, maar men moet de regeling ook niet in de grond trappen. Het hoofdmotief van de verdediging van de overeenkomst is, dat Indonesië het externe zelfbeschikkingsrecht van de Papoea's heeft erkend en dat de verantwoordelijkheid daarvoor is overgedragen aan de Verenigde Naties.

Minister *Visser* sluit zich hierbij aan; ook voor de nabestaanden van de gesneuvelden is dit van belang.

Minister *Korthals* zou de afloop ook weer niet te schoon willen zien. Minister *Luns* sluit zich aan bij Minister Korthals. Spreker heeft aan journalisten op hun vraag of de Regering geweten heeft wat in de ontwerpovereenkomst van Middleburg stond geantwoord, dat dit niet relevant is; de Regering heeft de Nederlandse onderhandelaars gedekt.

Minister *Zijlstra* verzoekt als aan de Verenigde Naties 10 mln. dollar voor hulp aan Nieuw-Guinea wordt aangeboden om dan Financiënen er van meet af aan bij te betrekken, zodat hij op de hoogte is.

Nummer - 736.

Bijlage

No. 6311

INDONESIA
and
NETHERLANDS

Agreement (with annex) concerning West New Guinea
(West Irian). Signed at the Headquarters of the
United Nations, New York, on 15 August 1962

Official text: English.

Registered on 21 September 1962 by the Secretariat acting on behalf of the Contracting Parties pursuant to paragraph 2 of article XXVIII of the Agreement.

No. 6311. AGREEMENT¹ BETWEEN THE REPUBLIC OF INDONESIA AND THE KINGDOM OF THE NETHERLANDS CONCERNING WEST NEW GUINEA (WEST IRIAN). SIGNED AT THE HEADQUARTERS OF THE UNITED NATIONS, NEW YORK, ON 15 AUGUST 1962

The Republic of Indonesia and the Kingdom of the Netherlands,
Having in mind the interests and welfare of the people of the territory of West New Guinea (West Irian) hereinafter referred to as "the territory",

Desirous of settling their dispute regarding the territory,

Now, therefore, agree as follows :

RATIFICATION OF AGREEMENT AND RESOLUTION OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS

Article I

After the present Agreement between Indonesia and the Netherlands has been signed and ratified by both Contracting Parties, Indonesia and the Netherlands will jointly sponsor a draft resolution in the United Nations under the terms of which the General Assembly of the United Nations takes note of the present Agreement, acknowledges the role conferred upon the Secretary-General of the United Nations therein, and authorizes him to carry out the tasks entrusted to him therein.

TRANSFER OF ADMINISTRATION

Article II

After the adoption of the resolution referred to in article I, the Netherlands will transfer administration of the territory to a United Nations Temporary Executive Authority (UNTEA) established by and under the jurisdiction of the Secretary-General upon the arrival of the United Nations Administrator appointed in accordance with article IV. The UNTEA will in turn transfer the administration to Indonesia in accordance with article XII.

¹ In accordance with article XXVIII, the Agreement came into force on 21 September 1962, the date of the adoption by the General Assembly of the resolution envisaged in article I of the Agreement (A/RES/1752 (XVII)). The instruments of ratification were exchanged on 20 September 1962 at the Headquarters of the United Nations, in accordance with article XXVII.

UNITED NATIONS ADMINISTRATION

Article III

In order to facilitate the transfer of administration to the UNTEA after the adoption of the resolution by the General Assembly, the Netherlands will invite the Secretary-General to send a representative to consult briefly with the Netherlands Governor of the territory prior to the latter's departure. The Netherlands Governor will depart prior to the arrival of the United Nations Administrator.

Article IV

A United Nations Administrator, acceptable to Indonesia and the Netherlands, will be appointed by the Secretary-General.

Article V

The United Nations Administrator, as chief executive officer of the UNTEA, will have full authority under the direction of the Secretary-General to administer the territory for the period of the UNTEA administration in accordance with the terms of the present Agreement.

Article VI

1. The United Nations flag will be flown during the period of United Nations administration.
2. With regard to the flying of the Indonesian and Netherlands flags, it is agreed that this matter will be determined by agreement between the Secretary-General and the respective Governments.

