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NAZI WAR CRIMINALS IN CANADA: THE HISTORICAL AND POLICY SETTING FROM THE 1940s TO THE PRESENT

Prepared by: Alti Rodal

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Access to Information and Privacy Office

FROM / ORIG: Paul Vickery, Director
War Crimes Section

SUBJECT / OBJET: Nazi War Criminals in Canada

Comments/Remarques

Please find enclosed a copy of the original report by Alti Rodal regarding "Nazi War Criminals in Canada: The Historical and Policy Setting from the 1940's to the Present" as requested for your review.

Paul Vickery

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MEMORANDUM / NOTE DE SERVICE

TO / DEST: Paul Vickery, Director
War Crimes Unit, DLSU/CIC

FROM / ORIG: Michelle Julfs, Legal Secretary
Per: Christopher A. Amerasinghe, Q.C.
Senior General Counsel

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Comments/Remarques

Please find enclosed the following research documents:

- Nazi War Criminals in Canada: The Historical and Policy Setting from the 1940's to the Present - prepared by Alti Rodal
- Nazi War Criminals and Crimes Against Humanity: Historical Handbook - prepared by Alti Rodal

I would be grateful if your secretary would acknowledge receipt of these documents by e-mail to me within the next three days.

Michelle Julfs
Legal Secretary

/mj

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NAZI WAR CRIMINALS IN CANADA:

THE HISTORICAL AND POLICY SETTING

FROM THE 1940s TO THE PRESENT

Prepared for the
Commission of Inquiry on
War Criminals by
Alti Rodal

September 1986

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PREFACE

The aim of this report -- "Nazi War Criminals in Canada: the Historical and Policy Setting from the 1940s to the present" -- is to provide an accurate and relatively detailed account, from the archival record, of the policies of the government with regard to immigration, displaced persons/ refugees, and war criminals, and the setting and evolution of these policies from World War II, to permit a better understanding of how the present situation with regard to the war criminals issue came about. The historical record is critical to understanding and, to a certain extent, to catharsis. The creation of the Commission offered an opportunity, unlikely to be repeated, to come to grips with some of the important questions of a formative period of Canada's history, a period just past but one which continues to cast a shadow on the present and succeeding generation.

Unfortunately, the stringent time limits imposed on the Commission also constrained historical and policy research. There was too little time, in relation to need, for locating and gaining access to Departmental, Cabinet and political records; for studying the record; and for writing a considered and comprehensive report of the record of the last forty years. Significant gaps therefore remain. It has not been possible, for want of time and access constraints, to adequately treat important topics. Departmental files and other political records germane to the enquiry remain unexamined, and relevant ethnic archives remain closed. Nevertheless, though important detail, and evidence, is missing, and though the report would have benefitted from further editing, I believe the main story is now told, at least in its main lines.

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While the report deals with the background and with the evolution of broad policy with regard to the war criminals issue from the 1940s, and the policy response after the 1960s when there were persistent allegations that there were Nazi war criminals present in Canada, the main focus of the report is on the conditions and circumstances of entry of possible war criminals to Canada, and the contexts in which this was possible for the crucial period from 1945 up the mid-1950s. An additional section treats particular cases of groups or individuals, either as illustrative specific instances of policy and practice, or as cases in which special pressures or considerations obtained. Because of the pressure of time, I had at first thought not to say anything at all about the period after 1960: I have instead written a brief chapter focussing on what seems to me to be the critical and determining policy and political factors which have shaped the response to the war criminals issue to 1985.

Production of this report was facilitated by the work of Sue Archdeacon; and by the research assistance of Dr. Paula Draper, Ann Latchford Scott and Roman Waschuk. The author alone, however, assumes responsibility for judgments and conclusions reached in this report, and for any of its deficiencies.

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NAZI WAR CRIMINALS IN CANADA: THE HISTORICAL AND POLICY SETTING FROM THE 1940s TO THE PRESENT

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CHAPTER I: ORIGINS

Part 1. The Crimes and the Perpetrators:

Extent of participation in the commission of "crimes against humanity" in Nazi Germany and in countries allied with or occupied by Nazi Germany

An estimated 12 million civilians and unarmed prisoners of war were murdered by the Nazis and their collaborators during World War II. These included six million Jewish civilians, residents of almost every country in continental Europe; two million unarmed Soviet prisoners of war; a further one million Soviet, one million Polish, and one and a half million Yugoslav civilians; and two hundred thousand Gypsies. Thirty-two thousand German civilians were killed from 1933 to 1945 for opposition to the Nazis. The totality of the Jewish population of Europe was singled out for annihilation, at first by mobile killing units (Einsatzgruppen) moving with the Wehrmacht in its occupation of Eastern Europe form June 1941 to November 1942. Extermination of Jewish and Gypsy populations on a industrial, assembly-line basis and continent-wide scale followed, beginning with a program of round-ups, ghettoization, and deportation to extermination camps equipped with gas chambers and crematoria. This program of human extermination -- the 'Endlosung' or 'Final Solution' -- continued until the last week of the war. (1)

The involvment of German organizations and individuals in the genocide and related crimes is extensively documented in the archival records of Nazi Germany which were captured by the Allies at the end of the war. (2) These records chronicle the involvement and participation of significant numbers of Germans, apart from the Nazi leadership and the S.S., and firmly establish

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extensive co-operation in genocide, slave labour, and mass murder of the other principal organizations and institutions of the Third Reich, including the Wehrmacht, the police, the diplomatic corps, and the civil service.(3)

German documents also clearly indicate that in carrying out the extermination campaign outside Germany and Poland, only a few thousand Germans -- and in some cases far fewer -- were required in each of the countries allied with or occupied by the Third Reich.(4) To carry out their massive program of extermination, the Nazis would have had to rely, and indeed did rely, on extensive co-operation from non-Germans. The co-operation of local bureaucracies and individuals was essential for the sucessful segregation, round-up and deportation of Jews, as well as in the program of mass murder itself, as in the shootings in the Baltic States and in Eastern Europe.(5)

Much has been written about the role of the ethnic Germans in the Baltic States and in other parts of Eastern and Central Europe who acquired German nationality as Volksdeutche under the Nazis. While many of these ethnic Germans would have resented being uprooted from lands on which they had been settled for centuries in order to resettle Polish lands annexed by Nazi Germany, a considerable number did welcome Nazi rule along with the lands, homes and other privileges bestowed upon them by the Nazis. While many may very well have been forcibly conscripted into Waffen-SS units, a considerable number did volunteer to assist in the Nazi campaign, not only against Communism, but also in the destruction of populations deemed undesirable.

For reasons which are beyond the scope of the present report, there were Poles, Hungarians, Roumanians, Estonians, Latvians, Lithuanians, Slovaks, Ukrainians, Byelorussians and Croats prepared to cooperate with the Germans in carrying out the

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'Final Solution'. By and large, collaboration with the Nazis in Eastern Europe was motivated by the nationalist aims and expectations of various groups -- expectations which were in fact not fulfilled -- that Nazi Germany would assist them in their nationalist aims, against Soviet power in particular. Anti-semitism, often prevalent and with deep roots in a number of Eastern European societies, was also an important factor, particularly with regard to collaboration in the Nazi anti-Jewish program. The story of Dutch and French collaboration with the Nazi occupation -- including co-operation in the deportation of Jews to extermination camps -- has been extensively documented in a number of recent studies, books and films. Such collaboration also occurred in some Western countries (such as Belgium and Norway) which had initially fought against the Third Reich.(6)

The effectiveness of the collaboration process is reflected in the results: 90% of the Jewish population in Poland (some 3 million persons) and 90% of Jews in the Baltic States (some 202,000 persons) were killed; 83% of the Jews of Czechoslovakia (some 260,000 persons); 70% of the Jews in Hungary (over 180,000 persons), and over 60% of the Jews of White Russia and the Ukraine (over 1,145,000 people) perished. Though the role of non-Germans in atrocities is less well documented, and archives in Eastern Europe less accessible than Western archives containing German documents, the evidence of perpetration of crimes by local authorities and individuals in countries allied with or occupied by Germany is overwhelming. Following the release in 1956 of German prisoners of war by the Soviet Union, witnesses came forward to testify about crimes of mass murder perpetrated in Eastern Europe by operational units (Einsatzgruppen), units of the Security Police (Gestapo) and the Security Service (Sicherheitsdienst - SD), with the assistance of various military and police formations consisting of native Eastern Europeans.(7) Further evidence emerges to an extent

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from the German documents themselves. The Ludwigsburg documents depict the "aktionen" of the Einsatzgruppen in the Baltic States and in the Ukraine which, by August 1942, resulted in the virtual elimination of the Jewish populations in these regions. These "aktionen" or executions were carried out by the Einsatzgruppen with the assistance and direct participation in shooting by auxiliary and/or local police units. (8)

The extent to which the Nazis' program of deportation and murder depended upon local bureaucracies and native populations becomes particularly salient when compared with their lack of success in areas where local bureaucracies and populations refused to co-operate. In Italy and the territories occupied by Italy, 80% of the Jewish population survived. In France, in the summer and fall of 1942, when the French police and bureaucracy assisted in the deportations, 43,000 Jews were deported to death camps. However, in 1943 and after, when the government was more reluctant, far fewer Jews were deported. In Bulgaria, the authorities had decided to protect the Jews within their pre-war boundaries. All the Jews in this territory survived. Those Jews who lived in the newly acquired territories of Macedonia and Thrace, however, were handed over to the Nazis and deported to the death camps. Only 20% of the Jews of Holland survived, an estimated 27,000 out of the 140,000 registered in 1941. In Denmark, where King Christian X wore the 'yellow star' to give expression to his own and his government's rejection of the Nazis' ideology and program, virtually all the Jews survived. The attitudes and actions of native populations and actions of national and local authorities in the various lands of Nazi occupation was, then, often the crucial factor in determining whether large numbers of Jews survived or perished. (9)

The Officers' Manual for Eligibility of the International Refugee Organization (1947-1951) recognized the role of non-German collaborators, members of Quisling

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governments, and of Fascist or pro-Nazi organizations in the various European lands who actively participated in the commission of war crimes and crimes against humanity, and who voluntarily assisted Nazi forces and authorities in programs of murder. The manual includes brief historical accounts of the various groupings in each country, and guidelines on the eligibility of members of these groups for maintenance and resettlement assistance under the IRO mandate. To be sure, though IRO policy recognized the extent and varied origins of participation in war crimes, in practice policy was often ignored. (See discussion of IRO guidelines and practice with regard to possible war criminals, at pp. 94-102 below.)

Clearly, then, to prevent admission to Canada of persons involved in war crimes, Canadian immigration and security screening officials in the field would have had to be informed about and aware not only of the various Nazi organizations, but also of the different fascist groupings in various countries who collaborated with the Nazis -- such as the Latvian Thunder Cross, the Hungarian Arrow Cross, the Croation Ustashi and the Roumanian Iron Guard. The guidelines and practices established with regard to security screening for Nazis, war criminals and collaborators, to be truly useful, would have had to take into account the extent of both German and non-German participation in the commission of war crimes, including the role played by organized military and police units (SS, Waffen SS, Schutzmannchaft units, etc.) of various nationalities, such as the Dutch, Latvian and Ukrainian, and by collaborating governments, as in France, Slovakia and Croatia, which carried out the Nazi deportation and mass murder policies. Canadian guidelines and screening practices with regard to these groupings are treated in Chapters IV to X of this report.

