

Restricted

Conference on Indonesia

Documents

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PART I

MEMORANDUM

[NOTE.—This Memorandum is designed to give in brief outline a description of events in Indonesia leading up to the present situation. A selection of documents on the subject is appended.]

The Republic of Indonesia formally came into being on August 17, 1945, when, on the surrender of Japan, it issued a Declaration of Independence. The Republic soon came into collision with the Allied forces in Java and Sumatra which subsequently arrived with the object of liberating Allied prisoners, evacuating Japanese troops and re-establishing Dutch sovereignty in Indonesia. It became apparent that none of these objects could be achieved, and that peace and order could not be restored in Indonesia, without cooperation with the Republic which was then in full control of the islands of Java, Sumatra and Madura and enjoyed powerful support in other parts of the Netherlands East Indies.

2. There followed a period of protracted negotiations, under British auspices, which culminated in the conclusion, on March 25, 1947, of the *Linggadjaati Agreement. In this Agreement the Government of the Netherlands recognised the Government of the Republic as exercising *de facto* authority over Java, Sumatra and Madura, and provision was made for the establishment of a federal State to be known as the United States of Indonesia. The Republic was to be one of the constituent units of the United States of Indonesia, which was to be associated with the Netherlands in a Netherlands-Indonesian Union owing allegiance to the Dutch Crown. It was stipulated that the parties would endeavour to establish the United States of Indonesia and the Netherland-Indonesian Union before January 1, 1949. By entering into this Agreement with the Republican Government, the Dutch accorded it *de facto* recognition. Similar recognition was subsequently accorded by certain other Governments, and two Governments are understood to have accorded *de jure* recognition to the Republic. Hopes that this Agreement would result in a settlement on the basis of the satisfaction of the political aspirations of the whole of the Indonesian people were not realised. Disputes arose between the Netherlands and the Republic on the interpretation of various Articles of the Agreement, and from time to time a breach of the peace appeared to be imminent. By July 1947, however, there remained only one major point of difference between the parties: namely, the policing of the territory controlled by the Republic. The Dutch proposed that this territory should have a joint Dutch-Indonesian police force, whereas the Republic insisted on having its own police in its territory.

3. While these discussions were proceeding the Dutch amassed strong military forces in Indonesia and, despite urgent appeals from other interested Powers to abstain from the use of force, launched a large-scale offensive against the Republic without warning at midnight on July 20/21, 1947. This occurred while a Republican delegation was still in Batavia for negotiations. Republican leaders who happened to be in Batavia were placed under restraint and prevented from communicating with their Government. These operations, described by the Dutch as "police action", were undertaken in disregard of Article XVII of the Linggadjaati Agreement which provided for the settlement of disputes by arbitration where direct consultation between the parties had failed. This action resulted in the denial to the Dutch by certain Governments of transit facilities for military aircraft and for military stores and personnel.

4. Pointing out that the outbreak of hostilities in Indonesia constituted a threat to world peace the Governments of India and Australia, in communications† dated July 30, 1947, invited the Security Council to take immediate action under the Charter of the United Nations to put an end

* p. 9, Vol. I, Part I.

† pp. 12, 13, Vol. I, Part I.

to the fighting. The Security Council in a *Resolution passed on August 1, called upon the parties to cease hostilities forthwith and to settle their dispute by peaceful means. They were to keep the Council informed of progress made in this direction. By a †Resolution of August 25, the Council established a Commission consisting of the Consular Representatives of those members of the Security Council which had posts in Batavia (*i.e.* Australia, Belgium, China, France, the U. K. and the U. S. A.) to observe and report upon the implementation of the "cease-fire" orders issued in pursuance of the Resolution of August 1. A further ‡Resolution, of August 26, established a Committee of Good Offices consisting of three Members of the Council, one member of the Committee being chosen by each of the parties and the two so selected nominating the third. The Committee consisted of the representatives of Australia (nominated by the Republic), Belgium (nominated by the Netherlands) and the U. S. A. (selected by Australia and Belgium). These attempts did not lead to an immediate cessation of hostilities. Eventually, however, an uneasy stability was achieved, with the respective forces on either side of what is known as the *Status Quo* Line, marking their positions roughly as they stood on August 29, 1947.

5. Political discussions between the parties proceeded under the auspices of the Good Offices Committee and eventually, on January 17, 1948, a truce agreement (known as the "Renville Agreement"§) was signed on board the USS Renville. Appended to it were two sets of "Principles" forming an agreed basis for a political settlement. Discussions as to the implementation of this Agreement continued, but at the same time the Dutch proceeded vigorously with the establishment of non-Republican States with the object of including them in the projected United States of Indonesia on an equal footing with the Republic. They called a conference of representatives of these States at Bandoeng to discuss arrangements for the establishment of the proposed federal State, thus giving the Republican Government the impression that a deliberate attempt was being made to circumvent it. Additional causes of friction, other than political disagreement, arose from alleged breaches of the truce by the forces of the two parties and by the imposition by the Dutch of stringent control over the passage of goods and persons to and from Republican territory; these difficulties persisted throughout the period of negotiations.—

6. In an effort to break the political deadlock, the United States and Australian representatives on the Committee, Mr. DuBois and Mr. Critchley, formulated proposals|| for an overall political agreement and for interim arrangements to be put into effect in Indonesia pending a long-term settlement. These proposals did not receive the concurrence of the Belgian representative on the Committee but they were confidentially submitted by their authors to the Dutch and the Republican delegations as a basis for the revival of discussions. The Republic agreed that these proposals might be discussed; but the Dutch alleged that the substance of the proposals had improperly been published in the foreign press and, after consultation with the Hague, declined to continue political discussions under the auspices of the Committee. They refused also to allow the DuBois-Critchley proposals to be placed on the Committee's agenda. The effect of this decision was that from May 1948 onwards there were no formal political discussions under the Committee's aegis, although, as related below, direct conversations between the parties took place later.

7. In these circumstances, tension increased considerably; allegations of breaches of the truce multiplied and negotiations on economic issues, which continued through the Committee's organs, made no progress. In September 1948 Mr. Cochran, who had succeeded Mr. DuBois as the United States representative on the Committee of Good Offices, submitted a fresh plan¶ which followed generally the DuBois-Critchley proposals. It was put forward with the object of persuading the Dutch to sit again in

* p. 13, Vol. I, Part I.
§ p. 14, " "

† p. 13, Vol. I, Part I.
|| p. 1, Vol. II.

‡ p. 13, Vol. I, Part I.
¶ p. 12, Vol. II.

conference with the representatives of the Republic. Each party suggested amendments to the plan, those of the Dutch being more extensive. The Dutch moreover insisted that, as a condition precedent to the discussion of the Cochran plan, the Republic should ensure observance of the military and economic terms of the Renville Truce Agreement. The Republic on the other hand proposed that political discussions should proceed simultaneously with discussions of observance of the Truce Agreement. While these exchanges were in progress the Republican Government was called upon to face a Communist uprising within its own territory. This was crushed by the Republic, which declined Dutch offers of assistance against the rebels.

8. Soon after, the Dutch Foreign Minister, Dr. Stikker, paid a brief exploratory visit to Java to determine whether a "last effort" could usefully be made to break the political deadlock. Thereafter, towards the end of November 1948, a Special Delegation of the Netherlands Government consisting of Dr. Sassen (Minister for Overseas Territories), Dr. Stikker and Mr. Neher (Royal Commissioner in Indonesia) had discussions with representatives of the Republic and of other Indonesian groups. These discussions ended in failure early in December, when the Dutch Ministers returned to the Hague. The parties were unable to agree on the powers to be vested in the Representative of the Crown in Indonesia during the interim period, and it was reported that they differed particularly on the Dutch requirement that the armed forces, both Dutch and Indonesian, of the United States of Indonesia, should be under overall Dutch control. The Republican representatives claimed that they had gone to the furthest limit possible in making concessions but were anxious that negotiations should continue. The Dutch, on the other hand, expressed the view that further discussion would be futile.

9. The Committee of Good Offices communicated to each party the report of the other on these abortive discussions. The Dutch, after some delay, replied on December 17 in a letter inviting the Committee to obtain the Republic's acceptance of their demands regarding the powers of the Representative of the Crown, and control of the armed forces, by 10 A.M. the next day. Replying to this letter, Mr. Cochran, the U.S. representative on the Committee, deprecated what appeared to him to be the issue of an ultimatum and stated that the Republic could not be expected to accept the Dutch demands without further discussion; he pointed out that the Republic had already stated its objections to these demands and that the letter of the Netherlands representative ignored those objections. Finally, he appealed to the Dutch to resume negotiations. This appeal had no effect. At 11-30 P.M. on December 18, Mr. Cochran, who had arrived at Batavia to deliver his reply personally to the Netherlands representative, received a communication from the Netherlands representative to the address of the Chairman of the Committee of Good Offices, to the effect that the Dutch could no longer abide by the Renville Truce Agreement. The reason given for this decision was that the Republic had failed to prevent breaches of the truce. Mr. Cochran was not at that time Chairman of the Committee; the Chairman and the third member were, with the Committee's Secretariat, at Kaliurang in Republican territory. It could not therefore be said that in handing over this communication to Mr. Cochran the Dutch had fulfilled their obligation of notifying the Committee of Good Offices of their repudiation of the Truce Agreement. The Secretary-General of the Republican delegation was informed of the denunciation of the truce at 11-45 P.M. Mr. Cochran was not able to inform his colleagues of this development, or the Secretary-General of the Republican delegation to communicate with his Government, because communications were immediately disrupted. At midnight the Dutch launched a military offensive. In so doing they committed a breach of the Renville Agreement, which provided that the truce could only be denounced by either party after prior notification of its decision both to the Committee

of Good Offices and to the other party. The Secretary-General of the Republican delegation was himself arrested at 1 A.M. on December 19, though he was released on December 24.

10. It has been observed by the Committee of Good Offices that, even if due notice of the termination of the Truce Agreement had been given, a resumption of hostilities could not be justified because the Security Council's "cease-fire" order of August 1, 1947, was still operative. Nevertheless, the manner in which the Dutch attack was carried out showed clearly that it had been carefully planned in advance. The Republican capital Jogjakarta was attacked from the air shortly after 6 A.M. on December 19, and the airfield captured. Airborne troops completed the seizure of the city in a few hours and Republican leaders including President Soekarno, Cabinet Ministers and the Commander-in-Chief, were taken prisoner. Operations proceeded simultaneously in Java and Sumatra and most of the major towns were soon in Dutch hands, the Republican forces resorting for the most part to guerilla fighting and scorched earth tactics, against which the Dutch Commander-in-Chief had issued a stern warning. The two members of the Committee of Good Offices, and the Committee's staff, who had been at Kaliurang were cut off until December 22, on which date they were evacuated to Batavia. They testified later to the ruthlessness of the Dutch offensive.

11. On December 24 the Security Council passed a *Resolution calling for the immediate cessation of hostilities and for the release of the Republican leaders. (A proposal requiring the withdrawal of troops to the positions occupied by them on December 18 failed of adoption because it did not secure the necessary number of affirmative votes.) This Resolution was ignored by the Dutch and the Council had to repeat its demands on December 28. The representative of the Netherlands informed the Council that hostilities were expected to end in the next few days, though action against "armed bands" might be necessary even after that. Later reports indicate that fighting has in fact continued and that the Dutch troops in Sumatra only received an order announcing the completion of their operations two days after the date on which this was said to have occurred. By a †Resolution adopted on December 28, the Security Council re-established the Consular Commission, charging this body with certain duties of observation and reporting which the Committee of Good Offices had in fact been discharging.

12. The Committee of Good Offices had under its control a corps of military observers who had been stationed on the Status Quo Line to supervise the implementation of the Truce Agreement. These officers were refused facilities by the Dutch after the outbreak of hostilities, on the ground that the truce had ended and that there was nothing for them to observe. (They were only able to resume their activities after the main phase of the operations was over.) This fact, together with the defiance by the Dutch of the Security Council's directions for the stoppage of hostilities and the release of the Republican leaders, and their failure to grant a request of the Committee of Good Offices for facilities for a meeting with the Republican leaders, led the Committee to doubt whether it could usefully function any longer. There was a curious episode in regard to the detention of these leaders. The representative of the Netherlands informed the Security Council that all the Republican leaders were on the island of Banka where they enjoyed full freedom except that they could not leave the island. Under pressure from the Committee of Good Offices, however, the Dutch Authorities in Java stated that Dr. Hatta (Vice-President and Premier of the Republic) was on Banka with two other Ministers and that President Soekarno, Dr. Sjahrir and other personages were at Brastagi in Sumatra. The Committee was permitted to visit Dr. Hatta and his companions on Bangka island on January 15 but at the time was not allowed to see the President and his party at Brastagi.

* p. 25, Vol. I, Part I

† " " "

13. The Dutch aggression had repercussions even outside Republican territory. The Government of the Dutch-sponsored States of Pasundan (West Java) and East Indonesia resigned, and it was reported that martial law had to be enforced in South Borneo. The Dutch, however, took early steps towards the formation of new Governments in the two States mentioned, and called a conference of so-called "Federalist" Indonesian groups to discuss the measures necessary for the establishment of the United States of Indonesia. They announced that the situation did not permit of the completion of these arrangements by January 1, 1949 (the date laid down in the Linggadjaati Agreement), but they promulgated the "B.I.O. Decree" to cover interim arrangements. They now hope to form a Provisional Federal Government in a month's time.

14. It would appear that the Dutch are prepared to treat with the Republic only on their own terms and not to deal with it as the symbol and champion of the aspirations for freedom of the Indonesian people.

H. M. Queen Wilhelmina's Radio Address of December 6, 1942, Outlining Plans for the creation of a Commonwealth of the Netherlands, Indonesia, Surinam and Curacao.

A political unity which rests on this foundation moves far towards a realization of the purpose for which the United Nations are fighting, as it has been embodied, for instance, in the Atlantic Charter, and with which we could instantly agree, because it contains our own conception of freedom and justice for which we have sacrificed blood and possessions in the course of our history.

I visualize, without anticipating the recommendations of the future conference, that they will be directed towards a commonwealth in which the Netherlands, Indonesia, Surinam and Curacao will participate, with complete self-reliance and freedom of conduct for each part regarding its internal affairs, but with the readiness to render mutual assistance.

It is my opinion that such a combination of independence and collaboration can give the Kingdom and its parts the strength to carry fully their responsibility both internally and externally. This would leave no room for discrimination according to race or nationality; only the ability of the individual citizens and the needs of the various groups of the population will determine the policy of the government.

Declaration of Independence by the Indonesian Republic

Since independence is the right of every nation, any form of subjugation in this world is contrary to humanity and justice, and must be abolished. The struggle for Indonesian Independence has reached a stage of glory in which the Indonesian people are led to the gateway of an independent, united, sovereign, just and prosperous Indonesian state.

With the blessing of God Almighty, and moved by the highest ideals to lead a free national life, the Indonesian people hereby declare their independence.

17th August, 1945.

SOEKARNO-HATTA.

**Political Manifesto of the Government of the Republic of Indonesia
(November 1, 1945)**

It is two months now since we made clear in every possible way our desire to live as a free people. Today we are entering a new phase in our fight for freedom, and we are conscious that the eyes of the world are on us, with a view to ascertaining what our views and objectives are. It is therefore incumbent on us to afford the world every facility to study us and to realize that not only is our cause grounded on truth, justice and humanism, but also on common sense and sane thinking.

On March 9, 1942, the Dutch Government in Indonesia surrendered to the Japanese in Bandung after going through the farce of offering resistance to the invaders. As a result of that Dutch defection, the unarmed Indonesian people were delivered to the tyrannical excesses of the Japanese militarists; and for a full three and a half years the Japanese worked their will on the population, subjecting the people to a type of pressure and oppression unknown in the last few decades of Dutch rule here. The Japanese looked upon Indonesians as mere cattle. Not a few Indonesians were sacrificed by them in the interest of Japanese aggression. Forced labour was imposed on the common people, while peasants were intimidated into handing over to the Japanese the fruits of their toil. The intelligensia was bludgeoned into lying to and deceiving the people, and the entire population itself was obliged to conform to Japanese military discipline; it was made to drill and carry out orders with soldier-like precision. The Japanese are gone but the little military knowledge they infused into us remains, especially in our youth.

The Dutch must accept the responsibility for what happened. After centuries of so-called "training", on March 9, 1942 the Dutch handed over 70 million people to the Japanese in a condition of military unpreparedness and intellectual backwardness.

Indonesians lacked the wherewithal with which to stand up to Japanese might and oppression and fell easy victims to Japanese propaganda. Not trusting us, the Dutch deliberately refrained from giving us military training; bent on keeping us ignorant, the Dutch denied education to the masses. As they groaned under Japanese excesses our people began to take stock of the Dutch and the consequences of Dutch rule. With sharper insight they were able to perceive how ineffective and valueless the Dutch administration had been. From that moment Indonesians were awakened to the true state of affairs and there was a sudden upsurge of nationalism far stronger and deeper than ever before. And that nationalism was heightened by Japanese propaganda directed towards Asiaticism.

Tyrannical Japanese rule could neither curb nor stamp out the growth of Indonesian nationalism; in fact it was instrumental in fostering the growth of self-respect and patriotism among the masses, and in arousing the desire to be rid of Japanese as well as all other forms of foreign domination. Millions of our peoples died while countless other millions bore every manner of suffering under the three and half years of Japanese rule; for this, the Japanese are responsible but so too are the Dutch for having denied us the mental and material strength needed to stand up to the Japanese. Yet there is one point that must not be overlooked. Although the administration of Indonesia and the management of her industries were nominally Japanese, it was really the Indonesians who—because of the glaring inefficiency of the Japanese, carried out all the functions previously in Dutch hands. This factor is important because it gave us valuable training and self-confidence.

After having handed us bound hand and foot to the Japanese, the Dutch have not even a shadow of moral right to take the virtuous stand that we co-operated with the Japanese; all the more so because generally speaking, the Japanese obtained a greater measure of co-operation from the Dutchmen and women in their employ than from the Indonesians. The Dutch wilfully ignore the anti-Japanese aspect of Indonesian nationalism.

Overly and covertly the Indonesians resisted the Japanese, in the shape of sabotage, uprisings and of other form of opposition. Thousands of nationalists fought for this with their lives. Others underwent tortures. Yet others lived like hunted animals. Witness what happened at Blitar Tasikmalaja, and Indramajoe, in Sumatra, in West-Borneo and in many other places. Other nationalists who worked in the open along constitutional lines in order to strengthen national consciousness were forced into working with the Japanese. They had no option but to march and to goose-step and to shout out war cries in the approved Japanese manner because they served in the regiments raised by the Japanese for their own purpose.

The nationalists who worked with the Japanese never for a minute, in spite of their enforced presence in the totalitarian camp, forsook the nationalistic ideals which had for years and years been their guiding lights. This is evidenced by the constitution they framed for the Republic of Indonesia and, although it was worked out during the time of the Japanese occupation, the entire document is entirely democratic in form and spirit.

On the 17th of August 1945 the Republic of Indonesia was proclaimed, and it marked the culmination of the political desire of the Indonesian people to attain sovereignty for their nation. Like an irresistible tidal wave, it carried every Indonesian along with it. Meanwhile the Japanese had begun negotiations for their surrender to the Allies. The world at large, especially those who had helped bring into being the United Nations at San Francisco, was faced with the question of Indonesian sovereignty *vis-a-vis* the Dutch, whom the United Nations recognised as vested with sovereignty over Indonesia.