Article VII

The Secretary-General will provide the UNTEA with such security forces as the United Nations Administrator deems necessary; such forces will primarily supplement existing Papuan (West Irianese) police in the task of maintaining law and order. The Papuan Volunteer Corps, which on the arrival of the United Nations Administrator will cease being part of the Netherlands armed forces, and the Indonesian armed forces in the territory will be under the authority of, and at the disposal of, the Secretary-General for the same purpose. The United Nations Administrator will, to the extent feasible, use the Papuan (West Irianese) police as a United Nations security force to maintain law and order and, at his discretion, use Indonesian armed forces. The Netherlands armed forces will be repatriated as rapidly as possible and while still in the territory will be under the authority of the UNTEA.

Article VIII

The United Nations Administrator will send periodic reports to the Secretary-General on the principal aspects of the implementation of the present Agreement. The Secretary-General will submit full reports to Indonesia and the Netherlands and may submit, at his discretion, reports to the General Assembly or to all United Nations Members.

FIRST PHASE OF THE UNTEA ADMINISTRATION*Article IX*

The United Nations Administrator will replace as rapidly as possible top Netherlands officials as defined in annex A¹ with non-Netherlands, non-Indonesian officials during the first phase of the UNTEA administration which will be completed on 1 May 1963. The United Nations Administrator will be authorized to employ on a temporary basis all Netherlands officials other than top Netherlands officials defined in annex A, who wish to serve the UNTEA, in accordance with such terms and conditions as the Secretary-General may specify. As many Papuans (West Irianese) as possible will be brought into administrative and technical positions. To fill the remaining required posts, the UNTEA will have authority to employ personnel provided by Indonesia. Salary rates prevailing in the territory will be maintained.

Article X

Immediately after the transfer of administration to the UNTEA, the UNTEA will widely publicize and explain the terms of the present Agreement, and will inform the population concerning the transfer of administration to Indonesia and the provisions for the act of self-determination as set out in the present Agreement.

Article XI

To the extent that they are consistent with the letter and spirit of the present Agreement, existing laws and regulations will remain in effect. The UNTEA will have power to promulgate new laws and regulations or amend them within the spirit and framework of the present Agreement. The representative councils will be consulted prior to the issuance of new laws and regulations or the amendment of existing laws.

¹ See p. 288 of this volume.

SECOND PHASE

Article XII

The United Nations Administrator will have discretion to transfer all or part of the administration to Indonesia at any time after the first phase of the UNTEA administration. The UNTEA's authority will cease at the moment of transfer of full administrative control to Indonesia.

Article XIII

United Nations security forces will be replaced by Indonesian security forces after the first phase of the UNTEA administration. All United Nations security forces will be withdrawn upon the transfer of administration to Indonesia.

INDONESIAN ADMINISTRATION AND SELF-DETERMINATION

Article XIV

After the transfer of full administrative responsibility to Indonesia, Indonesian national laws and regulations will in principle be applicable in the territory, it being understood that they be consistent with the rights and freedoms guaranteed to the inhabitants under the terms of the present Agreement. New laws and regulations or amendments to the existing ones can be enacted within the spirit of the present Agreement. The representative councils will be consulted as appropriate.

Article XV

After the transfer of full administrative responsibility to Indonesia, the primary task of Indonesia will be further intensification of the education of the people, of the combating of illiteracy, and of the advancement of their social, cultural and economic development. Efforts also will be made in accordance with present Indonesian practice to accelerate the participation of the people in local government through periodic elections. Any aspects relating to the act of free choice will be governed by the terms of this Agreement.

Article XVI

At the time of the transfer of full administrative responsibility to Indonesia a number of United Nations experts, as deemed adequate by the Secretary-General after consultation with Indonesia, will be designated to remain wherever their duties require their presence. Their duties will, prior to the arrival of the United Nations Representative, who will participate at the appropriate time in the arrangements for self-determination, be limited to advising on and assisting in preparations for carrying out the provisions for self-determination

except in so far as Indonesia and the Secretary-General may agree upon their performing other expert functions. They will be responsible to the Secretary-General for the carrying out of their duties.

