



CANADA

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## CANADA-U.S. SEA LAW PROPOSAL

On Wednesday April 13, the Second United Nations Conference on the Law of the Sea, meeting in Geneva, voted in committee of the whole on proposals for the breadth of the territorial sea and the extent of the fishing zone. The only proposal to gain a majority in committee (43 for, 33 against, 12 abstaining) was the joint Canada - United States proposal that had been submitted to the Conference on April 8. The following is a partial text of the statement made by Mr. George Drew, High Commissioner for Canada in the United Kingdom, in submitting this proposal to the Conference:

"We have withdrawn our proposal tabled on March 25 so that we may join the U.S.A. in presenting a single proposal which we hope will provide an opportunity for agreement at this Conference.

"As I said on March 25, the original proposals presented by Canada and the U.S.A. sought to achieve the same fundamental objective. Each of them declared that a state is entitled to fix the breadth of its territorial sea up to a maximum of six nautical miles measured from the applicable baseline and to establish a fishing zone contiguous to its territorial sea extending to a maximum limit of 12 nautical miles from the same baseline.

"The difference, and we recognize the importance of that difference, was in our approach to the problem raised by the distant fishing which had been done by a number of states over many years in the coastal waters of other states. At no time did we suggest

that there should be an abrupt end to long-established fishing practices. On the contrary, at the last Conference (also in the arguments we presented prior to this Conference and at this Conference itself), we have expressed our belief that the best way to deal with this problem which presents so many variable factors is to enter into bilateral or multilateral agreements consistent with the mutual interests of the coastal and distant fishing states.

"On the other hand, it was proposed that those rights be continued in perpetuity where they had been carried on for a period of at least five years prior to January 1, 1958.

"During the course of the debates at this Conference, the distinguished delegates from several countries have indicated their hope that the two points of view could be reconciled so that those who wished to support the principles of the six-mile territorial sea and an additional six-mile fishing zone could all find common ground.

"The new proposal achieves that purpose in the following words:

1. A state is entitled to fix the breadth of its territorial sea up to a maximum of six nautical miles measured from the applicable baseline.

2. A state is entitled to establish a fishing zone contiguous to its territorial sea extending to a maximum limit of twelve nautical miles from the baseline from which the breadth of its territorial sea is measured, in

(over)

which it shall have the same rights in respect of fishing and the exploitation of the living resources of the sea as it has in its territorial sea.

'3. Any state whose vessels have made a practice of fishing in the outer six miles of the fishing zone established by the coastal state, in accordance with paragraph 2 above, for the period of five years immediately preceding January 1, 1958, may continue to do so for a period of ten years from October 31, 1960.

'4. The provisions of the Convention on Fishing and Conservation of the living Resources of the High Seas, adopted at Geneva, April 27, 1958, shall apply *Mutatis Mutandis* to the settlement of any dispute arising out of the application of the foregoing paragraphs.'

"This is the proposal which is now presented in the joint name of Canada and the U.S.A. I would like to emphasize that this is done in response to the very general desire expressed at this Conference that we should come together so that all those who were anxious to support the basic purpose of both our earlier proposals could find common ground.

"Our new proposal does represent a compromise--the kind of compromise which makes international agreements possible.

"Our task is to draft legislation covering two specific questions and two alone. The general desire to achieve agreement on the only details of the Law of the Sea still to be determined might well be frustrated if any attempt were made to broaden the scope of the discussion at this Conference beyond the field which has been assigned to us.

"At the same time, may I say that we are anxious to recognize the special problems of states which are particularly dependant upon fishing for the livelihood of their people by assuring workable and adequate safeguards for the protection of their fishing resources?

"The first two paragraphs of the joint proposal which we have now tabled are in exactly the same words as the original proposal presented by Canada at this Conference.

