

Library

CONFIDENTIAL

TABLE OF CONTENTS

INTERNATIONAL AGREEMENTS AND AGREEMENTS

Initialing of Peace Agreement at Washington, April 23, 1942

Transfer of protection of Canadian interests from Argentina to Switzerland, statement by Prime Minister, May 7, 1942

United Nations Air Training Conference, May 18-23, 1942

DEPARTMENT OF EXTERNAL AFFAIRS

British Commission on Air Training Conference, May 23-June 5, 1942

BULLETIN

NO. 14

May, 1942

OTTAWA

~~CONFIDENTIAL~~

DEPARTMENT OF THE ARMY

MEMORANDUM

NO. 14

NOV. 1943

ATTACHED

TABLE OF CONTENTS

(A) INTERNATIONAL NEGOTIATIONS AND AGREEMENTS

1. Initialing of wheat Agreement at Washington, April 22, 1942
2. Transfer of protection of Canadian interests from Argentina to Switzerland, statement by Prime Minister, May 7, 1942
3. United Nations Air Training Conference, May 18-22, 1942
Press Statement of May 22, 1942
4. British Commonwealth Air Training Conference, May 22-June 5, 1942
5. Relations with France, Statements by Prime Minister, May 19, 20, 21, 1942
6. Appointment of Mr. Charles Vining to survey Canadian publicity in United States, Statement of May 28, 1942
7. Telegram from Prime Minister of Canada to President of Mexico, May 28, 1942
8. Production of Government Documents, summary prepared by Legal Division of a London Times report of May 15, 1942

(B) COMMONWEALTH AND FOREIGN REPRESENTATIVES IN CANADA

(C) CHANGES IN THE CANADIAN EXTERNAL SERVICE

(D) RECENT PUBLICATIONS

(A) INTERNATIONAL NEGOTIATIONS AND AGREEMENTS

1. Initialing of Wheat Agreement at Washington, April 22, 1942.

A Wheat Agreement was initialed at Washington, on April 22, 1942, on behalf of Argentina, Australia, Canada, the United Kingdom, and the United States of America.

The text of this Agreement will be made public as soon as notification has been received that the five Governments have given it their approval.

2. Transfer of Protection of Canadian Interests from Argentina to Switzerland, Statement by Prime Minister, May 7, 1942.

In accordance with the government's policy of making public as quickly as possible all reliable information received about the welfare of Canadians in enemy hands, a statement about conditions in Hong Kong, received from the British embassy in Chungking, was given to the press last night. It reads:

"His Majesty's representative at Chungking reported that he has received information from sources which are considered reasonably reliable concerning the conditions under which Canadian prisoners are being held by the Japanese.

These reports would indicate that Canadians are receiving a good ration of rice supplemented by vegetables and bread daily, and a small quantity of meat. They are allowed to send out their trucks to bring in their food. They are also reported to have their own ovens for baking bread.

The information which has come to hand further discloses that very little disease exists, with the exception of a few cases of dysentery, and that supplies of quinine are on hand in the camp.

From the same reports it would appear that there is a shortage of warm clothing and blankets."

The house is aware that two days ago the Secretary State for Dominion Affairs made a statement in the House of Commons, London, with regard to a decision taken by the United Kingdom, in consultation with the governments of the dominions and of the other united nations, to transfer the protection of British interests in Japan from Argentina to Switzerland.

The welfare of Canadian nationals in Japanese hands, members of the Canadian forces and civilians alike, has been the cause of anxiety to the Canadian government ever since the outbreak of war with Japan. Throughout this trying period the Argentine has been our protecting power in Japan. The Canadian government deeply appreciate the services which have been rendered by the Argentine government, the Argentine foreign office and, in particular, by the Argentine embassy in Tokyo. As a result of their efforts, they have made progress in their work on behalf of Canadian prisoners of war,

despite the refusal of the Japanese government to recognize any neutral government as protecting Canadian or British interests in Hong Kong.

Our government's decision to transfer the protection of Canadian interests in Japan from Argentina to Switzerland has been taken in order that the protection of Canadian interests in axis countries should be in the hands of a single protecting power. As Switzerland has assumed the protection of Canadian interests in Germany and Italy, and territories occupied by Germany and Italy, since the United States entered the war, Switzerland has been asked to take over the protection of Canadian interests in Japan. Canadian interests in Japan and Japanese-occupied territories are inextricably bound up with the interests of the United Kingdom and other parts of the Commonwealth and it is felt that administrative arrangements for their protection can be effectively centralized in a single protecting power.