Article XVII

Indonesia will invite the Secretary-General to appoint a Representative who, together with a staff made up, *inter alia*, of experts referred to in article XVI, will carry out the Secretary-General's responsibilities to advise, assist and participate in arrangements which are the responsibility of Indonesia for the act of free choice. The Secretary-General will, at the proper time, appoint the United Nations Representative in order that he and his staff may assume their duties in the territory one year prior to the date of self-determination. Such additional staff as the United Nations Representative might feel necessary will be determined by the Secretary-General after consultations with Indonesia. The United Nations Representative and his staff will have the same freedom of movement as provided for the personnel referred to in article XVI.

Article XVIII

Indonesia will make arrangements, with the assistance and participation of the United Nations Representative and his staff, to give the people of the territory the opportunity to exercise freedom of choice. Such arrangements will include :

(a) Consultations (Musjawarah) with the representative councils on procedures and appropriate methods to be followed for ascertaining the freely expressed will of the population.

(b) The determination of the actual date of the exercise of free choice within the period established by the present Agreement.

(c) Formulation of the questions in such a way as to permit the inhabitants to decide (a) whether they wish to remain with Indonesia; or (b) whether they wish to sever their ties with Indonesia.

(d) The eligibility of all adults, male and female, not foreign nationals to participate in the act of self-determination to be carried out in accordance with international practice, who are resident at the time of the signing of the present Agreement and at the time of the act of self-determination, including those residents who departed after 1945 and who return to the territory to resume residence after the termination of Netherlands administration.

Article XIX

The United Nations Representative will report to the Secretary-General on the arrangements arrived at for freedom of choice.

Article XX

The act of self-determination will be completed before the end of 1969.

Article XXI

1. After the exercise of the right of self-determination, Indonesia and the United Nations Representative will submit final reports to the Secretary-General who will report to the General Assembly on the conduct of the act of self-determination and the results thereof.
2. The Parties to the present Agreement will recognize and abide by the results of the act of self-determination.

RIGHTS OF THE INHABITANTS*Article XXII*

1. The UNTEA and Indonesia will guarantee fully the rights, including the rights of free speech, freedom of movement and of assembly, of the inhabitants of the area. These rights will include the existing rights of the inhabitants of the territory at the time of the transfer of administration to the UNTEA.
2. The UNTEA will take over existing Netherlands commitments in respect of concessions and property rights.
3. After Indonesia has taken over the administration it will honour those commitments which are not inconsistent with the interests and economic development of the people of the territory. A joint Indonesian-Netherlands commission will be set up after the transfer of administration to Indonesia to study the nature of the above-mentioned concessions and property rights.
4. During the period of the UNTEA administration there will be freedom of movements for civilians of Indonesian and Netherlands nationalities to and from the territory.

Article XXIII

Vacancies in the representative councils caused by the departure of Netherlands nationals, or for other reasons, will be filled as appropriate consistent with existing legislation by elections, or by appointment by the UNTEA. The representative councils will be consulted prior to the appointment of new representatives.

FINANCIAL MATTERS*Article XXIV*

1. Deficits in the budget of the territory during the UNTEA administration will be shared equally by Indonesia and the Netherlands.

2. Indonesia and the Netherlands will be consulted by the Secretary-General in the preparation of the UNTEA budget and other financial matters relating to United Nations responsibilities under the present Agreement; however, the Secretary-General will have the final decision.

3. The Parties to the present Agreement will reimburse the Secretary-General for all costs incurred by the United Nations under the present Agreement and will make available suitable funds in advance for the discharge of the Secretary-General's responsibilities. The Parties to the present Agreement will share on an equal basis the costs of such reimbursements and advances.

PREVIOUS TREATIES AND AGREEMENT

Article XXV

The present Agreement will take precedence over any previous agreement on the territory. Previous treaties and agreements regarding the territory may therefore be terminated or adjusted as necessary to conform to the terms of the present Agreement.

PRIVILEGES AND IMMUNITIES

Article XXVI

For the purposes of the present Agreement, Indonesia and the Netherlands will apply to United Nations property, funds, assets and officials the provisions of the Convention on the Privileges and Immunities of the United Nations.¹ In particular, the United Nations Administrator, appointed pursuant to article IV, and the United Nations Representative, appointed pursuant to article XVII, will enjoy the privileges and immunities specified in section 19 of the Convention on the Privileges and Immunities of the United Nations.

