



TRUSTEESHIP COUNCIL

Fourteenth Session

OFFICIAL RECORDS

560th Meeting

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at 10.30 a.m.

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President: Mr. Miguel Rafael URQUIA (El Salvador).

Present:

The representatives of the following States members of the Trusteeship Council: Australia, Belgium, China, El Salvador, France, Haiti, India, New Zealand, Syria, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America.

The representatives of the following specialized agencies: International Labour Organisation; United Nations Educational, Scientific and Cultural Organization.

Administrative unions affecting Trust Territories: reports of the Standing Committee on Administrative Unions (concluded)

[Agenda item 7]

REPORT ON NEW GUINEA (T/L.485 AND CORR.1)

1. Mr. SCOTT (New Zealand), Chairman of the Standing Committee on Administrative Unions, pointed out that at its 559th meeting, during its examination of the report of the Drafting Committee on New Guinea (T/L.496), the Council had adopted a recommendation concerning the Legislative Council of Papua and New Guinea which bore some relation to the Standing Committee's conclusions concerning that Council.

2. Mr. TSARAPKIN (Union of Soviet Socialist Republics) considered that the Standing Committee's report on New Guinea (T/L.485 and Corr.1) contained no analysis of the true situation in the Territory. The authors of the report had carefully avoided dealing with the problems arising from the administrative union of the Trust Territory of New Guinea and the colony of Papua. Information submitted to the Council showed that no progress had been made in the improvement of the living conditions of the indigenous population. The situation had stagnated for thirty-five years, and Australia was thus not fulfilling its obligations under Article 76 b of the Charter. Far from promoting the Territory's advancement towards self-government, the Administering Authority was endeavouring to maintain the colonial system. Under the cloak of the administrative union, New Guinea was attached to the

Australian colony of Papua and the two territories were administered by the same official. Another significant fact was that the administrative headquarters was at Port Moresby, Papua, and not in the Trust Territory. The special representative himself had stated in the Council that the Administering Authority was applying the same policy in Papua and New Guinea, which meant that it was imposing its colonial policy on the Trust Territory in flagrant violation of the Trusteeship Agreement, which prescribed a special status for the Trust Territory. Certain articles in the Australian Press showed that ruling circles in Australia openly advocated the annexation of New Guinea. They wished to make it a colony like Papua.

3. The Council should give special attention to the question of a separate administration for New Guinea, especially since the administrative union of that Territory and Papua had been unsatisfactory. It should come to a decision in the matter and should ensure that the Territory was provided with a special administration designed only to further the interests of the indigenous population. A change must be made, as the Administering Authority had hitherto confined itself only to the most blatant exploitation of the inhabitants of the Territory.

4. In conclusion, he read out his delegation's draft resolution (T/L.509).

5. Mr. TARAZI (Syria) found that, in preparing its report, the Committee had not taken into consideration the views expressed by several delegations when the Council considered the annual report on New Guinea. He referred in particular to the legislative merger between New Guinea and Papua, which constituted a violation of the Charter and the Trusteeship Agreement. The latter sanctioned an administrative union but not an actual merger of the two territories. The Administering Authority had been given permission to set up joint administrative services, but not to amalgamate the two territories. He cited by way of example the measures which had been taken for the administrative and economic union of Lebanon and Syria, when the two countries were under French Mandate. In accordance with the wishes of the population, the Mandatory Power had rightly not allowed the bonds between Syria and the Lebanon to develop into a political merger and the establishment of joint legislative bodies. In the case of New Guinea, the position was quite different, and certain delegations had made observations to that effect which the Committee had not felt obliged to take into consideration. His delegation would therefore be obliged to vote against the Committee's report (T/L.485 and Corr.1), which it considered incomplete, and would vote for the Soviet draft resolution.

6. Mr. FORSYTH (Australia) wished to comment on three questions raised by the USSR and Syrian representatives.

7. In the first place, the USSR representative had felt called upon to speak on the unification of New Guinea and Papua. The reports of the Visiting Missions, the

annual reports of the Administering Authority and the statements to the Council by the special representatives proved that the Trust Territory of New Guinea had retained its separate identity. He assured the Syrian representative that there was not a fusion. The existing administrative union was authorized by the Trusteeship Agreement, and he stressed that the Administering Authority considered that the population of New Guinea could not fail to benefit by it.