3. United Nations Air Training Conference, May 18-22, 1942

The United Nations Air Training Conference was held in Ottawa from May 18-22, 1942. The following countries were represented: Canada, United Kingdom, United States, Australia, New Zealand, South Africa, China, Norway, the Netherlands, Poland, Belgium, Czechoslovakia, Yugoslavia. A Free French representative was also present. Following the general conference, the Commonwealth countries participating in the British Commonwealth Air Training Plan held further meetings to consider a new B.C.A.T.P. Agreement. The following statement was issued at the close of the general United Nations Conference on May 22:

"The Ottawa Air Training Conference, which has just closed, provided an unprecedented opportunity for a complete exchange of information on every phase of air training. Full advantage was taken of this opportunity by all the Nations represented.

The training of Pilots, Air Navigators, Bombers, Air Gunners, Wireless Air Gunners and Flight Engineers; the selection of Aircrew personnel; the interweaving of various types of flying; the functions and organization of Operational Training Units; the composition of Aircrew; these and many other subjects were fully examined.

As flying training is the foundation of flying efficiency, there is no doubt that the discussions of this Conference will soon produce beneficial results on the air operations of the United Nations. Each delegation at the Conference has learned something from the experiences of the others in the field of air training. The knowledge so gained will be put to good use. One result will be the closer approach to standardization of air training methods than was previously possible. These, in turn, will make easier and more effective the co-ordination of the air activities of the United Nations.

A careful survey of the aircrew resources of the various countries represented at the Conference was made in respect to the United States and the Nations of the British Commonwealth. The result was encouraging. It was recognized, however, that the aircrew situation of the countries temporarily under enemy occupation presented a special problem. The difficulties in the way of the solution of this problem were great; but courage and resolution are being shown by those European countries who are seeking such a solution.

The Conference has given most careful thought to the means by which the training capacity of the United Nations can be co-ordinated. Alterations in requirements, some of which cannot even be foreseen at present, may alter the position at any time, thus involving training adjustments of considerable magnitude, with this probability in view, and with the further object of ensuring a rapid and effective interchange of information regarding training generally, the Conference has approved the formation of a Combined Committee on Air Training. The text of the resolution is as follows:

1. There shall be a Committee to be known as the Combined Committee on Air Training in North America, to consist of representatives of the United States, the United Kingdom and Canada. A United States representative will be the Chairman of the Committee.
2. The Headquarters of the Committee will be in Washington, but it may meet elsewhere in the United States or in Canada, if it so desires.
3. The functions of the Committee will be advisory, and will include:
 - (a) The exchange of information on Air Training questions;
 - (b) Advice on standardization of training methods;
 - (c) Advice on the measures to be taken to ensure that the most effective use is made of the Air Training facilities of the United Nations in North America;
4. The Committee will submit agreed recommendations to the appropriate authorities.
5. The Committee will give opportunity to representatives of other governments concerned with Air Training in North America to appear before it whenever there are questions of interest to those Governments to be discussed. "

4. British Commonwealth Air Training Conference,
May 22 - June 5, 1942.

Following the United Nations Air Training Conference, the Commonwealth countries participating in the British Commonwealth Air Training Plan held further meetings to consider a new B.C.A.T.P. Agreement. At the conclusion of the meetings, at which representatives of Canada, the United Kingdom, Australia and New Zealand were present, two Agreements were signed as follows:

- (1) On June 1st, 1942, a Supplementary Agreement was concluded between Canada, Australia and New Zealand, and concurred in by the United Kingdom, modifying the British Commonwealth Air Training Agreement of December 17th, 1939.
- (2) On June 5th a new British Commonwealth Air Training Agreement was concluded, replacing the previous Agreement of December 17th, 1939, and extending and expanding the British Commonwealth Air Training plan until March 31st, 1945.

Announcement of these new Agreements was made by the Prime Minister in the House of Commons on June 5th (Hansard page 3367).