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CHAPTER I: ORIGINS

Part 2. The Response: Allied and Canadian Policy and Practice with regard to the Prosecution of War Criminals

Knowledge of the campaign of systematic killing, particularly of Jews, following the invasion of Poland, and of the large scale actions of the Einsatzgruppen in the following months reached Western governments fairly quickly. Winston Churchill in October 1941 declared that retribution for Nazi crimes "must henceforth takes its place amongst the major purposes of the war". (1) A similar warning was issued at the same time by President Roosevelt in Washington. Statements emanated from Moscow urging punishment for those committing the crimes. Further public declarations were issued in 1942 by the British and U.S. governments, and by the European allies in London -- declarations with which the Canadian government associated itself -- with regard to the Nazi 'Final Solution' and the need to punish the perpetrators of crimes.(2) These were reinforced in the joint declarations issued by the Allies at the Quebec Conference of August 1943 and the Moscow Conference two months later, though without specific mention of atrocities against Jews. At the war's conclusion, the Nuremberg Charter was promulgated and the International Military Tribunal was established. Provision was explicitly made in the policy directions and laws issued by the Allied Control Council governing Germany after the surrender for the "punishment of persons guilty of war crimes, crimes against peace and against humanity", to apply to persons without regard to nationality or to capacity in which they acted, as stated in Allied Control Council law No. 10. (3) The Allied Control Council's Directive No. 38 detailed, within the broader context of a policy and program for the denazification of Germany, the categories of persons against whom sanctions and penalties would be imposed. The first two categories consisted of: "major offenders" --

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those responsible for "war crimes" and "crimes against humanity", and/or who were members of "criminal organizations", as defined at Nuremberg; and "offenders" -- "activists, militarists and profiteers". The Directive included detailed guidelines for the apprehension and prosecution of such war criminals. (4)

Despite the very substantial number of people, both German and non-German, involved in the organized programs of deportations, mass murder, slave labour and plunder, very few were actually prosecuted. Twenty-two Nazi leaders were in the dock at Nuremberg, of whom twelve were found guilty and sentenced. Between 1945 and 1948 -- when Allied proceedings related to war crimes came to a halt -- a total of some five thousand persons were convicted and sentenced by British and American tribunals for their participation in war crimes. The majority of these prosecutions related to the murder and mistreatment of Allied POWs, not civilians. To be sure, these figures do not include prosecutions and convictions in courts in Eastern and Central Europe, or trials of their own nationals by Western European countries such as Holland, Belgium and France. It remains that many of the individuals guilty of participation in Nazi and Nazi-related war crimes found themselves at the war's end in the hands of the Allied occupation powers. Eastern Europeans who collaborated with the Nazis had every incentive to be in areas controlled by British and American authorities, rather than by the Soviet Union, and few were prosecuted in these Western zones.

The lack of will and organization to proceed against war criminals, and the broader failure of denazification, taken in conjunction with the pressure to deal with the very large numbers of displaced persons under the control of the Allies -- some seven million -- led to resettlement in various countries of significant numbers of persons who would have been involved in war crimes. This chapter examines the evolution of Canadian and

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Allied policy with regard to approaches and measures taken with regard to bringing war criminals to justice, and the role these policies played in creating the conditions for the later immigration of an undetermined number of war criminals to Canada and to other countries. Further chapters will then examine the importance of immigration and screening policies and practices in facilitating the entry of war criminals into Canada during the postwar years.

The policy setting

There has been extensive discussion and documentation in the open literature of the ambivalence of the Allies -- notably Britain -- in dealing during the war with the issue of the atrocities and the systematic campaign of extermination carried out by Nazi Germany.(5)

The British Foreign Office, and Anthony Eden in particular, were openly uninterested in the "war crimes business". There was also a reluctance to speak publicly on the subject of German atrocities and, in particular, a tendency to suppress information about the extermination camps and the program to murder the Jews of Europe. (6) However, as mounting evidence about the Nazi extermination program in progress in Europe could not be denied; as pressure for the issuing of a statement and warning was exerted, by the Polish government-in-exile, for example; and as news of atrocities against British and later, American POWs reached the West, it became increasingly difficult to avoid issuing public statements and giving expression to commitments, albeit vague ones, to take future action.

The Foreign Office meanwhile sought to avoid commitment. The separate declarations by Roosevelt and Churchill in 1941 were in fact used as justification for not delivering a

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joint Allied declaration on war crimes, nor was any commitment made with regard to the compilation of lists of war criminals, which seemed to be implied in Churchill's statement. When the Allies did sign a declaration at St. James Palace on January 13, 1942, the British and the American representatives attended only as observers. In this way, while hosting the signing of the declaration by the governments of Belgium, Czechoslovakia, Greece, Luxembourg, the Netherlands, Norway, Poland, Yugoslavia and the French National Committee, Britain associated itself with the general condemnation of Nazi rule and brutality, but avoided commitment to the clauses of the declaration which engaged the governments to

> place amongst their principal war aims the punishment, through the channel of organized justice, of those guilty and responsible for these crimes, whether they have ordered them or in any way participated in them; determine in a spirit of international solidarity to see to it that those guilty and responsible, whatever their nationality, are sought for, handed over to justice and judged; and that the sentences pronounced are carried out.(7)

Canada's policy in its broad lines followed that of Britain. Prior to the Roosevelt and Churchill declarations, the Dominions' office had suggested on October 13, 1941 that a formal declaration be issued by the United Nations governments promising retribution following victory for atrocities committed by German and Italian nationals. When the British, changing their view, decided to attend the signing of the declaration only as observers, the Canadian High Commissioner was authorized to attend on the same basis as the U.K. representative.(8) More concrete measures were taken after the circulation of several Soviet diplomatic notes on German atrocities and further statements by President Roosevelt to the effect that those who committed crimes "shall have to stand in courts of law in the very countries which they are now oppressing and answer for their acts". (9)

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The specific focus for activity with regard to war crimes matters came to be the proposal in October 1942 to establish a United Nations Commission (discussed below) for the investigation of war crimes. President Roosevelt announced that the U.S. government was prepared to cooperate with the British and other governments in its establishment. The Dominions' Office invited Canada to become a member of the United Nations war crimes commission in November 1942. Though the Canadian government associated itself with British and Allied declarations condemning the Nazi policy of genocide in territories controlled by Germany, and promising retribution to those responsible, when it came to actual commitment, such as joining the UNWCC, the preferred policy was one of disengagement. In fact, it was not until February 1945 that the Canadian government took the decision to join the UNWCC, finally doing so not because of a commitment to action in dealing with war crimes broadly, but for diplomatic reasons, and to facilitate unavoidable investigations of crimes against Canadian military personnel (10)

The question of Canadian involvement in the punishment of war crimes was addressed by the Department of External Affairs in 1942, and put forward in a definitive memorandum prepared by Marcel Cadieux in April 1943. The thrust of the departmental documents reflect the view that Canada, as a country not under occupation and remote from the conflict, should limit its interest to the treatment of Canadian prisoners of war, interned nationals or the disposition of foreign investments.(11) The approach proposed in the April 1943 memorandum was that, having approved the basic principles of British policy, it would not be advisable for Canada to commit itself with regard to the more general policy concerns at issue. British policy at this time defined conditions for surrender of war criminals at the Armistice, ruling that existing laws of war should be applied in

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dealing with war criminals -- , that is, that no new body of law needed to be created, since war crimes were already sufficiently well defined; and to leave open for later definition the nature of the judicial tribunals to be employed.(12)

The Memorandum noted a Canadian interest in the war crimes question as a weapon of political warfare, pointing to the Soviet use of the issue to stir up a "healthy and holy wrath for the Nazi criminals", and its possible impact in drawing a country like Sweden, deeply shocked by German atrocities in Norway, into closer collaboration with the United Nations. These considerations favoured giving war crimes a certain profile. Some additional arguments were presented in favour of issuing warnings about retribution for war criminals: declarations might act as deterrents to further atrocities and would also make a distinction between the German people and their criminal leaders, a view which public opinion in Canada at the time, it was pointed out, strongly favoured. No Canadian initiative, however, was judged necessary:

> no suggestion for even the smallest revision in the British or United Nations line of conduct has been made. Canadian policy has found its expression rather in declarations of solidarity of purpose, and cooperation with the United Nations in measures calculated to give force and meaning to these declarations. (13)

<u>The United Nations War Crimes Commission, the Moscow Declaration and Canada's initial response to these developments</u>

The UNWCC -- the Allies' first substantive response to the problem posed by the conduct of the Nazis -- was rendered ineffective very soon after its establishment, in considerable measure as a result of the limitations imposed upon it by the

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general thrust of the Allies' policies with regard to the war crimes issue. In describing the proposal for a United Nations Commission for War Crimes to the House of Lords in October 1942, Lord Simon characterized its aims as being to

> investigate war crimes committed against nationals of the United Nations recording the testimony available, and the Commission will report from time to time to the Governments of those nations cases in which such crimes appear to have been committed, naming and identifying wherever possible the persons responsible. The Commission should direct its attention in particular to organized atrocities. Atrocities perpetrated by or on the orders of Germany in Occupied France should be included. The investigation should cover war crimes of offenders irrespective of rank, and the aim will be to collect material, supported wherever possible by depositions or by other documents, to establish such crimes, especially where they are systematically perpetrated, and to name and identify those responsible for their perpetration. (14)

A small but quite significant change to the text of the original British proposal was introduced by the State Department. Lord Simon's statement to the House of Lords had indicated that "The aim is the punishment of individuals...who are proved to be themselves responsible whether as ringleaders or actual perpetrators". The changed text removed the phrase "actual perpetrators" -- thus removing all but the leadership and those who gave the orders from the Commission's purview. This change, motivated apparently by a concern not to trammel the war effort with commitments to a broader justice and retribution for the crimes then being committed on a large scale against the Jewish populations of Eastern Europe, was not untypical of the caution and ambivalence of those who concerned themselves with the war crimes issue, in the face of disinterest and lack of cooperation from both the British Foreign Office and the U.S.

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State Department. The Commission's credibility and effectiveness were further compromised by the failure to include the Soviet Union as a member. The Soviet government had not been initially consulted, and when finally invited to join, differences over the extent of representation on the Commission of the republics of the Soviet Union and of Dominions of the Commonwealth, and mounting tension in Anglo-Russian relations, discouraged Soviet membership, leaving serious gaps in the sources of information and evidence with regard to war crimes, in particular those committed in Eastern European territories.