Whenever they appeared at international conferences the Dutch claimed that they had never looked upon Indonesia as a colony and that, consequently, the Indonesians had nothing but love and affection for the Dutch Government. But for two months now the world has seen how determined the Indonesians are to have nothing to do with Dutch imperialism. In every possible way the Indonesians have manifested their desire to remain a sovereign people. The Dutch want to reimpose their rule on Indonesia, and the foisting of Dutch imperialism on us will be nothing else but a deliberate violation of the Atlantic Charter and of the United-Nations' Charter; and it will result in endless bloodshed and sacrifice of life, for only by force and force alone can the Dutch try to pull down the government which we have set up.

Nor have the Dutch any moral right to walk into Indonesia to resume their old imperialistic policies on the assumption that they bear no blame for their past sins or for their surrender which resulted in 70 million Indonesians being delivered to the tender mercies of Japanese militarism. Justice denies the Dutch any say in our affairs, and any sanctioning of their imperialistic aspirations will mean violation of the principles of justice and humanity. The San Francisco Charter places the responsibility for the welfare of dependent peoples on certain nations, but these nations themselves are not empowered to violate the basic principles of that Charter.

There can be no doubt of the fact that the Dutch have no logical or reasonable answer to offer for the difficulties they are faced with, and this makes their position all the more untenable. Up to now there is not any sign of the Dutch having other intentions than: restoring the old colonial system, despite their proclamation of a statement made by Queen Wilhelmina in 1942. The Dutch know that they are unequal to the task of imposing their domination on us, but they are buoyed up by the hope of being able to utilize the Allied forces, which are here to disarm the Japanese, to crush the determination of the Indonesians to maintain their sovereignty, and thereby make it possible for the Dutch to colonise us all over again. Be that as it may, the Dutch will never be able to make us give up the type of government we have chosen for ourselves because the burning

flame of our patriotism will render null and void all Dutch designs on us. So long as the world can see no other way out of the present impasse except that of supporting the Dutch claim on Indonesia, and so long as such action leads to deprivation of the right of Indonesians to decide their own destiny, so long will Indonesia be unable to contribute of her material wealth to the enrichment of the world. Such a state of affairs will especially tell on those countries next door to us, chiefly Australia, the Philippines and the United State of America. America must need be affected because the Indonesians, with the rest of Asia, look forward to generous American assistance in the days to come in the task of reconstructing Indonesia and raising the living standards of her peoples. American credits and technical assistance to our country plus the purchase of Indonesia's raw material are some forms of help we hope to secure.

In the task of perfecting our social and administrative structure we Indonesians see no necessity for the use of forcible measures. If, however, such force is ever used it will be by the Dutch because of their desire to impose themselves on us. We have no wish to impose our will on other races. All we want is a recognition of our independence and the opportunity to perfect our system of Government.

The political burden we have shouldered lays upon us the responsibility for the well-being of our country as well as an obligation to satisfy the world family of nations that we are discharging our duties in an efficient and just manner. We entertain no hatred for the Dutch or any other foreign peoples, and certainly none at all towards the Eurasians, the Ambonese and the Menadonese who are flesh of our flesh and blood of our blood. The logic of circumstances alone should make that evident, because we know and realize that the needs of our country and of our people call for technical, financial and educational assistance—just to mention three forms of help we shall require—from outside sources for many years to come. In this connection the Dutch enjoy a distinct advantage over others—they have been here and are familiar with conditions in Indonesia. Indonesian independence will necessarily entail a complete reorientation of political relations between us and the Dutch, but it will not affect Dutch capital or Dutch lives.

The incredible richness of our land gives ample promise of better living standards for our people in common with the rest of the world if only this great latent wealth of ours is properly exploited. In that task the peoples of all nations—most of all the United States, Australia and the Philippines—will find ample opportunity to help us with their money and skill.

However, both Indonesia and the world will be denied this chance of co-operation for our mutual benefit if opposition from the Dutch withholds recognition of our country or of the form of government we have chosen for ourselves. In such an event not only will we and the Dutch be the losers, but also the world at large which is eagerly hoping for material and spiritual contributions from Indonesia towards satisfying world needs.

When the Republic of Indonesia is formally recognized we will accordingly take appropriate action regarding a number of important matters. All debts incurred by the Dutch East Indies government previous to the Japanese surrender and fairly chargeable to us, we will unhesitatingly take over. All property of foreigners will be handed over to them with one exception—we reserve the right to acquire at fair prices such property as shall be deemed necessary for the welfare of the country. In concert with our immediate neighbours and the rest of the world, we intend to take our place in the counsels of the United Nations to further and implement the ideals contained in the San Francisco Charter. Our internal policy will be based on the sovereignty of the people, and we will put into practice all the steps necessary to bring home and evoke in the breasts of the Eurasian and European residents of our country the highest feeling of patriotism and democracy.

In a short while, we intend to prove our adherence to the democratic ideals by calling a general election, in accordance with the constitutional principles laid down for our country. There is always the possibility that such an election may result in far reaching changes, both in the composition of the present government and in such constitutional changes as may be called for by the representatives of the people.

Citizens and residents of Indonesia will be the beneficiaries of the reconstruction programme we plan to put into operation. Such a scheme calls for large credits as well as manufactured goods from the United States, Australia and the other countries commercially linked to us. Dutchmen as well as other sections of the population, provided they do not commit breaches of the regulations, will be guaranteed the opportunity to engage themselves in any legitimate form of work they desire.

The Dutch government and the Dutch people have now reached a point where they have got to make up their minds regarding Indonesia. Do they intend to follow blindly the lead given them by a small band of capitalists and imperialists, selfish and self-seeking, who are bent on sacrificing the youth of Holland on the risky venture of trying to subjugate Indonesia anew? Or have they the vision and the ability to adjust themselves to changed conditions, and, through the way of peaceful discussion, secure for themselves and their descendants in this country the predominant place they hold in trade and industry, thereby also making it possible for themselves to live here and earn their livelihood in peace and security?

As soon as we obtain conditions favouring the full contribution of our resources towards national and social reconstruction, we shall immediately endeavour to make it possible for our people to exercise all the rights vested in them—those very rights which are stressed by the United Nations. Not only will our people enjoy freedom of speech and of religion and freedom from want and from fear, but they will be given every incentive to make themselves healthy in body and progressive in mind by providing all peoples of all social grades the benefits of modern education and training. Side by side with plans for our internal advancement and well-being, we must go beyond mere trade relations with the outside world. There must in the fulness of time be an interchange of culture and of knowledge, especially with our near neighbours and more so with people such as the Filipinos who spring from a common racial stock. We can and will make our full contribution to world culture, but that will only be possible when we exist as a free nation on a footing of complete equality with the other peoples of the world.

BATAVIA,

November 1, 1945.

THE LINGGADJAATI AGREEMENT

Initialled on 15th November 1946 and Signed on 25th March 1947 by the Netherlands and Indonesian Delegations.

Preamble.—The Netherlands Government, represented by the Commission-General for the Netherlands Indies, and the Government of the Republic of Indonesia, represented by the Indonesian delegation, moved by a sincere desire to insure good relations between the peoples of The Netherlands and Indonesia in new forms of voluntary co-operation which offer the best guarantee for sound and strong development of both countries in the future and which make it possible to give a new foundation to the relationship between the two peoples; agree as follows and will submit this agreement at the shortest possible notice for the approval of the respective parliaments:

Article 1

The Netherlands Government recognizes the Government of the Republic of Indonesia as exercising 'de facto' authority over Java, Madura and Sumatra. The areas occupied by Allied or Netherlands forces shall be included gradually, through mutual co-operation, in Republican territory. To this end, the necessary measures shall at once be taken in order that this inclusion shall be completed at the latest on the date mentioned in Article 12.

Article 2

The Netherlands Government and the Government of the Republic shall co-operate in the rapid formation of a sovereign democratic state on a federal basis to be called the United States of Indonesia.

Article 3

The United States of Indonesia shall comprise the entire territory of the Netherlands Indies with the provision, however, that in case the population of any territory, after due consultation with the other territories, should decide by democratic process that they are not, or not yet, willing to join the United States of Indonesia, they can establish a special relationship for such a territory to the United States of Indonesia and to the Kingdom of the Netherlands.

Article 4

The component parts of the United States of Indonesia shall be the Republic of Indonesia, Borneo, and the Great East without prejudice to the right of the population of any territory to decide by democratic process that its position in the United States of Indonesia shall be arranged otherwise.

Without derogation of the provisions of Article 3 and of the first paragraph of this Article, the United States of Indonesia may make special arrangements concerning the territory of its capital.

Article 5

The constitution of the United States of Indonesia shall be determined by a constituent assembly composed of the democratically nominated representatives of the Republic and of the other future partners of the United States of Indonesia to which the following paragraph of this article shall apply.

Both parties shall consult each other on the method of participation in this constituent assembly by the Republic of Indonesia, by the territories not under the authority of the Republic and by the groups of the population not, or insufficiently, represented with due observance of the responsibility of the Netherlands Government and the Government of the Republic, respectively.

Article 6

To promote the joint interests of The Netherlands and Indonesia, the Netherlands Government and the Government of the Republic of Indonesia shall co-operate in the establishment of a Netherlands-Indonesian Union by which the Kingdom of The Netherlands, comprising the Netherlands, the Netherlands Indies, Surinam and Curacao, shall be converted into the said Union consisting on the one hand of the Kingdom of the Netherlands, comprising the Netherlands, Surinam and Curacao, and on the other hand the United States of Indonesia.

The foregoing paragraph does not exclude the possibility of a further arrangement of the relations between the Netherlands, Surinam and Curacao.

Article 7

A. The Netherlands-Indonesian Union shall have its own organs to promote the joint interests of the Kingdom of the Netherlands and the United States of Indonesia.

B. These organs shall be formed by the Governments of the Kingdom of the Netherlands and the United States of Indonesia, and, if necessary, by the parliaments of those countries.

C. The joint interests shall be considered to be co-operation on foreign relations, defence and, as far as necessary, finance as well as subjects of an economic or cultural nature.

Article 8

The King (Queen) of the Netherlands shall be at the head of the Netherlands-Indonesian Union. Decrees and resolutions concerning the joint interests shall be issued by the organs of the Union in the King's (Queen's) name.

Article 9

In order to promote the interests of the United States of Indonesia in the Netherlands and of the Kingdom of the Netherlands in Indonesia, a High Commissioner shall be appointed by the respective Governments.

Article 10

Statutes of the Netherlands-Indonesian Union shall, furthermore, contain provisions regarding:

A. Safeguarding of the rights of both parties towards one another and guarantees for the fulfilment of their mutual obligations.

B. Mutual exercise of civil rights by Netherlands and Indonesian citizens.

C. Regulations containing provisions in case no agreement can be reached by the organs of the Union.

D. Regulation of the manner and conditions of the assistance to be given by the services of the Kingdom of the Netherlands to the United States of Indonesia as long as the services of the latter are not, or are insufficiently, organized; and

E. Safeguarding in both parts of the Union of the fundamental human rights and liberties referred to in the Charter of the United Nations Organization.

Article 11

A. The statutes of the Netherlands-Indonesian Union shall be drafted by a conference of representatives of the Kingdom of the Netherlands and the future United States of Indonesia.

B. The statutes shall come into effect after approval by the respective parliaments.

Article 12

The Netherlands Government and the Government of the Republic of Indonesia shall endeavour to establish the United States of Indonesia and the Netherlands-Indonesian Union before January 1, 1949.

Article 13

The Netherlands Government shall forthwith take the necessary steps in order to obtain the admission of the United States of Indonesia as a member of the United Nations Organization immediately after the formation of the Netherlands-Indonesian Union.

Article 14

The Government of the Republic of Indonesia recognizes the claims of all non-Indonesians to the restoration of their rights and the restitution of their goods as far as they are exercised or to be found in the territory over which it exercises *de facto* authority. A joint commission will be set up to effect this restoration and restitution.

Article 15

In order to reform the Government of the Indies in such a way that its composition and procedure shall conform as closely as possible to the recognition of the Republic of Indonesia and to its projected constitutional structure, the Netherlands Government, pending the realization of the United States of Indonesia and of the Netherlands-Indonesian Union, shall forthwith initiate the necessary legal measures to adjust the constitutional and international position of the Kingdom of the Netherlands to the new situation.

Article 16

Directly after the conclusion of this agreement, both parties shall proceed to reduce their armed forces. They will consult together concerning the extent and rate of this reduction and their co-operation in military matters.

Article 17

A. For the co-operation between the Netherlands Government and the Government of the Republic contemplated in this agreement, an organization shall be called into existence of delegations to be appointed by each of the two Governments with a joint secretariat.

B. The Netherlands Government and the Government of the Republic of Indonesia shall settle by arbitration any dispute which might arise from this agreement and which cannot be solved by joint consultation in conference between those delegations. In that case a chairman of another nationality with a deciding vote shall be appointed by agreement between the delegations or, if such agreement cannot be reached, by the President of the International Court of Justice.

Article 18

This agreement shall be drawn up in the Netherlands and Indonesian languages. Both texts shall have equal authority.

India's Complaint to Security Council, July 30, 1947.

I have the honour, on behalf of the Government of India, to draw the attention of the Security Council under Article 35(1) of the United Nations Charter to the situation in Indonesia.

During the last few days Dutch forces have embarked without warning on large scale military action against the Indonesian people. These attacks began without warning at a time when a delegation of the Indonesian Republican Government was actually at Batavia for negotiations with the Dutch authorities on the implementation of the Linggadjaati Agreement. In the opinion of the Government of India this situation endangers the maintenance of international peace and security which is covered by Article 34 of the Charter. The Government of India therefore request the Security Council to take the necessary measures provided by the Charter to put an end to the present situation.

The Government of India earnestly hope that, in view of its urgency, the Council will consider this matter as soon as possible—Jawaharlal Nehru, Member for External Affairs, Government of India.

AUSTRALIA'S COMPLAINT TO SECURITY COUNCIL, JULY 30, 1947

Under instructions from my Government I have the honour to bring to the attention of the Security Council the hostilities which are at present in progress in Java and Sumatra between armed forces of the Netherlands and of the Republic of Indonesia and which have been the subject of communiques by their respective Army Commanders during the past ten days.

The Australian Government considers that these hostilities constitute a breach of the peace under Article 39 and urges that the Council take immediate action to restore international peace and security.

In order to prevent an aggravation of the situation the Australian Government proposes that the Security Council, as a provisional measure, and without prejudice to the rights, claims or position of the parties concerned, should call upon the Governments of the Netherlands and of the Republic of Indonesia to cease hostilities forthwith and to commence arbitration in accordance with Article 17 of the Linggadjaati Agreement between the Netherlands and the Government of the Republic of Indonesia signed at Batavia on March 25, 1947.

In view of the urgent circumstances I am instructed to request you to call immediately a meeting of the Security Council for the consideration of this communication and that the provisional agenda, including this item, be communicated to representatives of the Security Council simultaneously with the notice of the meeting.

Security Council Resolution on Indonesia, dated August 1, 1947

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 dispute by arbitration or by other peaceful means and keep the Security Council informed about the progress of the settlement.

Security Council Resolutions on Indonesia, dated August 25 and 26, 1947

The Security Council requests Government Members of 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 August 1, 1947, such reports to cover the observance of "Cease-fire" orders and conditions prevailing in areas under military occupation or from which armed forces now in occupation may be withdrawn by agreement between the parties. The Security Council requests the Governments of the Netherlands and the Republic of Indonesia to grant the representatives referred to all facilities necessary for the effective fulfilment of their mission. The Security Council resolves to consider the matter.

Second Resolution :

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 the Resolution of the Council of August 1. The Council expresses its readiness, if parties so request, to assist in settlement through a Committee of the Council consisting of the Members of the Council, each party selecting one, and the third be designated by the two so selected.

Security Council Resolution on Indonesia, dated November 1, 1947

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 August 1 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 August 4, 1947, is inconsistent with the Council resolution of August 1.

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

THE 'RENVILLE' AGREEMENT

Truce Agreement signed on January 17, 1948 on board USS Renville

The Government of the Kingdom of the Netherlands and the Government of the Republic of Indonesia referred to in this agreement as the parties hereby agree as follows:

1. That a stand-fast and cease-fire order be issued separately and simultaneously by both parties immediately upon the signing of this agreement and to be fully effective within forty-eight hours. This order will apply to the troops of both parties along the boundary lines of the areas described in the proclamation of the Netherlands Indies Government on August 29, 1947, which shall be called the *Status Quo Line* and in the areas specified in the following paragraph.

2. That in the first instance and for the time being demilitarized zones be established in general conformity with the above-mentioned *Status Quo Line*. These zones as a rule will comprise the territories between this *Status Quo Line* and on one side the line of the Netherlands forward positions and on the other side the line of the Republican forward positions, the average width of each of the zones being approximately the same.

3. That the establishment of the demilitarized zones in no way prejudices the rights, claims or position of the parties under the resolutions of the Security Council of August 1, 25 and 26 and November 1, 1947.

4. That upon acceptance of the foregoing by both parties the Committee will place at the disposal of both parties its military assistants who

will be instructed to assume in the first instance responsibility for determining whether any incident requires enquiry by the higher authorities of either or both parties.

5. That pending a political settlement the responsibility for the maintenance of law and order and of security of life and property in the demilitarized zones will remain vested in the civil police forces of the respective parties (the term civil police does not exclude the temporary use of military personnel in the capacity of civil police, it being understood that the police forces will be under civil control). The Committee's military assistants will be available to advise the appropriate authorities of the parties and to serve in such other proper capacities as may be requested; among others they should:—

A. Call upon pools of police officers established by each party in its demilitarized zone to accompany the military assistants in their endeavours and moves throughout that demilitarized zone. Police officers of one party will not move into and throughout the demilitarized zone of the other party unless accompanied by a military assistant of the Committee of Good Offices and a police officer of that other party.

B. Promote co-operation between the two police forces.

6. That trade and intercourse between all areas should be permitted as far as possible. Such restrictions as may be necessary will be agreed upon by the parties with the assistance of the Committee and its representatives if required

7. That this agreement shall include all the following points already agreed to in principle by the parties:—

A. To prohibit sabotage, intimidation and reprisals, and other activities of a similar nature against individuals, groups of individuals and property, including destruction of property of any kind and by whomsoever owned and to utilize every means at their command to this end.

B. To refrain from broadcasts or any other form of propaganda aimed at provoking or disturbing troops and civilians.

C. To initiate broadcasts and institute other measures to inform all troops and civilians of the delicate situation and the necessity for strict compliance with the provisions sub (A) and (B).

D. To provide full opportunity for observation by military and civil assistants of the Committee of Good Offices.

E. To cease immediately the publication of a daily operational communique or any other information about military operations unless by prior mutual agreement in writing, except weekly publication of lists of individuals (giving names, numbers and home addresses) who have been killed or have died as a result of injuries received in action.

F. To accept the principle of the release of prisoners by each party and to commence discussions with a view to the most rapid and convenient implementation thereof, the release of principle to be without regard to the number of prisoners held by either party.

8. That on the acceptance of the foregoing, the Committee's military assistants will immediately conduct enquiries to establish whether and where, especially in West Java, elements of the Republican military forces continue to offer resistance behind the present forward positions of the Netherlands forces. If the enquiry establishes the existence of such forces these would withdraw as quickly as practicable and in any case within 21 days as set out in the following paragraph.