5. Relations with France, Prime Minister's Statements of
May 19, 20, 21, 1942.

(a) Relations with France, Statement by Prime Minister,
May 19, 1942

On the orders of the day:

Mr. M. J. COLDWELL (Rosetown-Biggar):
The Prime Minister said he hoped to be able to make a statement regarding our relationship with occupied France. Is he prepared to make such a statement now, or may we expect it within a few days?

Right Hon. W. L. MACKENZIE KING (Prime Minister): I might say to my hon. friend and hon. members of the house, first of all that a minister is not accredited to any government; he is accredited to the country to which he goes. In considering the position of the French minister in Canada and the position of Canada's representative to France, who at the present time is the charge d'affaires of our legation, that circumstance of necessity has had to receive a great deal of very careful consideration. We have had to consider as to whether it would be wise to give to the people of France, 95 per cent of whom I believe are thoroughly opposed to the present administration in France, the impression that this country had found it necessary to sever its relations with France by reason of a particular government being in office there at the moment, which government may be out of office tomorrow or a little later. That is a matter which I

am sure my hon. friend and other hon. members will see should be most carefully considered.

The government have had the benefit of an exchange of views with the governments of the United Kingdom and of the United States. We have had here in consultation with the war committee of the cabinet Mr. Dupuy, who has been and is at the present time charge d'affaires of our legation to France, and Mr. McCarthy, the Canadian minister at Washington, who has had the benefit of sharing in discussions at Washington bearing on the matter. Considering all points of view very carefully the government have thought it inadvisable at the present time to make any immediate change.

There are reasons in addition to those that I have given to the house in this way that are all-important, but which it would be inadvisable to disclose. But I have given a reason, which I think hon. members will realize is one of very great significance, particularly where it is most desirable to sustain in every way possible the morale of the French people, as distinguished from any mark of approval of a particular government.

In saying what I have said I should like to emphasize with respect to the present government at Vichy that no one in this country so far as I am aware has other than the strongest of feelings against the present administration in France.

(b) French Consulates and Consular Agents in Canada,
Statement by Prime Minister, May 20, 1942.

On the orders of the day.

Right Hon. W. L. MACKENZIE KING (Prime Minister):

Mr. Speaker, yesterday I made a statement to the house with respect to diplomatic relations between Canada and France. At that time I made no reference to the position of French consulates and consular agencies in Canada. As hon. members are aware, there are four consulates in Canada, one at Vancouver, one at Winnipeg, one at Montreal, and there is a consular office at Quebec. The consul himself was removed from the Quebec consulate a few days ago, but the office itself is not as yet closed.

There are consular agencies of France in Halifax, Toronto, Edmonton and Vancouver. I should like to say however that the normal commercial and shipping functions of the French consulate and consular agencies have been in abeyance for some time. Their residual duties have been much diminished in volume and importance by the course of the war. The consulates themselves are, as a consequence, rendering very little in the way of service, and their presence has become a focus of suspicions and misunderstandings.

In the circumstances the government have thought it advisable to request the French minister to take the necessary steps to suspend the operation of French consulates and consular agencies, and I have today advised the French minister accordingly.

Mr. STIRLING: Would the Prime Minister indicate whether these are French nationals who will have to be returned to France, and whether there are Canadian nationals there who will also have to be returned to Canada?

Mr. MACKENZIE KING: I would have to make inquiries in order to give my hon. friend an exact answer.

(c) French Consulates and Consular Agents in Canada.
Statement by Prime Minister, May 21, 1942

On the orders of the day:

Hon. H. A. BRUCE (Parkdale): In view of the statement made yesterday by the Prime Minister that he had advised the French minister to take the necessary steps to suspend the operation of French consulates and consular agencies in Canada, I should like to ask the Prime Minister if he does not think that the reasons which he gave apply with equal force to the continuation of the French legation. Secondly, does the French minister continue to enjoy the usual diplomatic immunity in so far as telegraph, telephone, correspondence or other communications with Vichy are concerned?

Right Hon. W. L. MACKENZIE KING (Prime Minister): In reply to my hon. friend I would say that I do not think that the reasons which I gave with respect to the closing of French consulates and consular agencies would apply in equal measure to the French legation. The day before I gave reasons why it was thought advisable to maintain the diplomatic relations that exist at the present time between France and Canada. So far as the privileges and immunities which the French minister enjoys are concerned, they are the same as those enjoyed by all who hold the position of minister to Canada from another country.