"The third paragraph provides that, during a period of ten years, those states which have been doing distant fishing in the waters of other states for the required period may continue to do so. May I point out that this does not change in any way the basic proposition which we placed before you? It does represent our response to the many opinions expressed at this Conference that there should be a period of adjustment in which distant fishing states could make new arrangements. This involves a very considerable compromise on the part of both our Delegations. I do wish to express my own admiration and appreciation of the manner in which the very distinguished leader of U.S.A. Delegation and his associates have met us in trying to solve this problem.

"We would naturally have preferred to have had our own proposal adopted in the form in which it was presented, for the reasons explained at the time it was tabled. We fully recognize at the same time, that this would also have been the wish of the U.S.A. Delegation in regard to their own proposal. In deciding on the figure of ten years as a period of adjustment during which fishing may be continued while new arrangements are made, by way of bilateral agreements or otherwise, we have accepted what we believe to be the maximum period of adjustment which could possibly be approved by those states which would have preferred our proposal in its original form, and at the same time the minimum period acceptable to those who would have preferred to see the U.S.A. proposal adopted in the form in which it was first presented.

"One point I do wish to emphasize. In the very nature of the way in which this figure was reached, it cannot be a bargaining figure. Our discussions on both sides have made it perfectly clear that those who would have wished the continuance of fishing rights in perpetuity, or for a much longer period, will not accept less, and that those who have been associated with us in seeking a straight six-mile territorial sea will not accept more.

"In the desire to achieve agreement at this Conference, we have reached a compromise which we believe is reasonable under all circumstances and which we trust will receive general support.

"While it is not my purpose now to discuss in detail the various arguments which have been presented, I do think I should mention one very important consideration which must be in the minds of every one of us. From the statements which have already been made it would seem that there is almost unanimous agreement that there should be a fishing zone extending to a total breadth of 12 miles from the baseline. But there is still a wide difference of opinion in regard to the measurement of the territorial sea.

"May I urge with the utmost earnestness that those countries which for one reason or another have adopted a territorial sea of more than six miles will not take the rigid position that under no circumstances will they reduce the width of their territorial sea. I have already pointed out, and I submit that the record clearly supports my contention, that, in most of the earlier cases where the measurement of the territorial sea was extended to 12 miles, it was done for the sole purpose of asserting control over fishing at a time when the concept of a fishing zone as distinct from the territorial sea had not been accepted and when it provided the only method by which that authority could be established. Full control over fishing would now be provided by the rights conferred in a fishing zone. Surely, under those circumstances, there can be no

(Continued on p. 6)

## FUNDS FOR QUEBEC UNIVERSITIES

As a result of budget provisions and new legislation, the universities of Quebec will receive provincial aid amounting to about \$20 million in 1960-61. One new act provides that loans incurred by universities for construction will be guaranteed by the province, which will pay the interest charges and all or part of the principal repayments. It also creates a sinking fund for this purpose, into which the universities have paid the amounts which were accumulated in trust for them by the Canadian Universities Foundation since 1956--a total of approximately \$25 million. A second act substitutes payment of provincial university grants at the rate of \$1.75 *per capita* of the population of the province for federal grants at the rate of \$1.50. A third raises the provincial tax on the income of corporations from 9 per cent to 10 per cent to provide funds for these university grants, on the understanding that the Federal Government will allow an equal abatement. Finally, statutory provision is made for basic grants, and grants based on enrolment, to classical colleges--these to be effective in the year 1959-60.

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## RECITALS AT VANCOUVER FESTIVAL

Recitals featuring chamber-music groups as well as individual artists will take their place beside opera, drama, dance, and films in the Vancouver International Festival this summer.

Among the individual recitalists will be Canadian pianist Glenn Gould and Swedish mezzo-soprano Kerstin Meyer. These two will appear together with the Vancouver Quartet in an all-Schoenberg evening. In addition, both artists will appear in concerts of their own, Mr. Gould in a piano recital including "the four B's" (William Byrd, Bach, Beethoven, and Alban Berg) and Miss Meyer, accompanied by Marshall Sumner, in works by Debussy, Sibelius, Bartok and Wolf. Since her portrayal of Orpheus at last year's Festival, Miss Meyer has signed contracts to appear at Covent Garden and at the Metropolitan Opera, where she will sing Carmen next season.