9. That all forces of each party in any area accepted as a demilitarized zone or in any area on the other party's side of a demilitarized zone will, under the observation of military assistants of the Committee and with arms and warlike equipment, move peacefully to the territory on the party's own side of the demilitarized zones. Both parties undertake to facilitate a speedy and peaceful evacuation of the forces concerned.

10. This agreement shall be considered binding unless one party notifies the Committee of Good Offices and the other party that it considers the truce regulations are not being observed by the other party and this agreement should therefore be terminated.

For the Government of the Kingdom of the Netherlands:

Raden Abdoelkadir Widjoatmodjo. Chairman of the delegation.

For the Government of the Republic of Indonesia:

Dr. Amir Sjarifoeddin. Chairman of the delegation.

The signatures appearing above were hereunto subscribed this 17th day of January, 1948 on board the USS Renville in the presence of the representatives of the United Nations Security Council Committee of Good Offices on the Indonesian question and the Committee Secretary, whose signatures are hereunto subscribed as witnesses.

<i>Chairman</i> :	Mr. Justice Richard C. Kirby (Australia).
<i>Representatives</i> :	Mr. Paul van Zeeland (Belgium) Dr. Frank P. Graham (United States).
<i>Secretary</i> :	Mr. T. G. Narayanan.

Principles Forming an agreed Basis for the Political Discussions accepted at the Fourth Meeting on January 17, 1948, of the U. N. Committee of Good Offices.

The Committee of Good Offices has been informed by the delegation of the Kingdom of the Netherlands and by the delegation of the Republic of Indonesia that the truce agreement having been signed, their Governments accept the following principles on which the political discussions will be based:

1. That the assistance of the Committee of Good Offices be continued in the working out and signing of an agreement for the settlement of the political dispute in the islands of Java, Sumatra and Madura, based upon the principles underlying the Linggadjati Agreement.

2. It is understood that neither party has the right to prevent the free expression of popular movements looking toward political organizations which are in accord with the principles of the Linggadjaati Agreement. It is further understood that each party will guarantee the freedom of assembly, speech and publication at all times, provided that this guarantee is not construed so as to include the advocacy of violence or reprisals.

3. It is understood that decisions concerning changes in administration of territory should be made only with the full and free consent of the populations of those territories and at a time when the security and freedom from coercion of such populations will have been ensured.

4. That on the signing of the political agreement provision be made for the gradual reduction of the armed forces of both parties.

5. That as soon as practicable after the signing of the truce agreement, economic activity, trade, transportation and communications be restored through the co-operation of both parties taking into consideration the interests of all the constituent parts of Indonesia.

6. That provision be made for a suitable period of not less than six months, nor more than one year after the signing of the agreement, during which time uncoerced and free discussion and consideration of vital issues will proceed; at the end of this period free elections will be held for self-determination by the people of their political relationship to the United States of Indonesia.

7. That a constitutional convention be chosen according to democratic procedure to draft a constitution for the United States of Indonesia.

8. It is understood that if, after signing the agreement referred to in item 1, either party should ask the United Nations to provide an agency to observe conditions at any time up to the point at which sovereignty is transferred from the Government of the Netherlands to the Government of the United States of Indonesia, the other party will take this request in serious consideration.

The following four principles are taken from the Linggadjaati Agreement.

9. Independence for the Indonesian peoples.

10. Co-operation between the peoples of the Netherlands and Indonesia.

11. A sovereign State on a federal basis under a constitution which will be arrived at by democratic processes.

12. A union between the United States of Indonesia and other parts of the Kingdom of the Netherlands under the King of the Netherlands.

Confirmed for the Government of the Kingdom of the Netherlands:—

Raden Abdoelkadir Widjoatmodjo, Chairman of the delegation,

Confirmed for the Government of the Republic of Indonesia:

Dr. Amir Sjarifoeddin, Chairman of the delegation.

The representatives on the United Nations Security Council Committee of Good Offices on the Indonesian question and the Committee Secretary, whose signatures are hereunto subscribed on this 17th day of January 1948 on board the USS Renville, testify that the above principles are agreed to as a basis for the political discussions.

Chairman : Mr. Justice Richard C. Kirby (Australia).

Representatives : Mr. Pual van Zeeland (Belgium).

Dr. Frank P. Graham (United States).

Secretary : Mr. T. G. Narayanan.

Six Additional Principles for the Negotiations toward a Political Settlement submitted by the Committee of Good Offices at the Fourth Meeting on January 17, 1948.

The Committee of Good Offices is of the opinion that the following principles among others form a basis for the negotiations toward a political settlement:

1. Sovereignty throughout the Netherlands Indies is and shall remain with the Kingdom of the Netherlands until after a stated interval the Kingdom of the Netherlands transfers its sovereignty to the United States of Indonesia. Prior to the termination of such stated interval the Kingdom of the Netherlands may confer appropriate rights, duties and responsibilities on a provisional federal government of the territories of the future United States of Indonesia. The United States of Indonesia when created will be a sovereign and independent State in equal partnership with the Kingdom of the Netherlands in a Netherlands Indonesian Union, at the head of which shall be the King of the Netherlands. The status of the Republic of Indonesia will be that of a State within the United States of Indonesia.

2. In any provisional federal government created prior to the ratification of the constitution of the future United States of Indonesia all States will be offered fair representation.

3. Prior to the dissolution of the Committee of Good Offices, either party may request that the services of the Committee be continued to assist in adjusting differences between the parties which relate to the political agreement and which may arise during the interim period. The other party will interpose no objection to such a request. This request would be brought to the attention of the Security Council of the United Nations by the Government of the Netherlands.

4. Within a period of not less than six months or more than one year from the signing of this agreement a plebiscite will be held to determine whether the populations of the various territories of Java, Madura and Sumatra wish their territory to form part of the Republic of Indonesia or another state within the United States of Indonesia, such plebiscite to be conducted under observation by the Committee of Good Offices, should either party in accordance with the procedure set forth in paragraph 3 above request the services of the Committee in this capacity. The parties may agree that another method for ascertaining the will of the populations may be employed in place of a plebiscite.

5. Following the delineation of the States in accordance with the procedure set forth in paragraph 4 above, a constitutional convention will be convened through democratic procedures to draft a constitution for the United States of Indonesia. The representation of the various States in the convention will be in proportion to their populations.

6. Should any State decide not to ratify the constitution and desire, in accordance with the principles of articles 3 and 4 of the Linggadjaati Agreement, to negotiate a special relationship with the United States of Indonesia and the Kingdom of the Netherlands, neither party will object.

Radio Address of Queen Wilhelmina of the Netherlands, delivered from the Hague, February 3, 1948, to the people of the United States and Great Britain.

To those who were our allies in the war I want to address a few words.

I want you to know that the peoples of our Commonwealth have reached a memorable goal.

A free federated Indonesia is about to take her place among the democratic nations of the world.

Seven years ago when Holland was under Nazi oppression, I announced to my countrymen the intention to establish a new relationship between the Netherlands and the other parts of our Commonwealth.

A year later, in the midst of the war, an outline of the new relationship was traced.

Today this partnership is a living reality rapidly taking final shape. The United States of Indonesia forming a Union with the Kingdom of the Netherlands, Surinam and the Antilles.

In the darkest period of the war, the great President, my unforgettable friend, together with Britain's valiant champion of freedom, found a permanent expression for our common purpose which reached even beyond the immediate aim of each country's independence.

We were to make the world free from fear and free from want, to make it a place where man would be free to worship God in his own way and free to speak his mind.

It makes me happy that men in Indonesia and here have found the wisdom and the skill to create forms of government that will guarantee to many people all the freedoms and the rights for which you our allies and we fought together.

They have still a long way to go.

The common man is far from being free from fear and want in those parts of Indonesia where terrorists are still committing manslaughter, pillage and arson.

Indonesians and Dutch have to fight this common foe in full cooperation.

There, as in other places of the world, the powers of anarchy and disorder that try to prevent the peoples from recovering must be overcome.

I am confident that these obstacles will be overcome because the Indonesian peoples are determined to take up the responsibilities and obligations of democratic self-government as we understand it.

We know that in our days no relationship between nations can be stable unless it is based on mutual consent and mutual effort.

Therefore we encourage them and we help them in their endeavour.

Colonialism is dead.

We do not disown our past and the proud achievement of bygone days.

But a nation must be strong enough to make a new beginning.

We shall be strong enough.

What the peoples of the world need now is a new way of living together in close partnership based on equality and mutual trust

It may well be that the solution being reached in Indonesia will set a pattern for solutions in wider parts of Asia.

A group of peoples of no less than 70,000,000 has come to the side of democracy as we understand it.

This is a great event.

Blessed with many riches of the earth a United States of Indonesia can take a great share in the common fight against famine and need.

In free association with the Netherlands, Surinam and the Antilles, a sovereign Indonesia will be able to carry on her economic development which already before the war was unprecedented in Asia.

Providing Europe and America with her goods and raw materials, Indonesia will be able to make a real contribution to the tremendous efforts now being asked from the American people under the Marshall Plan.

Already the country is emerging from the confusion caused by the Japanese occupation.

Passions and distrust are calming down.

The noble words of freedom and patriotism resume their true meaning as Indonesian nationalists unite to build a federation through the far-flung group of islands.

By this common effort based on the same principles as the Atlantic Charter a new Indonesia is arising.

Both peoples, Dutch and Indonesian, look forward to the day when the United States of Indonesia, sponsored by the Netherlands, will take their rightful place among the United Nations.

Such a day will be a hard-won milestone on man's long road to liberty.

Security Council Resolution, dated February 28, 1948

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 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 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 endeavour to settle their dispute by peaceful means and endorses their offer of continued good offices in the working out of a political settlement;

Maintains its offer of good offices contained in its resolution of August 25, 1947, and to this end requests both parties and the Committee of Good Offices to keep the Council informed about the progress of a political settlement in Indonesia.

Amendment to the Constitution of the Kingdom of the Netherlands

Passed by the Netherlands Legislature on August 20, 1948

A Fourteenth Chapter shall be added to the Constitution, as follows:

Special provisions relating to the transition to a new legal structure for the territories specified in section 1.

Section 207.—On the basis of the results of the joint consultations which have been and are still being held with and between representatives of the populations, for the territories specified in section 1, a new legal structure shall be established, within the framework of which these territories will promote their own interests independently and will be united on footing of equality to ensure the common interests and to give mutual assistance, due guarantees being furnished with regard to legal security, the fundamental human rights and freedoms and sound administration

Section 208.—In preparing and establishing the new legal structure, the result of the joint consultations already held as it has been laid down in the following paragraphs of the present section shall be duly considered.

A Union shall be formed in which participate as equal states the Kingdom referred to in the fifth paragraph and the United States of Indonesia. If the results of the continued joint consultations give rise thereto, the Netherlands shall be substituted for this Kingdom.

3. The Crown of the Union shall be worn by Her Majesty Queen Wilhelmina, Princess of Orange-Nassau, and in case of succession by Her legitimate successors to the Crown of the Netherlands.

4. Without prejudice to what may further serve the realization of its aims, the Union shall, through its own organs, effect the co-operation between the participating states with regard to foreign relations, defence, and, in so far as this is necessary, finance, as well as with regard to subjects of an economic and cultural nature; it shall safeguard legal security, the fundamental human rights and freedoms and sound administration

The Union as such shall participate in international intercourse.

5. The Netherlands, Surinam and the Netherlands Antilles shall form a Kingdom whose Crown is worn by Her Majesty Queen Wilhelmina, Princess of Orange-Nassau, and in case of succession by Her legitimate successors to the Crown of the Netherlands.

Within the framework of the Union the Netherlands can maintain direct relations with the United States of Indonesia.

6. The United States of Indonesia shall be federally constructed from member states on a parity basis.

7. In so far as any part of Indonesia shall not form part of the United States of Indonesia, the relations of that territory with said States and with the Kingdom referred to in the fifth paragraph of the present article shall be regulated separately, as far as possible in accordance with the principles of this chapter.

Section 209.—As far as the transition to the new legal structure requires measures deviating from the regulations laid down in previous chapters, they shall be enacted by law; the Chambers of the States General cannot pass a bill to that effect unless by a majority of at least two-thirds of the votes. The resultant act cannot deviate from the regulations contained in the first five divisions of the second chapter and in the thirteenth chapter.

Section 210.—1. Subject to the provision of the second paragraph, the new legal structure shall be established by free acceptance, by democratic procedure in each of the territories specified in section 1; for the Netherlands, section 209 shall apply correspondingly.

2. It shall require the assent of Her Majesty Queen Wilhelmina, Princess of Orange-Nassau, or Her legitimate successors to the Crown of the Netherlands, and shall be solemnly proclaimed.

EMERGENCY ACT, INDONESIA

(Passed by the Netherlands Legislature on October 30, 1948.)

We, Juliana, by the Grace of God, Queen of the Netherlands, Princess of Orange-Nassau, etc., etc., etc.

To all to whom these presents shall come, greeting!

Be it known :

Whereas We have considered that the extraordinary and pressing circumstances compel that, pending the creation of a new legal structure, provisions be made on the basis of section 210 of the Netherlands Constitution relating to the administration in Indonesia in the interim period;

Having heard the Council of State and consulted the States-General, We have approved and understood as We do by these presents :

Section 1

1. On a date prior to January 1, 1949, to be determined by Us, the Administration of Indonesia shall be conducted in accordance with provisional measures—if necessary contrary to the provisions of sections 62, sub 2, 63, 64 and 171 sub 2 of the Netherlands Constitution—to be adopted by Us, having heard the Council of State.

2. Our provisional measures as referred to in the previous paragraph shall not conflict with sections 208 and 209 of the Netherlands Constitution.

Section 2

1. Within one month of the adoption of a provisional measure as referred to in section 1, a Bill shall be submitted by Us to the States General to confirm that measure. Confirmation shall take place by enactment, with or without amendment. If the Act thus passed should be divergent from the Sections referred to in the first paragraph of section 1, a majority for its adoption shall be required as prescribed in section 210 of the Netherlands Constitution.

2. If a Bill confirming a provisional measure as referred to in the previous paragraph is rejected by either Chamber of the States-General, or withdrawn by Us or not given the Royal Assent, Our Decree shall be revoked immediately. The Decree of Revocation shall also regulate the consequences resulting from the non-confirmation of the provisional measure.

3. The State-General shall be notified by Us of all provisional measures, upon their adoption.

Section 3

On the day on which a confirmatory Act as referred to in the first paragraph of section 2, comes into force, Our Decree, confirmed by that Act, shall lapse.

Section 4

1. The present Act, which may be referred to as "Emergency Act, Indonesia", shall take effect on the day of its promulgation.

2. Our authority to adopt provisional measures as referred to in section 1 shall lapse on July 1, 1949. The provisional measures adopted prior to that date shall remain in force, without prejudice to the provisions of sections 2 and 3.

We instruct and order the present Act to be published in the Statute-Book and all Ministerial Departments, authorities, boards and officials concerned to observe its due implementation.

Given at the Hague, etc.

The Prime Minister, Minister of General Affairs :

The Deputy Prime Minister, Minister without Portfolio :

The Minister of Overseas Territories :

The Minister of Foreign Affairs :

The Minister for the Interior :

The Minister for War :

The Minister of the Navy *ad interim* :

(Signatures not supplied).

ADMINISTRATION OF INDONESIA DURING THE PERIOD OF TRANSITION

Official Statement issued by the Netherlands Indies Government Information Service in Batavia, on December 19, 1948.

On December 7, 1942 the Netherlands have promised by mouth of Queen Wilhelmina the peoples of Indonesia a new regulation of their relationship to the Netherlands; a regulation, based on the principles of equality, voluntariness and alliance. As soon as circumstances after the Japanese capitulation permitted it, the Netherlands have made a start with the redemption of this pledge.

To this end extensive consultations were opened with representatives of all Indonesian peoples and groups of the population. During these consultations the outlines of a new government system were gradually developed and laid down in documents. The Republic too repeatedly recognized in the Linggadjaati-agreement as in the Renville-agreement the correctness and acceptability of this newly-projected government-system.

After this the Netherlands have made many provisions, which aimed at the speediest possible realisation of the constitutional reform as agreed upon and which showed the thoroughness with which a new Netherlands energetically entered upon this new course.

On this road towards realization of constitutional reform an important milestone has now been reached, *viz.*, the promulgation of the first regulation of the new system, based on Law and the Constitution, the Royal Decree "Administration in Indonesia during the period of transition", the B.I.O.-decree. This decree aims at determining an administration for the whole of Indonesia, of which the Government is convinced that it meets the wishes of the great majority of the population. The regulation for the period of transition, laid down in this decree, aims at approaching as closely as possible the ultimate situation in which Indonesia as a perfectly free and sovereign state will be allied to the Netherlands in a Netherlands-Indonesian Union.

To a considerable extent this final stage is already reached by the fact that the entire internal administration is placed in the hands of organs, consisting of Indonesians, who have the confidence of their fellow-countrymen. These organs, which thus bear a purely Indonesian character, will be: Federal Government, Federal Council, Federal Representative Body and the Council of Secretaries of State.

To these organs, which have been elected along democratic lines and which in their mutual relation guarantee the democratic principle with regard to the administration to be practised, the execution of all powers concerning Indonesia, pertaining to the Crown, will be transferred to the Netherlands Legislature and the Governor-General. This means that both administration and legislation will be entirely in the hands of Indonesian organs.

As a result of the sovereignty of the Netherlands still being maintained during the period of transition until the moment of the establishment of the independent United States of Indonesia and of the responsibility resulting from it, the regulation contains provisions on the strength of which the execution of a restricted number of powers will take place by the Indonesian Government organs in co-operation with the High Representative of the Crown. This High Representative of the Crown will, in accordance with this responsibility, borne by the Netherlands, execute the supreme command over all fighting forces present in Indonesia and will have the power to place them, if necessary, under one supreme commander. In principle, however, he will leave the Federal forces at the disposal of the federal government for the maintenance of justice and safety, because this government in the first instance, is responsible for these.

As the actual establishment of the organs needed for the execution of the task of the Federal Government, of course, will take some time, the regulation provides for the possibility of a gradual transfer of the powers previously mentioned, in proportion to the capability of the federal organs concerned, to enter upon their offices. For right understanding, it may serve in this regard, that the promulgation of the B.I.O.-decree before January 1, 1949, fulfils a promise made by the Netherlands Government to the Federal nationalists. The Netherlands Government has the express intention to practise the speed the circumstances warrant.

Because elections still have to be held and also owing to the difficult position of the Federal States since the most recent developments; the Federal Government as mentioned in the B.I.O.-decree cannot be established before that date.

A separate regulation provides for the possibility of including those territories, whose representatives so far have not co-operated in the Federal structure.

By promulgating the B.I.O.-decree, the Netherlands substantially contribute to the realisation of the legitimate aspirations of the Indonesian peoples. The independence of Indonesia already realized to a great extent during the period of transition, will be completed by the establishment of the United States of Indonesia.

DUTCH 'POLICE ACTION'

Press Releases issued by the NEI Army Information Service

ORDER OF THE DAY.

The Government has been compelled to draw the final conclusion from the sovereign rights and duties which it still exercises over Indonesia.

From you it is expected to execute the last act as now our patience has been exhausted by endless negotiations and no other way is left open.

At the finishing off of your task I appeal to you to act energetically, but above all to unfold at the same time the human qualities which adorn you.

Be conscious, that you are not so much soldiers as the bearers of right and security to a population, which has already groaned too long under terrorism and oppression. Relieve its distress, do not make it worse. Keep from all actions that could not stand the test of the severest criticism. Be determined but at the same time be humane and respect private properties.