The acting leader of the opposition, the hon. member for Yale (Mr. Stirling), asked me yesterday whether as a result of the forthcoming suspension of French consulates and consular agencies there would be any consuls and employees of the consulates who were French nationals and who would be obliged to return to France. He asked also if Canada had consuls in unoccupied France whose offices would be closed and who would be obliged to return to Canada. I was unable to give my hon. friend the exact information at the time, but I can now give him the following reply to his question.

The various consuls and vice consuls, and some of their employees are French nationals who came to Canada solely in their official capacity. When a consulate is closed, the official status in Canada of the consular officers and employees is automatically ended and such officers and employees would naturally leave Canada. Consular officials who lived in Canada before their appointment are not in the same category as full-time career officials. Some are British subjects and some are French nationals, but their status as residents of Canada is not affected by the closing of their offices. There are no Canadian government consuls or officials in unoccupied France and therefore no question of any exchange arises.

In the circumstances the Government have thought it advisable to request the French Minister to take the necessary steps to suspend the operation of French consulates and consular agencies, and I have today advised the French Minister accordingly.

Mr. STIRLING: Would the Prime Minister indicate whether these are French nationals who will have to be returned to France, and whether there are Canadian nationals there who will also have to be returned to Canada?

Mr. MACKENZIE KING: I would have to check figures in order to give my hon. friend an exact answer.

(5) French Consulates and Consular Agencies in Canada
Statement by Prime Minister, May 21, 1942

On the orders of the day, Hon. H. A. BRUCE (Parkeboro): In view of the statement made yesterday by the Prime Minister, I have had advised the French Minister to take the necessary steps to suspend the operation of French consulates and consular agencies in Canada. I should like to see the Prime Minister if he does not think that the reasons which he gave apply with equal force to the continuation of the French consular agencies in Canada. I should like to see the Prime Minister if he does not think that the reasons which he gave apply with equal force to the continuation of the French consular agencies in Canada. I should like to see the Prime Minister if he does not think that the reasons which he gave apply with equal force to the continuation of the French consular agencies in Canada.

Right Hon. J. L. MACKENZIE KING (Prime Minister): In reply to my hon. friend, I would say that I do not think that the reasons which he gave apply with equal force to the continuation of the French consular agencies in Canada. I should like to see the Prime Minister if he does not think that the reasons which he gave apply with equal force to the continuation of the French consular agencies in Canada. I should like to see the Prime Minister if he does not think that the reasons which he gave apply with equal force to the continuation of the French consular agencies in Canada.

The Acting Minister of the Interior, the hon. member for Yale (Mr. Stirling) asked yesterday whether as a result of the forthcoming suspension of French consulates and consular agencies in Canada, the hon. member would be obliged to return to France. He said that in Canada the consulates in question were those whose offices would be closed and who would be required to return to France. I was asked to give my hon. friend the following reply to his question: I can now give the following reply to his question.

The various consulates and consular agencies, and those of their employees who are French nationals who come to Canada and whose official status is closed, are those who are automatically ended and such officials and employees would naturally leave Canada. Consular officials who lived in Canada before their appointment to their posts in the consular category are French nationals, but their status as residents of Canada is not affected by the suspension of their offices. There are no Canadian consular agencies in this country and no Canadian consular agencies in this country.

(d) Press Statement of May 30, 1942

The Department of External Affairs announced today that it had been informed by the French Minister that all French consular offices in Canada will be closed for official business at the end of May.

6. Appointment of Mr. Charles Vining to survey Canadian publicity in the United States, press statement of May 28, 1942

It was announced today from the Prime Minister's Office that, following on discussions of Canadian publicity in the United States which have been taking place in official circles in Ottawa and Washington, Mr. Charles Vining has been asked to review the situation independently and to report on it to the Government.

Mr. Vining is at present in the United States in connection with this survey.

7. Telegram from the Prime Minister of Canada to the President of Mexico, May 28, 1942

"The Government of Canada has learned with deep satisfaction of the decision of the Republic of Mexico to participate in the war against the Axis Powers. Mexico's action will give fresh encouragement to all the United Nations. It will be especially welcomed by the countries of North and Central America, which are already united in arms in an endeavour to thwart the ambitions of the aggressor nations, and to free the world from the fear of their domination.