Another individual recitalist is Jean Erdman, the American interpretative dancer, who will perform an evening of dance drama. This is Miss Erdman's second appearance in Vancouver. Last year she performed and lectured at the University of British Columbia.

There will be three chamber-music groups in the Vancouver International Festival. The Cassenti Players, under the direction of George Zukerman, were heard last year in two recitals that received unanimous critical praise. The Vancouver Quartet, comprising Jack Kessler, Arthur Polson, Smythe Humphreys and Ernst Friedlander, is a long-established group and has been heard nationally over the Cana-

dian Broadcasting Corporation on frequent occasions.

Coming to the Festival for the first time is the Claremont Quartet. Established in 1954, this group is now regarded as one of the leading chamber groups in the concert world. All four musicians - Marc Gottlieb, William Schoen, Vladimir Welsman and Irving Klein - are American citizens and received their musical training in the United States. They have been friends for years and this unusual *rapport* helped them in their decision to form the Quartet six years ago. Their success was almost immediate. They have toured extensively, and will appear on two occasions at the Vancouver Festival. Their first recital will include works by Arriaga, Powell and Beethoven. Their second recital will include the Schubert Quintet Op. 163, with Vancouver cellist Ernst Friedlander.

The Cassenti Players, under the direction of bassoonist George Zukerman, performs chamber works for unusual combinations of wind instruments and wind and strings. The composition of this group changes in accordance with the requirements of the programme. Their festival recital will include works by Stravinsky and Mozart.

The Vancouver International Festival begins on July 22 and continues until August 16.

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## HARBOURS BOARD REPORT

The National Harbours Board earned \$24, -206,000 from harbour operations in 1959, which was \$130,000 higher than gross operating income in 1958. Its twenty-fourth annual report, presented to Parliament by Mr. Hees, the Minister of Transport, showed a net operating income of \$8,608,000 and a net income deficit of \$595,000 in 1959, compared with a net operating income of \$9,289,000 and a net income surplus of \$1,072,000 in the previous year. Traffic statistics indicated an overall increase of 3 per cent in water-borne cargo tonnage at the national ports in 1959 compared with 1958.

Capital expenditures amounted to \$22,420, -000. A number of important new facilities were completed and put into operation, uncompleted work on major contracts at the year end amounting to \$10,805,000. In addition, \$4, -099,000 was spent on the maintenance of existing facilities.

The report states that major construction projects completed or in progress during 1959 included new or improved wharves at Chicoutimi (Quebec), Montreal and Vancouver, new transit sheds at Quebec, Montreal and Vancouver, and a transit shed extension at Montreal. Additions and improvements were made to the grain elevator systems at Halifax, Saint John, Quebec, Montreal, Prescott and Vancouver. At Montreal, improvements to the approaches and roadways of the Jacques Cartier Bridge con-

tinued, while piers and superstructure were constructed and fill placed for the Champlain Bridge. Various smaller projects were undertaken to improve shipping, storage and traffic facilities at the national ports.

The 1959 capital spending programme was financed to the extent of \$17,819,000 from government loans, \$875,000 from the Board's replacement fund and \$3,726,000 from Board revenue. Payments to the Federal Government totalled \$3,321,000, which consisted entirely of interest on loans. The reserve funds for replacement, fire and general insurance, workmen's compensation and special maintenance were increased by \$2,460,000.