I put all my confidence in your department.

May God lead you and protect you during the coming days.

BATAVIA;

18th of December 1948.

(Sd.) S. H. SPOOR,

The Lieutenant-General,

Commander-in-Chief of the Army.

Warning !

Armed Forces of the Kingdom of the Netherlands have crossed the *Status Quo Lines*. They are now advancing to make an end to the civil dissension, oppression and terrorism, to bring right and security to you and to take away the last obstacles for the further realisation of the Renville-Pact.

It is known to me that instructions exist for a scorched earth policy. The carrying out of this senseless and irresponsible policy will not be able to prevent us reaching the object which is set to us, but will only hit the population. This cannot be tolerated.

Consequently, a serious warning is herewith directed to all, who are responsible and who will be guilty of these criminal actions, that without any hesitation a very severe punishment will be meted out.

(Sd.) S. H. SPOOR,

The Lieutenant-General,

Commander-in-Chief of the Army.

Presscopy No. 10.

BATAVIA;

December 22nd 1948.

RELEASE: 13.00 Hours Java time.

The Army Information Service announces:

At eight o'clock on the evening of Tuesday the first troops which came by road from SEMARANG marched into Jogjakarta.

On the situation in Jogjakarta the following particulars can be given:

The arrival of the Dutch forces apparently was an absolute surprise. The barracks and offices proved to be hurriedly deserted; some type-writers still held unfinished letters. The town made a somewhat neglected impression.

The electric power-station functions, the water provision is bad.

The Dutch troops which have arrived at SOLO already are receiving their letters and postal parcels.

The distribution of newspapers has been resumed as far as possible. The prices of victuals are exceedingly high.

On Christmas extra distributions will be made.

Security Council Resolution on Indonesia of December 24, 1948

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,
- (b) Immediately to release the President (Dr. Soekarno) and other political prisoners arrested since December 18.

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 December 12, 1948, and to observe and report to the Security Council on the compliance with sub-paragraphs (a) and (b) above.

Security Council Resolution on Indonesia of December 28, 1948

The Security Council, noting that the Netherlands Government has not so far released the President of the Republic of Indonesia (Dr. Soekarno) and other political prisoners as required by the resolution of December 24, calls upon the Netherlands Government to free these political prisoners forthwith and report to the Security Council within twenty-four hours of the adoption of the present resolution.

Royal promise of Indonesia's Independence: Queen Juliana's Broadcast

The Hague, January 6, 1949.—In a radio-broadcast H. M. Queen Juliana of the Netherlands made the following statement:

As early as 1942 my mother expressed the hope that Indonesia and the Netherlands, after a common victory over the enemy, would co-operate voluntarily in freedom, and on the basis of equality, to regain peace and happiness. Her words not only held out prospects but also contained a pledge.

In February 1948 my mother repeated this promise. She then recalled the words of the late President Roosevelt, the great fighter for freedom, stating that a common effort, far from being restricted to the

aim of independence, should also be directed towards freedom of religion, freedom of speech and the freedom from fear and want.

A new form of co-operation, based upon mutual trust, would have to be developed in order to create a free and sovereign Indonesia, linked in an equal partnership with the Netherlands in a Netherlands-Indonesian Union.

In concluding her address, she said "Both the Netherlands and Indonesia are longing for the day when the United States of Indonesia will take their rightful place among the United Nations".

From the beginning of my reign I have always striven for complete fulfilment of the promise given by my mother and to co-operate towards securing peace, happiness and prosperity for the peoples of Indonesia under a sovereign government of their own.

I have been happy to note that large parts of Indonesia were prepared to co-operate in achieving this purpose. In other parts unfortunately, certain elements, preferring violence and chaos to peaceful co-operation, proved to predominate over those who, there also, were willing to build a new constitutional order, in mutual understanding with the Netherlands. For this reason military action finally became inevitable. Its object was in no way to come back on the pledge which had been solemnly given by my mother and by the Netherlands people as a whole with regard to Indonesia.

Its object was solely to create the possibility of ensuring at long last law and order, prosperity, freedom, independence and sovereignty for Indonesia as a Federal State.

By the promulgation of the decree regarding the institution of the Government of Indonesia during a transitional period, an important step towards the establishment of Indonesia's own government has now been taken.

I sincerely hope that within a few weeks the Indonesian Federal Government will be established which will shoulder responsibilities and perform duties which are inherent to the democratic system.

By virtue of its powers this Federal Government will, without delay, have to take further measures to prepare for a transition from the old to a new constitutional order and for the establishment of the latter.

As a part of these measures, it will—in agreement with the High Representative of the Crown—organize free elections in Indonesia as soon as circumstances permit. I hope that thus the sovereign United States of Indonesia and the Netherlands will then co-operate for the sound development of the two countries and for the benefit of world prosperity. Then the basis for a better and happier future, such as envisaged by my mother, will have been laid.

PART II

REPORTS OF THE COMMITTEE OF GOOD OFFICES ON THE INDONESIAN QUESTION TO THE SECURITY COUNCIL

Introduction to the Fourth Interim Report, dated Nov. 15, 1948

(Full Report printed separately)

ESTIMATE OF THE SITUATION

1. Despite the efforts of the members of the Committee of Good Offices to find a basis for a settlement of the Indonesian dispute consistent with the Renville agreements, there has not been any progress towards such a settlement since the Third Interim Report was presented to the Security Council in June. In point of fact, there have been no political negotiations under the Committee's auspices since the end of May. The Netherlands delegation has been reluctant to consider proposals put forward by the Australian and United States representatives on the Committee, and, prior to the presentation of the United States delegation's draft proposals on 10 September, neither of the parties had come forward with proposals for an overall settlement of their dispute.

2. The delay in reaching a political settlement has had four important consequences:—

- (a) A deterioration in the economic situation within the Republic, and a delay in the economic rehabilitation of Indonesia as a whole;
- (b) An increase in political difficulties within the Republic;
- (c) An increase in political tension between the parties;
- (d) An increasing strain on the truce, with the ever-present possibility of its general breakdown.

(a) *A deterioration in the economic situation within the Republic, and a delay in the economic rehabilitation of Indonesia as a whole.*—Since the Committee's Third Interim Report, there has been a serious and rapid economic deterioration within the Republic. Netherlands Indies trade regulations cover the whole of Indonesia and involve certain administrative difficulties in connexion with the issue of trading permits. Republican authorities are reluctant to take any action regarding applications for such permits which they consider might imply recognition of the Netherlands Indies regulations. These factors have brought normal trade to and from the Republic almost to a standstill. Information gathered by the Committee in the course of visits to Republican-controlled territory in central Java and Sumatra, and from its military assistants stationed in the field, indicates that economic conditions in Republican areas are now critical. Shortages of transport and reconstruction equipment have been accentuated by the wearing out of existing equipment which cannot be replaced. Health services have been limited. Sporadic shortages of food-stuffs have occurred in areas cut off from the supply centres by the *Status Quo Line* or by sea, as well as in areas which previously depended on estate economy. Plantations and estates have been neglected and in some cases given over to food crops. Furthermore, the failure of the parties to reach even a temporary understanding on the status of estates in Republican-controlled territory has prevented normal exploitation of estate produce in these areas. Continuation of the present conditions is likely not only to result in economic chaos within the Republic, but also seriously to delay the economic rehabilitation of the whole of Indonesia, whose products are highly important to world economic recovery.

(b) *An increase in political difficulties within the Republic.*—The protracted delay in reaching a political settlement and the economic difficulties within the Republic have imposed a considerable strain on the

Republican administration at a time when it has been dealing with internal political difficulties. In addition, during this period, the Republic has been concerned that the Netherlands Government has proceeded with consultations with representatives of the non-Republican parts of Indonesia and has encouraged the political organization of areas under Netherlands control. The status of these areas remains to be decided under the terms of the Renville Agreement, and the Republic has expressed the fear that the Netherlands policy has been directed to the establishment of an Interim Federal Government for Indonesia without the participation of the Republic.

(c) *An increase in political tension between the parties.*—In the foregoing circumstances, there has been a marked increase in the political tension between the parties which has been accentuated by the events outlined in chapter III of this report, and by the general tendency of the press to play up minor incidents.

(d) *An increasing strain on the truce, with the ever present possibility of its general breakdown.*—At the time of the signing of the Truce Agreement, it was expected that a political settlement would follow within a short time. The truce has now been in force for ten months. This is an extremely long period for any truce to remain effective and, in this case, the regrettable lack of progress toward a political settlement and the deterioration in the economic conditions within the Republic have subjected the truce to an ever-increasing strain. The rising number of infringements of the Truce Agreement during this period is testimony to the relationship between the maintenance of the truce and successful progress in political negotiations. From time to time, there has been acute fear of a resumption of military action.

3. Throughout the period covered by this report, there has been a critically unstable situation in Indonesia, making an early settlement of the three-year-old dispute imperative.

4. Recently, the Netherlands Government has made a new approach. Direct talks between the Netherlands Foreign Minister and the Prime Minister of the Republic took place at the beginning of November. Subsequently, on 22 November, an official Netherlands communique announced that, after an extensive and profound study of the account given by the Netherlands Foreign Minister regarding his discussions in Indonesia, the Netherlands Government had come to the conclusion that it might be possible to solve the differences existing between the Netherlands and the Republican Governments at short notice, on the basis of the pattern laid down by the Netherlands Government. Consequently in order to attain a final solution, the Netherlands Cabinet appointed the Minister for Overseas Territories, Dr. Ejam Sassen, the Minister for Foreign Affairs, Dr. D. U. Stikker and the Royal Commissioner in Indonesia, Mr. L. Neher, to hold direct talks in Indonesia with both the Republican Government and the Federalists.

5. The members of the Committee have been informed by the three representatives of the Netherlands Government mentioned in paragraph 4, that, when these direct talks have yielded results, formal negotiations will take place under the Committee's auspices.

6. Whatever their outcome, the direct talks which are now commencing represent a serious and possibly final attempt of the parties to reach an overall settlement. The Committee will report to the Security Council immediately the results are known.

Special Report, dated December 12, 1948

1. The Committee of Good Offices herewith submits to the Security Council a special report dealing with the direct talks which have been recently held in Indonesia between representatives of the Governments of the Netherlands and the Republic of Indonesia. This special report has

been prepared, in accordance with the undertaking in paragraph 6 of the Introduction to the Fourth Interim Report, immediately after the results of the direct talks were made known to the Committee. The circumstances of the first and exploratory phase of these talks in early November are set forth in Section D of Chapter I of the Fourth Interim Report.

2. Late in November, the Netherlands Cabinet appointed a special delegation consisting of the Minister for Overseas Territories, the Minister for Foreign Affairs and the Royal Commissioner in Indonesia, to hold discussions in Indonesia both with the Republican Government and the Federalists with a view to attaining a final solution. This delegation was assisted by five members of the States General as observers and by a number of experts.

3. The Special Delegation flew to Djokjakarta on 27 November and returned to Batavia on 1 December. On the intervening days, discussions were carried on at Kaliurang between the Special Delegation and representatives of the Republican Government. After its return to Batavia, the Special Delegation met variously with the High Representative of the Crown, members of the Bandung Federal Conference and officials of the Provisional Federal Government in Indonesia. There were also a number of contacts between the Netherlands Ministers and the representatives on the Committee of Good Offices. On 4 December, on the invitation of the Special Delegation, conveyed through the United States representative on the Committee of Good Offices, the Vice President and Prime Minister of the Republic, Dr. Hatta, came to Batavia and held a final meeting with the Special Delegation in order to clarify certain points at issue. The Special Delegation left Batavia for The Hague on 5 December to report and to consult with the Netherlands Government.

4. On 9 December the Committee received from the Republican Delegation a summary of the direct talks. In the view of the Republican Government,

- (a) the Republican Government "has shown its goodwill and gone to the limit in offering concessions towards the viewpoints of the Netherlands";
- (b) ".....the instructions to the Netherlands ministers were restricted to an investigation of whether the Republic would in principle accept Netherlands terms, and did not constitute a serious attempt to negotiate an agreement with the Republic";
- (c) "There is now strong evidence that the Netherlands Government intends to form an Interim Federal Government without the Republic before the end of the year, and without further formal negotiations with the Republic under the auspices of the Committee of Good Offices. Such a policy would ignore the Renville Agreement, the Committee of Good Offices and the statements the Netherlands Government has made before the Security Council."

The summary states that the direct talks between the parties have failed and calls upon the Committee of Good Offices to take whatever measures may be possible to prevail on the Netherlands Government to come to a peaceful settlement of the dispute. The Republic reiterates its willingness to consider reasonable terms of settlement.

5. Another letter from the Republican Delegation, dated 8 December states that "in addition to the informal talks", and "in the period of the above talks", informal discussions were held by the representatives of the two Governments concerning the implementation of the Truce Agreement, with the results set out in the letter and its annexes.

6. The Netherlands summary of the direct talks was received on 11 December 1948. The Netherlands Delegation emphasizes that:

- (a) the informal discussions have made clear that the Republican Government cannot exercise effective control over its armed forces and therefore that effective co-operation on the part of the Republic to combat infringements of the Truce cannot be expected;
- (b) the Republican point of view regarding powers of the High Representative of the Crown and particularly regarding his control over the armed forces during the interim period is not only fundamentally irreconcilable with Netherlands sovereignty as formulated in the First of the Six Additional Renville Principles, but would continue "the present intolerable situation of two opposing armies under separate command";
- (c) the refusal to recognize Netherlands sovereignty during the interim period nullifies the acceptance by the Republic of the Draft Agreement submitted by the United States Delegation on 10 September 1948 as a basis for negotiations;
- (d) the Netherlands Government must now proceed to the promulgation of the decree setting up an interim federal government "drafted on the basis of the results of consultations with the representatives of the Federal territories."

The statement concludes that the "Netherlands Government regrets that negotiations under the auspices of the Committee at this stage are futile" in that the Republican Government does not "in fact recognize either the Truce or the Renville principles, and a basis for agreement is fundamentally lacking."

7. The Fourth Interim Report made clear that there had been no political negotiations under the auspices of the Committee since the end of May 1948. The Introduction to that report emphasized that the long continued delay in achieving a political settlement had had serious economic effects, had intensified both political difficulties within the Republic and political tension between the parties and had resulted in an increasing strain on the Truce with the ever present possibility of a general breakdown. The collapse of the direct talks has served to aggravate the dangers in a situation which was already grave.

The setting up of an interim Federal Government by decree of the Government of the Netherlands, which is apparently to occur before 1 January 1949, will contribute further to the opinion of the Republic that the Netherlands Government has been proceeding unilaterally to establish ultimately a United States of Indonesia on its own terms and without the Republic. The formation of an interim Federal Government now without the Republic will greatly complicate a negotiated settlement of the Indonesian dispute and could create serious unrest in Indonesia.

In the light of the statements made by the Netherlands Delegation that "negotiations under the auspices of the Committee at this stage are futile", and that there are "irreconcilable" positions of the parties on certain issues, the Committee does not foresee the possibility of its bringing the parties together in *bona fide* negotiations.

The Committee has no confidence that even the presently unsatisfactory level of truce enforcement can be maintained as the possibility of political agreement becomes more remote. The Committee can see in the present situation only intensification of the factors already making for further economic deterioration, general unrest and social upheaval. Widespread hostilities involving the conflict of organized armed groups on a large scale might be the outcome.

8. The Committee refers to its Special and Interim Reports as providing a fuller background for an understanding of the difficulties which have led to the present situation. The Committee calls particular attention to the estimate of the situation set forth in the Introduction to the Fourth Interim Report as supplemented by the present report.

The Committee also makes available at this time the United States Delegation's Draft Agreement of 10 September 1948, submitted to the Good Offices Committee as a Working Paper for the consideration of the parties on 10 November 1948; and the Netherlands Delegation's letter of 14 October 1948 with the annexed Oral Notes I and II. The Australian and United States delegations make available in addition the Australian—United States Working Paper of 9 June 1948, which is attached as Appendix VI. This paper is not currently on the agenda of the Committee, the Conference or any organ thereof; it is included with the others for the purpose of completeness. The circumstances surrounding the presentation of these papers have been detailed in Chapter I of the Fourth Interim Report.

The Committee as such has not endorsed the substantive provisions of any of these documents. They are furnished herewith for the purpose of making them readily accessible to the members of the Security Council so that the Council may be in a position fully to understand the means employed by the Committee, the individual members thereof, and the parties, with a view to achieving a settlement of the dispute.

Supplementary Report, dated December 18, 1948

1. On 13 December 1948, the United States representative on the Committee of Good Offices flew from Batavia to Jogjakarta in order to supply the Republican delegation with copies of the Special Report of the Committee of Good Offices to the Security Council dated 12 December 1948. While he was in Jogjakarta he was given the following letter addressed to him and signed by the Vice-President of the Republic:

Kaliurang, 13 December 1948.

Dear Mr. Cochran,

I received only this morning the Netherlands note of December 11 addressed to the Chairman of the Good Offices Committee and attached to the GOC's special report of December 12. I have not had sufficient time to analyse it fully. I am very sorry, however, to find that the Netherlands note reflects a basic misunderstanding of the Republic's position. I am setting down very roughly and informally certain basic considerations as I see them. Please feel free to show this letter to any appropriate Netherlands official or to make any other confidential use of it which you feel will help to remove the unfortunate misunderstanding which has developed.

1. The responsible officials of the Republic accept fully and without qualification or reservation the principles of the Renville Agreement.

2. We recognize that by the first of the six Additional Renville Principles the Netherlands is to remain sovereign in Indonesia in the interim period.

3. A sovereign power may, entirely consistently with its sovereignty, voluntarily subject the actual *exercise* of its power to self-imposed restraints and limitations.

4. The people of the Republic, as well as those of other areas of Indonesia, have certain democratic and national aspirations which we believe both the Netherlands and ourselves recognize as entirely legitimate. These people take understandable pride in the fact that the Government of the Republic is in a very real sense a government and has exercised all the powers of a *'de facto'* government for over three years.

5. The Republic has offered many concessions in its sincere desire to become a party to a fair and reasonable agreement out of which would come a prosperous, peaceful and stable federal Indonesia, in a position to make a very real contribution to the restoration of the economic health

of the world community and to the safety of democracy everywhere. Some of these concessions involve waiving benefits given to it under Renville. For example, the Republic is willing in the interests of harmony and stability to accept a postponement of the date for the transfer of sovereignty to a sovereign United States of Indonesia to a time considerably beyond that originally contemplated. We are willing to postpone elections in the interim government for a period of some six months and only then to have established the constituent assembly which would also exercise legislative functions. We feel that in all of these concessions in which we waive advantages accruing to us under Renville we give earnest of good faith and of our desire for harmony.

6. In return we ask the Netherlands to impose upon itself certain limitations on the exercise of its sovereign power of its own volition as a contribution to the mutual advantage of our two peoples. The nature of these limitations would be worked out and incorporated in our agreement.

The Netherlands would then give them effect in its own laws in the same manner in which it at present directs its officials to carry on their functions in accordance with definite standards and by prescribed procedures.

7. Our informal talks with the Netherlands ministers have shown how close we have already come together on most of the fundamental issues. As you know, there remain certain gaps between us which had not yet been bridged. The differences of view-point related largely to the powers of the High Representative *vis-a-vis* the Federal Interim Government and to the problem of the armed forces. I am confident that an amicable arrangement on these questions can be worked out in continued negotiations.