Service in the common cause of freedom cannot fail greatly to strengthen the bonds of friendship and understanding that unite the three great democracies of North America."

8. Production of Government Documents, London Times report of April 28, 1942

The question of the right of a Minister of the Government to refuse to produce documents, on the ground that production would be prejudicial to the public interest, has arisen in a recent decision of the House of Lords, (Duncan v. Cammell, Laird and Co.), reported in the London Times of April 28, 1942.

So far as material to this report, the action was brought by the personal representatives of civilian employees against Cammell, Laird and Co., Limited, the builders of the submarine Thetis, to recover damages in respect of the death of those employees in the disaster which occurred to the Thetis on June 1st, 1939.

In the course of proceedings a list of documents of which inspection was required by the plaintiffs was submitted by the defendants' solicitors to the First Lord of the Admiralty, who directed the solicitors to refuse to produce them on the ground that the production of the documents would be prejudicial to the public interest.

The Lord Chancellor stated that the question could only arise where a subpoena was issued to a Minister or department to produce a document, or where the Crown intervened in a suit between private individuals to secure that documents in the hands of one of the litigants should not be produced.

It was held that the principle to be applied in every case was that documents otherwise relevant and liable to production must not be produced if the public interest required that they should be withheld. That test might be found to be satisfied either (a) by having regard to the contents of the particular document or (b) by the fact that the document belonged to a class which, on grounds of public interest, must as a class be withheld from production.

The question arose as to whether objection to production of a document by a Minister should be treated by the Court as conclusive, or whether there were circumstances in which the Judge should look at the documents before ruling as to their production.

The essential matter was that the decision to object should be taken by the Minister who was the political head of the department, and that he should have seen and considered the contents of the documents and himself have formed the view that on grounds of public interest they ought not be produced, either because of their actual contents or because of the class of documents--for example, departmental minutes--to which they belonged.

The practice in Scotland, as in England, might have varied, but the approved practice in both countries was to treat a Ministerial objection taken in proper form as conclusive. The rule that the interest of the State must not be put in jeopardy by producing documents which would injure it was a principle to be observed in administering justice, quite unconnected with the interests or claims of the particular parties in litigation, and indeed was a rule on which the Judge should, if necessary, insist, even though no objection was taken at all.

It was important to remember that the decision ruling out such documents was the decision of the Judge. It was the Judge who was in control of the trial, not the Executive.

It was not out of place to indicate the sort of grounds which would not afford to the Minister adequate justification for objecting to production. It was not sufficient that the documents were "State documents," or "official" or were marked "confidential". Nor that, if they were produced, the consequences might involve the department or the Government in Parliamentary discussion or in public criticism, or might necessitate the attendance as witnesses or otherwise of officials who had pressing duties elsewhere. Neither would it be a good ground that production might tend to expose a want of efficiency in the administration or tend to lay the department open to claims for compensation. In a word, it was not enough that the Minister or the department did not want to have the documents produced. The Minister ought not to take the responsibility of withholding production except in cases where the public interest would otherwise be damnified--for example, where disclosure would be injurious to national defence, or to good diplomatic relations, or where the practice of keeping a class of documents secret was necessary for the proper functions of the public service.

(B) COMMONWEALTH AND FOREIGN REPRESENTATIVES IN CANADA

1. Dr. Izidor Cankar presented at noon today to His Excellency the Governor General at Government House the Letter of Credence by which His Majesty the King of Yugoslavia accredits him as Envoy Extraordinary and Minister Plenipotentiary to Canada.

Dr. Cankar, who is the first diplomatic representative of Yugoslavia in Canada, graduated in the Faculty of Letters and has studied in Vienna and in Belgium. He was for a long period Editor-in-Chief of the leading Slovene newspaper, "Slovenac". In 1923, he was appointed Professor of the History of Art in the University of Ljubljana. Before coming to Canada, he occupied the post of Minister of Yugoslavia in the Argentine Republic.