Canadian government officials were hardly concerned about the broader war crimes issue. Deliberations at External Affairs focussed on the question of whether Canadian representation on the UNWCC would be of assistance in establishing the occurrence of crimes committed against Canadian prisoners, interned Canadian nationals or of depredations on Canadian property. The conclusion reached was that any investigation of crimes committed against Canadians would most likely need to be undertaken by Canadian authorities. Other nations, it was assumed, would be looking after their own nationals. In view of the fact that the Commission was to be only a fact-finding body, implying no commitment as to broad policy to be adopted concerning the punishment of war criminals, no objection was advanced to appointing a Canadian representative, though it was felt from the start that the usefulness of the Commission and of Canadian participation in it would be very limited. As a result the decision to become a member was repeatedly deferred. Questions remained as to the nature of the judicial tribunals to be employed -- whether war criminals should be tried by the national court of the countries whose nationals had been killed or injured, or rather, by an international criminal court to be set up for that purpose, and whether it should be a civil or military court. The preference

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expressed in the 1943 memorandum was clearly for a national military court on the grounds that such a course would allow trials to proceed quickly and efficiently, and would permit avoidance of the question of whether the civil tribunal would be a federal or a provincial one. With regard to public opinion in Canada and the political importance of the issue, Canadian officials were of the view that there was nothing to indicate that the punishment of war criminals preoccupied the Canadian people, that "the matter seems rather to be accepted as a moral and political necessity".(15) Marcel Cadieux's memorandum on the punishment of war criminals concluded:

> In summary, it seems that the question of war criminals is not of great importance for Canada. We have a moral interest in seeing that rules of international law are respected and that this question is ably used as a political weapon, but clearly our policy should be one of moderation in both cases.
>
> As regards the steps to take in order to carry into effect the policies already laid down it would appear that Canada's role should be cooperative rather than anything else. There seems to be no particular interest for organized efforts to articulate Canadian opinion on this question, as it is not of primary importance and as there has been hitherto sufficient awareness in Canada of the problem.(16)

The United Nations War Crimes Commission was finally established in October 1943 -- a full year after Lord Simon's original proposal -- as a fact-finding body made up of representatives of the United Nations (except Russia), with the mandate to sift and appraise evidence of crimes brought to its attention by the national war crimes offices or agencies of member nations, and to list, for eventual apprehension and trial, the names of perpetrators of war crimes against whom a prima facie case had been established.

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Discussion in Ottawa of the pros and cons of Canadian participation in the Commission continued. It was argued that failure to assert Canada's right and duty to sit on international bodies such as the UNWCC might lead to Canada's exclusion from similar bodies in future. Canadian military personnel might become victims of war crimes as fighting intensified, and Canada would thereby acquire a direct interest in war crimes which had been largely absent heretofore. It was argued that since Canada was not as directly affected by the war criminals issue as were European governments-in-exile, the presence of a Canadian member on the Commission would allay the fear that the Commission would be perceived to be an instrument of revenge as would more likely be the case if the Commission was composed exclusively of Czech, Polish, French and Norwegian representatives. Also, the aims of the Commission, as set out by Lord Simon, were more likely to be achieved if the majority of the United Nations gave their support to the organization. The Political Intelligence Committee at the Department of External Affairs therefore recommended that Canadian participation in the Commission be deemed desirable from the point of view of "political warfare". (17)

However, John E. Read, the Legal Advisor in the Department of External Affairs, who was to play a central role in determining Canadian interest and participation in the war crimes issue, came to the conclusion -- after consulting with Canada's High Commissioner, Vincent Massey, and with British officials in London -- that the Commission would have little success. He was influenced by the attitude prevalent in the British Foreign Office, noting that the U.K. itself had indicated, particularly in its earlier telegrams on the subject, that it did not favour extensive punishment of war crimes.(18)Read's recommendation was that Massey attend the preliminary meeting of the Commission, but that the question of Canadian membership should be deferred, and that Massey should be instructed that it was the Canadian government's view that

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> it is poor political propaganda now -- propaganda calculated to extend the duration of the war, and take the lives of many Allied soldiers, that gives to enemy peoples the repeated assurance that the moment they lay down their armes, they will be killed...that in the interest of victory Allied statements on the subject should be restrained, and if possible, the temper of the avowals of retribution, progressively stepped down. (19)

Churchill, meanwhile, in some measure to compensate for the non-inclusion of the Soviet Union in the UNWCC, disregarded protestations from Eden and the Foreign Office, and got the Allies' agreement to a declaration which was signed in Moscow on November 1, 1943 by the Foreign Ministers of Britain, the United States and Russia. The "Moscow Declaration" committed the Allies to the principle that after the Armistice those responsible for atrocities, massacres and executions

> will be sent back to the countries in which their abominable deeds were done in order they they may be judged and punished according to the laws of those liberated countries...Those Germans who take part in wholesale shootings of Italian officers or in the execution of French, Dutch, Belgian or Norwegian hostages or of Cretan peasants or who shared in the slaughters inflicted on the people of Poland, or in the territories of the Soviet Union which are now being swept clear of the enemy, will know that they will be brought back to the scene of their crimes and judged on the spot by the people that they have outraged...most assuredly the three Allied powers will pursue them to the uttermost ends of the earth and will deliver them to the accusers in order that justice may be done.(20)

The Moscow Declaration presaged establishment of the International Military Tribunal and arrangements for extradition of war criminals for trial in the lands where their crimes were committed. Though in its listing of the various nationalities of the victims of the atrocities Jews were not even mentioned, the declaration stated that retribution would be meted out to "major

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criminals whose offences have.no particular geographic location", thus allowing in principle for Allied responsibility for punishment of crimes committed not only against Allied and U.N. nationals, but also for those crimes committed in Axis territories and against Axis civilians and stateless persons -- such as the Jews of Germany, Austria, Hungary and Italy. The implication was one which the American government, and even more so the British government subsequently tried very hard to circumvent, though both finally accepted it in February 1945, as a result of public opinion in the U.S. (see pp. 25-26 below).

In addition to the limitations imposed on the Commission by the policy stances of the Allies, the body established to prepare the way for action against war criminals also did not enjoy the operational cooperation of British and American authorities. Sir Cecil Hurst, the distinguished jurist who was the British delegate to the UNWCC, complained about lack of cooperation from the Foreign Office in his attempts to compile evidence for war criminal activity. Files of intelligence agencies on some hundred thousand Germans at all levels of responsibility had astonishingly detailed reports in late 1942 on Sachsenhausen, Buchenwald and Natzweiler concentration camps, including lists of SS men at the camps "who were particularly brutal". These files and lists were not given to the UNWCC. Evidence about atrocities in the Soviet territories continued to be treated as matters deserving scepticism, and to be dismissed. It might be that the British feared that acceptance of such evidence and release of the information would be followed by public pressure to relax regulations limiting the entry into Palestine of Jewish refugees.(21) Another potent factor was concern about the Soviet Union. The Foreign Office ordered the Commission to steer clear of any involvement in cases or areas where Russian-sponsored

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Communists were operating, and, indeed, ruled out handing the Commission names of war criminals and evidence of atrocities committed by the Germans in the Baltic states, on the grounds that Russia was not a member of the Commission and that Britain did not recognize Russia's claim to these territories.(22) Such an approach would have permitted many war criminals of Eastern European origin to escape justice.

The open sources record other instances of British reluctance to accept evidence, and the tendency to withhold evidence from the UNWCC. (23) The American delegate to the UNWCC, Herbert Pell, also experienced a lack of cooperation with and interest in the work of the Commission in Washington. The War Department was uninterested in the Commission, viewing it as a State Department creation. State Department officials felt that the Commission was a British invention and responsibility, and in fact acted on a number of occasions to deliberately thwart Pell's initiatives in the Commission's work.(24) Both Pell, the American, and Hurst, the British delegate soon came to the conclusion that the Commission would not be able to accomplish its task to its own satisfaction or that of the governments which appointed it. The impediments encountered included continued insistence by some on maintaining the narrow definition of war crimes, limiting them to breaches of the rules of war; the refusal to allow the Commission to consider cases where the victims were not Allied nationals, but, rather, Germans, Austrians or Hungarians; and insistence on detailed evidence in cases where such evidence was an impossibility. The result was an approach which in effect precluded treatment of the central war crimes -- organized mass atrocities, often of people deemed stateless or of former Axis nationalities.

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The Canadian War Crimes Advisory Committee (CWCAC)

In November 1943, consideration by External Affairs of developments in the U.K., the U.S. and particularly in the Soviet Union, where by this time the Kharkov trials had been held, persuaded Mackenzie King to appoint Arthur G. Slaght, a prominent criminal lawyer and former member of Parliament, as the government's Honorary Counsel for the purpose of "examining evidence available for crimes committed against members of the Canadian Armed Forces and Canadian nationals, and, in general, to advise the Canadian government in regard to these cases and related matters". (25) To assist Slaght,an advisory committee -- the Canadian War Crimes Advisory Committee (CWCAC) -- was appointed in Ottawa, composed of the Legal Advisor of the Department of External Affairs (John Read), a senior member of the Judge Advocate General's branch (representing the Armed Services), and a representative of the Department of Justice. A key official of the Committee was a less senior member of the Judge Advocate General's staff whose tasks were to interview possible witnesses amongst repatriated Canadian servicemen, to consult with the intelligence services, and to collect other materials which might be required by the Committee and Mr. Slaght.

The establishment of the Committee constituted a modest attempt to collect evidence for crimes committed against members of the Canadian Armed Forces and Canadian nationals. The intention, though Canada was not yet a member of the UNWCC, was to bring to the attention of the Commission cases for which there was sufficient evidence. With regard to atrocities against other than Canadians, the decision of the Committee from the start was that "wherever in the course of investigation, information becomes available, ... the same should be passed on to the government of the national concerned, **but unless requested, we**

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do not go out of our way to obtain such information." (26) Even in this regard, however, the examples given were limited to cases of atrocities against military personnel of other Allied countries.

In order to avoid 'impeding investigations', and, it would appear, in order to avoid opening the door to the pressure of public opinion, the Committee in Ottawa endorsed Slaght's strong opposition "to publication of any available information with regard to any incidents that could be regarded as war crimes." (27)

The question of Canadian membership in the UNWCC remained unresolved. Massey wrote to Mackenzie King on January 28, 1944 to report that Sir Cecil Hurst had visited him to urge yet again that Canada become a member, and that the CWCAC could become the Canadian 'national office' vis-a-vis the UNWCC. In discussion of the issue in Ottawa, the familiar arguments in favour of membership continued to be advanced: membership in the UNWCC would give Canada a greater voice in post-war Europe; if Canada was to be a fully sovereign nation, it should stop letting itself be represented by the U.K. abroad -- Australia, New Zealand and India were members in their own right; since Canada had received much information from the UNWCC there should be reciprocation; and, if Luxembourg-in-exile could afford to contribute £400 a year, so could Canada. (28) These arguments persuaded Slaght to write to Mackenzie King on March 15, 1944, recommending that Massey be appointed as the Canadian representative to the UNWCC and that

> any armistice treaties and peace agreements should contain specific recognition by our enemy belligerents of the right to apprehend,

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> bring to trial and punish all persons in respect of whom charges of war atrocities are made.(29)

Despite Slaght's advice, Mackenzie King waited another full year before formally appointing Massey as the Canadian representative to the UNWCC. It would appear that in the months following Slaght's recommendation to King on behalf of the CWCAC, both Slaght and Read developed a very negative assessment of the UNWCC. As discussed below, each independently and confidentially conveyed their misgivings to King. (30)

Direct Canadian interest in the matter of war crimes -- for crimes committed against combattants -- developed after the landings in Normandy in June 1944. The murders of Canadian servicemen -- such as the shootings at Chateau D'Andrieu on June 8 -- placed great stress on Canada's existing arrangements. Massey wrote to Read to report the concern expressed by Lieutenant Colonel John Page -- the Canadian Army officer at Supreme Headquarters Allied Expeditionary Force (SHAEF), engaged in compiling information about war crimes affecting members of the Canadian Army Overseas -- to the effect that Canadian cases were not coming before the UNWCC because there was no one there authorized to put these cases forward for consideration, and that the perpetrators of crimes against Canadian nationals might go unpunished. (31)