8. We are fully prepared to recognize the High Representative has the right of veto over acts of the various organs of the Federal Interim Government. We ask only that definite standards be set forth or perhaps definite categories of acts given precise formulation to guide the High Representative in the exercise of his power of veto.

9. We are prepared further to concede that the High Representative be given emergency powers to act in a state of war, a state of siege or a state of insecurity. As part of an overall agreement we should be ready to stipulate that the High Representative himself be the ultimate judge of the necessity for the exercise of extraordinary powers under these circumstances. Again we ask only that definite standards be laid down to govern the High Representative's decision.

10. When the High Representative has invoked his emergency powers, we are willing that he be given authority to employ the federal forces and if it is evident to him that these forces are insufficient—also to employ the Netherlands forces as supplementary forces to the extent required for the protection of the public peace and security.

11. I cannot attempt here to lay down precise technical rules. I wish merely to emphasize my confidence that reasonable men can and must agree when the consequences of disagreement are so serious to both parties. It is my earnest hope that the appropriate Netherlands officials and my own people can be brought together speedily for the resumption of full negotiations in which both parties will have available the assistance of technical, political and legal advisers. I can make no complaint of lack of cordiality in the reception extended me by the Netherlands ministers in Batavia on December 4, when I went down for a brief final discussion on the afternoon before the departure of the ministerial delegation for The Hague. I cannot in candor, nor do I wish to, withdraw any of the points which I made at that time. However, I cannot but feel that the necessity of formulating and giving expression of my ideas on the spur of the moment and on issues of really technical complexity without the assistance of my technical advisers may well have been the source of misunderstanding of my true position.

12. Difficulties remain. However, even with the admittedly complex problem of the armed forces, and the command thereof, we have already moved far in direction of agreement. There is no intention of seeking the incorporation of the TNI as such in the federal army to be created.

13. I have sought to make my views clear. I think it is apparent that we are prepared to give full recognition to Netherlands sovereignty in the interim period not only in principle but in practice. The limited voluntary self-restraint and self-control which we ask the sovereign authority to impose upon itself is fully in accord with the manner in which sovereignty finds expression in the modern democratic states of Europe and America.

14. I ask your continued assistance as a member of the Committee of Good Offices in bringing about a resumption of negotiations. We stand ready to enter immediately into such negotiations and to do everything possible to reach a speedy agreement. The Republic is prepared to sacrifice much in its recognition of the principle that by sacrificing some of that which pertains to it as a unit, it will find a fuller realization of the aspirations of its people in an interim government of all Indonesia, and, finally, in the United States of Indonesia.

Sincerely yours,

MOHAMMAD HATTA,

Vice President and Prime Minister,
Republic of Indonesia.

The Hon. H. Merle Cochran,
United States Representative on the
Committee of Good Offices, Djakarta.

It will be noted that Dr. Hatta authorized the United States representative to show this letter to any appropriate Netherlands official.

In the late afternoon of 13 December 1948, the United States representative gave a copy of this letter to the Acting Chairman of the Netherlands delegation.

2. On 17 December 1948, the following telegram from the Acting Chairman of the Netherlands delegation was received by the United States representative at Kaliurang, to which the Headquarters of the Committee had been moved on 15 December for a regular three-week period:

NETHERLANDS DELEGATION
No. 3894.

Batavia, December 17, 1948.
Palais Rijswijk.

SIR,

The Netherlands Government has the honour to acknowledge receipt of the letter which the Vice-President of the Republic, Dr. Hatta, addressed to you on December 13, 1948.

The Netherlands Government has taken cognizance with considerable interest of the views developed therein realizing that these are personal thoughts of Dr. Hatta, which he wrote down "very roughly and informally" without having had sufficient time to analyze the Netherlands Government's note of December 11. This means Dr. Hatta's letter by itself cannot induce the Netherlands Government to revise conclusions set down in its note of December 11.

The Netherlands Government has noted with regret that, although the Republican report concerning the informal discussions which took place at Kaliurang bears witness to the fact that the Republic is well aware of the importance which the Netherlands Government attaches to the observance of the Truce, no reference is made to the violations of the Truce in

Dr. Hatta's letter. It has furthermore drawn the attention that Dr. Hatta refers on two occasions to misunderstandings which exist in his opinion. In its account of the informal discussions at Kaliurang to the Committee of Good Offices, the Republican Government has indicated some points which it considers essential and on which agreement with the Netherlands Government could not be obtained. The Republican Government also mentioned in the same report that as a consequence of the Republic's desire to achieve agreement with the Netherlands Government, the extreme limit of possible concessions had been reached and that these concessions were definitely insufficient for the Netherlands Government to make a new effort to reach a political agreement with the Republic with some prospect of success.

The Netherlands Government fails to see how there can exist any misunderstanding in this regard.

In his letter of December 13, Dr. Hatta refers several times to the opinions of the Government of the Republic, but nevertheless the contents of the letter are on a number of essential points not sufficiently formulated to constitute a starting point for effective discussions. The Republican Government is conversant with the draft decree on the Interim Government (the so-called "B.I.O. Besluit"), the text of which is the result of consultations with prominent representatives of the federal territories. In order to make fruitful discussions possible it would have been indicated for the Republic clearly to state its acceptance at least of the basic principles of this decree mentioned below. Only in this way it would have been possible to determine with certainty that a basis had indeed been found for an agreement with the Republic.

The Netherlands Government cannot therefore derive from Dr. Hatta's letter alone a starting point for further discussions. Such discussions could only have a meaning if the existence of a firm basis would justify the conviction that agreement can indeed be reached. To its sincere regret the Netherlands Government so far has not been convinced of this and Dr. Hatta's letter has not created this conviction either. The Netherlands Government would as yet have resumed negotiations most willingly notwithstanding previous experience, if Dr. Hatta instead of giving personal views, would have made a declaration, binding on the Republican Government, that the Government of the Republic in conformity with the stipulations of the B.I.O.—decree, concurs with:

- (a) the incorporation of the Republic in the Federal organization on the same footing as the other federal areas;
- (b) the regulation of the position of the High Representative of the Crown and the authority conferred upon him in the B.I.O.-decree;
- (c) the articles concerning the federal forces, state of war and seige and state of insecurity;

and if the Republican Government would furthermore have declared its willingness to take forthwith the measures, which it knows that the Netherlands Government considers necessary for the effective termination of the violations of the Truce and especially for the evacuation of the infiltrants. In that case the Netherlands Government would have consulted with the Republic and the other federal territories concerning changes in the B.I.O.-decree on less essential points, after promulgation of the present text.

The Netherlands Government reiterates that it sincerely regrets that a binding declaration of this kind cannot be found in Dr. Hatta's letter. The Netherlands Government could only reconsider its point of view that continuation of negotiations is futile if a binding declaration as referred to above would forthwith be received by the Netherlands Government.

The Netherlands Government continues to consider immediate promulgation of the B.I.O.-decree necessary.

It is absolutely essential that reply from the Republican Government to this letter be received in Batavia before Saturday, 18 December 1948 10:00 hours Batavia time for relay to the Netherlands Government.

I have the honour to be,
 Sir,
 Your obedient servant,
 (Sd.) T. ELINK SCHUURMAN,
Acting Chairman.

The Honourable Merle H. Cochran,
 U.S. Representative on the Security Council's
 Committee of Good Offices on the
 Indonesian Question,
 KALIURANG.

3. On 17 December 1948, the United States representative prepared the following reply to the telegram from the Acting Chairman of the Netherlands delegation of the same date:

KALIURANG,
 December 17, 1948.

SIR,

I have the honour to inform you that today, 17 December 1948, I received from you a number of communications. Three of these were addressed to the Committee of Good Offices through its Chairman and two were addressed to me personally.

The first, your letter No. 3885 dated 16 December 1948, was received by the members of the Committee about 10:00 A.M., shortly after the arrival of the plane on which it was carried. This letter requested the members of the Committee to return to Batavia at the earliest opportunity, if possible, by to-day's plane, in order to discuss a reply of the Netherlands Government to a letter from Dr. Hatta dated 13 December 1948. The members of the Committee began immediate preparations to comply with your request.

Shortly before 11:50 A.M., 17 December, the members of the Committee received your telegram of the same date addressed to the Chairman of the Committee of Good Offices in which you requested the Committee to postpone its return to Batavia. You noted that the "Netherlands reply will be cabied this morning to Mr. Cochran". The Committee thereupon cancelled the arrangements already made.

About 12:50 P.M. on 17 December, the members of the Committee received your telegram addressed to the Chairman thereof in which you requested that the Committee's plane remain in Jogja overnight "in order that Colonel Mayer may fly to Batavia early tomorrow morning with reply to letter from Netherlands Government which is now being telegraphed to Mr. Cochran". At this point it was not feasible to countermand the orders for departure of the plane for Batavia but the pilot was instructed to return to Jogja early Saturday morning. At 3:15 P.M. today I received your telegram of some eight hundred words in which you transmitted the reply of the Netherlands Government to the letter "which Vice-President of the Republic, Dr. Hatta, addressed to Mr. Cochran on 13 December 1948".

At 5:00 P.M. on 17 December. I telegraphed you confirming the receipt of your telegram transmitting the Netherlands response. I informed you also that the plane assigned to the Good Offices Committee would make a special trip from Batavia to Jogja early tomorrow morning and return to Batavia immediately after its arrival in order that you might have the answer at the earliest possible time. I informed you that I would go to Batavia on the plane and hand the answer to you personally.

At 9-45 P.M. on 17 December, I received the last in the series of telegrams. Your telegram reiterated that it was absolutely essential that the reply from the Republican Government be received in Batavia before Saturday, 18 December at 10-00 A.M. Batavia time, for relay to the Netherlands Government. The telegram stated that Colonel Mayer, apparently at your request, had approved the departure of the Committee of Good Offices plane at 5-00 A.M. Batavia time for arrival in Jogja at 7-00 A.M. Batavia time "in order to enable return before 10:00 Batavia time." You asked me to confirm receipt of the two cables addressed to me as well as the two addressed to the Chairman of the Committee of Good Offices.

The Netherlands reply was received somewhat garbled in course of transmission. However, it is made clear that the letter of Dr. Hatta, dated 13 December was insufficient to cause the Netherlands Government to "reconsider its view that continuation of negotiations is futile". The note does set forth the conditions which, if they had been accepted in a declaration by Dr. Hatta, clearly binding on the Republican Government, would have caused the Netherlands Government to resume negotiations. Even the acceptance of these conditions, however, it is stated in effect, would not have been sufficient to prevent the promulgation of the decree setting up the interim government on the basis of the present text. If the Republican Government had accepted the conditions without modification of any kind, the "Netherlands Government would have consulted with the Republic and the other federal territories concerning changes" in the decree on less essential points, after promulgation of the present text.

It is then stated that the Netherlands Government can reconsider its decision that continuation of negotiations is futile only if a binding declaration of the nature referred to is forthwith received by the Netherlands Government. "The Netherlands Government continues to consider immediate promulgation of the decree necessary." After the quotation marks which mark the end of the reply you transmitted under instructions by the Netherlands Government, appears the statement "it is absolutely essential that reply from Republican Government to this letter be received in Batavia before Saturday 18 December 1948 10-00 hours Batavia time for relay to Netherlands Government."

I feel constrained to express my regrets that it was thought necessary to impose a time limit which allows, if taken literally, a total of less than eighteen hours, including the hours of night, for the making of copies; the delivery of the note to Dr. Hatta by the United States representative; consideration by Dr. Hatta; the necessary consultations with members of his government; the preparation of a considered reply; the trip from Kaliurang to Jogja and then the flight to Batavia. I cannot help but recall, by way of comparison, that I gave Dr. Hatta's letter to you at 5-30 P.M. on Monday, 13 December. The letter was answered only today, five days later, despite the fact that it asked only for a decision to resume negotiations. Your telegram was delivered to Dr. Hatta, after the making of copies, at 4-30 P.M. today. You will agree, I am sure, that in such circumstances, I cannot in justice press Dr. Hatta for an immediate reply to a letter which calls not for a mere expression of willingness to resume negotiations but rather for a surrender to the position of your Government on every material point. The situation becomes even clearer when you recall, that Dr. Hatta, who in fact has been under his physician's orders to do no work for two weeks, is in Kaliurang, apart from members of his government, whose assistance therefore cannot be immediately obtained.

I myself do not now have the opportunity, nor perhaps would it be consistent with my role as a good officer, to comment in detail on the substantive demands made in your telegram. As a matter of fact, in the four and one-half months that I have been present in Indonesia as the United States representative on the Committee of Good Offices, neither I nor any other members of the Committee have had an opportunity to participate

in, or to observe a discussion of any of these issues in the Committee of Good Offices or in the conference of the parties. Nor have we been given the opportunity to examine in any detail or in full context the opposing positions of the parties in the recent direct talks except as presented sketchily in the statements made by the two parties which are appended to the Special Report of the Committee of Good Offices to the Security Council of 12 December. I desire, therefore, to raise a few questions which occur to me at this time.

(1) Condition A requires that the Republic agree to the incorporation of the Republic in the federal organization on the same footing as the other federal areas. Does not this require adherence without any negotiations at all to a federal organization where the Renville Principles contemplate that the provisional federal organization itself is to be the product of the political agreement? Does it not also require the Republic to assume from the very beginning equal status, despite disparities in population, area and condition generally, with the negaras which have been unilaterally established by Netherlands authority? I should like to see these questions clarified in negotiations, particularly in light of the Renville Principles.

(2) Conditions B and C require acceptance of the original position of the Netherlands as expressed in the draft decree with regard to the powers of the High Representative and with regard to the federal forces, state of war and siege, and state of insecurity. These conditions fail to take into account the considerations set forth by Dr. Hatta in his letter of 13 December. It is not my intention to endorse Dr. Hatta's position any more than it is to endorse that of the Netherlands Government. Surely, however, these are basic issues on which there can be an honest difference of opinion and which the parties should discuss before the Committee of Good Offices. Any other procedure is in contravention of the First of the Twelve Renville Principles, providing for the existence of the Committee of Good Offices to be continued in the working out and signing of an agreement for the settlement of the political dispute. I must emphasize again, there have been no political negotiations whatsoever, in the Committee for a period of nearly seven months. Surely it cannot be said that the resources of the Committee have been exhausted.

(3) There is an additional requirement set forth in your telegram, to the effect that the Republican Government must declare its willingness to take "the measures which it knows that the Netherlands Government considers necessary for the effective termination of the violations of the Truce and especially for the evacuation of the infiltrants." There are without doubt existing evils in this connection but their cause, character and probable cure have led to considerable divergence of opinion. The Committee of Good Offices has sought to make available the services of its Security Committee on which both parties are represented and which are established for the very purpose of supervising the enforcement of the mutual obligations of the parties under the Truce Agreement. Should not the recommendations for the better implementation of the Truce, which have been made by both parties, be thoroughly evaluated there rather than the subject of unilateral demands? Was that not the very function conferred on the Committee of Good Offices by the Truce Agreement signed by both parties on the USS Renville on 17 January 1948.

I have never hesitated to offer my personal efforts whenever there has been any possibility of furthering the objective of the Committee of Good Offices, namely, inducing the parties to resume negotiations. That was my objective during the long months, in which, with the patient forbearance of my colleagues on the Committee, I employed informal techniques outside the official meetings of the Committee in an attempt to bring the parties to agree to the resumption of negotiations on the basis of the Draft Agreement presented to them on September 10. I hastened to transmit to you Dr. Hatta's letter of 13 December because that too sought to bring about a resumption of negotiations. I cannot, however, consistently with my

obligations as a member of the Committee of Good Offices, press Dr. Hatta to reply summarily on the conditions imposed by your telegram because it calls for a non-negotiated blanket assent which would preclude the possibility of *bona fide* negotiations, rather than effect their resumption.

I must again repeat the plea, constantly made and reiterated by all the members of the Committee for some months, that negotiations be resumed. The issues at stake are too tremendous for all concerned, the human values too incalculable, to permit any of us to relax our efforts at this crucial time.

I have the honour to be,

SIR,

Your most obedient servant,

H. MERLE COCHRAN,

*United States Representative,
Committee of Good Offices.*

4. The United States representative delivered the reply in person to the Acting Chairman of the Netherlands delegation at 9-40 A.M..

5. At a special meeting of the Committee of Good Offices held in Kaliurang at 10 A.M. on 18 December 1948, the Deputy of the United States representative introduced the above three documents in the Committee as documents bearing on the status of the negotiations. The Committee decided to submit the documents with a statement of the attendant circumstances in the form of a special report to the Security Council supplementing the Special Report of 12 December 1948 in order to keep the members of the Security Council currently informed at a critical time.

Report dated December 19, 1948

Sir,

As reported in the Supplementary Report dated 18th December 1948 to the Special Report of the Committee of 12th December 1948, the text of which was telegraphed earlier to-day to the Security Council in Paris, the United States representative on the Committee proceeded to Batavia on Saturday, 18 December, for the purpose of handing to the Acting Chairman of the Netherlands delegation his reply to the latter's letter of 17th December. The Deputy Australian representative travelled with him, while the Chairman of the week, the Australian representative, and the Belgian representative, together with the staffs of the three delegations and part of the United Nations Secretariat attached to the Committee, remained in the Committee's current headquarters at Kaliurang in Republican territory.

2. At 11-30 P.M. on 18th December in Batavia, the United States representative was handed by the Acting Chairman of the Netherlands delegation a letter addressed to the Chairman of the Committee, and intended for transmission to the Committee (Appendix I).

3. During the night of 18-19th December, telegraphic communications between Batavia and Kaliurang were suspended by the Netherlands authorities with effect from 12 o'clock midnight. Subsequently, the United Nations Secretariat in Batavia tried without success to transmit to the Committee in Kaliurang the text of the letter referred to in paragraph 2 (Appendix I). The Netherlands authorities also declined permission for an indefinite period for the Committee's aircraft to fly from Batavia to Jogjakarta.

4. There are thus no means at present of communication between Batavia and Kaliurang, and the United States representative and the Deputy Australian representative are constrained to forward this report in the name of the Committee without reference to the Australian and Belgian representatives.

5. It will be clear from the foregoing that no notice of the repudiation by the Netherlands of the Renville Truce Agreement has reached the Committee of Good Offices as a whole.

6. Similarly, as far as is known, no notice of the repudiation of the Truce Agreement has reached the Government of the Republic of Indonesia in Jogjakarta. A letter similar in terms to the one mentioned in paragraph 2 was handed to the Secretary-General of the Republican delegation at approximately 11-45 P.M. on 18th December. However, in view of the suspension of communications between Batavia and Jogjakarta on the night of 18/19th December, it has not been possible for him to inform his Government of the contents of the letter. Furthermore, the Secretary-General, together with other Republican leaders in Batavia, was arrested shortly after 1 A.M. on 19th December. At the same time, the office of the Republican delegation was seized and the delegation's documents, including those relating to its work with the Committee, confiscated.

7. In their repudiation of the Renville Truce Agreement, the Netherlands have thus not fulfilled the requirements of Article 10 of the Truce Agreement.

8. At 8-30 A.M. today, 19 December, the Acting Chairman of the Netherlands delegation sent for the United States representative on the Committee and handed him, for the official use of the Committee, a copy of a memorandum which had already been handed by his Government to diplomatic representatives at The Hague (Appendix II).