Mr. Norman Robertson, Under-Secretary of State for External Affairs, presented Dr. Cankar to His Excellency, the Governor General. The new Minister delivered a short address to which His Excellency replied. The Minister's Address is appended hereto. Mr. W.H. Measures of the Department of External Affairs, was also present and members of the Governor General's staff were in attendance. Dr. Cankar is accompanied to Ottawa by his wife. The address of the Yugoslav Legation is: 292 Laurier Avenue East, Ottawa.

Copy of speech by Dr. Isidor Cankar when presenting to His Excellency the Governor General his Letter of Credence as Minister of Yugoslavia, May 15, 1942.

Your Excellency,

When the Royal Yugoslav Government, headed by His Majesty the King Peter II, left our conquered Country to continue abroad the struggle against the foe, and when it settled, for a short time, at Jerusalem, one of its first decrees published there was the decree concerning the opening of the Yugoslav Legation at Ottawa, where my Country was not represented till then. The reason by which my Government was moved when requesting from the Government of Canada the agreement to create our diplomatic representation here, is obvious. The role of Canada in this war is so important, her help is so essential for the final victory, that the attention of the whole world, and especially of all the Nations which lost their liberty, is directed to this Country, with feelings of admiration, love and hope.

Your Excellency,

My August Sovereign designated me as His first Envoy Extraordinary and Minister Plenipotentiary to the Government of Canada. I shall do my duty. In the few days I have spent at Ottawa, I have seen some of the sacrifices which the Canadian people are making for Canada, for the world, and consequently

also for my own Country. I will do my best to assist those generous efforts, and I can assure Your Excellency that the many thousands of my compatriots, who live as loyal citizens in this Country, will give support to the Canadian cause as enthusiastically as they ardently desire the liberation of their own fatherland.

Begging for assistance of Your Excellency and of the Canadian Government in the discharge of my duties here, I have the honour to hand Your Excellency my Letter of Credence.

2. Lt.- Colonel Valdemar Ebbesen has arrived in Ottawa to take up his duties as Military Attache to the Legation of Norway at 25 Cartier Street, Ottawa.

3. During the absence on sick leave of Mr. F. E. H. Groenman, Minister of the Netherlands, Count W. van Rechteren Limpurg will have charge of the Netherlands Legation as Charge d'Affaires ad Interim. Count van Rechteren is at present staying at the Chateau Laurier Hotel.

(C) CHANGES IN EXTERNAL AFFAIRS SERVICE

1. Mr. Pierre Dupuy, Canadian Charge d'Affaires to France, Belgium, and the Netherlands arrived in Ottawa for consultation on May 7, 1942. Mr. Dupuy also spent several days in Washington where he conferred with Mr. Sumner Welles and other United States officials. He has now returned to the United Kingdom.
2. Mr. Leighton McCarthy, Canadian Minister to the United States and Mr. Charles Burchell, Canadian High Commissioner at St. John's, Newfoundland, were in Ottawa for consultation during May.
3. It has been announced that Mr. L.B. Pearson is shortly to be transferred to the Canadian Legation, Washington, to act as Minister Counsellor. Mr. Hume Wrong is to be transferred to the Department of External Affairs, Ottawa, with the rank of Assistant Under Secretary of State for External Affairs.
4. An Economic Section has been set up in the American and Far Eastern Division, under Mr. H.F. Angus and Mr. John Deutsch. Mr. Deutsch, who was formerly with the Bank of Canada and the Joint Economic Committees, has joined the Department of External Affairs as a Special Assistant.
5. Captain Campbell Moody of Canadian Military Headquarters, London, has been seconded to serve as Overseas Representative of Public Information. Captain Moody will serve in a civilian capacity and will have his headquarters in Canada House, London.
6. Mr. Arthur Menzies, Third Secretary in the Department of External Affairs, has been transferred from the Passport Office at Windsor to the Department at Ottawa.

(D)

RECENT PUBLICATIONS

The following numbers of the Canada Treaty Series have been issued:-

Canada Treaty Series, 1942, No. 4: Exchange of Notes (March 6 and 12, 1942) between Canada and the United States of America recording an agreement respecting unemployment insurance. In force April 12, 1942.

Canada Treaty Series, 1942, No. 5: Exchange of Notes (March 18 and 20, 1942) between Canada and the United States of America recording an agreement for the exchange of personnel between the armed forces of the two countries (English and French). In force March 20, 1942.