8. Secondly, in connexion with the USSR representative's statement that Australian ruling circles intended to annex the Trust Territory, he recalled that both he and Mr. Loomes had already refuted that accusation, which was completely without foundation.

9. Thirdly, the USSR representative's statement that there had been complete stagnation in New Guinea for thirty-five years was confuted by the annual reports of the Administering Authority, the reports of the Visiting Missions and the voluminous evidence which had been made available to the Council over a period of seven years.

10. He had no particular objection to the Committee's report, but he pointed out that the Administering Authority was considering the question raised in the penultimate sentence of paragraph 2 and would take such action as it thought appropriate. However, the measure advocated by the Committee called for amendment of existing legislation. The Committee therefore seemed unduly optimistic when it called on the Administering Authority to take urgently the necessary steps to give effect to the Council's recommendation.

11. Mr. SCOTT (New Zealand) wished to state on behalf of the Standing Committee that it had in fact taken into consideration the questions raised by the Syrian representative and article 5 of the Trusteeship Agreement, which he read out.

12. Mr. DORSINVILLE (Haiti) drew the Syrian representative's attention to paragraph 5 of the Committee's report, which closely reflected the attitude of certain delegations, particularly that of Syria, with regard to the alleged merger of New Guinea and Papua. As a member of the Committee, he accepted the report as it had been drafted, as it took due account of the various shades of opinion which had been expressed.

13. Mr. TSARAPKIN (Union of Soviet Socialist Republics) felt that it was difficult to achieve the adoption of any decision likely to improve the position of the indigenous population as the position of the colonial Powers was defended in the Council and its subsidiary bodies not only by those Powers themselves but by other delegations such as that of Haiti. It was nevertheless true that, under article 3 of the Trusteeship Agreement, the Administering Authority had undertaken to administer New Guinea in accordance with the provisions of the Charter and in such a manner as to achieve, in the Territory, the basic objectives of the International Trusteeship System, which were set forth in Article 76 of the Charter. No argument based on the provisions of article 5 of the Trusteeship Agreement could relieve the Administering Authority of its duties. It was required, among other things, to establish independent administrative and legislative bodies composed of representatives of the indigenous population and not representatives of the Australian colonists, as was in fact the case. The facts which his delegation had quoted in its analysis of the situation in the Territory showed that it was time that the Council decided to establish a separate

independent administration for the Trust Territory itself. He failed to see how the Australian representative could claim that New Guinea had its own territorial identity when it had lost even its name, and all relevant legislative texts spoke of a territory called Papua and New Guinea, the name of Papua being always associated with that of New Guinea. Moreover, the Australian representative had been unable to refute the USSR delegation's statement. Since Australia had been administering New Guinea the position in the Territory had stagnated and the population remained at the lowest level of human development. The structure of the administration and the representative character of governmental organs were of the utmost importance for the people's advancement. For that reason his delegation urged the members of the Council to approach the problem with the necessary sense of responsibility. There was considerable evidence to show that the Council's activities caused increasing disappointment and perplexity among the indigenous inhabitants and when, in spite of the measures to keep it from them, they learned the news that the Council had rejected proposals designed to defend the interests of colonial peoples and Trust Territories, a heavy blow was inflicted on the Council's prestige.

14. For all those reasons, he again urged the adoption of the USSR draft resolution (T/L.509) recommending the establishment of a separate independent administration in the Trust Territory.

15. Mr. DORSINVILLE (Haiti) was surprised that the USSR representative had accused his delegation of defending the policy of the Administering Authorities and asserted that nothing in his delegation's attitude, either in the Council or in the Fourth Committee of the General Assembly, justified such an accusation. The delegation of Haiti had unwaveringly maintained that attitude, which was in complete harmony with the country's background. The Haitian representatives did not of course adopt the intransigent attitude of the USSR delegation, for their training enabled them to admit that certain nuances could sometimes exist. Perhaps the USSR representative's statement had been prompted by a misunderstanding: the delegation of Haiti had drawn attention not to article 5 of the Trusteeship Agreement but to paragraph 5 of the Committee's report (T/L.485 and Corr.1).