RATIFICATION

Article XXVII

1. The present Agreement will be ratified in accordance with the constitutional procedures of the Contracting Parties.
2. The instruments of ratification will be exchanged as soon as possible at the Headquarters of the United Nations by the accredited representatives of the Contracting Parties.
3. The Secretary-General will draw up a *procès-verbal* of the exchange of the instruments of ratification and will furnish a certified copy thereof to each Contracting Party.

¹ See footnote 1, p. 331 of this volume.

ENTRY INTO FORCE

Article XXVIII

1. The present Agreement will enter into force upon the date of the adoption by the General Assembly of the resolution referred to in article I of the present Agreement.
2. Upon the entry into force of the present Agreement, the Secretary-General of the United Nations will register it in accordance with Article 102 of the Charter.

AUTHENTIC TEXT

Article XXIX

The authentic text of the present Agreement is drawn up in the English language. Translations in the Indonesian and Netherlands languages will be exchanged between the Contracting Parties.

IN WITNESS WHEREOF the undersigned plenipotentiaries, being duly authorized for that purpose by their respective Governments, have signed the present Agreement.

DONE at the Headquarters of the United Nations, New York, on this fifteenth day of August 1962, in three identical copies, of which one shall be deposited with the Secretary-General and one shall be furnished to the Government of each of the Contracting Parties.

For the Republic
of Indonesia :

(Signed) SUBANDRIO

For the Kingdom
of the Netherlands :

(Signed) J. H. VAN ROIJEN

(Signed) C. SCHURMANN

ANNEX A TO THE AGREEMENT

Top Netherlands officials to be replaced as rapidly as possible with non-Netherlands, non-Indonesian officials.

I. *Government*

| | |
|------------------------------------|---|
| Head Government Information Bureau | 1 |
| Head Popular Information Service | 1 |

II. *Department of Internal Affairs*

| | |
|---|---|
| Director | 1 |
| Divisional Commissioners ("Residenten") | 6 |

| | | |
|-------|---|----|
| 1. | Hollandia | |
| 2. | Biak | |
| 3. | Manokwari | |
| 4. | Fakfak | |
| 5. | Merauke | |
| 6. | Central Highlands. | |
| | Administrative Head of the General Police | 1 |
| III. | <i>Department of Finance</i> | |
| | Director | 1 |
| IV. | <i>Department of Social Affairs and Justice</i> | |
| | Director | 1 |
| V. | <i>Department of Public Health</i> | |
| | Director | 1 |
| VI. | <i>Department of Cultural Affairs (including Education)</i> | |
| | Director | 1 |
| | Head Broadcasting System | 1 |
| VII. | <i>Department of Economic Affairs</i> | |
| | Director | 1 |
| VIII. | <i>Department of Transport and Power</i> | |
| | Director | 1 |
| IX. | <i>Department of Public Works</i> | |
| | Director | 1 |
| | TOTAL | 18 |

No. 6312

UNITED NATIONS
and
INDONESIA AND NETHERLANDS

Understandings relating to the Agreement of 15 August 1962 between the Republic of Indonesia and the Kingdom of the Netherlands concerning West New Guinea (West Irian), all dated at New York on 15 August 1962:

- I. Exchange of letters (with annexed memorandum of understanding) on cessation of hostilities;
- II. Memorandum of understanding and related letters on certain financial matters during the period of administration of West New Guinea (West Irian) by the United Nations Temporary Executive Authority (UNTEA);
- III. Exchange of letters concerning the issue of passports and consular protection during the administration of West New Guinea (West Irian) by the United Nations Temporary Executive Authority (UNTEA);
- IV. Two aide-memoires concerning the modalities of the transfer of authority over West New Guinea (West Irian)

Official text: English.

Registered ex officio on 21 September 1962.