9. The Acting Chairman of the Netherlands delegation also informed the United States representative that Netherlands forces had already commenced military operations against the Republic and had crossed the *Status Quo Line* into Republican territory. He stated that the Netherlands authorities would do everything possible to ensure the safety of the members of the Committee of Good Offices, their staffs and Secretariat in Republican territory, and that the Netherlands would be responsible for their evacuation when circumstances permitted.

10. The Committee of Good Offices calls upon the Security Council to consider on a basis of the utmost urgency the outbreak of hostilities in Indonesia in violation of the Renville Truce Agreement signed by the Governments of the Netherlands and the Republic of Indonesia on 17 January 1948.

(Sd.), H. MERLE COCHRAN, (United States).

T. W. CUTTS, (Australia).

Appendix I to the Report dated December 19, 1948

NETHERLANDS DELEGATION

BATAVIA, Dec. 18, 1948.

No. 3898

Palais Rijswijk.

Sir,

I have the honour to refer to the numerous letters to the Committee of Good Offices from the Netherlands Delegation concerning violations of the Truce Agreement, a comprehensive list of which is appended, and furthermore to my letters of 11 and 16 December 1948 and the memorandum attached to the latter.

From the abovementioned documents and the evidence in support thereof submitted to your Committee it is abundantly clear that the Truce Agreement between the Government of the Netherlands and the Government of the Republic of Indonesia, signed on 17 January 1948 and the Truce Regulations are not being observed by the Government of the Republic of Indonesia.

The Netherlands Government is reluctantly compelled to notify your Committee, according to the provision of article 10 of the Truce Agreement, that for this reason the said agreement should be terminated and is considered as no longer binding as from Sunday, 19 December 1948, 00.00 hours Batavia Time.

The Republican Government has been informed accordingly.

I have the honour to be,

Sir,

Your obedient servant,

(Sd.) T. ELINK SCHUURMAN,
Acting Chairman.

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

**APPENDIX II TO THE REPORT TO THE SECURITY COUNCIL
DATED 19 DECEMBER 1948**

MEMORANDUM

On December 11, 1948, the Netherlands Government informed the Committee of Good Offices that to its sincere regret it had reached the conclusion that in view of the attitude of the Republican Government, which does not in fact recognize the Truce Agreement nor the Principles for a political settlement which were signed on board the USS Renville on January 17, 1948, further negotiations and discussions either directly with the Republic or under the auspices of the Committee had become futile.

Even since the proclamation of the Republic in Indonesia on August 17, 1945, the Netherlands Government has patiently laboured to arrive at an agreement by which the Republic of Indonesia would become integrated in the proposed United States of Indonesia. By signing the agreement of Linggadjaati and the Renville Principles, the Netherlands Government has given proof of its sincere desire to proceed as quickly as possible with the creation of a sovereign federal state in Indonesia.

The failure of the Republic to co-operate in the implementation of these agreements prevents the creation of the United States of Indonesia on the proposed date of January 1, 1949. As this date approaches, the internal conditions of Indonesia become more and more critical, as a consequence of acts of violence against Indonesian and Netherlands officials and private persons, and of infiltration by armed groups and because of the determined efforts made by organizations and individuals, acting under the direct or indirect responsibility of the Republican Government, to impede the political, social and economic organization of the territories outside factual Republican control.

The situation has now so far deteriorated that the Netherlands Government has been obliged to authorize the High Representative of the

Crown to take without any further delay such measures as he considers necessary to re-establish conditions of peace and security in the whole of Indonesia. The purpose of the action which is about to be undertaken will be to create conditions in which the population of the whole of Indonesia can freely decide on the manner in which they desire to govern themselves, without being constantly exposed to the threats and intimidations of irresponsible elements.

Since the Netherlands communication to the Committee of Good Offices on December 11, 1948, a determined effort has been made by some of the powers with which the Netherlands Government is happy to entertain the most cordial and friendly relations, to induce the Government of the Republic to revise its attitude. For this gesture the Netherlands Government has great appreciation.

The Republican Premier and Vice-President in a letter which was received on December 14, 1948, reiterated his personal desire, which the Netherlands Government has never doubted, to make further efforts to reconcile the Netherlands and Republican points of view. In order to leave no possible avenue for reaching an agreement unexplored, the Netherlands Government by a communication through the United States Representative on the Committee of Good Offices, requested formal assurances that a binding declaration would be forthwith received from the Republican Government concerning some of the most essential points which were discussed in Mr. Hatta's letter. Before this letter had been transmitted, the Republican Government, in an official statement, expressed views concerning the basic issue, in dispute which cannot be reconciled with the declarations in Mr. Hatta's letter. This official communication of the Republican Government confirmed the Netherlands Government's preoccupation that Mr. Hatta's conciliatory views were his own and not necessarily those of his Government.

While the Netherlands Government was awaiting a reply to their communication, the departure of President Sukarno and six of his Ministers on an official visit to India was announced, thereby establishing beyond doubt that the highest Republican authorities were unwilling to enter into further discussions with the Netherlands. Dr. Hatta is Premier of a so-called Presidential Cabinet, which therefore is directly responsible to the Chief of State, so that President Sukarno's departure and the fact that the Netherlands Government has received information that no reply can be expected, have placed the Netherlands Government in a position, where no intervention from the part of international organizations or of friendly powers can be of further assistance and where it has no other course but to carry out on the basis of its undiminished responsibility for the state of affairs in Indonesia, those measures which are indispensable to create conditions, which will enable Indonesia to take its place among the other nations of the world as a sovereign and independent nation, freely linked with the Netherlands in a Netherlands—Indonesian Union.

The Netherlands Government will not go back on, or revoke, any of the pledges which it has formally made with regard to the future of Indonesia, but it will not permit extremist or communist groups to prevent the realization of the aspiration of the vast majority of the Indonesian population. The Netherlands Government is deeply convinced that only by following the course of action on which it has now embarked, these pledges can be fulfilled at the earliest possible moment. The Netherlands Government sincerely hopes that the Governments of all friendly nations will understand and support this policy.

BATAVIA,

December 19, 1948.

Report, dated December 21, 1948

Sir,

1. In reply to your telegram of 20th December, the Committee of Good Offices would first of all refer the members of the Security Council to the Committee's Special Report of 12 December, the Supplementary Report dated 18 December to the Special Report and the Committee's Report dated 19th December. These reports cover the more important events in Indonesia leading to the outbreak of hostilities between the Kingdom of the Netherlands and the Republic of Indonesia on 19 December 1948.

2. Despite frequent requests the Netherlands authorities have not yet provided the United States representative or the Deputy Australian representative, who are in Batavia, with any information regarding the welfare of the members of the Committee and their staff, and the United Nations Secretariat who were in Kaliurang on 19 December. Nor have the Netherlands authorities provided means of communication between the two groups. The United States representative and the Deputy Australian representative are, therefore, once more constrained to forward this report on behalf of the Committee without referring to the members who are still in Kaliurang.

3. On the evening of 20 December, the Acting Chairman of the Netherlands delegation handed to the United States representative on the Committee a reply, dated 20 December, to the latter's letter of 17 December (*vide* Supplementary Report of 18 December). This reply is attached as Appendix I.

4. Further expressions of the Netherlands viewpoint are contained in the following documents:

- (a) Radio speech made by the High Representative of the Crown on the morning of 19 December, a copy of which was handed to the United States representative on the same day (Appendix II).
- (b) An Order of the Day, dated 18 December, issued by the Commander-in-Chief of the Netherlands Forces in Indonesia (Appendix III).

5. The Committee draws the attention of the Security Council to the following points which emerge from the foregoing and from the Committee's previous reports:

- (a) In their repudiation of the Renville Truce Agreement, the Netherlands Government did not comply with the provisions of Article 10 of that Agreement.
- (b) The Committee is not aware of any circumstances connected with the concentration of Republican forces or the manoeuvres of the Republican army which should have given rise to apprehensions and alarm, leading to precipitate action on the part of the Netherlands.
- (c) The tone of the Netherlands letter of 17 December to the United States representative (*vide* Supplementary Report of 18 December) and the requirement of a reply within a time limit which was impossible of fulfilment give to this letter some features of an ultimatum.
- (d) Military operations of the nature carried out by the Netherlands forces must have involved considerable planning and it is difficult for the Committee not to conclude that plans for such operations were in progress during the exchange of correspondence referred to in the Committee's Special Report of 12 December and the Supplementary Report thereto of 18 December, and at the time the Netherlands authorities facilitated the transfer of the Committee's headquarters to Kaliurang.

- (e) Not only have the possibilities of negotiations under the auspices of the Committee not been exhausted, but they have not been adequately explored. There have been no negotiations under the auspices of the Committee since 23 July. The recent direct talks cannot be regarded as negotiations, as they took the form of Netherlands demands for the complete surrender of the Republic to the Netherlands position on all important issues.
- (f) In commencing military operations on 19 December, the Netherlands Government acted in violation of its obligations under the Renville Truce Agreement.

6. Upon receipt of your telegram, the Committee addressed a letter to the Acting Chairman of the Netherlands delegation asking for "all relevant information regarding the military operations as well as the circumstances leading to the outbreak of hostilities, their nature and causes". The following details of the military situation are drawn from the official releases furnished by the Netherlands delegation in reply to this letter:

- (a) At 6-45 A.M. on 19 December, Dutch parachute troops landed near Jogjakarta and captured the airfield at Maguwo. Airborne troops were then brought in and an advance made on Djokja, resulting in the capture of the city early that afternoon. All important Republican leaders, including the President and the Vice-President and members of the Cabinet and the Commander-in-Chief of the Army, are in Dutch hands.
- (b) On 19 December, Dutch troops crossed the *Status Quo Line* at Gombong (Central Java) and reached Karanganyer later the same day.
- (c) In an advance following a landing on the north coast of Central Java, Netherlands troops have reached Tjepoe.
- (d) Dutch troops have occupied Toeren, Bojolali, Pati, Toeban and Poerworedjo in Central Java.
- (e) In East Sumatra, Dutch troops have entered the Asahan area in Central Sumatra, Dutch troops have crossed the *Status Quo Line* in several places. Solok, 25 kilometers south of lake Singkarak has been occupied by Dutch troops.

7. In the absence of communication with Republican territory since the United States representative and the Deputy Australian representative left Kaliurang on 18 December, it has not been possible for them to obtain an authoritative Republican version of developments.

8. Following the outbreak of hostilities, curfew has been imposed in Batavia from midnight till dawn. Press correspondents are subject to strict political and military censorship and their dispatches on the military situation are restricted to reproduction of official Netherlands bulletins.

9. Following the outbreak of hostilities, the Premiers and cabinets of the States of East Indonesia and Pasundan in Netherlands-controlled territory have tendered their resignations.

10. With one exception, all Republican officials in Batavia, including the Secretary General of the Republican delegation, have been placed under arrest. The office of the Republican delegation is under military guard and the Secretary General's papers, including those relating to the work of his delegation with the Committee of Good Offices, have been seized. There have also been arrests of Republican sympathizers in Batavia.

(Sd.) H. MERLE COCHRAN,
(United State Representative).

(Sd.) T. W. CUTTS,
(Deputy Australian Representative).

The President of the Security Council,
United Nations, Paris.

Appendix I to the Report, dated December 21, 1948

NETHERLANDS DELEGATION.

No. 3950.

BATAVIA, DECEMBER 20, 1948.

Palais Rijswijk.

My dear Mr. Cochran,

The contents of your most important communication of December 17, 1948, were immediately cabled to my Government, in order to obtain their views on various points raised in your letter.

My Government has requested me to point out to you that the first visit of the Netherlands Minister of Foreign Affairs and the subsequent visit of a Netherlands Government Delegation have clarified the position of parties concerning certain basic issues. To the great regret of the Netherlands Government these discussions broke down because at the very last moment Dr. Hatta had to admit that several of his statements were not endorsed by his Government. Therefore the only possibility for the Netherlands Government to resume negotiations was if it could obtain assurances that the Government of the Republic was willing to carry out the statements made by Dr. Hatta. Dr. Hatta's letter of December 13, 1948, was a renewed expression in an informal and unofficial way, of his opinions on a number of basic issues. His assurances on these questions, as has been the case with previous statements of Dr. Hatta, were too vague and failed to clarify sufficiently the Republican Government's position on essential issues under discussion and therefore could not be accepted by the Netherlands Government as a sufficient basis for resumption of negotiations under the auspices of the Committee of Good Offices. The purpose of the letter which the Netherlands Government addressed to you on December 16, 1948, was to solicit an unambiguous declaration of the Republican Government, which could have easily been given, had it been willing to do so, as it was familiar with the questions involved. Moreover you are undoubtedly aware of the fact that because of geographical reasons and difficulties of communication it generally takes more time for me to consult the Netherlands Government in The Hague than it takes the Republican delegation and Dr. Hatta to consult their Government. I wish to emphasize this point especially since you mention in your letter that no sufficient time was available to obtain from the Republican Government the assurances which the Netherlands Government considered essential to resume negotiations.

To the letter of the Netherlands Government an earlier reply was requested than was originally intended in view of certain developments which had taken place after the dispatch of this letter. These most serious developments were:

- (a) an almost hourly increase in the number of incidents making it imperative for the authorities to take stronger measures than had hitherto been employed to cope with this evil;
- (b) the receipt of reports concerning a considerable increase in the number of troops stationed on the Republican side of the *Status Quo Line* so that an estimated 100,000 men were concentrated along this line. General manoeuvres of the Republican army were announced officially at that very moment as a result of which a still higher tension was created;
- (c) the official communique of December 16, 1948 issued by the Republican radio in which *inter alia* explicitly the Republican position concerning the supreme authority over the armed forces during the interim period and the incorporation of

the Republican army in the future federal forces was formulated in terms which demonstrated an entirely different conception from that in Dr. Hatta's letter of December 13, 1948. The only conclusion which the Netherlands Government could reach was that evidently the opinions expressed by Dr. Hatta were not endorsed by the Republican Government and that therefore the request for a binding declaration concerning certain vital issues had become pointless. This apprehension was confirmed by;

- (d) the announcement that the President of the Republic and 21 officials, among whom 6 cabinet ministers, would depart on an official visit to India. This proposed departure at the very moment when the most critical stage had been reached and you were trying to break the deadlock, furnished additional proof that the Republican Government was not willing to give serious consideration to the proposals advanced by the Netherlands Government. It was also to be feared that the departure of prominent members of Dr. Hatta's Government would lead to a resurgence of the influence of extremist and communist groups which the Republican Government so far had tried to restrain.

From your letter it clearly appears that notwithstanding most unfavourable circumstances you endeavoured to bring the Netherlands message to the attention of the Republic. At the request of my Government I wish to express deep appreciation for the efforts which you have made at great personal sacrifice, to reconcile the points of view of parties. I regret all the more that I have to place on record the positive fact that no reply from the Republic has been forthcoming. The points raised in the letter of the Netherlands Government did not in any way represent new demands, but they reiterated some of the fundamental issues on which the views of the parties were divergent, as will appear from a discussion of the several questions raised in your letter.

- I. *Condition A.*—My Government feels that the condition that the Republic should agree to incorporation in the federal organisation on the same footing as the other federal areas is not in any way at variance with the Renville principles. How could the principle that "the status of the Republic of Indonesia will be that of a state within the United States of Indonesia" be implemented otherwise? The suggestion that among members of the United States of Indonesia one should have a privileged position has never been brought forward. The condition however did not preclude that further consultations could have led to special provisions in the B.I.O.—decree with regard to the Republic. As a matter of fact an article to this end has been added to the decree and the Netherlands Government was prepared to grant special representation in the federal organs to the Republic along the lines proposed by yourself. The Republican Government was aware of this.

During the informal talks the provisional federal organisation has been discussed at length, as had been done before with the other federal territories, though nothing contained in the Renville Principles obliged the Netherlands Government to do this, the only relevant provisions therein being:

- (1) that "the Kingdom of the Netherlands may confer appropriate rights, duties and responsibilities on a provisional federal government of the territories of the future United States of Indonesia":

- (2) that "in any provisional federal government prior to the ratification of the Constitution of the future United States of Indonesia all states will be offered fair representation." The "fair representation" of the Republic in the provisional federal government has been discussed with the Republican representatives. They know the views of the Netherlands in this respect and no differences of opinion of any importance came to light. The condition sub (a) in the Netherlands Government's letter of December 16, 1948 did not in any way go back on these views. It was only the full co-operation in the provisional federal structure which was solicited.

I might add that my Government must take exception to the observation that *Négaras* have been "unilaterally established" by Netherlands authority. In accordance with our constitutional regulations they are in fact legally recognised on a provisional basis in accordance with the wishes brought forward by the populations concerned.

- II. *Conditions B and C.*—These conditions were the basic issues of the dispute. Ever since the Renville Principles were accepted by both parties, the negotiations under the auspices of the Committee of Good Offices focussed on the practical consequences for the Republic of Netherlands sovereignty during the interim period. In the opinion of the Netherlands Government, Netherlands sovereignty implies that the High Representative in certain circumstances should have ultimate power to intervene or overrule while no "private armies" should exist. Otherwise, the Netherlands could not remain responsible for the situation nor fulfill its pledge to cooperate in the building up of the United States of Indonesia. The Netherlands considered further protracted negotiations before the Committee of Good Offices of no avail, if agreement on these basic issues proved clearly impossible. Therefore members of the Netherlands Cabinet, with full consent of the members of the Committee of Good Offices, tried to clear up these points in direct and informal talks. My Government fails to understand why you personally and on behalf of the other members of the Committee of Good Offices repeatedly stress in your letter that formal discussion should have been resumed before the Committee of Good Offices. During the visit of the Minister of Foreign Affairs in November, followed by the Cabinet Delegation in that same month, every member of the Committee of Good Offices informed the Netherlands Ministers more than once that the only chance of arriving at a solution was by direct and informal talks between the Ministers and Dr. Hatta. The members of the Committee of Good Offices added that, when these discussions proved to be successful, the results would be formalised under the Committee of Good Offices' auspices. If, however, these discussions would lead to a breakdown, there would be no change for the Committee of Good Offices to bring the parties together.

Very much to the regret of the Netherlands, the differences could not be bridged in these informal discussions. In the light of this, no success could be expected of renewed formal negotiations. Consequently, only slight hope remained. However, the Netherlands in a last effort decided to give the Republican Government the opportunity to agree on these points as yet. The issues were abundantly clear and it certainly was possible for them to state their position at short notice.

- III. It should not be overlooked that the number of infringements of the Truce, murders, etc., was steadily increasing and that

ample evidence showed that Republican authorities had issued instructions to organise widespread disturbances in Netherlands territory in the very near future. The Netherlands would have been fully justified in not discussing political issues before the intolerable situation with regard to the Truce violations had been improved. No power can be expected to negotiate under duress. The Netherlands have always insisted that discussion of the Truce violations be given priority. However, the Republic in its letter of November 3, 1948, refused to comply with this condition. Therefore, no useful purpose was served by discussing these matters in the Security Committee. Moreover, previous discussion in that Committee on the subject failed to produce tangible results. Though maintaining the Netherlands view that the problem of the Truce violations had to be solved first, the Special Delegation, as had done the Minister of Foreign Affairs before, in an effort to bring the parties nearer to a final solution, tried to overcome the political differences, but this also did not lead to any effective measures on the part of the Republic to stop infringements of the Truce.

In all sincerity, the Netherlands Government is convinced that it has exhausted all possibilities of reaching an equitable settlement.