Though he had earlier expressed lack of confidence in the work of the UNWCC, Read was so frustrated with the lack of action and what he characterized as the inertia of the Canadian government in the matter of war crimes that he wrote a personal and confidential note in November 1944 to the Under-Secretary of State for External Affairs, Norman Robertson, expressing his frustration and preparedness to resign:

> We are rapidly approaching what may prove to be a very bad breakdown in our war crimes arrangement and, if that happens, it may be very awkward if

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> the Chairman of the Committee happens to be a person whose has, from the very beginning, been strongly opposed to the policy in question. I have submitted recommendations with the full concurrence of the Committee which are not being followed. The result of not following them is going to be a perfectly ghastly fiasco and it would involve the most serious type of criticism for the government in the public press and in Parliament. (32)

This led Robertson to propose consultations with British authorities about their methods in preparing war crimes cases, and consultations with the UNWCC about the submission of cases by Canada and other countries to the Commission for examination. He also wrote to Massey advising that Canada should be represented at the conference which was to be convened for the discussion of a draft convention for the establishment of a United Nations War Crimes Court -- a participation already recommended by Slaght -- and requesting that Massey convey Canada's views with regard to the necessity of Armistice terms covering war crimes and amendments to the Commission's proposal for mixed Military Tribunals.(33) Slaght at the same time was preparing for a trip to Washington to discuss Allied war crimes policy. The centerpiece of the Washington visit was a draft memorandum prepared by External Affairs criticizing the UNWCC program as too complicated and impractical, and as having failed to lead to a workable policy for dealing with war criminals. Proposed instead was an alternative approach based on several "clear principles", to the effect that crimes committed in a country against nationals of that country should be tried before a national court; crimes against allied personnel in occupied territory should be tried before an Allied Military Court established by the Commander-in-Chief of that area; and that political leaders be tried by an international tribunal.(34)

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This late 1944 activism on the part of Canadian officials concerned with the war crimes issue met with immediate obstacles. The Minister of National Defence suddenly withdrew Lieutenant-Commander Curran from his work as key administrator of the CWCAC just at the time when he was about to leave for Europe to consult with members of the Canadian Armed Forces Overseas, the Service Headquarters, and SHAEF, and to investigate war crimes allegations. As the Secretary of the CWCAC, Curran had conducted most of its practical work and had acted as the liaison officer with the Services and, particularly, with Intelligence, prisoners of war, repatriation and other branches which were in touch with potential witnesses. In view of the fact that it would take time for another person to become familiar with the work of the Committee, personal approaches were made at the highest levels, yet it was impossible to reverse the decision to withdraw Curran.(35)

A further obstacle was the unsettled situation in London. The UNWCC continued to be the object of criticism. Massey reported that the Foreign Office opposed establishment of a U.N. War Crimes Court to be set up by treaty, and that there was a preference for mixed tribunals to be set up by Supreme Allied Military Commanders. Massey was still in January 1945 making requests of Read in Ottawa for an indication of "whether it would be helpful for this office to make a strenuous effort to obtain from the United Kingdom people any evidence they might have about war crimes involving Canadian nationals".(36) The CWCAC report for 1944 meanwhile characterized Canada's non-membership in the UNWCC as anomalous, noting that

> on this, all of the British Dominions, with the exception of Canada and South Africa, are represented. Practically all of the Allied nations, with the exception of Russia, are also represented.(37)

While asserting that a great deal of valuable information was

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being obtained from the Canadian Forces and from POW camps with regard to Germans in Canada, the report noted that little information was reaching the Committee directly from Europe. As this CWCAC report was being circulated, Slaght wrote to King on a personal basis describing the work of the UNWCC as "extremely futile and unsatisfactory," pointing out that the United States had refused to continue funding of the UNWCC, and advising King that Canada's policy towards the UN Commission should continue to be one of non-involvement:

> this whole situation emphasizes to my mind your wisdom, and that of your department, in not actively participating in the activities of the Commission except for the very outset, and if the Commission continues to function, my view is that if and when Squadron Leader Hopkins (Curran's replacement as Secretary of the CWCAC) does go to England, as I believe External Affairs Department contemplate he should, we should not be inveigled into having him take a seat with, or participate in the the deliberations of the Commission. (38)

John Read at the same time was writing to King saying that it had been the feeling of Mr. Slaght and the Committee that Canada should be represented on the UNWCC, that Massey be appointed as the Canadian representative to the Commission, and that Canada should contribute to the expenses of the Commission.(39) This advice stood in stark contrast to that which Slaght was communicating to King directly, and also to the views Read was himself expressing in a note to Norman Robertson on January 16, 1945, written shortly after Hopkins' appointment, in which Read declares himself certain that the UNWCC will be a failure, that the war crimes business is altogether insignificant, and that the Canadian Committee, after furnishing the Commission in London or SHAEF with any evidence or other information which it may have available, should then shunt responsibility for dealing with the information to these

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international agencies. Canada's main aim, he thought, should be to avoid involving the Canadian government in what would be "a fiasco", and to avoid criticism "for failure to deliver a lot of non-existent war criminals".(40)

Massey did finally embark on his activities as Canadian representative to the UNWCC in March 1945, after reporting to Robertson that under the new Chairman of the UNWCC, Lord Wright, the Commission would go ahead and make a useful contribution to international morality, and recommending that a senior officer of the Canadian Armed Forces should be appointed to represent Canadian cases and thereby influence UNWCC policy.

The early months of 1945 were a period of active discussion of what the Allied interest in war crimes should be. Bt the summer of 1944 it became clear that the UNWCC and the Allies would focus on crimes committed against Allied nationals or in Allied countries and not on atrocities committed against Axis nationals. The reason: no precedent existed in international law for inclusion in the catalogue of war crimes actions by an enemy nation (or its citizens) against its own subjects or those of its partner nations. As a consequence, a major portion of the criminality of the Nazi Final Solution -- the massacre of hundreds of thousands of Jews of German, Hungarian, Rumanian or other Axis nationality and Jews rendered stateless by anti-semitic legislation prior and during the war -- was considered to be outside the Commission's mandate. The British Foreign Office justified this position after one of its legal advisors searched through all the public statements on war criminal policy, concluding, in July 1944, that none of the Allied declarations appeared to involve His Majesty's Government in an inescapable commitment to bring to trial the perpetrators of crimes against the Jews and others in enemy countries.(41) By early 1945, however, public opinion in the United States

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caused a shift in official policy in this regard. During a press conference on February 1, Joseph Grew, the Under-Secretary of State, was prodded by journalists into announcing that it would be official U.S. policy to prosecute crimes committed against Axis nationals. (42) Germans would thereby be punished for their crimes "wherever committed", as declared in the Moscow Declaration, including for atrocities committed against Jews and other populations inside Germany and other Axis countries.

The Foreign Office opposed this development, expressing concern about the potential impact on post-war rule in Germany:

> It is to be doubted whether we shall get very far by putting pressure on successor governments in Germany and elsewhere to punish the perpetrators of Nazi atrocities. Such governments will be unpopular enough already without having to appear as champions and avengers of the Jews and other more or less disliked minority groups. (43)

By March 1945, however, the British were resigned to the fact that they had no choice but to accept the American initiative.

Canadian officials disapproved of the American decision to include in Allied war crimes policy crimes committed against Axis nationals. They characterized the U.S. decision as involving the Allies in the prosecution of 'domestic crimes'. Hopkins and Slaght expressed their personal view that Canada ought not to support inclusion of such 'domestic crimes', but cautiously added that there was no need for any immediate indication of Canada's view on this matter to the UNWCC. (44) They also suggested that, like the other Allies, Canada should now set up a 'National Office' to which all information regarding war crimes would be channelled and which would prepare and present cases for presentation to the Commission.(45) The focus would henceforth need to be on streamlining the investigation of crimes against Canadians and prosecution of those responsible.

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Upon his return from his European mission, Hopkins produced a significant report, dated June 5, 1945, to Heads of Divisions in the Department of External Affairs with regard to the Canadian interest in the war crimes issue. The report's first assertion was that it was "universally agreed that the key document relating to war crimes remains the 'Moscow Declaration', signed by Roosevelt, Stalin and Churchill in October, 1943, for the three Allied Powers on behalf of the thirty-two United Nations". Hopkins felt that the Moscow Declaration would serve as the foundation for whatevver final decisions would be taken with respect to war crimes. After describing the principal agencies in Europe concerned with war crimes, Hopkins observed that the governments of the United Nations, "by and large have apparently been reluctant to make authoritative decisions, or to give real guidance in the matter of war crimes." With regard to the UNWCC it was Hopkins's assessment that the agency suffered from a lack of wholehearted governmental support; an inadequate adminstrative staff; the varying juridical ideas of the members; and the absence of a Soviet representative due to the rejection of Soviet demand for the separate representation of nine of its "autonomous republics".(46)

Reporting on the National War Crimes Offices of various governments represented on the Commission, Hopkins stated that in keeping with the British and American approach to "militarizing" their national offices on war crimes, Canada has set up a War Crimes Section at C.M.H.Q. in London to be charged with the investigation of all war crimes committed against Canadians in the European theatre. Two RCAF officers had already been attached to that Section.

Hopkins' subsequent recommendations were that the channel of communication between the War Crimes Section in London and the CWCAC in Ottawa should be via the High Commissioner's

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Office -- an approach which would keep the Canadian representative in the picture and stress the interdepartmental aspect of the question; that Lieutenant Colonel Bruce Macdonald, who had been a member of the SHAEF Court of Inquiry since its inception and was latterly its president, should be asked to prepare without delay, in consultation with the High Commissioner, cases of war crimes against Canadians as identified in the SHAEF Courts of Inquiry; that the War Crimes Section in London should be asked to obtain from the respective army groups as much information as possible concerning crimes against Canadians and crimes of an international character. The latter may have referred to reports on concentration camps; if so, there is no indication in Hopkins' report as to what was to be done with the information on crimes of an international character. Hopkins further recommended that the actual business of collecting and collating evidence of war crimes should be the responsibility of the Armed Forces; that there should be established at N.D.H.Q. in Ottawa a War Crimes Section paralleling the Section at the C.M.H.Q. in London; and that the War Crimes Section established at N.D.H.Q. in Ottawa should work in close liaison with the three Intelligence Services, and of course with the CWCAC.(47)

The Allies' machinery for investigating and prosecuting war criminals

Disagreement during the course of the war about what priority to attach to action against war criminals, and about the purpose and scope of such action, had significant practical consequences. The magnitude of the postwar problem of war criminals who evaded justice may be attributed in large measure to the failure to collect evidence in time and to create the investigative machinery which would have permitted finding and prosecuting, at the war's conclusion, those responsible for war

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crimes. The task was one which only the Allied military could have carried out. The British military, however, had been specifically excluded from war crimes policy deliberations during the war years, and the military's legal arm -- the Judge Advocate General's department -- was interested in war crimes only insofar as these were committed in the course of actual combat. The armed forces were not provided with lists of wanted men and no channel was provided for the transmission of information regarding suspected war criminals. When in April 1944 SHAEF's legal department defined a war criminal as a person who featured on the UNWCC's list, the list contained 68 names. Nor were any directives issued on arresting persons suspected of being war criminals.(48)

In fact, prior to the invasion of the European Continent in 1944 none of the Allies had established procedures or machinery for the investigation of war crimes. As noted earlier, Canada's interest was engaged only after evidence was reported with regard to the shooting of Canadian POWs following the Normandy landings at Chateau d'Audrieu on the 8th of June 1944. A special SHAEF Standing Court of Inquiry was set up in August 1944 to investigate the report of the shootings. Further reports of crimes affecting the British and American Forces led to the establishment of SHAEF Courts of Inquiry which investigated and reported upon approximately twenty-five cases in which it was established that war crimes had been committed involving nearly five hundred British, Canadian and American victims. They had also investigated a large number of additional cases in which it was decided not to make a formal inquiry on the grounds that the perpetrators could not be identified, or that the evidence was inconclusive. The SHAEF Courts were explicitly restricted to collecting and preserving evidence only in cases involving Allied personnel.