No. 6312. UNDERSTANDINGS¹ BETWEEN THE UNITED NATIONS AND INDONESIA AND THE NETHERLANDS RELATING TO THE AGREEMENT OF 15 AUGUST 1962² BETWEEN THE REPUBLIC OF INDONESIA AND THE KINGDOM OF THE NETHERLANDS CONCERNING WEST NEW GUINEA (WEST IRIAN), ALL DATED AT NEW YORK ON 15 AUGUST 1962

I

EXCHANGE OF LETTERS (WITH ANNEXED MEMORANDUM OF UNDERSTANDING) ON CESSATION OF HOSTILITIES

Letter from the Representative of Indonesia and the Representatives of the Netherlands to the Acting Secretary-General

15 August 1962

Sir,

On behalf of our respective Governments, on the occasion of the signature of the Agreement between the Republic of Indonesia and the Kingdom of the Netherlands concerning West New Guinea (West Irian),³ we have the honour to bring to your attention the Memorandum of Understanding arrived at between our Governments concerning the cessation of hostilities in West New Guinea (West Irian), the signed original of which is contained in annex A³ to this note.

In bringing the annexed Memorandum of Understanding to your attention we have the honour to request, on behalf of our respective Governments, that you indicate your willingness to undertake as an extraordinary measure the functions conferred upon the Secretary-General in it in order to give the earliest possible effect to the cessation of hostilities, reserving your right to report to the General Assembly of the United Nations at the appropriate time. Our respective Governments have in mind, in making this request, the urgent necessity for your assistance and that of United Nations personnel in implementing the agreement on cessation of hostilities.

The Memorandum of Understanding sets out the agreement arrived at between our respective Governments that our Governments will, on an equal basis, meet all costs incurred by you in carrying out your responsibilities under

¹ Came into force on 15 August 1962 upon signature.

² See p. 273 of this volume.

³ See p. 296 of this volume.

the Memorandum. To this end, our Governments have agreed to make available in advance such sums as you may deem necessary.

Accept, Sir, the assurances of our highest consideration.

(*Signed*) SUBANDRIO
Representative of Indonesia

(*Signed* J. H. VAN ROIJEN
Representative of the Netherlands

(*Signed*) C. SCHURMANN
Representative of the Netherlands

ANNEX A

MEMORANDUM OF UNDERSTANDING ON CESSATION OF HOSTILITIES CONSTITUTING AN AGREEMENT BETWEEN THE REPUBLIC OF INDONESIA AND THE KINGDOM OF THE NETHERLANDS

1. Cessation of hostilities in West New Guinea (West Irian), hereinafter referred to as "the territory", is to take place at 0001 GMT on Saturday 18 August 1962. As from that moment the following rules will be observed :
 - (a) Cease fire by both parties.
 - (b) Indonesia and the Netherlands will not reinforce their military forces in the territory nor resupply them with military matériel.
 - (c) The Secretary-General of the United Nations will assign United Nations personnel (i) to observe the implementation of this agreement and (ii) in particular to take necessary steps for the prevention of any acts endangering the security of forces of both parties to this agreement.
 - (d) Any incidents that might occur will be immediately reported by the party concerned to the United Nations personnel in order that they may take the necessary measures to restore the situation in consultation with both parties.
2. The cessation of hostilities will be communicated to the Netherlands and Indonesian armed forces by the following means :
 - (a) Messages transmitted through Indonesian and Netherlands radio-stations and via other means of communication.
 - (b) The dropping of leaflets in the areas concerned in accordance with the provisions of paragraph 3 hereof.
3. In order to overcome the special difficulties in communicating the cease fire to Indonesian forces in the territory, prearranged flights will be carried out by Indonesian aircraft, with the purpose of dropping leaflets on which a text approved by the Secretary-General will be printed. The Indonesian authorities agree to enable the distribution of this pamphlet to isolated posts as soon as possible and not later than a fortnight from the

cessation of hostilities. On these flights United Nations personnel will be on board to report, in advance and after the flight, on the time and the route of the flight and the areas of dropping leaflets.

4. To facilitate resupply of Indonesian troops in the territory and in order that they may be under the authority of and at the disposal of the Secretary-General at the appropriate time, Indonesia will make the necessary arrangements with regard to their location in selected areas, in agreement with the Secretary-General. The Secretary-General will act in consultation herein with the Netherlands Administrative Authorities.

5. The resupply of non-military matériel to the Indonesian armed forces in the territory will be effected by the United Nations personnel in co-operation with Indonesian and Netherlands authorities. United Nations personnel may use one or two unarmed Indonesian vessels for transport to one or more ports agreeable to the Netherlands authorities. Air supply will be carried out under the direction of the United Nations personnel in United Nations aircraft.