In concluding I wish to re-affirm that my Government has most carefully examined whether any further possibility remained open to resume discussions with the Republic directly or under the auspices of the Committee of Good Offices on the basis of the assurances given by Dr. Hatta. There exists no doubt in the mind of my Government that the members of the Committee of Good Offices would willingly have continued their patient efforts to solve the differences which have so far prevented a political settlement. The certainty that the Republican Government was unable or unwilling to co-operate to this end has finally forced the Netherlands Government to resume its freedom of action, and to carry out without further delay the programme which will lead in the shortest possible time to the establishment of a sovereign government, corresponding with the wishes of the large majority of Indonesians.

Yours sincerely,

(Sd.) T. ELINK SCHUURMAN,

The Honourable H. Merle Cochran,

U. S. Representative on the Security Council's Committee of Good Offices on the Indonesian Question.

BATAVIA.

NOTE.—Appendix II—to the Report dated December 21, 1948. Radio speech of the High Representative of the Crown, dated 19 December 1948. This is not being reproduced as the text is available in Indonesia.

Appendix III to the Report dated 21 December Order of the Day, dated 18 December 1948, issued by the Commander-in-Chief of the Netherlands Forces in Indonesia. This is not being reproduced as the text is available in Indonesia.

Report dated December 22, 1948

Sir,

1. At approximately 0640 Batavia time on Sunday, 19 December the members of the Committee of Good Offices were awakened by the sound of explosions from the direction of Maguwo Airport, Jogjakarta. Present at

Kaliurang, the Headquarters of the Committee at the time, were the Australian Representative, the Belgian Representative and the Deputy of the United States Representative. After the Committee had made a survey of the situation, it held a special meeting at 0845 Batavia time and directed that the following telegrams be transmitted to the United States Representative, who had gone to Batavia the day before with the deputy of the Australian Representative:

“Most immediate stop Cochran, Hotel des Indes, Batavia and care United States Consul General Batavia stop Committee requests the following message be transmitted to the Security Council earliest stop quota 6 A.M. today Dutch began large scale bombing of Maguwo Airport Jogjakarta Republican Capital stop Hatta reports bombing of parts of Jogjakarta itself and the dropping of paratroopers stop Committee calls for immediate meeting of Security Council for appropriate action stop unquote para Committee authorises Cochran and Cutts to supplement this message as they see fit and take other appropriate urgent action in Batavia on behalf of the Committee if communications with Committee impracticable stop have authorized special release to press of Committee's Supplementary Report of December 18 stop urge maintenance of communications between Batavia and Jogjakarta stop Confirm receipt Stop TK Critchley Australia RH Herremans Belgium RE Lisle United States”.

2. Every effort was made to have this telegram transmitted to Batavia. When the Batavia radio failed to answer, a general call was sent out to all stations, including ships at sea. A further attempt to have the message broadcasted by the Jogjakarta radio failed. Later efforts were made to transmit the message during that day, and on 20 and 21 December after the arrival of Netherlands forces. These efforts failed.

3. Late in the afternoon of 19 December, the Delegations and the Secretariat, at the direction of Republican military officials, re-arranged and consolidated their residence, in order to be in a concentrated area which could more readily be protected.

4. During the night 20-21 December, the Republican garrison withdrew. The members of the Republican Delegation remained.

5. At 1510 Batavia time, Monday, 20 December, the Netherlands forces arrived in Kaliurang. With the exception of the servants and Hotel employees most of whom had remained to serve the Delegations, the area appeared deserted. There were a number of shots fired by the advancing Netherlands forces and gunfire was heard intermittently during the days that followed. There were reports of fatal shootings of civilians. The shooting of an unarmed boy by an Ambonese soldier of the Netherlands Forces was personally witnessed by a member of the Secretariat staff and his young daughter.

6. Effective communications between Kaliurang and Jogjakarta were not re-established through Monday and Tuesday, 20 and 21 December.

7. About 0900 hours on Wednesday, 21 December, the three Delegations and the Secretariat staff were removed in convoy to Jogjakarta and late in the afternoon began, in three divisions, to fly to Batavia. The Republican Delegation, at last reports, remained in Kaliurang confined to restricted limits. Netherlands officers stated, however, that the Republican Delegation would be shortly removed to Jogjakarta.

8. Throughout 19-20-21 December numerous explosions were heard and large columns of smoke were witnessed at many points in the valley below Kaliurang. Some twelve houses in Kaliurang were burned down before

the arrival of the Netherlands forces. During the ride down from Kaliurang, it was observed that most of the houses were closed and that there were few or no workers to be seen in the fields or along the road. A number of the bridges had been demolished.

9. On its return to Batavia, the Committee took note of the reports which had been sent to the Security Council by the United States Representative and the Deputy of the Australian Representative on 19-21 December, in the four day period during which communications between the Committee at Kaliurang, on the one hand, and Batavia and the outside world on the other, were entirely broken. It was noted that the reports made, and other actions taken, by the United States Representative, and the Deputy of the Australian Representative were fully authorized not only by the emergency situation that existed but by the express authority conferred on them to act for the Committee by the decision taken by the Committee at Kaliurang at its meetings of 19 December, 1948.

Report dated December 23, 1948.

Batavia, 23 December 1948.

Sir,

1. The Committee desires to inform the Security Council that most of the Committee's military observers in Netherlands-controlled territory are in the course of complying with orders received from the Netherlands military commanders in their areas to proceed to Batavia.

2. On 19 December, the Netherlands Commander-in-Chief agreed with the Chairman of the Committee's Military Executive Board that the military observers should remain at their regularly assigned stations in Netherlands-controlled territory.

3. On 22 December the Chairman of the Committee's Military Executive Board was officially informed by a representative of the Netherlands Commander-in-Chief that the High Representative of the Crown had issued instructions that all of the Committee's military observers were to be concentrated in Batavia. The Chairman of the Military Executive Board learned the same day that orders to this effect had been issued to the Netherlands commanders in the field as early as 21 December.

4. On 22 December the United States representative made enquiries of the Acting Chairman of the Netherlands delegation regarding these instructions. On 23 December 1948, the Chairman of the Committee received the following letter No. 3990, from the Acting Chairman of the Netherlands delegation.

"Sir,

Since the Government of the Netherlands has, in accordance with Article 10 of the Truce Agreement, notified the Committee of Good Offices and the Republican delegation that the Truce Agreement is to be considered as no longer binding, the task of the military assistants of the Committee, as set forth in Article 4, 5a and 5b of said Agreement, has now come to an end.

Instructions were therefore issued to all territorial Commanders that they suggest to all military observers to report to the Board of Senior Military Observers at Batavia as their activities have terminated.

In this connection, it is noted that the Chairman of the Board of Senior Military Observers was verbally informed of this step beforehand.

With regard to suggestions that military observers should remain with the headquarters to which they were attached, I have the honour to draw your attention to the fact that the demarcation lines and demilitarized zones no longer exist and the Headquarters to which the various teams of military observers were attached have become mobile. Under the present circumstances it will be clear that the Netherlands military authorities are unable to accept any responsibility for military observers who move with these Headquarters or by themselves in operational areas.

In view of the above it would be sincerely appreciated if the Committee of Good Offices would request the Board of Senior Military Observers to issue orders similar to the suggestions made by the Territorial Commanders, to the effect that all military observers return to Batavia in order to report to the Board''.

5. After reading the foregoing letter, the Chairman of the Committee's Military Executive Board reaffirmed the facts stated in paragraphs 2 and 3 above.

6. The Truce Agreement of 17 January 1948 confer certain express functions on the military observers. In addition, the resolution of the Security Council of 1 November 1947 requests that the services of military observers, mentioned first in the Resolution of 25 August 1947, be made available to the Committee of Good Offices. Therefore, the Committee feels an obligation to report immediately to the Council that this action, taken by Netherlands Military Command without reference to the Committee, will deprive the Committee and consequently the Security Council of the services of the military observers in the field.

7. Although military observers in the field are obliged to conform with the directions of the Netherlands Military Commanders in their respective areas, the Committee is not complying with the request contained in the final paragraph of the letter quoted above, but is awaiting advice from the Security Council as to the future functions of the Committee's military assistants.

Report, dated December 26, 1948.

1. In its Special Report of 12 December 1948, the Committee of Good Offices warned the Security Council that "the collapse of the direct talks has served to aggravate the dangers in a situation which was already grave".

The present Report is the sixth Report submitted by the Committee to the Security Council since 12 December. The five other Reports are:

- (a) Supplementary Report dated 18 December to the Special Report of the Committee dated 12 December 1948.
- (b) Report dated 19 December 1948.
- (c) Report dated 21 December 1948.
- (d) Report dated 22 December 1948.
- (e) Report dated 23 December 1948.

2. Pursuant to the terms of the Security Council's Resolution of 24 December 1948, requesting the Committee of Good Offices to report to the Council fully and urgently by telegraph on the events which have transpired in Indonesia since 12 December 1948, the Committee

- (a) recapitulates in outline the chief events within its cognizance which have occurred since 12 December with reference to the Reports in which the complete data appear;

- (b) summarizes the military operations since 19 December 1948; and
- (c) analyzes some of the facts as they appear in relationship to the Truce and to the general role of the Committee of Good Offices.

A. Outline of Chief Events

3. As reported in the Supplementary Report dated 18 December, on 13 December the United States representative while in Jogjakarta was given a letter addressed to him and signed by the Vice-President of the Republic, Dr. Hatta, setting down certain basic considerations with reference to the recent direct talks between the parties and asking for the assistance of the United States representative as a member of the Committee in bringing about a resumption of negotiations. In the late afternoon of 13 December, the United States representative gave a copy of this letter in Batavia to the Acting Chairman of the Netherlands Delegation (Supplementary Report).

4. On Wednesday 15 December the Committee of Good Offices moved to Kaliurang for a regular three week period. On 17 December a telegram was received by the United States representative from the Acting Chairman of the Netherlands Delegation acknowledging receipt of Dr. Hatta's letter and stating that the continuation of the negotiations would be futile unless a declaration accepting the Netherlands views and binding on the Republican Government would be received forthwith by the Netherlands Government. Dr. Hatta's letter and the Netherlands Delegation's telegram, together with the United States representative's reply of 17 December to the Netherlands Delegation's telegram, have been submitted to the Security Council as documents bearing on the status of negotiations between the parties, with a statement of the attendant circumstances (Supplementary Report).

5. At 2115 hours on 18 December the United States representative was requested to call on the Acting Chairman of the Netherlands Delegation at 2330 hours. He was received by the Acting Chairman alone and was handed a letter addressed to the Chairman of the Committee. The United States representative pointed out that he was not Chairman at that time. The Acting Chairman of the Netherlands Delegation replied that the communication was destined for the Committee of Good Offices and contained the notification of the termination of the Truce Agreement. The circumstances surrounding the repudiation of the Truce Agreement by the Netherlands Government have been fully reported to the Council in the Report dated 19 December.

6. The Committee also draws the attention of the Members of the Security Council to the Committee's Reports of 21, 22 and 23 December which cover the more important events in Indonesia as they have occurred after the outbreak of hostilities between the Kingdom of the Netherlands and the Republic of Indonesia.

7. The Committee returned to Batavia on the evening of 22 December 1948.

8. At 0850 hours on 25 December 1948 the Committee Secretariat received the official text of the resolution adopted by the Security Council at its 392nd meeting on 24 December 1948. At 1050 hours the Committee of Good Offices held a meeting in order to take the necessary steps to implement the above resolution. The Committee decided to send to the Parties letters the texts of which are reproduced hereunder—

(a) Text of letter to the Netherlands Delegation :
No. GO/1100.

Hotel des Indes,
Batavia, N.E.I.
25 December 1948.

SIR,

We have the honour to confirm to you that the Committee of Good Offices is in receipt of the following telegram from the Security Council, the text of which was communicated to you by telephone at 0956 this morning by the Principal Secretary of the Committee for your official cognizance :

“The Security Council

Noting with concern the resumption of hostilities in Indonesia and having taken note of the report 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.”

2. To enable the Committee of Good Offices to carry out the instructions given to it by the above Resolution, it requests immediate notice from you as to the steps which have been taken by your Government to implement the Resolution. It is requested that your Government also keep the Committee immediately, fully and currently informed of further steps taken by your Government in compliance with the Resolution and that it be furnished with copies of the relevant orders issued to the appropriate authorities

3. It will be further necessary for the Committee's Military Observers to proceed to the areas where fighting has been in progress, including Jogjakarta. Instructions have been issued to the Committee's Military Executive Board to make arrangements for the despatch of Military Observers to the field. The Committee trusts that instructions will be issued to the Netherlands Military Command to give full cooperation to the Military Executive Board and to the Committee's Observers.

4. The Committee requests that the aircraft at the disposal of the Committee of Good Offices be permitted as heretofore to operate freely in Java and Sumatra.

5. The Committee's Military Executive Board will consult with the military officials of your Government on the necessary details.

6. In order that the Republican Government may comply with the Resolution, it is requested that the President of the Republic and the members of his Government be given all facilities to issue directions from Jogjakarta, or from such other centre as they may desire, to cease hostilities

We have the honour to be, etc.,

(Sd.) R. HERREMANS (Belgium)

Chairman.

(Sd.) H. MERLE COCHRAN (United States).

(Sd.) T. K. CRITCHLEY (Australia)

Mr. T. Elink Schuurman,
Acting Chairman,
Delegation of the
Kingdom of the
Netherlands,
Batavia.

(b). Text of letter to the Republican Delegation :
No. GO/1101.

Hotel des Indes,
Batavia, N.E.I.
25 December 1948.

SIR,

We have the honour to confirm to you that the Committee of Good Offices is in receipt of the following telegram from the Security Council, the text of which was communicated to you in person at 09-57 this morning by the Principal Secretary of the Committee for your official cognizance:—

“The Security Council

Noting with concern the resumption of hostilities in Indonesia and having taken note of the report 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.”

2. To enable the Committee of Good Offices to carry out the instructions given it by the Resolution, your Government is requested to keep the Committee immediately fully and currently informed of the steps taken by your Government in compliance with the Resolution and that the Committee be furnished with copies of the relevant orders issued to the appropriate authorities.

3. It will be further necessary for the Committee's Military Observers to proceed to the areas where fighting has been in progress, including Jogjakarta. Instructions have been issued to the Committee's Military Executive Board to make arrangements for the despatch of Military Observers to the field. The Committee trusts that instructions will be issued by your Government to give full co-operation to the Military Executive Board and the Committee's Observers.

4. The Committee requests that the aircraft at the disposal of the Committee of Good Offices be permitted as heretofore to operate freely in Java and Sumatra.

5. In order that the Republican Government may comply with the Security Council's Resolution, the Committee has requested the Netherlands authorities to give the President of the Republic and the members of his Government all facilities to issue directions from Jogjakarta, or such other centre as the Republican Government may desire, to cease hostilities.

We have the honour to be, etc.

(Sd.) R. HERREMANS (Belgium),

Chairman.

(Sd.) H. MERLE COCHRAN (United States),

(Sd.) T. K. CRITCHLEY (Australia).

Mr. R. SUDJONO,

Secy.-General,

Delegation of the Republic

of Indonesia, Batavia.

9. The following replies were received late on the same day.

(a) Text of the Netherlands' Delegation's reply:—

Batavia, December 25, 1948.

No. 4000.

PALAIS RIJSWIJK.

SIR,

I have the honour to acknowledge receipt of your letter No. GO/1100, dated December 25, 1948, the contents of which were immediately cabled to my Government at The Hague. As soon as instructions from Her Majesty's Government have been received, I will inform your Committee accordingly.

I have the honour to be, etc.,

(Sd.) T. ELINK SCHUURMAN,

Acting Chairman.

(b) Text of the Republican Delegation's reply:—

Djakarta, 25th December, 1948.

SIR,

I have the honour to acknowledge receipt of the Committee's letter of December 25th, forwarding the text of the recent Resolution of the Security Council on the Indonesian Question.

As you know, the President of the Republic and his Government are at present detained by the Netherlands authorities, as are the Chairman and other members of the Republican Delegation. I greatly regret that, consequently, I am unable at this stage to take any action following the Security Council's Resolution and the receipt of the Committee's letter.

I note that the Council has called upon the Netherlands Government to release immediately the President and other political prisoners and that the Committee of Good Offices has requested the Netherlands authorities to give facilities to the President and the members of his Government. I trust, therefore, I shall be able to convey the Committee's letter to the appropriate Republican authorities in the very near future.

I have the honour to be,

SIR,

(Sd.) R. SUDJONO,

Secretary-General,

Delegation of the Republic of
Indonesia.

B. *Military Operations.*

10. The following information is based primarily on official Netherlands releases supplemented by such data as the Committee's Military Observers have been able to report.

At 23-30 hours on 18 December the Netherlands Government denounced the Truce, effective at midnight.

(a) *Java*—

On 19 December, Netherlands troops crossed the *Status Quo Line* during the early hours in a number of columns. Jogjakarta Airfield was rapidly captured by paratroopers beginning at approximately 06-40 hours and an airborne landing was started and by 15-00 hours the city itself had been taken. An amphibious landing was made on the north coast of Java by the Netherlands Marine Brigade. Netherlands columns from east of Benjoemas and south of Pekalonggan advanced on Magelang and reached Poerworedjo.

On 20 December, another Netherlands column crossed the *Status Quo Line* south-west of Semarang, operating in the direction of Magelang and from the east of Semarang a column advanced

toward Koedoes where contact was made with a battalion of the Republican Siliwangi Division. The Marine Brigade reached the outskirts of Tjepoe. Toeren was occupied by a column from Malang. Bejolali and Pati were occupied.

On 21 December, an additional landing was made at Toeban and an advance to Bandjarnegara. Rembang and Wilingi were occupied.

On 22 December, a Netherlands column from Semarang made contact with airborne Netherlands troops in Jogjakarta. Solo, Parakan, Magelang, Sekajang, Wonosobo and Tjepoe were also occupied by Netherlands troops. When Tjepoe was taken the oilfields and installations were already on fire. Delanggoe and Blitar were occupied.

On 23 December, the Netherlands troops crossed the *Status Quo* Line on the eastern edge of Bantam and advanced on Balaradja. Maoek in Bantam was occupied.

On 24 December, in Bantam, the Netherlands troops occupied Serang and Djasinga. In Central Java, Blora was occupied and sweeping-up operations continued.

(b) *Sumatra*—

The military observers in Padang were informed at 09-30 hours on 19 December that the Netherlands troops had crossed the *Status Quo* Line at dawn.

On 20 December, in the Padang area, the Netherlands troops occupied Solok.

On 21 December, Netherlands forces landed at Bagansiapiapi on the North-east coast of Sumatra. The entire southern Asahan area was occupied.

On 22 December, Bukittinggi and Padang Pangdjang were occupied.

On 23 December, Netherlands hydroplanes landed at Lake Toba and took Balige and then proceeded to Sibarang-Borang.

On 24 December, Pajakoenboeh was captured. No action, as yet, has been reported in South Sumatra. Operations in all other Republican areas are continuing.

11. Individual members of the Committee of Good Offices have been informed by high Republican sources that the Republican forces planned to avoid direct resistance so as to maintain their forces for guerilla activities. Except for the determined resistance of the Siliwangi division units, no real organized resistance appears to have been encountered by the Netherlands forces. In a number of cases Netherlands columns have had to be re-routed because of the destruction of important bridges. It may be expected that the Republican forces will continue with the guerilla warfare and a "scorched earth" policy as long as they are able to do so. Since most of the information available to the Committee is from official Netherlands releases, there is no way, at this time, of assessing the effects of the Republican resistance policy. However, Republican sources in Jogjakarta reported considerable destruction. Netherlands official sources announced that the Netherlands casualties amounted, up to 23 December, to 19 killed and 43 wounded.