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The War Department in Washington in September 1944 initiated an independent program to build a war crimes agency which would collect evidence on a large scale -- an effort which proved unsustainable.(49) A subsequent plan proposed by the Americans and approved in January 1945 involved the creation of the 'Central Registry of War Criminals and Security Suspects' (CROWCASS) established under SHAEF as the main registry and information agency to assist war crimes investigations and security services. CROWCASS, based in Paris and run by a British officer, handled an enormous quantity of documents -- some twelve thousand a month. Initially, the agency compiled name listings in three categories: Wanted Persons, Detained Persons and Prisoners of War. The POW category was dropped, though liaison was maintained with Allied POW Information Bureaus which circulated CROWCASS Wanted lists to POW camps. The main failing of this endeavour with regard to war criminals, beyond those caused by administrative difficulties and lack of cooperation, lay in the fact that the primary purpose of the Registry was to provide lists of Germans who might pose a threat to the occupation forces, making the focus of the agency's attention the compiling of a 'Security Suspects Name Index'. The 'Detained Name Index' containing names of persons known to have been detained in connection with war crimes or as members of criminal organizations, moreover, was unreliable and misleading, including the names of witnesses and others wanted only for information purposes. CROWCASS' first list in May 1945 was in fact an amalgamation of the UNWCC list and 80,000 names from a security blacklist.(50) There were also important gaps in the list. Since the Soviet Union was not a member of CROWCASS, over a third of all enemy POWs were not included. The stress was also heavily on German nationals: the Consolidated Wanted List published in 1947, for example, contained 36,000 names of Germans and only 2,500 names of other nationalities.

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The absence of proper lists and the cumbersome methods used in searching for the wanted men were but additional obstacles to apprehending war criminals in the immediate post-war months. In marked contrast with the poor organization, inadequate preparation and lack of will which characterized Allied operations with regard to the apprehension of war criminals, "Operation Paperclip" indicated what could be achieved "given careful planning, well-researched information, resources and a sense of urgency".(51) "Operation Paperclip" involved some three thousand specialists selected and trained for the purpose of apprehending nine thousand of Germany's top scientists and technologists. The effort was immensely successful, and resulted in the recruitment of German expertise for the West's military industries and in the transfer of whole laboratories to the U.S. and Britain. The Operation was carried out in competition with the Soviet Union, equally eager to acquire German scientific know-how and to deprive the West of it.

Most of these German scientists were resettled in Britain and the U.S.. A group of some forty to fifty German scientists were similarly admitted to Canada by an Order-in-Council (discussed below in Chapter XII, Part 1). A related program involving the recruitment and resettlement of intelligence agents is discussed in Chapter XII, Part 5 of this report.

Unlike "Operation Paperclip" and projects to recruit Germans and Nazi collaborators of intelligence value, the effort to hunt down the murderers of over twelve million persons had no trained staff, headquarters, plans or priorities. SHAEF, the operations headquarters in charge of the American and British Armies occupying more than half of Germany, had only a vague directive on its war crimes responsibilities. Orders to

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Eisenhower on the invasion of Europe merely noted that one of his objectives was the arrest of the Nazi leaders and those mentioned in the War Crimes Commission lists.

Historians and other analysts offer the view that in the first few weeks after Germany's surrender, a serious effort would have succeeded in finding war criminals. New SHAEF directives had been issued in March which considerably expanded the list of Germans who could be automatically arrested on security grounds. At a time when so many, trapped by the defeat, were in internment camps, it would have been possible to locate individuals by careful and knowledgeable interrogation. In fact, a number of major war criminals, such as Gustav Wagner, the 'Angel of Death' in Sobibor, who were in internment camps, were not questioned. Hundreds of thousands of former concentration camp inmates and slave workers, and the surviving victims of atrocities, now in the DP camps, were potential eye witnesses. There was no prepared system to tap these sources. While daily reports about the arrests of the Nazi leadership induced a certain complacency, the more numerous lesser-known major offenders were not sought out, even though, in theory, a means to finding them existed -- namely CROWCASS.

The arrangements in place and operations undertaken, following the end of the war, to identify and apprehend war criminals were totally inadequate to the task. The police, intelligence and administrative resources, moreover, increasingly came to be directed to the task of administering DP camps in the zones of occupation and to other security and intelligence missions, rather than to identifying and apprehending those involved in the Nazi campaign of murder.

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The limitations imposed on the Allied powers' original program of denazification of Germany is both a reflection of and was a contributing factor to the postwar lack of interest in apprehending and prosecuting war criminals. The consequences of the confusion, controversy and ultimate failure of the denazification program in Germany were amplified by the immediate need, in the aftermath of the war, to get the shattered German economy and state -- now the responsibility of the victorious allies -- working quickly, and the strategic need to rebuild Western Germany as a bulwark against Soviet pressure. In the face of these exigencies, the sweeping American approach to denazification, involving the purge of Germany's existing political and social cadres, was quickly curtailed. The British approach was a curtailed one to begin with -- as stated in 1947 by General Brian Robertson, the Deputy Military Governor:

> Our interest in denazification is quite different from that of the Germans...we are chiefly concerned with security, i.e. we wish the German administration and German industry to be staffed with people who are not dangerous to the aims of the occupation. For the Germans, however, the question is largely one of justice and retribution upon individuals who have oppressed and persecuted their fellow citizens and brought disaster upon their country. (52)

Prominent Nazis were reappointed immediately after the war to high positions in industry, education, the legal profession and the police system. The impact on the apprehension and prosecution of war criminals was direct. It would have been inconsistent to encourage rehabilitation for some while prosecuting others -- and judged undesirable given the postwar strategic context which dictated new Allied priorities for Germany.

An illustration of the effect on the Allies' approach and policy is the career of a major film project undertaken by the British to record the horrors discovered by British forces

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liberating the concentration camps. The explicit purpose of the film, the production of which commanded considerable financial and human resources, was to provide direct and incontrovertible evidence of the evil perpetrated by the authorities and forces of Nazi Germany and their collaborators. The film was to be shown to the German population so that all would know and see what they had been involved in or what had been done in their name. In the event, in view of the compromises made to get Germany running and in order to avoid disturbing the rehabilitation and reconstruction of Western Germany, the film was never shown -- until forty years later, in September 1985 when it was aired by Independent Television in the U.K. under the title 'A Painful Reminder'.(53)

It was not untypical of the approach taken by the Allies that the film dedicated to exposing the full horror of the Nazi program of extermination refers to the Jews only twice, and then almost incidentally, in the course of its ninety minutes. Canada's National Film Board, too, had film crews in Europe to record the war, its ending and aftermath. There was not one treatment by the NFB of the genocide. As pointed out by Gary Evans in his book on the National Film Board and the politics of wartime propaganda in Canada, one of the rare depictions of the dead and suffering in the NFB series on the war made reference to

> a disturbing moral question of the war -- will the German people be held responsible for the mass deportations and killing and wounding of children? Nothing specific was mentioned about the Jews. A little over a year later, despite the grisly news trickling out of Europe about what was happening to civilian Jewish deportees, Canada's information policy (and therefore film policy) as enunciated by the Cabinet War Committee was to remain silent and keep Canada off the hook **[with regard to the Jewish refugees issue** -- A.R.]. In 1944 ... the Cabinet War Committee ordered all atrocity stories held up until they could be verified. Another year would pass before "verification" was made. By then, the war was over...(54)

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Canada and the Nuremberg Agreement

The various Allied activities with regard to the prosecution of war criminals culminated in the August 8, 1945 Agreement by the governments of the U.K., U.S., U.S.S.R., and the provisional government of France, establishing the International Military Tribunal for the trial of major Nazi war criminals. The Charter of the Agreement provided for charges with regard to three categories of crimes: crimes against peace -- carrying out wars of conquest; war crimes -- murder of POWs and civilians, excessive destruction of lands and cities; and crimes against humanity -- deporting civilians and using them for slave labour, and for inhumane experimentation; and persecuting and murdering people because of their political beliefs, their race or their religion.

The Agreement provided for the adherence of other Allied governments. Amongst the governments of the United Nations, Greece, Denmark, Yugoslavia, the Netherlands, Czechoslovakia, Poland, Belgium, Ethiopia, Australia, Honduras, Norway, Panama, Luxembourg, Haiti, New Zealand, India, Venezuela, Uruguay and Paraguay all adhered. (55) Canada was and remains conspicuous by its absence.

By mid-1945 the issue of Canadian participation in the establishment of such a tribunal had become the subject of deliberations at External Affairs and at meetings of the CWCAC. On June 23, 1945, Slaght wrote to Hopkins to say that "as one of the Empire countries participating in the war", Canada was entitled to express an opinion on the matter of punishment of the major war criminals -- but he still advised caution and non-involvement:

> it may be that the Prime Minister and Mr. Robertson will think the better course to let things ride and if the major powers handling the matter do run into some of the difficulties I forecast in my recent letter that it could not be said to be our fault.(56)

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Slaght argued that "Canada should not place herself in a position where we have to approve of a prosecution which may be initiated by the authorities in England or in Europe". Canadian involvement, far removed from the scene, would involve substantial delay, and

> would probably make the relatives and friends of any Canadian who was the object of German brutality feel very upset indeed to learn that the authorities in England and in the field had recommended the prosecution of the alleged criminals and Canada has prevented it. (57)

While reporting from London on developments with regard to the establishment of an international tribunal for the trial of major war criminals, Vincent Massey mentioned that the American representative, Justice Jackson, had pointed out in an address to the 70th meeting of the UNWCC, that whereas member governments were principally interested in atrocities committed against their peoples, an International Court would be concerned chiefly with "the general scheme which made the local atrocities possible". With this in mind, the participating nations were requested to offer suggestions and information with regard to "the design and patterns of war crimes". In the light of that request, Massey suggested that Canada submit a brief about the Normandy atrocities which reflected broader patterns of lawlessness and ruthlessness of SS policy. (58)

While such cooperation raised no particular difficulties for the government in Ottawa, the issue of Canadian government adherence to the Four Power Agreement appeared to be more problematic. Hopkins, the Secretary of the CWCAC who had visited the camps, recommended that Canada should adhere to the Agreement on the grounds that the Canadian government had already approved in principle its participation in such arrangements for the Far East; that fourteen other countries, including Australia, had already adhered to the Four Power Agreement; that the United

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Kingdom strongly urged Canadian adherence; that the U.S. government was urging the adherence of Latin American countries; and that only those countries which have adhered to the Agreement would be invited to send official observers to the Nuremberg trial. John Read, however, in a note to Norman Robertson on August 29, 1945, advised against adherence, on the grounds that Canada would be committing itself to a process which others controlled:

> having in mind the appalling mess made by the United Nations Commission, it is impossible seriously to criticize the Big Four for acting as a small group without consulting anybody. By adherence we would...accept responsibility for a course of events over which we have no control...it might be considered that we should not adhere to an agreement in the negotiation of which we had no part and in the carrying out of which we were to have no voice. It is quite a different matter from the agreement which is under consideration for the Far East.(59)

In response to inquiries made from outside the House of Commons, Prime Minister Mackenzie King offered in September 1945 before the House a brief history of Canadian war crimes policy which in some respects was less than candid. He described the Canadian government as having "participated in the work of the United Nations War Crimes Commission" -- of which, in fact, Canadian officials had a very low opinion, and which Canada did not join until March 1945. King also asserted in the House of Commons that

> since the surrender of Germany, rapid progress had been made in the plans for the apprehension, trial and punishment of war criminals. The political leaders of Nazi Germany are being dealt with under arrangements agreed upon by the governments of the United Kingdom, the United States of America, the Union of Soviet Socialists Republic and France. The others of the United Nations are not participating.(60)

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In fact, as mentioned above, seventeen other United Nations countries did decide to adhere to the Agreement. The U.S. and the U.K. were urging Canada to adhere only two weeks before to Mackenzie King's speech to the House. The advice of Canadian officials was not to adhere and to avoid involvement or entanglement in matters involving Europeans which they felt should remain the concern of the Powers.