6. With a view to carrying out the arrangements mentioned under paragraphs 3, 4 and 5 hereof, a United Nations liaison and an Indonesian liaison, each consisting of three officers, will be established at a Netherlands forces headquarters in the territory. Military liaison officers will be included in the Permanent Missions to the United Nations of the Netherlands and Indonesia for liaison with the Secretary-General's Office.

7. As soon as possible after the adoption by the General Assembly of the United Nations of the resolution referred to in article I of the Agreement between the Republic of Indonesia and the Kingdom of the Netherlands concerning West New Guinea (West Irian), and not later than 1 October 1962, a United Nations security force including an infantry battalion with ancillary arms and services will be placed by the Secretary-General at the disposal of the United Nations Temporary Executive Authority (UNTEA) in the territory to primarily supplement the existing Papuan Police in the task of maintaining law and order.

8. The Netherlands will make arrangements through the intermediary of the Secretary-General to repatriate Indonesian prisoners as soon as possible after the signing of the Agreement between the Republic of Indonesia and the Kingdom of the Netherlands concerning West New Guinea (West Irian).

9. Indonesia and the Netherlands will jointly request the Secretary-General to undertake the functions conferred on him in this agreement.

10. Indonesia and the Netherlands will share on an equal basis all costs incurred by the Secretary-General under this agreement, and will make available in advance such sums as he deems necessary.

Done on this fifteenth day of August 1962.

For the Republic of Indonesia :

(Signed) SUBANDRIO

For the Kingdom of the Netherlands :

(Signed) J. H. VAN ROIJEN

(Signed) C. SCHURMANN

*Identical letters from the Acting Secretary-General to the Representative of Indonesia
and to the Representatives of the Netherlands*

15 August 1962

Sir,
Sirs,

I have the honour to acknowledge the receipt of the note of today's date addressed to me by the Representative of the Republic of Indonesia and the Representatives of the Kingdom of the Netherlands, concerning the cessation of hostilities in West New Guinea (West Irian), reading as follows:

[See p. 294]

In reply I have the honour to inform you that, subject to the terms and conditions of the note under reference, I am prepared to undertake the responsibilities specified in that note and its related annex.

Accept, Sir, Sirs, the assurances of my highest consideration.

(Signed) U THANT
Acting Secretary-General

II

MEMORANDUM OF UNDERSTANDING AND RELATED LETTERS
ON CERTAIN FINANCIAL MATTERS DURING THE PERIOD
OF ADMINISTRATION OF WEST NEW GUINEA (WEST IRIAN)
BY THE UNITED NATIONS TEMPORARY EXECUTIVE AU-
THORITY (UNTEA)

1. With the view to preparing the budget for the period of administration of the territory of West New Guinea (West Irian) by the United Nations Temporary Executive Authority (UNTEA) in accordance with article XXIV of the Agreement between the Republic of Indonesia and the Kingdom of the Netherlands concerning West New Guinea (West Irian),¹ a committee will be set up as soon as possible consisting of representatives of the Secretary-General of the United Nations, the Government of the Republic of Indonesia and the Government of the Kingdom of the Netherlands in order to collect the necessary information and to make appropriate recommendations to the Secretary-General. The committee will make recommendations to the Secretary-General concerning the amount to be placed at the disposal of the United Nations Administrator by the Netherlands and the Indonesian Governments at the beginning of the UNTEA period.

¹ See p. 273 of this volume.

2. In establishing the budget for the UNTEA period, the United Nations Administrator will make his calculations on the basis of a rate of exchange for the New Guinea guilder at US \$1.00-N.G. fl. 3.62.

DONE this fifteenth day of August 1962 in three original copies.

For the Republic of Indonesia : For the Kingdom of the Netherlands :

(Signed) SUBANDRIO

(Signed) J. H. VAN ROIJEN

(Signed) C. SCHURMANN

*Identical letters from the Acting Secretary-General to the Representative of Indonesia
and to the Representatives of the Netherlands*

15 August 1962

Sir,
(Sirs.)