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### CZECH ENVOY ACCREDITED

His Excellency Jaroslav Tauer recently presented to the Governor-General his Letters of Credence as Envoy Extraordinary and Minister Plenipotentiary of Czechoslovakia to Canada. The ceremony took place at Government House. The Chief of Protocol, Mr. H.F. Feaver, presented the Minister to the Governor-General. Mr. Henry F. Davis, Acting Assistant Under-Secretary of State for External Affairs, and Mr. Esmond Butler, Secretary to the Governor-General, were in attendance on the Governor-General. The Minister was accompanied by: Mr. Pavel Pavlik, First Secretary; Colonel Vojtech Duchek, Military and Air Attaché; Mr. Miloslav Cech, Second Secretary; Major Bohumil Suchy, Assistant Military and Air Attaché; Mr. Ladislav Soska, Third Secretary; Mr. Eugen Reisig, Third Secretary, and Mr. Jaroslav Novak, Third Secretary.

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### INDIAN AFFAIRS

The Minister of Citizenship and Immigration, Mrs. Ellen Fairclough, recently announced to the House of Commons that several new policy decisions had been taken affecting the administration of Indian affairs.

One concerns women of Indian origin who, having, through enfranchisement or marriage, relinquished Indian status, find themselves, owing to the deaths of their husbands or for some other serious reason, under the necessity of returning to live among their relatives or friends on their home reservations. Until now no satisfactory way has existed of providing essential welfare benefits and educational help to these women and their children. The Government has, therefore, decided on humanitarian grounds that, while living on reservations, they shall receive the same benefits as if they retained Indian status.

The Federal Government has also announced its willingness to negotiate agreements with the governments of the provinces for the extension of normal provincial welfare services to persons living on Indian reserves.

the purpose is to avoid the development on reserves of exclusive welfare services that might tend to set Indians apart from other Canadians or to duplicate provincial programmes in neighbouring non-Indian territories.

In negotiating such agreements, the Government is ready to pay a fair share of the costs of the benefits over and above the federal contribution under existing federal-provincial agreements (such as the Unemployment Assistance Act), and to share with provinces the additional administration costs imposed by such programmes.

The Department of Citizenship and Immigration will also be prepared to enter into agreements to enable Indian bands to assume responsibility for welfare programmes usually administered by municipalities under provincial legislation.

### SEAWAY REPORT - 1959

The 1959 annual report of The St. Lawrence Seaway Authority, tabled in the House of Commons recently by the Minister of Transport, shows that in the first season of operation there was a net operating income of \$5,261,000 available for debt service. A payment of \$5, million on account of interest was made last month.

Income and expense were accrued from the dates of commencement of operations, April 25 for the new Seaway facilities, and April 1 for the Welland Canal. Total income was \$9,214,000 and administrative, operating and maintenance expenses amounted to \$3,953,000, resulting in a net income of \$5,261,000 before providing for interest or depreciation. The applicable interest charge on loans from the Government of Canada was \$7,994,000 and the amount by which interest charges were not earned was, therefore, \$2,733,000 divided as follows: Montreal to Lake Ontario section \$1,457,000; Welland canal, \$1,276,000.

After making provision of \$3,955,000 for depreciation, the accounts showed a loss of \$6,688,000 for the period.

The final toll traffic figures, somewhat greater than those published in February, show that there was an increase of 75 per cent in the cargo carried between Montreal and Lake Ontario, compared with the 1958 figure, the total being 20,590,000 tons. On the Welland canal, the total traffic was 27,530,000 tons, an increase of 29 per cent over the previous year.

The Authority reports that the major construction works have been completed except for clean-up dredging of some 1,000,000 cubic yards, which will be done in 1960. Total capital expenditures to December 31, 1959, stood at \$310,650,000, including interest during construction (unpaid). Loans for construction purposes received and outstanding at the end of the year amounted to \$285,500,000.

Dealing with claims filed by contractors engaged on Seaway construction, the report states that claims settled to date amount to \$3,643,000 and involved payments of \$2,895,000, most of which related to unit-price adjustments arising from reclassification of material excavated or dredged. The investigation of claims for a face amount of \$26,300,000 has been completed and offers of settlement involving about \$1,750,000 have been, or are in course of being, made. There remains a balance of claims totalling \$13,900,000 still under investigation.