C. *Analysis.*

12. Article 10 of the Truce Agreement of 17 January 1948, cited in the Netherlands note of 18 December 1948 reads as follows—

"This agreement shall be considered binding unless one party notifies the Committee of Good Offices and the other party that it considers the Truce regulations are not being observed by the other party and that this agreement should therefore be terminated."

Analysis of the conditions precedent to a termination of the Truce Agreement there set forth as applied to the facts of the present case leads to the following conclusions :—

- (a) The requirement of Article 10 that notice be given to the Committee of Good Offices was not fulfilled. The letter signed by the Acting Chairman of the Netherlands Delegation dated 18 December 1948 addressed to the "Chairman of the Security Council's Committee of Good Offices on the Indonesian Question, Kaliurang", was handed in Batavia to the United States Representative at 23-30 hours Batavia time, 18 December. The letter was addressed to the Chairman of the Committee. It was not delivered to him. The Committee's headquarters, as recognized in the address given on the letter had formally been transferred to Kaliurang for the current period on 15 December. The United States Representative, at the time away from the current headquarters of the Committee and not the Chairman of the week, was not authorized, either explicitly or implicitly, to receive notice on behalf of the Committee. Notice was not received by the Committee until approximately 10-30 hours on Wednesday, 22 December, when a letter from the United States representative was handed to the members of the Committee while they were in process of removal from Kaliurang to Jogjanarta, *en route* to Batavia. The United States representative had attempted vainly to transmit the notice earlier but the Netherlands telegraph office refused to receive messages addressed to Republican areas and Kaliurang was completely isolated. By the time, therefore, notice had been received, the Netherlands forces had been carrying on hostilities on the Republican side of the *Status Quo Line* for more than three days.
- (b) Similarly, the requirement of Article 10 that notice be given to the other party was not fulfilled. Delivery to the Secretary-General of the Republican Delegation in Batavia was not the type of notice contemplated in Article 10, particularly, as by act of the Netherlands Government, communications with the Republican Government and Republican-controlled territory had been already cut off. It was thus physically impossible to convey the contents of the letter to the Republican Government. The Secretary-General, himself, was arrested shortly after 01-00 hours on 19 December.
- (c) Even if delivery of the letter in question at 23-30 hours and 23-45 hours on 18 December, respectively had been sufficient to constitute notice, military action was instituted before the expiration of a reasonable time thereafter. As Article 10 does not expressly specify any period of time that must elapse after giving of the required notice before the notifying party can take action to the prejudice of the notified party, it requires by necessary implication a reasonable time. Military action was begun less than a half hour after the delivery of the second of the two notes above.

It is therefore the finding of the Committee of Good Offices that the facts establish that :—

- (a) No effective notice of termination of the Truce Agreement of 17 January 1948 was given by the Netherlands Government.
- (b) The Netherlands forces crossed the *Status Quo Line* and initiated hostile military action against the Republic while the obligations of the Truce Agreement were still fully operative.

It should be noted that even if the Truce Agreement had been terminated in full accordance with the provisions of Article 10 of the Truce and initiation of hostilities would nonetheless have been contrary to the cease fire resolution of the Security Council of 1 August 1947.

13. The letter dated 17 December from the United States representative to the Acting Chairman of the Netherlands Delegation (Supplementary Report) shows that each of the communications received by the Committee or its members from the Netherlands Delegation on 17 December emphasized the element of urgency. The particular requests made in the communications received from time to time during the day differed, and, in some cases, conflicted with one another. All however indicated that time was of the essence. Finally, the telegram dated 17 December which transmitted the reply of the Netherlands Government to the letter of the Vice-President of the Republic dated 13 December emphasized "it is absolutely essential that the reply from the Republican Government . . . be received in Batavia before Saturday 18 December 1948, 10-00 hours, Batavia time, for relay to the Netherlands Government". The final telegram received late Friday evening re-emphasized the 10 o'clock deadline and stated that, in order to make it possible for the reply to be received in time, arrangements had been made in Batavia to have the plane assigned to the Committee of Good Offices to leave there for Jogjakarta at 05-00 hours, Batavia time so that the telegram of 17 December, to which this immediate reply was required, called for complete acceptance by the Republic in the form of a binding declaration of the entire Netherlands position on the basic issues between the parties including those concerning the implementation of the Truce. It indicated likewise that whether or not these conditions were accepted the Decree setting up the Interim Federal Government would be promulgated on the basis of the previously prepared text. However, if all basic conditions were accepted by the Republic, the Netherlands Government would "consult with the Republic and the other federal territories concerning later changes in the decree on less essential points".

In his reply the United States representative also emphasized that he could not "consistently with my obligations as a member of the Committee of Good Offices press Dr. Hatta to reply summarily on the conditions imposed by your telegram because it calls for a non-negotiated blanket assent which would preclude the possibility of *bona fide* negotiations, rather than effect their resumption".

The reply of the United States representative further emphasized the factors which made it virtually physically impossible for the Vice-President of the Republic to prepare any reply of the character required at Kaliurang, not the seat of most Republican officials who would have to be consulted, on less than eighteen hours notice, including transmission time.

The Committee finds that, in light of the pattern of events established by the various communications of 17 December, the Netherlands reply to the Vice-President of the Republic, dated 16 December but received on 17 December, constitutes an ultimatum providing a choice only between surrender to the Netherlands position on every basic issue between the parties and an unnamed alternative. On 17 December the Committee, still unwilling to believe that one party would abandon entirely the processes of peaceable negotiations and agreement, was reluctant to believe that the unnamed alternative was submission to armed invasion. The events of 18-19 December have proven otherwise.

14. The Committee draws attention to Chapter I of the Fourth Interim Report and to the Special Reports that have been subsequently submitted to the Security Council. These reports make clear that there have been no political negotiations in the Committee of Good Offices for a period of seven months and detail the efforts made by the members of the Committee to induce the parties to resume negotiations. These efforts continued up to the day before the outbreak of hostilities.

The Committee welcomed efforts of the parties to reach agreement by direct conversations between themselves and hastened to facilitate the bringing together of the parties for that purpose. It was prepared to officiate finally, if called upon to do so, in the formalizing of an agreement, by whatever legitimate procedure it might have been obtained. However, the Committee cannot accept the view that where direct talks have failed, either party may thereafter refuse to negotiate further and thus prevent the issues separating the parties from being considered in their context in full negotiations before the Committee of Good Offices. On the contrary, the Committee finds in a failure of direct conversations merely an additional necessity for recourse to the techniques of the Committee for whatever assistance it can provide.

The recent Netherlands notes have laid great emphasis on violations of the Truce by the Government of the Republic. It is unquestionably the case that there have been large scale infiltrations and an undue number of incidents and disorders. Many of these have occurred in Netherlands-controlled territory. Which of these can properly be called Truce violations will not be considered here. Nor will the Committee seek again to emphasize the fundamental principle set forth in the Introduction to the Fourth Interim which states that "the rising number of infringements of the Truce Agreement during this period is testimony to the relationship between the maintenance of the Truce and progress in political negotiations". It is unquestionably true that better implementation of the Truce was required. It was for that very reason that the Committee called on the parties to discuss the problems of implementation of the Truce in the Security Committee, which had been established for the purpose of supervising the enforcement of the mutual obligations of the parties under the Truce Agreement.

With truce violations, as with political negotiations, the Committee finds that its facilities for adjustment and reconciliation have not been exhausted, much less effectively utilized. It finds no legitimate basis on which a party could here forsake the forum of negotiations for that of armed force.

15. The Committee will exert its utmost efforts to carry out the functions conferred upon it in the Resolution of the Security Council of 24 December, namely, to observe and to report on observance by the parties of the cease-hostilities order. But, if fighting is to give way to negotiations, the Committee as a whole recognizes that certain inevitable difficulties must be overcome. The members of the Committee differ only in the relative weight they give to these difficulties, which are set forth in the following:—

- (a) Negotiations presuppose two parties, each uncoerced by the armed force of the other and each prepared to move toward the reasonable viewpoint of the other.
- (b) Politically, the people of one party, without whose support any agreement, even if achieved, may well be unenforceable, will be reluctant to accept as *bona fide* any negotiations in which again they start with an area under their control diminished as a result of the resort to armed force by the other.
- (c) Practically, when a demarcation line no longer exists, it becomes virtually impossible to ascertain the position of the Republican forces, particularly in view of the capture by the Netherlands forces of the Republican High Command. As a result it may become necessary to observe any events of a military nature throughout the islands of Java, Sumatra and Madura. This would be difficult enough in itself but the Committee sees no possibility of its observers being able to distinguish reliably between internal security measures by the Netherlands and hostilities between the parties.

Report dated December 29, 1948

1. Pursuant to the Resolution of the Security Council adopted at its 392nd meeting on 24 December, the Committee of Good Offices reports on the extent of compliance by the parties with sub-paragraphs (a) and (b) of the Resolution and supplements briefly its Report to the Security Council dated 26 December on events transpiring in Indonesia.

2. At a meeting held on 28 December, the Committee of Good Offices decided to send to the parties enquiries on compliance with the Resolution of the Security Council dated 24 December. The texts are reproduced hereafter.

(a) Text of letter to the Netherlands delegation :

‘No. GO/1159.

Hotel des Indes,
Batavia,
28 December 1948.

SIR,

I have the honour to draw your attention to our letter of 25 December 1948 which confirmed the transmittal to you at 0956 on 25 December of the Resolution adopted by the Security Council on 24 December 1948.

We requested your Government ‘to keep the Committee immediately, fully and currently informed of the steps taken . . . in compliance with the Resolution’. We requested also that the Committee be furnished with copies of the relevant orders issued to the appropriate authorities.

In your answer dated 25 December 1948, you replied that the contents of our letter had been cabled to your Government at The Hague and that the Committee would be informed as soon as instructions from Her Majesty's Government had been received. It now becomes necessary for the Committee of Good Offices to report to the Security Council on the compliance with that part of the Resolution which calls upon the parties (a) to cease hostilities forthwith and (b) immediately to release the President and other political prisoners arrested since 18 December. As the Committee has not yet received any information, we should appreciate your immediate answer to the following questions with reference to the situation as of 1700 to-day, 28 December :

- (1) Has your Government issued any orders to cease hostilities?
- (2) If so, at what time or times were such orders issued?
- (3) Are there any orders to cease hostilities, now prepared or in preparation, scheduled for issuance during the next 24 hours?
- (4) Have any orders been issued by your Government to release the President and other political prisoners arrested since 18 December?
- (5) If so, which members of the Cabinet and of the Republican delegation are covered by such orders, and to what extent have the orders been carried into effect?
- (6) If members of the groups covered in question (4) have not been released, what is the place or places of detention of the President, the Vice-President, members of the Cabinet and of the Republican delegation?
- (7) To what extent do those who have been released have freedom of movement or activity?

The Committee, since its return to Batavia, has been able to have contact only with two Republican advisers and the Secretary-General of the Republican Delegation, all resident in Batavia. Therefore, the Committee would appreciate knowing whether your Government has any objection to

personal contacts between the Committee's representatives and Republican officials, under detention or otherwise. These contacts would of course be limited to the performance of functions entrusted to the Committee by the Security Council.

As the report of the Committee of Good Offices must be transmitted to the Security Council at or about midnight today, it is requested that you furnish us with this data this evening before that hour. It is regretted that this request must be made with such urgency, but the nature of the Resolution adopted by the Security Council, more than three days ago, permits of no delay.

I have the honour to be.

Sir,

Your obedient servant,

(Sd.) H. MERLE COCHRAN,
Chairman

Mr. T. Elink Schuurman,
Acting Chairman,
Delegation of the Kingdom of the Netherlands,
Batavia."

(b) Text of letter to the Republican delegation:

Hotel des Indes,
Batavia, N.E.I.
28 December 1948.

SIR,

I have the honour to draw your attention to our letter of 25 December 1948 which confirmed the transmittal to you at 0957 on 25 December of the Resolution adopted by the Security Council on 24 December 1948.

We requested your Government "to keep the Committee immediately, fully and currently informed of the steps taken . . . in compliance with the Resolution". We requested also that the Committee be furnished with copies of the relevant orders issued to the appropriate authorities.

In your answer dated 25 December 1948, you replied that the President of the Republic and his Government, as well as the Chairman and other members of the Republican Delegation were detained by the Netherlands authorities and that consequently you were unable at that stage to take any action. It now becomes necessary for the Committee of Good Offices to report to the Security Council on the compliance with that part of the Resolution which calls upon the parties (a) to cease hostilities forthwith, and (b) immediately to release the President and other political prisoners arrested since 18 December.

We have addressed the following questions to the Netherlands Delegation with reference to the situation as of 1700 today, 28 December.

- " (1) Has your Government issued any orders to cease hostilities?
- (2) If so, at what time or times were such orders issued?
- (3) Are there any orders to cease hostilities, now prepared or in preparation, scheduled for issuance during the next 24 hours?
- (4) Have any orders been issued by your Government to release the President and other political prisoners arrested since 18 December?
- (5) If so, which members of the Cabinet and of the Republican delegation are covered by such orders, and to what extent have the orders been carried into effect?

(6) If members of the groups covered in question (4) have not been released, what is the place or places of detention of the President, the Vice-President, members of the Cabinet and of the Republican delegation?

(7) To what extent do those who have been released have freedom of movement or activity?"

The Committee, since its return to Batavia, has been able to have contact only with two Republican advisers and the Secretary-General of the Republican Delegation, all resident in Batavia. Therefore, the Committee would appreciate knowing whether your Government has any objection to personal contacts between the Committee's representatives and Republican officials, under detention or otherwise. These contacts would of course be limited to the performance of functions entrusted to the Committee by the Security Council.

Has the situation reported in your letter of 25 December changed to the extent that you are now in a position to furnish any information in answer to these questions?

As the report of the Committee of Good Offices must be transmitted to the Security Council at or about midnight today, it is requested that you furnish us with any data that you may have this evening before that hour. It is regretted that this request must be made with such urgency, but the nature of the Resolution adopted by the Security Council, more than three days ago, permits of no delay.

I have the honour to be,
Sir,
Your obedient servant,
(Sd.) H. MERLE COCHRAN;
Chairman.

Mr. R. Sudjono,
Secretary-General,
Delegation of the Republic of Indonesia,
Batavia."

3. The following replies were received respectively at 20:30 and 22:20 of the same day:

(a) Text of the Republican Delegation's reply:

"Djakarta, 28th December 1948.

SIR,

With reference to your letter of to-day on the subject of the recent Resolution of the Security Council, I regret that the position is still as outlined in my letter of 25th December, 1948, and that I am unable to contact either the Republican Government or the Republican Delegation.

As stated in my letter members of the Hatta Government and of the Delegation have been interned, but I have been given no information whatever about them.

I have the honour to be,
Sir,
Your obedient servant,
(Sd.) R. SUDJONO,
Secretary-General,
Delegation of the Republic of Indonesia."

(b) Text of the Netherlands Delegation's reply :
 "No. 4100."

Batavia, December 28, 1948.

SIR,

With reference to your letter of December 28, 1948, No. GO/1159, received at 18-04 hours to-day, I have the honour to inform you that the contents of that letter have immediately been cabled to The Hague.

Since there is no time to consult the Netherlands Government and to receive a reply before midnight to-day, I regret not to be able to give a final answer to the questions contained in your letter.

However, I am in a position to inform you as regards questions 4, 5 and 7, that so far the house arrest imposed upon 13 Republicans has been lifted as from noon December 24, 1948. These persons enjoy the same freedom of movement as any other inhabitant.

With regard to question 6, according to an official communique issued yesterday, the Indonesian Government, in view of its duty to restore as soon as possible law and order in Indonesia, has decided provisionally to assign residence to a number of Republican officials in mountain resorts outside Java.

With reference to the penultimate paragraph of your letter, the Netherlands Government is being consulted.

Finally, I must draw your attention to the fact that your official communication regarding the resolution adopted by the Security Council on December 24, 1948 was only transmitted to me in writing on December 25, 1948, at approximately 13-00 hours. You will no doubt agree that I cannot consider the communication transmitted to me by telephone on December 25, 1948 at 09-56 hours as bearing official character.

I have the honour to be,

Sir,

Your obedient servant,

(Sd.) T. ELINK SCHUURMAN,
Acting Chairman.

To the Chairman,
 Security Council's
 Committee of Good Offices
 on the Indonesian Question,
 BATAVIA."

4. No official communication had been received from either the Netherlands or the Republican delegations between the preparation of the report dated 26, December 1948 and the exchange of letters reproduced above.

5. Official Republican sources stated that thirteen of seventeen Republican leaders and personalities in Batavia were released from house arrest at 1200 Batavia time, 24, December, before the adoption of the Security Council's Resolution of that date in Paris. Among those released were the Secretary-General of the Republican delegation and a personal adviser to the Republican President. According to the Secretary-General, a number of other Republicans accused of subversive activities are held *incommunicado* in Batavia.

6. The Committee remains, as at the time of its last Report dated 26 December, in contact with the Government of only one of the parties, the Netherlands.

7. Notwithstanding the request made to the Netherlands Government in its letter of 25 December (Report of 26 December), the Committee's military observers have been concentrated in Batavia. With no authorization from the Netherlands authorities for the observers to return to the

field, and with no permission given to operate the aircraft at its disposal, the Committee has no facilities to obtain first hand information through its own representatives as to the military situation and operations.

Report dated January 14, 1949

Arrangements have been made with Netherland officials whereby the Committee will visit the Vice-President and the Chairman of the Republican delegation and the Minister of Education on Banka on January 15, 1949.

The Committee will report fully on the following day to the Security Council on these arrangements and on the results of the trip.

The Committee has forwarded to the Netherlands Delegation a letter from the Secretary General of the Republican Delegation requesting that one or more of the three members of the delegation in Batavia with whom the Committee has contact may be permitted to accompany the Committee on any visits it may make to the Republican leaders. The Committee has been informed by the Netherlands Delegation that the request has been forwarded to the authorities competent to deal with matter and that the Committee will be informed of their decisions later.

First Report of Military Observers.

The Committee of Good Offices on the Indonesian question have received the first report from a team of military observers in the area of Soerabaya. In a report released on January 13 over the signatures of Herremans (Belgium), (Chairman), Critchley (Australia), and Tisle (United States), the Committee observe: "As this is the first report from the field, the Committee believes the Security Council will be interested in the following points from that report even before an analysis of the entire military situation is possible.

(A) Destruction of roads, bridges and property has been and still is taking place on a much greater scale than was anticipated by the Netherlands military authorities. Hundreds of bridges have been destroyed, including many important ones, all railroads are completely blocked owing to the destruction of bridges and railroad property; many of the main roads in Central Java are still not open and on those which are, travel is only possible in convoy.

(B) The towns of Lamongan and Bodjonegoro are reported to be badly damaged by fire and demolition and are practically uninhabited either by the local population or troops.

(C) In the former Netherlands demilitarised zone it was observed that nearly all bridges have been destroyed and a number of Kampongs destroyed mainly by fire and most are deserted.

(D) The number of Netherlands troops in the newly occupied areas is insufficient to prevent roving bands of guerillas from moving freely and from performing acts of sabotage such as destruction of newly repaired bridges. Netherlands troops are also insufficient to maintain law and order in towns and many Chinese merchants have suffered severely from looting.