I have the honour to refer to the discussions that took place on 13 and 14 August 1962 at the United Nations Headquarters between representatives of the Government of Indonesia, the Government of the Netherlands and the Secretariat concerning certain financial arrangements which are envisaged in connexion with the United Nations Administration of West New Guinea (West Irian).

In response to the request of the representatives of the two Governments these arrangements are set forth below.

The Secretary-General will prepare, in consultation with the two Governments, a budget covering the total anticipated costs involved in its administration of the Territory, and will request the two Governments to make advance of funds in such currencies and at such time(s) as may be required to cover the anticipated costs.

The funds made available by the Governments to the Organization will be treated as "trust funds" in accordance with United Nations financial regulations 6.6 and 6.7 and will be administered in accordance with the established United Nations financial regulations and rules relating to trust funds, reserve and special accounts, and, in particular, United Nations financial regulations 10.1 (d), 10.2 and 11.3 relating to the arrangements in respect of (a) the maintenance of an internal financial control to provide for an effective current examination and/or review of financial transactions in order to ensure the regularity of the receipt, custody and disposal of the funds, the conformity of obligations and expenditures with the purposes and rules relating to the trust funds, and the economic use of these resources; (b) providing that no obligations shall be incurred until allotments or other appropriate authorizations have been made in writing under the authority of the Secretary-General and (c) maintaining a separate special account for all funds received in trust from the Governments.

As soon as possible after the termination of the United Nations responsibility for administration of the Territory an audited statement of the income and expenditures arising from and in connexion with its administration of the Territory will be rendered to the two Governments, and any balance of funds in the trust fund that are not required to cover commitments entered into by the Organization in this connexion will be refunded in equal shares to the two Governments.

If, after preparation of the initial budget, unforeseen developments should occur giving rise to the need for additional funds from the two Governments, the Secretary-General would prepare a supplemental budget in consultation with the two Governments, and request such additional deposits in the trust fund as would be required.

It may be anticipated that the budget estimates would consist of two major parts, the first relating to what may be described as the normal territorial operations and accounts, and the second relating to expenses to be incurred by the United Nations for staff and other costs (salaries, United Nations pension contributions, insurance, travel expenses, communications costs, etc.) which may not be dealt with appropriately as part of the normal territorial operations. The second part of the budget would also include the costs of any security personnel that might be required and for which no provision has been made in the existing budget for the Territory.

It is my understanding that the representatives of the two Governments participating in the discussions expressed agreement with the arrangements set forth above, but I would be pleased to have you advise me of your Government's concurrence regarding them.

Accept, Sir, (Sirs) the assurances of my highest consideration.

(Signed) U THANT
Acting Secretary-General

III

EXCHANGE OF LETTERS CONCERNING THE ISSUE OF PASSPORTS AND CONSULAR PROTECTION DURING THE ADMINISTRA- TION OF WEST NEW GUINEA (WEST IRIAN) BY THE UNITED NATIONS TEMPORARY EXECUTIVE AUTHORITY (UNTEA)

*Letter from the Representative of Indonesia and the Representatives of the
Netherlands to the Acting Secretary-General*

15 August 1962

Sir,

On behalf of our respective Governments, on the occasion of the signature of the Agreement between the Republic of Indonesia and the Kingdom of the

Netherlands concerning West New Guinea (West Irian),¹ we have the honour to bring to your attention the following agreement arrived at between our Governments and hereby placed on record, concerning the issue of passports and consular protection during the period of the administration by the United Nations Temporary Executive Authority (UNTEA) provided for in the aforesaid Agreement :

“ 1. The UNTEA shall have the authority at its discretion to issue travel documents to Papuans (West Irianese) applying therefor without prejudice to their right to apply for Indonesian passports instead;

“ 2. The Governments of Indonesia and of the Netherlands shall at the request of the Secretary-General furnish consular assistance and protection abroad to Papuans (West Irianese) carrying the travel documents mentioned in the previous paragraph, it being for the person concerned to determine to which consular authority he should apply.”

Should the above be acceptable to you, we have the honour further to propose that the note and your reply to the above effect shall be regarded as constituting and placing upon record the agreement reached in his matter.

Accept, Sir, the assurances of our highest consideration.