The report also gives an account of the management of the Lachine, Cornwall and Sault Ste Marie canals, which were entrusted to the Authority for operation from April 1, 1959, and the expenses of which are recoverable from Parliamentary appropriations. Operating deficit and capital expenditures for the period were \$1,655,000.

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### NEW ONTARIO UNIVERSITY

Four bills passed by the Ontario Legislature will create the bilingual Laurentian University of Sudbury, Ontario (non-denominational), with which will be federated the present University of Sudbury (Catholic), the new University of Lalemant College (Catholic) and the new Huntington University (United Church). An Anglican university may be established within the federation at a later date.

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### JANUARY EARNINGS

Weekly wages in manufacturing averaged \$71.96 in January, compared to \$68.48 in December. Hourly earnings were \$1.77, against \$1.78; and the work-week was 40.7, against 38.5 hours. In January of last year, weekly wages averaged \$69.28, hourly earnings \$1.70, and the work-week 40.6 hours.

The work-week lengthened in January in durable goods manufacturing to 41.1 from 39.0 hours in December and average weekly wages rose to \$79.10 from \$74.72. Average hourly earnings were unchanged at \$1.92, reduced overtime in smelting and refining and a longer work-week in industries paying below the general average counterbalancing the effect of overtime in the automotive industry.

The work-week increased during the month, in the production of non-durable goods, to 40.3 from 38.1 hours during the preceding month, and average weekly wages rose to \$64.97 from \$62.39, while average hourly earnings decreased to \$1.61 from \$1.64. These changes were due in part to the return to normal operations in leather and clothing factories.

The January work-week in mining increased to 41.3 hours from 39.5 in December. Average hourly earnings were unchanged at \$2.08, and average weekly wages rose to \$85.83 from

\$82.05. A longer work-week in Nova Scotia coal mines contributed to the gain in average weekly wages. Average weekly wages in construction rose to \$78.08 from \$64.40, owing to further seasonal lay-offs of lower-paid wage-earners and a longer work-week.

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### "AUTOMATED" ORE-MILL

A new, highly-automated ore-milling plant has been opened by The International Nickel Company of Canada, Limited, in the Sudbury area of Ontario in the latest step in a continuing programme to counter rising costs with increased production efficiency through technological advances.

The modern mill, built at a cost of \$12 million, makes extensive use of instrumentation to permit centralized, and in some cases automatic, control of the crushing, grinding, floatation, and dewatering processes involved in the production of concentrates from ore. All operations are controlled from centrally-located instrument panels. Many recently-developed techniques, such as the use of radioactive isotopes for making density measurements, have been incorporated in the new plant.

The mill is among additions and improvements the company is carrying out at its properties in the Sudbury area which, with the new nickel-mining project being developed at Thompson, Manitoba, will raise Inco's nickel production capacity to 385,000,000 pounds a year by 1961. This Levack installation brings to three the number of ore-milling plants operated by Inco at its nickel mines in the Sudbury area, the free world's greatest source of nickel.

The Levack mill has a capacity of 6,000 tons of ore a day. Crushed ore from the Levack mine No. 2 Shaft is conveyed directly into a concrete silo-type bin with a live capacity of 3,000 tons. Two parallel conveyors feed the coarse ore to two seven-foot cone crushers, which reduce it to minus three-quarters of an inch in size. The crushed ore is then conveyed to three large circular concrete bins with a total live capacity of 16,000 tons. A special screening process removes the wood chips *en route*. Automation is used to assist in this crushing operation. The crushers, crusher oil pumps, screens, variable-speed ore feeders and conveyors are all operated and controlled from a central instrument panel where lights indicate what equipment is in service. The occurrence of trouble in operation equipment sounds an alarm on the control panel and gives a visual indication of the trouble. An indicating and recording weightometer on the panel shows the tonnage of ore being crushed.

The two grinding units each consist of a 15-foot rod mill, a 14-foot ball mill, and two cone classifiers. A central instrument panel controls the entire grinding operation.