It should be noted, however, that in December 1946 Canada was among the countries which unanimously adopted the resolution of the U.N. General Assembly affirming "the principles of international law recognized by the Charter of the Nürnberg Tribunal and the judgment of the Tribunal.(61)

Postwar War Crimes Trials

The Nuremberg Trials: The Nuremberg Tribunal tried twenty-two members of the political, military and economic leadership of the Nazi regime, and in its judgment sentenced twelve to death, three to life imprisonment, and four to various prison terms. Three defendants were acquitted. In the course of the proceedings, which lasted from November 20, 1945 to August 16, 1946, and in the judgment, delivered on September 30th and October 1st, 1946, crimes related to the Final Solution were acknowledged as coming within the broader definition of war crimes and crimes against humanity. In addition to ruling on the criminality of the individuals, the Nuremberg judgment established the criminality of organizations -- the leadership corps of the Nazi party; the SS; the Gestapo; and the SD, membership in any of these organizations constituting a prima facie case of criminality against the individual member. The Charter's definition of 'war crimes' and 'crimes against humanity' and the tribunal's judgement on the criminality of Nazi organizations directly involved in war crimes and crimes against humanity provided the framework for broadening the scope of war crimes trials to include rank and file perpetrators of crimes and

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those obeying criminal orders. The focus, however, was on German war criminals; there was little reference to non-German perpetrators of crimes and individuals not members of these Nazi organizations.

Twelve further trials were held at Nüremberg by the American military tribunals between 1946 and 1949. Of the 177 Nazi war criminals on trial in these proceedings, 35 were acquitted, 97 received varying prison terms up to twenty-five years, 20 received life imprisonment, and 25 were condemned to death. However, the Clemency Act passed in January 1951 by the U.S. High Commissioner in Germany, John J. McCloy, resulted in the early liberation of the majority of the accused.(62)

Between 1945 and 1949 a total of 5,025 Nazi war criminals were convicted in the the three Western Occupation Zones of Germany, of whom 806 were sentenced to death, and of these, 486 actually executed. Official figures for trials of Nazis in the Soviet Occupation Zone of Germany are not available, although it is assumed that many of Germans were tried and convicted, or committed to Soviet prisons. After Nuremberg each of the occupying powers in Germany conducted trials within their own zones.

Other Allied War Crimes Trials: War crimes trials in Europe began with the trial of the Commandant and forty-four of the staff of Belsen concentration camp in the British zone on September 17, 1945. The British initially looked upon the war crimes trials as an attempt not only to punish the guilty, but also to show the German people just what had been done in their name and to provide them with an example of efficient and impartial justice. The Belsen trial did not reflect such a concern. Major T.C.M. Winwood and his colleagues for the defense of Josef Kramer, the last commandant of Belsen, argued that concentration camps were legal in Germany and that therefore those who worked in them could not be punished for obeying orders, nor would murder in a concentration camp be a war crime.

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In explaining Kramer's behaviour, Winwood offered that Kramer's misfortune had been that he had to deal with "the dregs of the ghettos of Eastern Europe".(63)

Both Prime Minister Clement Attlee and Sir Hartley Shawcross, the Attorney General, were angered by the delays, lenient sentences and acquittals at the Belsen trial, which stood in marked contrast with the results of the American Army's trial of those responsible for running Dachau -- a trial which started shortly after the Belsen trial, lasted just one month, and resulted in the conviction of all forty of the accused, twenty-six of whom were sentenced to death. The American army had seventeen investigation teams employing over one hundred and fifty full-time investigators; the British army had three teams and thirty investigators. A frank account of the reasons for the failure is contained in the letter which Brigadier B.G. Turpin, Montgomery's Chief of Staff, wrote to Col. George Bradshaw, the Deputy Director of Personnel Services in the War Office, admitting that the vital War Establishment ceiling for manpower had not been altered as directed to divert more people into the War Crimes program. Ministerial directives had been disobeyed. Even the Foreign Office was struck by the high rate of acquittal and the leniency of the sentences passed on those who were convicted in British War Crime trials:

> The position as regards German minor war criminals is most unsatisfactory. Almost all the trials have been for murder, often with horrible additional circumstances, and the JAG had managed to obtain death sentences in twenty-five per cent of the cases, complete acquittals in twenty-five per cent and sentences of imprisonment, often for ridiculously small periods, in fifty per cent. As the Germans are fully aware of these trials and the crimes for which the accused are indicted, the effect can only be very bad...One of the difficulties is that...the JAG insists on trying to prove in

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> concentration camp cases that each of the accused was personally responsible for at least one murder. This is a ridiculous method of procedure, since the victims or potential victims who could have proved the necessary facts are themselves dead or vanished long ago. It seems worse than ridiculous to anyone who had any knowledge whatever of the calculated cruelty with which the concentration camp staffs carried out millions of murders all over Europe.(64)

In reviewing the results of all the trials and sentences, Patrick Dean of the Foreign Office commented that it was

> quite fantastic to go to all the trouble to try and convict these Germans (many of whom are the worst form of SS thug) and then impose sentences of imprisonment which in some cases run down to periods of a few months only.(65)

In fact, apart from a few, the day-to-day responsibility for dealing with war crimes was carried out by individuals who were uninterested in the subject, which, coupled with the British authorities' reluctant attitude towards war crimes matters for reasons of policy, led to the negligence here described. Sir David Scott-Fox negotiated arrangements for the Nuremberg Trial, and, as Head of the British War Crimes Executive, represented the Foreign Office and reported on the Nuremberg Trials. He was also involved in later trials held in the British zone, and acted as liaison with the UNWCC on requests by other countries for the extradition of wanted war criminals held in the British zone. In 1978, Sir David related that he believed that the public was "soon bored by the trials", and that the trials should have been ended much sooner. Scott-Fox was succeeded by Frederick Garner, who remained responsible for war crimes for a year until October 1947. He was appointed to the position because he himself had been a prisoner of the Japanese and was therefore regarded as an expert on war crimes. In the

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late 1970's Garner did not disguise the fact that he had been indifferent to his work and that he was determined to close down his department as quickly as possible:

> For me it was all a chore. I had never been to Germany, knew nothing about the country and just wasn't enthusiastic. When Scott-Fox moved, I became the whole department and I didn't even have a typewriter. All I wanted was to get back to the East, so I spent a lot of my time trying to convince other departments to take the responsibility. Thank God someone finally did.(66)

The few who cared (Dean, Bevin and Shawcross) expressed frustration that while the number of crimes that had been reported was increasing, the number of British staff available was falling and only a fraction of the cases being reported was being investigated. In his report to the Prime Minister, Shawcross seemed resigned to the winding up of action on war crimes by the end of 1947.

> In the circumstances, I can only suggest that the trials should continue until the end of the year and that we should then review the situation with a view to bringing them to an end, except in the case of the most serious offenses.(67)

In fact, a year into the peace, the British Army on the Rhine (BAOR) had already stopped investigating any newly reported non-British crimes and had decided to hand over concentration camp cases to the countries whose nationals had been murdered.

Extradition and trials of war criminals in the liberated Countries: There was a certain reluctance on the part of European countries to carry out the trials provided for in the Moscow Declaration. A major obstacle was that amidst the postwar chaos in the newly liberated countries, desperately trying to organize national governments and to introduce some normalcy, the

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prosecution of Germans and their own nationals for committing atrocities where the victims were for the most part Jews was not amongst the highest priorities. By the summer of 1945, when it became obvious that the expected national war crimes investigation teams from former occupied countries would not materialize, Eisenhower asked the Combined Chiefs for permission to prosecute those responsible for running the concentration camps in the American zone. This was understood as a strictly limited responsibility in direct response to the horror of discovering the camps. While not immediately demanding the return of Germans for trial, a number of the newly liberated countries -- Hungary, Czechoslovakia and Yugoslavia in particular -- did begin to demand those of their own countrymen who had been collaborators, quislings and traitors. A number of key figures were sentenced and executed.

A major hindrance to prosecution for war crimes -- by the Allies and by the authorities in the liberated countries -- was the lack of cooperation from the Soviet government and the absence of any joint machinery for the investigation of war crimes. There was no established mechanism for the exchange of information about criminals wanted or held, nor any arrangements to hand over Germans responsible for the murder of Russians. The Soviet government had refused to join the War Crimes Commission, refused to cooperate with CROWCASS, and only once allowed an Allied war crimes investigation team to enter its zone. The Soviet authorities meanwhile were repeatedly accusing Britain of failing to honor the provisions of the Moscow Declaration of 1943 by which war criminals were to be returned to the country where they committed their crimes. These were but early intimations of the Cold War from which many criminals were to benefit.

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Because of the intensification of the Cold War, the U.S. and Britain also had reservations about supporting extradition arrangements. In line with the Moscow Declaration, the War Crimes Commission had suggested in September 1944 that the extradition of war criminals between countries should be formalized by Treaty. Both the United States and Britain rejected the Commission's proposals, the State Department responding almost a year later with the statement that "in view of the rigid control exercised over the entry of aliens into the United States, the entry of war criminals and traitors into the United States...is most unlikely".(68)

It has been suggested that the British rejection of the War Crimes Commission's extradition proposals in March 1945 was due to a suspicion that the Soviets would use the occasion to acquire valuable German scientists and industrialists whose services the Western powers were seeking.(69) It was also a stated concern that requests from Roumania, Hungary and Yugoslavia might not be motivated by an interest in bringing war criminals to justice, but rather to punish anti-Communists and others sought for political reasons.

In order to protect such political refugees, the Foreign Office had asked the War Office in March 1945 to instruct the army in Europe not to hand over any war criminals without prima facie evidence by the demanding country that the individual was in fact a genuine war criminal. This stipulation applied in particular to war criminals held amongst POWs in Britain. The decision also saved several thousand Yugoslavs and Ukrainian SS soldiers from repatriation in 1947. Many Eastern Europeans, particularly former Soviet citizens who had served in the German forces, were forcibly repatriated.