16. Mr. TSARAPKIN (Union of Soviet Socialist Republics) said that the delegation of Haiti was perfectly free to adopt any attitude it considered appropriate and explained that he had merely stated that the Administering Authorities had the majority vote in the Council and its organs. He then quoted paragraph 2 of the Committee's report and concluded from it that even that document questioned the usefulness of the joint Legislative Council. That was hardly surprising since it did not represent the indigenous population. The present administrative structure was contrary to the aims and principles of the Trusteeship System and it was precisely that situation which the USSR draft resolution sought to rectify.

17. Mr. TARAZI (Syria) thought that paragraph 5 of the report did perhaps contain the points mentioned by the Haitian representative. However, in other parts of the document, the question was not clearly settled and for that reason the Syrian delegation had some reservations on the report as a whole. His delegation was not opposed to the establishment of a fiscal, customs or administrative union, which was authorized by

article 5 of the Trusteeship Agreement, but to the existence of a joint legislative organ, which implied a political federation and which the Administering Authority had no right to establish. In that respect the interpretation placed upon article 5 by the New Zealand representative was unjustified.

18. Mr. SCOTT (New Zealand) pointed out that he had quoted the exact wording of article 5 of the Trusteeship Agreement. If his statement was to be treated as an interpretation of that article, the interpretation originated in the Trusteeship Agreement itself.

19. With reference to the allegations that the colonial Powers held a majority in the Standing Committee on Administrative Unions, he emphasized that that Committee was composed of two delegations representing the Administering Authorities and two delegations representing non-administering Powers and that it had adopted its report unanimously.

20. The PRESIDENT put the USSR draft resolution (T/L.509) to the vote.

The USSR draft resolution was rejected by 8 votes to 3, with 1 abstention.

21. The PRESIDENT put to the vote paragraphs 2 to 6 inclusive of the report of the Standing Committee on Administrative Unions (T/L.485 and Corr.1).

Those paragraphs were adopted by 8 votes to 2, with 2 abstentions.

Examination of conditions in the Trust Territory of Nauru: annual report of the Administering Authority (T/1111, T/1122, T/1125) (continued)

[Agenda item 4 (d)]

REPORT OF THE DRAFTING COMMITTEE ON NAURU (T/L.494)

At the invitation of the President, Mr. J. H. Jones, special representative of the Administering Authority for the Trust Territory of Nauru, took a place at the Council table.

22. Mr. SERRANO GARCIA (El Salvador), Chairman of the Drafting Committee for Nauru, said that the Committee had based its report (T/L.494) on Council members' comments and on the special representative's statements. It reflected both the favourable and unfavourable opinions which had been voiced.

23. Mr. TSARAPKIN (Union of Soviet Socialist Republics) quoted paragraph 6 of the report, concerning the future of the Nauruan community, and observed that the future prospects of the indigenous inhabitants were very dim. They would have to leave the Territory, and the island of Nauru would become a desert, since the fertile lands and their vegetation had been destroyed so that the phosphate deposits underneath could be exploited. The solution of the problem was not to be sought along those lines; the Administering Authority, which reaped enormous profits from phosphate mining, should rather devote a part of those profits to the restoration of cultivable land as each deposit was exhausted, and slow down the rate of production so as to spread the mining of phosphate over a longer period. Thus the cultivable land would be gradually restored and the people would gradually adjust themselves to that mode of life. They could satisfy their requirements by engaging in agriculture and fishing, and there would be no further need to contemplate any transfer of popu-

lation, which raised such painful problems for the persons concerned. For all those reasons the USSR delegation would vote against paragraph 6 of the report.

24. Sir Alan BURNS (United Kingdom) pointed out that, contrary to the Soviet Union representative's apparent belief, mining was carried on only in sectors where the top-soil was unproductive.

25. Mr. TSARAPKIN (Union of Soviet Socialist Republics) replied that, according to page 17 of the annual report,¹ the British Phosphate Commissioners had the right to exploit and destroy trees in any area containing phosphate deposits. Such areas therefore contained a certain amount of vegetation which the inhabitants could exploit if their interests were protected.

26. Sir Alan BURNS (United Kingdom) said that was far from the case. While the authorities had the right to extract phosphate from the Territory, they had not in fact exploited a single cultivated area for the simple reason that such areas contained no ore.

