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REFERENTIE No.
1610
INFORMATIECOPIE:
z, dbi, -/az dbi/pi, -/ef doa/op deu/be dio, -/pz

MINISTERIE VAN BUITENLANDSE ZAKEN

Copie No. 19

AFDELING VERBINDINGEN

'S-GRAVENHAGE, Lange Houtstraat 28
TEL. Nos: 180309; 184000-284

VERZONDEN CODEBERICHT

DATUM VAN VERZENDING:

24 februari 1956

AFKOMSTIG VAN:

min. v. b.z.

Dir./Afd.:	dbi/pl
Visie:	
Ag. No:	
Dossier:	

MINUUT GEPARAFEERD DOOR:

zs/z/s/t

BESTEMD VOOR: 1) washington
per koerier aan: 2) canberra, 3) brussel

PARAAF:

confi

voor washington, canberra, brussel.

wij hebben besloten de landen, welke lid zijn van de unci, formeel op de hoogte te stellen van de unilaterale verbreking van de rtc-overeenkomsten door indonesia. wij verzoeken u daartoe de hierbijgaande nota in te dienen na toevoeging uwerzijds van de gebruikelijk aanhef en slotformule. de bijlagen zijn u bekend.

alleen voor washington.

teneinde te bereiken, dat in canberra en door u dezelfde tekst wordt gebruikt is de nota in het engels gesteld. gezien toezending aan canberra plaats heeft per koerier kunt u eventuele suggesties tot wijziging nog te onzer kennis brengen, welke wij dan na overweging telegrafisch aan canberra kunnen doorgeven.

alleen voor brussel.

u treft hierbij aan naast de door u te gebruiken nederlandse tekst de engelse zoals deze in washington en canberra zal worden ingediend. desgewenst kunt u deze met toelichting bij de indiening bijvoegen.

beyen/luns 1) 388.
2) 78.
3) 45.

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bestemd voor washington, canberra, brussel.

concept van een nota voor de
unci-landen.

quo puntje puntje puntje that the government of the republic of indonesia by notes of fourteenth and twentyfirst inst has given notice of its decision to withdraw from the netherlands indonesian union and of the fact that cma as from the last mentioned date cma it does no longer consider itself bound by the union statute and all the agreements and ekschanges of letters attached to it stp these agreements and ekschanges of letters have been declared void by the government of the republic of indonesia as from the same date stp

an english translation of the substance of these notes is attached hereto hk appendiks one and two slthk stp

as the government of puntje puntje puntje cma also on account of its membership of the united nations commission for indonesia cma will realise the afore mentioned agreements cma registered with the secretariat of the united nations on fourteenth august nineteen hundred and fifty cma were concluded as the result of the round table conference held in nineteen hundred and fourty nine with the valuable assistance of this commission stp

with regard to this round table conference the united nations commission for indonesia reported in a special report to the president of the security council on eight november nineteen hundred and fourty nine that the negotiations during this conference had been eminently succesful stp the committee in this report also ekspressed confidence that the new relationship between the peoples of the netherlands and indonesia would evolve to the mutual advantage of the partners of the netherlands indonesian union hk documents security council s strp fourteen hundred and seventeen slthk stp the government of the kingdom of the netherlands regrets having to record that this confidence of the united nations commission for indonesia has proved unjustified stp

even in the same year hk nineteen hundred and fiftyone slthk that the commission decided to adjourn sine die hk documents security council s two thousand eightyseven slthk serious objections were heard from

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indonesian quarters against a continuation of the union relationship stp not only did these quarters consider the union as a superfluous and unworkable institution cma it was also viewed as an obstruction in the way of good relations with the netherlands stp

though not sharing the indonesian objections and denying their factual validity cma the netherlands government has taken the view that there seemed no point in insisting on the continuation of a relationship that could only be fruitful if both parties were prepared to support it stp

the netherlands government therefore has three times agreed to netherlands indonesian negotiations as to how cma on a bilateral basis cma relations could be improved by finding a satisfactory solution for ending the union relationship not wanted by indonesia stp

the netherlands government in these negotiations has never requested preferential treatment for netherlands interests in indonesia but has always accepted that most favourite nations treatment would be sufficient stp

the subject was first studied during conversations that took place in the months of january and february nineteenhundred and fiftytwo at the hague between a netherlands committee headed by two state secretaries and an indonesian mission headed by an ambassador stp these discussions cma covering the whole field of netherlands indonesian relations cma came abruptly to an end as the result of a cabinet crisis in indonesia leading to the recall of the indonesian mission stp

in the spring of nineteenhundred and fiftyfour the indonesian government renewed its request that the netherlands government be prepared to take part in discussions on abolition of the union stp these discussions took place between a netherlands delegation and an indonesian delegation headed by the respective ministers of foreign affairs stp they led to the signing by these ministers on behalf of their governments of a protocol with annexed exchange of letters stp

in these agreements the netherlands indonesian union was dissolved and the consequences thereof were regulated stp both parties accepted f i an arrangement for the arbitration of legal disputes giving parties two alternative possibilities cma namely voluntary arbitration or the judgement of the international court stp these agreements have not so far been ratified

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as the indonesian parliament could not come to a decision on this point stp

in december nineteenhundred and fiftyfive indonesia once more requested a conference to review netherlands indonesian relations stp the netherlands government agreed in conformity with the attitude it had consistently taken stp this conference which took place between tenth december nineteenhundred and fiftyfive and eleventh february nineteenhundred fiftysix at the hague and at geneva cma has not succeeded in reaching positive agreement as the delegations encountered a dissension which has proved irreconcilable for the present cma concerning the drafting of an arrangement for the settlement of disputes stp

during this conference it became clear that the new indonesian government cma that had come into office in august nineteenhundred and fiftyfive cma found itself consistently menaced by internal dissensions in indonesia stp in these circumstances the indonesian delegation was denied any freedom of action and had to maintain its refusal to accept an arbitration arrangement as had been concluded in the protocol signed by both countries on tenth august nineteen hundred and fiftyfour stp the netherlands government cma wishing to meet the indonesian objections as far as possible cma was willing to discuss other possibilities provided only that it would somehow be accepted that legal disputes between both countries could effectively be brought to a solution stp

that these discussions nevertheless did not result in agreement is a consequence of the fact that indonesia hk as its prime minister has declared publicly slthk considered unacceptable on account of its sovereignty any arrangement which would give one of the countries the possibility to put the decision of a legal dispute into the hands of an impartial third party stp

referring to these negotiations indonesia now withdraws from the agreements solemnly concluded in nineteen hundred and fourtynine with the assistance of the united nations and despite the fact that the netherlands were ready to replace these agreements by others in consultation with indonesia stp

the government of the kingdom of the netherlands naturally considers this a very serious matter and has therefore immediately informed the secretary general of the united nations with the request to pass this information to the members of that organisation

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stp the netherlands government nevertheless considers it desirable to bring this fact independently to the notice of the government of those countries whose representatives in the united nations commission for indonesia have at the time contributed so much to the establishment of a new relationship between the netherlands and indonesia cma a relationship that is now being ended unilaterally by indonesia contrary to the principles of international law stp unquo

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