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Members of the Baltic SS and Waffen-SS in particular benefitted from these Cold War considerations. These groups had retreated with the German Army into Germany, at the same time as individual Balts, Ukrainians, Yugoslavs and others who may have participated directly in the "Final Solution", either as members of execution squads alongside the Einsatzgruppen, or as guards and officers at the extermination and concentration camps. Some of these individuals were arrested in uniform. Many put on civilian clothes and presented themselves as former slave workers and as refugees for processing and allocation to DP camps. Extradition of these likely participants in war crimes to Eastern European countries became a rather complicated matter. In some cases criminals and quislings were handed over on demand without reference to the UNWCC lists. In other cases, such as that of the Yugoslav government's request to Churchill in mid-June 1945 for the extradition of a long list of people interned in Austria by the British forces who were accused of "treason against the Yugoslav nation", there was refusal to extradite, though many were known to have committed war crimes. As a result of Cold War considerations, loopholes were built into Allied orders to apprehend and prosecute war criminals. While orders issued to American officials required that all persons wanted for war crimes against Allied nationals be handed over on the basis of receipt of a plain statement of the facts, without demanding presentation of a prima facie case, a special proviso offered protection in cases involving special political or other unusual circumstances. As a result, it was soon decided that no Poles, Yugoslavs or Baltic nationals were to be handed over in any circumstances.(70)

The purpose of the preceding sections has been to gain an understanding of the conditions which later led to the entry into Canada of persons involved in war crimes or liable or alleged to have been so involved. The section which follows is

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somewhat tangential to this major theme: it does however provide further illustration of the relatively low priority attached to the effort to deal with war criminals and the low level of Canadian government interest and involvement in the war crimes issue -- an approach also reflected in Canada's immigration policy with regard to the possible entry of Nazi war criminals, discussed in Chapters III to XI of this report.

Canadian war crimes policy in the immediate postwar years

The interest of the Canadian government in the war crimes issue following the war was confined to Canadian trials of a number of Germans accused of crimes against members of the Canadian Forces. The first case, that of Kurt Meyer, received the widest attention.

Massey had reported to King on June 8, 1944 that the Canadian Military Headquarters (CMHQ) War Crimes Section had evidence against Kurt Meyer and recommended that a case be filed with the UNWCC. External Affairs pointed out to the Prime Minister that the Meyer case was the first non-Soviet case to be ready for trial, that it would serve as a test case which other governments would be anxious to observe; that Canada had a highly qualified Allied military jurist, General Montague, and experienced military lawyers for the prosecution team. Read had before him a case against a German General for the murder of Canadian soldiers, in which there was clear-cut evidence, and in which the prosecution was ready to go to trial. But even in this case, it took some pressure from the U.K. to get the Canadian government to act.(71) While transmitting the facts and recommendations with regard to the need to proceed with the prosecution of Kurt Meyer, Read's recommendation was lukewarm:

> Personally I am not enthusiastic about the whole war crimes business, but I think we might be making a real contribution if we could begin by

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> setting the standard of fair and just dealings with the war criminals comparable to that which we expect in our courts of Justice in our countries.(72)

In fact, and as noted by Lieutenant Colonel Macdonald in a May 8, 1945 memorandum, there was no established method of investigating war crimes against members of the Canadian Armed Forces after SHAEF's standing Courts of Inquiry ceased to accept new cases on March 15, 1945.(73) Recommendations were advanced by Hopkins on his return from Europe, to fill the gap for both new and incomplete cases involving Canadians reported by the SHAEF Courts.(74) Consequently, Canadian Military Headquarters was asked to assume responsibility for the completion of the case against the 12th SS Panzer Division, responsible for the deaths of some 100 Canadian prisoners of war. As the war ended and the repatriation of Canadian soldiers began, it was recommended that an intensive effort was needed to report on war crimes as quickly as possible before the witnesses departed, and that the War Crimes Branch be established under the Deputy Adjutant General (DAG) to carry out the necessary investigations, and to complete the work of the SHAEF Courts.

In Canada, the Minutes of an Extraordinary Meeting of the CWCAC of June 20, 1945 noted the decision to draw up an Order-in-Council "providing for the trial of enemy war criminals by Canadian Military Courts".(75) In drafting the order-in-council which under the War Measures Act would provide for the trial and punishment of war enemy criminals, Slaght and other members of the Committee were mindful of the possible impact on public opinion. Commenting on the first draft of the regulations, Charles Stein, representing the Department of Justice on the CWCAC, observed that the phrase "for the trial of persons charged with having committed war crimes" did not provide for any restriction, and that he had understood Mr. Read to

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suggest that "the jurisdiction of our proposed Military Courts should be restricted to war crimes in which Canada had an interest". He concluded that while "such was no doubt the intention of the draftsmen of this document...this restriction should not be expressed in the regulations".(76) In a similar frame of mind, Slaght expressed the view that the definition of a "war crime" as "a violation of the laws and usages of war" was too narrow, and that he would like to see added after the word "war" the words "and/or of the laws or usages of civilized humanity". In offering this recommendation, Slaght added the comment that "objection may be taken that the addition of the suggested words are too broad. Frankly, I do not think so and I believe public opinion would support a jurisdiction of the type that they involve".(77) The second draft of the regulations defined "war crime" as a

> violation of the laws or usages of war, or a violation of the generally accepted principles of humanity, committed during any war in which Canada had been or may be engaged at any time after the 9th day of September, 1939. (78)

This view, however, did not prevail. In a note addressed by the Undersecretary of State for External Affairs to the Deputy Minister of Justice, the position taken throughout the war years was reiterated, that the Canadian government limit its involvement to matters which are of immediate concern to Canadians and avoid any provision for broader interpretation at a later date. In particular, it was agreed that the two references in the second draft to "the generally accepted principles of humanity" should be deleted, so as not to create new "war crimes ex post facto".(79)

By the summer of 1945 the War Crimes Advisory Committee had elaborated a 'militarized' war crimes plan for Canada which provided for joint action by Canadian and British authorities.

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The basic elements were that: the War Crimes Section at CMHQ would list war criminals with the UNWCC; war criminals would be tried by Military Courts convened by the Canadian Commander in the area of British occupation in Germany in accordance with Canadian law; cases would be approved for trial by the Judge Advocate General or his Deputy in the U.K.; War Crimes Regulations (Canada) would be followed; sentences would be confirmed by the convening officer and would not be subject for review in Canada; only serious (death and injury) cases would be listed; and "once the necessary policy decisions have been taken, the trials may proceed as and when ready (as a U.K. jurisdiction), without further reference to Canada".(80) This course was then recommended to the Cabinet (Privy Council meeting of August 29, 1945) by the Secretary of State for External Affairs, noting the CWCAC recommendation

> "that the activities of the Canadian authorities be concentrated upon war crimes involving death or grievous bodily harm to Canadian civilians or service personnel". (81)

The plan for action by the Canadian government was already being implemented. During August 1945, the final details were ironed out for the promulgation of War Crimes Regulations by an Order-in-Council under the War Measures Act. Bruce Macdonald was meanwhile expressing grave concern at the delay in bringing Kurt Meyer to trial, indicating that others with accusations against him may act first and deprive Canadians of the occasion to try him after having made all the preparations for the case. (82) A "progress report" prepared by No. 1. Canadian War Crimes Investigative Unit on the directions which the Unit was to take over the next year indicated its reliance on British and American organizations, which "have, where convenient, made investigations for us".(83) The Kurt Meyer case was reported to be ready for trial, and other cases involving several high-ranking officers -- including a case against Wilhelm Mohnke,

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believed to be in Russian custody -- were judged promising. While it was felt that many perpetrators of crimes might have to go unpunished because of insufficient evidence, it was expected that progress would be made in the collection of evidence with the planned interrogation of German POWs in Canada and in the U.S. by a team from the investigation unit.

By October 1945, Hopkins prepared a Commons statement for the Minister of National Defence in which the preliminary proceedings against Meyer were announced. Meyer, now in Canadian custody, was charged on seven accounts for the murder of Canadian POWs. Bruce Macdonald was appointed Chief prosecutor for the trial. Meyer was convicted by a Canadian Military Tribunal in Aurich, Germany, on December 28, 1945, of having committed war crimes, and held responsible for failure to take adequate measures to prevent the 1944 shooting of 18 Canadian POWs. The court's death sentence was soon reduced to imprisonment for life on the grounds that although responsible for the killings, he did not directly order them. He was transferred to Canada and held at Dorchester Penitentiary in New Brunswick until October 1951 when he was transferred to a prison in the British zone of Germany. With the consent of Canadian authorities, the British further reduced his sentence.(84) By the mid fifties he was a free man, and, apparently, an unrepentant Nazi, actively organizing SS veteran groups until he died in 1961.

The fact that the Canadian government needed initial goading from the U.K. and considerable pressure from public opinion at home to sustain its involvement in the Meyer case, and that it readily withdrew from the case when circumstances permitted and public interest in the case declined reflects the faint-heartedness which prevailed from the start in dealing with war criminals, even where the victims were Canadians. At the very same time as Meyer was convicted, in December 1945, it was

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also decided, upon recommendation from Massey in London and Defence officials in Ottawa, that the Canadian War Crimes Investigation Unit be disbanded by May 1, 1946, even though eighty-one cases were still being investigated.(85) The reason given was that a number of officers in the CWCIU were anxious to be repatriated and that it was difficult to find suitable replacements. The CWCAC, somewhat reluctant to see an arbitrary disbandment of the Unit, recommended that its activities be maintained at full efficiency at least until March 1946, that the more minor cases be abandoned, and that the situation be reviewed in April, one month prior to the scheduled disbandment.(86)

About a month before the No. 1 Canadian War Crimes Investigation Unit was disbanded, Bruce Macdonald, reporting on the 171 cases investigated by the unit, emphasized the difficulties involved in investigating war crimes: the fact that much of the information was in the possession of the enemy; the time lag between the offence and its discovery; the fact that potential witnesses, both allied and enemy, were themselves casualties; the ease with which perpetrators disappeared into the anonymous mass of millions of POWs; and the need to persist in scrupulous fairness following "British standards of justice". Macdonald observed that it was only now (March 1946) that the system of investigations and checks was beginning "to realize the fruits of the earlier work", but owing to withdrawal of the Canadian Forces it would no longer be possible to bring war criminals to trial in a Canadian Military Court overseas, making necessary the transfer of cases to analogous British organizations. Still outstanding were fifty-three incomplete investigations, including nineteen allegations against the 12th SS Panzer Division, and nineteen allegations of atrocities committed against RCAF POWs. Macdonald noted that several cases were very nearly ready for trial, and the alleged perpetrators in custody.(87)

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At the time of CWCIU Report, only four cases had been tried -- those against Kurt Meyer; Jung and Schumacher, sentenced to death by shooting only a few days before the report was issued; Johann Neitz, who was tried at Aurich by an RCAF Military Court, found guilty for having shot and wounded an RCAF POW, and sentenced to life imprisonment; and against three other Germans awaiting trial for having shot and killed two Canadian airmen.