27. Mr. SERRANO GARCIA (El Salvador) stated that, in drafting paragraph 6, the Committee had taken into account all the opinions expressed in the Council, including that of the Soviet Union representative. It invited the Administering Authority to examine, with the people's co-operation, the means of deciding upon the future of Nauru.

28. Mr. TSARAPKIN (Union of Soviet Socialist Republics) opposed the progressive resettlement of Nauruans mentioned in paragraph 6, and thus could not vote for that paragraph.

Paragraph 6 of the report (T/494) was adopted by 8 votes to 1, with 3 abstentions.

29. Mr. FORSYTH (Australia) said that he had abstained on paragraph 6 because in it the Council requested the Administering Authority to include in its next annual report the results of the study on the problem of the Territory's future. The next annual report would cover a period ending 30 June 1954. It was even possible that the study would not be concluded within twelve months. In any case, the Council would be informed of the results.

30. Mr. TSARAPKIN (Union of Soviet Socialist Republics) opposed paragraph 7 of the report, because in it the Council expressed the hope that the Nauru Local Government Council would make every effort fully to understand and exercise its present powers. That was a pious hope because the Council in question had precisely no power.

31. Mr. FORSYTH (Australia) replied that the special representative in his final statement (540th meeting) had listed a whole series of powers held by the Local Government Council.

32. Mr. JONES (Special representative for Nauru) added that those powers were expressly defined in the Local Government Council Ordinance. It could make rules that were not inconsistent with any Act or ordinance in force, subject to the Administrator's approval. In fact, such approval was withheld only when the regulation did not fulfil its purpose.

33. Mr. TSARAPKIN (Union of Soviet Socialist Republics) hoped that the Australian representative

¹ See *Report to the General Assembly of the United Nations on the Administration of the Territory of Nauru from 1st July, 1952, to 30th June, 1953*, Commonwealth of Australia, 1953.

would now agree with him that the Council had no power or at least no deliberative power.

34. Mr. FORSYTH (Australia) replied that it was quite common to find that the powers of any governmental body were not unlimited.

Paragraph 7 was adopted by 8 votes to 2, with 2 abstentions.

35. Mr. TARAZI (Syria) explained that he had voted against paragraph 7 because the Local Government Council had no legislative power and because the recommendations in that paragraph were inadequate.

36. Mr. SCHEYVEN (Belgium) said that he had abstained because he felt that paragraph 7 was quite useless. It expressed the hope that the Administering Authority would do something which it had been doing for a long time.

37. Following a request by Mr. JONES (Special representative for Nauru), the PRESIDENT pointed out, in connexion with paragraph 8 of the report, that three Nauruans, and not two as stated in the report, had been appointed to senior positions in the Administration. He proposed that the text should be amended accordingly.

It was so decided.

38. Mr. TSARAPKIN (Union of Soviet Socialist Republics) requested that the vote should be taken in three parts: the first vote on the first part of the first sentence up to and including the words "senior positions in the Administration", the second vote on the remainder of that sentence, and the third vote on the remainder of the paragraph.

The first part of the first sentence of paragraph 8 was adopted unanimously.

The second part of that sentence was adopted by 9 votes to none, with 3 abstentions.

The remainder of paragraph 8 was adopted by 9 votes to none, with 3 abstentions.

39. Mr. MAX (France) recalled that his delegation had objected during the debate in the Drafting Committee to the improper use of the word "vigorously". It was for that reason that he had abstained.

Paragraph 8 as a whole was adopted by 11 votes to none, with 1 abstention.

40. Mr. TARAZI (Syria) suggested that the text of paragraph 9 of the report should be amended by adding the word "urgently" before the word "reiterates".

41. Mr. TSARAPKIN (Union of Soviet Socialist Republics) drew attention to the fact that corporal punishment, the subject of paragraph 9, might be dealt with in the same way as it had been in connexion with New Guinea, and suggested that the text should be replaced by paragraph 19 of the report of the Drafting Committee on New Guinea (T/L.496), which read:

"The Council, noting that corporal punishment has been partially abolished and recalling its previous recommendations in this connexion, strongly urges the Administering Authority to abolish completely this form of punishment".

The USSR amendment was adopted by 6 votes to none, with 6 abstentions.

42. Mr. SERRANO GARCIA (El Salvador) explained that he had voted in favour of the USSR amendment because his delegation had taken the same position in the Drafting Committee.