(Signed) SUBANDRIO
Representative of Indonesia

(Signed) J. H. VAN ROIJEN
Representative of the Netherlands

(Signed) C. SCHURMANN
Representative of the Netherlands

Identical letters from the Acting Secretary-General to the Representative of Indonesia and to the Representatives of the Netherlands

15 August 1962

Sir,
(Sirs.)

I have the honour to acknowledge the receipt of the note of today's date addressed to me by the representatives of the Republic of Indonesia and the Kingdom of the Netherlands, concerning the issue of passports and consular protection during the period of the administration by the United Nations Temporary Executive Authority (UNTEA) of the territory of West New Guinea (West Irian), and reading as follows :

[See p. 304]

¹ See p. 273 of this volume.

In reply I have the honour to inform you that I am prepared to instruct the UNTEA, when it is established as provided for in the Agreement between the Republic of Indonesia and the Kingdom of the Netherlands concerning West New Guinea (West Irian), to undertake the function referred to in the note under reference. I would like to take this occasion to request your Government to undertake consular assistance and protection abroad to Papuans (West Irianese) as provided in paragraph No. 2 of the note under reference.

This note and your note under reference shall be regarded as constituting and placing on record the agreement reached in this matter.

Accept, Sir, (Sirs) the assurances of my highest consideration.

(Signed) U THANT
Acting Secretary-General

Letter from the Representative of Indonesia to the Acting Secretary-General

15 August 1962

Sir,

I have the honour to acknowledge the receipt of your note of today's date, indicating your willingness to undertake certain functions concerning issue of passports during the period of the administration by the United Nations Temporary Executive Authority (UNTEA) of the territory of West New Guinea (West Irian) and requesting my Government to undertake consular assistance and protection abroad to Papuans (West Irianese) requesting such assistance and protection during the period of the UNTEA Administration. I have the honour to inform you that my Government will undertake such consular assistance and protection.

Accept, Sir, the assurances of my highest consideration.

(Signed) SUBANDRIO
Representative of Indonesia

Letter from the Representatives of the Netherlands to the Acting Secretary-General

15 August 1962

Sir,

We have the honour to acknowledge the receipt of your note of today's date, indicating your willingness to undertake certain functions concerning issue of passports during the period of the administration by the United Nations Temporary Executive Authority (UNTEA) of the territory of West New Guinea (West Irian) and requesting our Government to undertake consular assistance

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and protection abroad to Papuans (West Irianese) requesting such assistance and protection during the period of the UNTEA Administration.

We have the honour to inform you that our Government will undertake such consular assistance and protection.

Accept, Sir, the assurances of our highest consideration.

(Signed) J. H. VAN ROIJEN
Representative of the Netherlands

(Signed) C. SCHURMANN
Representative of the Netherlands

IV

TWO AIDE-MÉMOIRES CONCERNING THE MODALITIES OF THE TRANSFER OF AUTHORITY OVER WEST NEW GUINEA (WEST IRIAN)

Aide-mémoire from the Acting Secretary-General handed to the Representative of Indonesia

1. The authority of the Government of the Netherlands over the territory will be terminated when the Special Representative of the Secretary-General takes charge. On the same day the United Nations flag will be hoisted.
2. From the same date the withdrawal and repatriation of the armed forces of the Netherlands will begin under the supervision of the Secretary-General's Special Representative and will be concluded as soon as possible.
3. On 31 December 1962 the Netherlands flag will be struck, and the Indonesian flag will be hoisted side by side with the United Nations flag.
4. The transfer of authority to Indonesia will be effected as soon as possible after 1 May 1963.

15 August 1962

Aide-mémoire from the Acting Secretary-General handed to the Representatives of the Netherlands

1. The authority of the Government of the Netherlands over the territory will be terminated when the Special Representative of the Secretary-General takes charge. On the same day the United Nations flag will be hoisted.
2. From the same date the withdrawal and repatriation of the armed forces of the Netherlands will begin under the supervision of the Secretary-General's Special Representative and will be concluded as soon as possible.

3. On the day of the transfer of authority to the United Nations, the Netherlands flag will be hoisted side by side with the United Nations flag, and it will fly until 31 December 1962.
4. The transfer of authority to Indonesia will be effected as soon as possible after 1 May 1963.

15 August 1962