Weightometers automatically control and record the rate at which ore is fed into the grinding units. Water addition to the rod mills is adjusted from the panel. In the cone classifiers the density of the overflow to floatation is measured and automatically controlled by radioactive isotope instruments which regulate the water addition to the classifiers.

The selective floatation process used produces a nickel concentrate, a copper concentrate and a rock tailing. Floatation process variables such as pulp density, temperature and alkalinity, are automatically controlled by instruments located on a central panel.

The floatation concentrates are dewatered in thickeners followed by vacuum filters. The operation of the thickeners and filters is automatically controlled through instruments on a central panel on the filter floor. The thickener underflow pumps and filtrate pumps are remotely operated from this panel. More than thirty railway cars of nickel and copper concentrates are shipped each day to the Inco smelters at Copper Cliff and at nearby Coniston.

The floatation tailings are pumped 1,500 feet to the sand plant where approximately 85 per cent of the tailings are recovered as sand fill for use in the mine. This fill material is sent by pipeline directly into the mine.

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#### CANADA-U.S. SEA LAW PROPOSAL (Continued from P. 2)

question of conceding any established rights in accepting the narrowest territorial sea which is supported by the overwhelming majority of those countries which provide and operate the peaceful transportation of the world by sea and air.

"May I point out that we are one of the many countries engaged in peaceful navigation by sea and air which still have a three-mile territorial sea. We would have much preferred that this measurement should have been retained. In an effort to reach reasonable compromise, those who believe in the freedom of the high seas have nevertheless indicated their willingness to extend their territorial seas to what is regarded as the maximum reasonable figure of measurement.

"With the adoption of a 12-mile fishing zone, every state would then have every essential control which does not interfere with the freedom of the high seas. Surely six miles is enough for the breadth of the territorial sea. Under no conceivable circumstances could Canada be regarded as an aggressor state, and I can only repeat, with the utmost emphasis, our firm belief that the extension of the territorial sea beyond that breadth adds

nothing whatever to the ability of any country to defend itself under modern conditions, but does limit freedom of navigation and does impose unnecessary burdens upon the coastal states.

"Before closing these brief remarks which have not attempted to deal with other proposals or the details of the questions you will be called upon to decide next week, may I say how much we are all indebted to the extremely useful suggestions which have been made by distinguished delegates from every part of the world in the open meetings and in private discussion. The course we are now following offers convincing proof of the very real value of the kind of well-informed discussion which we have heard during the past three weeks.

"Those states which are seeking agreement on a convention which will provide for a narrow territorial sea with a contiguous fishing zone offering every measure of control which does not interfere with the freedom of the high seas have already made a very great concession in their offer to extend the territorial sea from three to six miles. As the representative of one of the younger and certainly one of the most peace-loving nations, may I urge that others meet us halfway, so that we may demonstrate to the whole world that the 88 countries represented here are not divided by arbitrary barriers or doctrinaire positions and that we are prepared to come together in a friendly meeting of minds for the one purpose of extending the prosperity peace and security of all mankind."

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#### TESSAI WORKS FOR VANCOUVER

The paintings of Japan's great traditional artist, Tomioka Tessai, will be on exhibit during the Vancouver International Festival this summer.

Professor B.C. Binning of the Fine Arts Department of the University of B.C. said recently that arrangements had been made through the National Gallery in Ottawa to bring the Tessai collection from the Takarazuka Shrine in Japan to Vancouver.

The exhibition will be at the Vancouver Art Gallery from June 22 to September 18.

"This is the first time a representative collection of this outstanding painter's work has been shown in Canada," Professor Binning said. "Tessai's paintings are known in art circles around the world for their clear and precise view of human life. His achievements as a painter reflected his sincere desire to use art for the sake of humanity rather than for art's sake alone." He likened the works of Tessai to those of the sixteenth century Flemish artist Pieter Brueghel, Senior.