43. The PRESIDENT put paragraph 10 of the report to the vote.

Paragraph 10 was adopted by 5 votes to 4, with 3 abstentions.

44. Mr. BHANDARI (India) said that he had abstained from voting on paragraph 10 because a number of observations made by his delegation on the phosphates question had not been included in it.

45. Mr. FORSYTH (Australia) said that he had voted against the paragraph because, as his delegation had explained repeatedly, the Administering Authority was not in a position to supply a statement on the operations of the British Phosphate Commissioners for Nauru separately from those in the other Pacific islands. Moreover, it had never clearly been shown why separate accounts were necessary to the discharge of the Council's functions.

46. Mr. SCHEYVEN (Belgium) said that he had voted against the paragraph for the same reasons.

47. The PRESIDENT put paragraph 11 of the report to the vote.

48. Mr. TSARAPKIN (Union of Soviet Socialist Republics) requested a separate vote on the second sentence of paragraph 11.

The first sentence of paragraph 11 was adopted by 10 votes to none, with 2 abstentions.

The second sentence was adopted by 6 votes to 4, with 2 abstentions.

49. Mr. TARAZI (Syria) suggested that in the last sentence the words "and review it with a view to removing the present restrictions" should be replaced by the words: "with a view to abrogating it within a reasonable period of time".

The Syrian amendment was adopted by 6 votes to none, with 6 abstentions.

The last sentence of paragraph 11, as amended, was adopted by 8 votes to none, with 4 abstentions.

Paragraph 11 as a whole, as amended, was adopted by 6 votes to none, with 6 abstentions.

50. Mr. TARAZI (Syria) said that the second sentence of the paragraph was unacceptable to his delegation and that for that reason he had been unable to vote in favour of paragraph 11 as a whole.

51. Mr. TSARAPKIN (Union of Soviet Socialist Republics) considered that the second sentence was an insult to the indigenous population and he had therefore abstained from voting on the paragraph as a whole, although it embodied certain positive elements.

52. Mr. TSARAPKIN (Union of Soviet Socialist Republics) pointed out that as paragraph 12 of the report dealt with education, it should contain no reference to the resettlement of Nauruans outside the Territory. The USSR delegation opposed such resettlement and would therefore vote against the paragraph.

Paragraph 12 was adopted by 7 votes to 1, with 4 abstentions.

53. The PRESIDENT put to the vote the Drafting Committee's recommendation with regard to the working papers prepared by the Secretariat (T/L.472 and Add.1), which was set forth in paragraph 5 of the report.

The recommendation was adopted by 10 votes to 1, with 1 abstention.

Examination of conditions in the Trust Territory of Western Samoa: annual report of the Administering Authority (T/1119, T/1122, T/1126) (continued)

[Agenda item 4 (b)]

REPORT OF THE DRAFTING COMMITTEE ON WESTERN SAMOA (T/L.493)

54. Mr. LOOMES (Australia) speaking as the Chairman of the Drafting Committee, said that little needed to be said concerning the Drafting Committee's report on the Trust Territory of Western Samoa (T/L.493). The conclusions in paragraphs 6 to 15 of the report had been unanimously adopted by the Drafting Committee.

55. The PRESIDENT put paragraph 6 of the report to the vote.

Paragraph 6 was adopted by 9 votes to 1, with 2 abstentions.

56. With regard to paragraph 7, Mr. TARAZI (Syria) proposed that it should be amended by the addition of the words "and independence" after the words "desire of the people of Western Samoa for self-government", in the first sentence.

57. Mr. TSARAPKIN (Union of Soviet Socialist Republics) proposed that the words "and independence" should be added at the end of the first sentence of paragraph 7, after the word "self-government".

58. Mr. SCOTT (New Zealand) said that his delegation was prepared to support the Syrian amendment if the Syrian representative would agree to substitute the word "or" for the word "and". Worded in that way, the Syrian amendment would be consistent with the wording of the Trusteeship Agreement and the Charter, whereas the addition of the words "and independence" would introduce an entirely new element which the New Zealand delegation could not accept.

59. Mr. TARAZI (Syria) could not accept the New Zealand representative's suggestion because he believed that the goal was to enable Non-Self-Governing Territories to achieve not only self-government but also political and economic independence.

60. Sir Alan BURNS (United Kingdom) said that there was no proof whatever that the people of Western Samoa desired independence. At any rate that had not been his impression when he had visited Samoa.

The Syrian amendment was rejected by 6 votes to 5, with 1 abstention.

61. Mr. TSARAPKIN (Union of Soviet Socialist Republics) agreed to change his amendment in accordance with the New Zealand representative's suggestion. The amendment as amended would therefore consist of the addition of the words "or independence" at the end of the first sentence of paragraph 7.

The USSR amendment, as amended, was unanimously adopted.

Paragraph 7 as a whole, as amended, was adopted by 9 votes to none, with 3 abstentions.

62. Mr. ROBBINS (United States of America), explaining his vote on the Syrian amendment, said that he had voted against it because, in his opinion, the United Nations could not impose independence on a people.

63. Mr. TSARAPKIN (Union of Soviet Socialist Republics) said that he had abstained from voting on

paragraph 7 as a whole because the Syrian amendment had not been adopted and also because the paragraph referred to a plan for the Territory's "progressive" attainment of self-government. In the view of the colonial Powers that could only mean slow attainment of self-government, whereas the USSR considered that the attainment of self-government and independence by non-self-governing countries should be a speedy process.

64. Mr. SCHEYVEN (Belgium) proposed that the French text of paragraph 8 should be amended by replacing the words "*Le Conseil, soucieux d'accroître les responsabilités administratives confiées aux Samoans*" by the words "*Le Conseil, soucieux d'encourager l'élargissement des responsabilités administratives confiées aux Samoans ...*", as the Council was not competent to increase executive responsibilities.

65. The PRESIDENT pointed out that the English text did not express the same idea as the French, but merely emphasized the Council's desire to see the Samoans granted progressively greater executive responsibility. The Secretariat could no doubt take note of the Belgian representative's observation and alter the French text to make it correspond exactly to the English text.

It was so decided.

Paragraph 8 was adopted by 10 votes to none, with 2 abstentions, subject to the amendment to be made in the French text.

66. The PRESIDENT put paragraphs 9, 10 and 11 of the report to the vote.

Paragraph 9 was adopted by 10 votes to none, with 2 abstentions.

Paragraph 10 was adopted by 11 votes to none, with 1 abstention.

Paragraph 11 was adopted by 11 votes to none, with 1 abstention.

67. Mr. TARAZI (Syria) requested a separate vote on the second sentence of paragraph 12, beginning with the words "In view of the rapidly increasing population ...".

The first sentence of paragraph 12 was adopted by 9 votes to none, with 3 abstentions.

The second sentence was adopted by 11 votes to none, with 1 abstention.

Paragraph 12 as a whole was adopted by 11 votes to none, with 1 abstention.

68. The PRESIDENT put paragraph 13 of the report to the vote.

Paragraph 13 was adopted by 10 votes to none, with 2 abstentions.

69. With regard to paragraph 14, Mr. TARAZI (Syria), supported by Mr. MAX (France), pointed out that the last sentence of the paragraph would be improved from the point of view of style if it were reworded in the French text to read: "*il exprime l'espoir que de nouveaux efforts seront accomplis en ce qui concerne ...*".

70. Mr. TSARAPKIN (Union of Soviet Socialist Republics) requested a separate vote on the first part of the first sentence, namely, the words "The Council, noting the advances made in the field of public health during the period under review ...".

That part of the sentence was adopted by 10 votes to none, with 2 abstentions.

The remainder of paragraph 14, amended in the French text as suggested by Syria and France, was adopted by 11 votes to none, with 1 abstention.

Paragraph 14 as a whole, as amended in the French text, was adopted by 11 votes to none, with 1 abstention.

71. Mr. TSARAPKIN (Union of Soviet Socialist Republics) pointed out that the words "compulsory primary education", in the English text of paragraph 15, had not been properly translated in the Russian text

and asked the Secretariat to make that text correspond exactly with the original.

Paragraph 15 was adopted by 11 votes to none, with 1 abstention, subject to the amendment of the Russian text suggested by the USSR representative.

72. The PRESIDENT put the recommendations contained in paragraph 5 of the report to the vote.

Those recommendations were adopted by 10 votes to 1, with 1 abstention.

The meeting rose at 1 p.m.