Canadian disengagement from war crimes matters, even for the limited responsibility of holding trials for persons who had committed crimes against Canadian military personnel, was already government policy in early 1946 as responsibility was progressively transferred to British authorities. In February 1946, the Minister of National Defence for Air suggested that

> in order to avoid the dispatch of special RCAF personnel overseas to constitute courts for the trial of war criminals charged with offenses against RCAF personnel, RAF Courts should be used for this purpose. (88)

There was, however, some debate on this approach. The Judge Advocate General argued that cases where there was enough prima facie evidence of crimes against RCAF officers should be tried by courts consisting entirely of RCAF personnel. Hopkins writing to Heeney felt that despite some jurisdictional difficulties Canada should, in principle, wherever possible assume responsibility for the conduct of its own war crimes trials. An important consideration for Hopkins was that press publicity in Canada then strongly supported Canadian trials. Nonetheless, it was reported to the Adjutant General on April 10, 1946 that "a message has been received from CMHQ requesting authority to wind up the War Crimes Unit at that headquarters and to turn over to the British for trial any cases involving Canadian interest which remain as yet untried".(89) The argument presented was that under the War Crimes Regulations "the accused person must be within the limits

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of the command of the convening officer or under his control" and that it would not be desirable or expedient to retain a Canadian Force in the European Theatre for that sole purpose. The High Commissioner in London endorsed the recommendation of the Minister of National Defence for Air to disband the CWCIU as soon as possible -- by May 1, 1946 -- with the words that "no purpose of substance is likely to be served by its continuance".(90)

A consequence of the disbanding the Canadian War Crimes Investigation Unit at the CMHQ and the handing over to the British of remaining cases involving a Canadian interest was that a considerable number of cases were simply abandoned. Citing a March 28 overseas message, the Judge Advocate General pointed to the fact that "there will be at least 30 cases untried when it will be necessary to discontinue the RCAF court on April 15th by reason of the evacuation of Canadian Army from Germany".(91)

Hopkins, who continued to entertain doubts with regard to the advisability of turning over Canadian war crimes "unfinished business" to another government for completion, went along with the policy endorsed by the High Commissioner in London, and, independently, by National Defence, which had not even consulted the CWCAC about winding up the War Crimes Unit in London by May 1, 1946. (92)

The Cabinet confirmed the policy of disengagement on April 15, concluding that the No. 1 War Crimes Investigation Unit at C.M.H.Q., London, would be disbanded on May 1; that Canada would relinquish to the U.K. complete jurisdiction over cases of Canadian interest; that Canada should continue to be represented on the U.N. War Crimes Commission, until its dissolution; and that the Canadian representative retain the right to approve "listings" of those accused of war crimes (against Canadians

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only). Canadians were to receive evidence of cases and cooperate in gathering evidence, but the responsibility for trials was to be entirely the U.K.'s.(93)

In keeping with these developments, Hopkins' changed his stance. In a May 14 note attached to letters he had prepared for the acting Prime Minister's signature, advising that the Office of the Honourary Counsel to the Canadian government in the matter of war crimes and the CWCAC were being dissolved, he commented that "it is in fact a nuisance to have these offices in being".(94)

After the closure of the CWCAC in Ottawa and the War Crimes Unit in London, UNWCC lists forwarded from the Canadian High Commission in London to External Affairs were being directed to the Judge Advocate General and the Adjutant General's Branch for examination -- whereupon they were simply compared to lists of POWs still in Canada or returned to the U.K. On September 9, 1946, the Secretary of State for External Affairs asserted to the High Commission in London that "this is the most useful way in which these lists can be scrutinized here and it is not the practice to distribute them to any other Canadian authorities" -- indicating that these lists were not distributed to Immigration or Visa Control officers.(95) Comparison of lists, in fact, showed by October 1, 1946, 98 Nazi Party members at large in Canada. The names of at least eleven POWs in Canada appeared on UNWCC lists in late 1946 and were brought to the attention of Canadian authorities. It is not clear from the documents examined that any action was actually taken to apprehend or deport these individuals.(96)

There was even les inclination to consult UNWCC lists in cases involving non-Germans. Following strong demands from the Czech government in April 1946 that Canada refuse admission to Slovak adherents of the pro-Nazi Tiso regime who had succeeded

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in reaching Austria, Canadian officials deliberated over whether these people were in fact war criminals or political refugees and whether the given names should be checked against UNWCC lists. It was noted that the General Assembly of the United Nations had passed a resolution on January 13, 1946 (which the Canadian delegate supported) recommending that the member governments

> take all necessary measures to cause the arrest of those war criminals who have been responsible for or who have taken a consenting part in the above crimes, and to cause them to be sent back to the countries in which their abominable deeds were done.(97)

It was also pointed out, however that there were practical difficulties involved in consulting some "thirty bulky UNWCC lists", and that in any case

> there is no Canadian legislation at the moment for handing over either war criminals or political criminals. I do not think we should take any steps to alter the status quo in advance of necessity.(98)

Six months after the disbandment of the CWCIU in London, the British drafted proposals for changes in the conditions set out by Canadian officials for transfer to them of responsibility for war crimes cases. The changes were to the effect that drafts of proposed charges for crimes against Canadians would be submitted only for observation rather than for approval by Canadian authorities; and that after listing a case with the UNWCC, the U.K. would carry on with the trials, even over Canadian objection. In response, Hopkins saw no serious practical difficulties in acceding to the British demand for virtually complete authority over Canadian war crimes cases now under British jurisdiction, conditions essentially accepted by

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the King Cabinet in May 1946.. By December 1946, representation with regard to war crimes cases by the Canadian Judge Advocate General in London was withdrawn.(99)

The United Nations War Crimes Commission was also in a state of flux. Pressure for its dismantlement mounted, but as noted by the Deputy Minister of National Defense to Lester Pearson, then the Undersecretary of State for External Affairs, on June 2, 1947, "the flow of cases in March 1947 had not decreased and were being handled at the rate of 60 per week...It is also reported that the Polish National Office had about 1000 cases to bring forward".(100) At the end of June 1947 the Commission listed 154 persons wanted by Canada. Nonetheless, despite considerable "unfinished business" for the UNWCC, as well as for Canada, it was decided at a meeting of the UNWCC in London in October 1947 that the life of the Commission should be terminated by March 31, 1948.(101)

By September 1947, the Canadian machinery in place for communicating information about war crimes against Canadian personnel was quite fragmented. In response to a report about a forthcoming publication of a new CROWCASS Consolidated Wanted List in October 1947, the official response from the Department of National Defence was that:

> direct Canadian participation in the investigation and prosecution of War Crimes has been discontinued as of the 15th of this month. **(August 1947)** The balance of these duties is being assumed by the War Crimes Section of the British Army of the Rhine.(102)

The BAOR had virtually no interest in war crimes trials at this stage, and interest in war crimes at the international level was also drawing to a close. Reporting on the difficulties of the UNWCC, Norman Robertson, by then High Commissioner in London, described a bitter complaint by delegates from Poland

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(now Soviet-dominated) about western unwillingness to extradite war criminals: "they were particularly sour at General Clay, who declared that no further application for the extradition of war criminals would be received after November 1, 1947". For this and other reasons, the High Commissioner felt that the imminent winding-up of activities of the UNWCC in the coming spring, 1948, will be "to the good as the atmosphere has been poisoned lately by the usual division between the East and the West which in no way helps the Commission in its work".(103)

Winding up of 'war crimes' investigations, extraditions and trials

Investigations of crimes against British POWs began to dissipate very soon after the war. Many of the cases had occurred in camps which were now in the Russian zone, and the Russians continued to refuse British investigators into their area. The target of trying five hundred criminals, originally set for completion by April 30, 1946, was achieved finally in December of that year, though it still fell short of Shawcross's original aim of five hundred cases rather than five hundred individual criminals. A Cabinet Minute of November 4, 1946 showed Ministers agreeing that Britain "should advocate a policy for discontinuing trials for war crimes". It was nevertheless decided that investigation into war crimes against British POWs should continue until the end of 1947.(104)

CROWCASS had collapsed in May 1946 for administrative reasons, leaving over two hundred separate lists and sub-lists of war criminals in circulation. It was claimed that CROWCASS had been responsible for the discovery of 145 war criminals, but it is doubted that even half that number were found through the agency. Chronic food shortages in the winter of 1946-1947 and administrative problems resulted in the release of thousands of

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detainees, including two thousand interned concentration camp guards who had not been claimed by another country and against whom no evidence of a specific crime was adduced for trial by a German tribunal.

The record clearly indicates that the British Army on the Rhine (BAOR) had little heart for war crimes trials, and indeed, that there was a certain sympathy for German generals, which grew as antagonism towards the Russians increased. By mid-1947 the Commander of the BAOR was pleading for an end to the trials, and temporarily halted extraditions from the British zone. The Americans announced that extradition from the American zone would cease altogether after November 1, 1947 and the Judge Advocate General was ordered to end all war crimes trials by the end of the year -- leaving some 700 murders of American airmen still uninvestigated. The war crimes program was hurriedly wound up and thousands of war crime suspects were set free without being tried even in cases where evidence against them was substantial. In an interview with Tom Bower in 1980, Colonel Clio E. Straight, in charge of American prosecutions of war criminals, observed:

> I was ambivalent whether we should carry on or quit. We had established the principle and to carry on and to try thousands would have been expensive. No special effort was made. There was no method, no discussion about handing cases or bodies over to the Germans. We just plain turned them loose.(105)

Expediency was the order of the day. A refugee in a D.P. camp recognized and denounced five former Latvian SS officers, allegedly responsible for atrocities in Warsaw and Riga, to the American Army Headquarters in June 1948. The reply was as follows:

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> With the exception of atrocities committed in concentration camps which were located in the US area of control or overrun by US troops, the war crimes activities of this headquarters do not entail prosecutions of criminals who committed offenses against the civilian population of other countries...We thank you for bringing this matter to the attention of this headquarters.(106)

Three German field marshals and one general against whom there was strong evidence that they had given orders for the mass execution of civilians and the murder of Russians prisoners of war were under arrest by the British. There was much public sympathy for the four generals and a great deal of indignation about bringing them to trial as late as the fall of 1947. Churchill's words in the Commons debate on the Government's decision on whether to hold the trial reflected the new mood:

> Retributive persecution is of all polices the most pernicious...Our policy should henceforth be to draw a sponge across the crimes and horrors of the past -- hard as that my be -- and look for the sake of all our salvation towards the future. There can be no revival of Europe without the active and loyal aid of all the German tribes...(107)

The trial was held in spite of considerable criticism. Von Manstein, a key figure was imprisoned in a fortress with his family and a secretary to help him write his memoirs. He was released in 1952, and soon became a consultant in the rebuilding of the German army.

A summary provided to the Deschênes Commission in September 1985 by the British Army Historical Branch notes that the key policy decisions in the U.K. with regard to the subject of the cessation of prosecution of suspected war criminals were taken by the "Overseas Reconstruction Committee". The ORC was a

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Cabinet Committee consisting of, among others, the Prime Minister, the Foreign Secretary and the Service Ministers. The ORC had agreed at a meeting on April 12, 1948 that no further trials of war criminals should be started after August 31, 1948, though trials started before that date would be completed, and the Foreign Office advised the Dominion governments of this decision in a telegram dated July 13, 1948. As a justification of the decision, the telegram commented that

> punishment of war criminals is more a matter of discouraging future generations than of meeting out retribution to every guilty individual. Moreover in view of future political developments in Germany envisaged by recent Tripartite talks, we are convinced that it is now necessary to dispose of the past as soon as possible.(108)

In August 1948, the Commonwealth Relations Office informed the War Office that the Dominion governments had replied agreeing, or at any rate not disagreeing, with British proposals. External Affairs' response to the telegram -- "no comment", -- is no surprise. The Canadian government for its part had already taken the decision as early as December 1945 to wind up by May 1946 investigations with regard to war crimes against Canadian personnel (see pages 49 ff.). There was never any question of the Canadian government conducting or being involved in investigations regarding other war crimes or crimes against humanity perpetrated against people other than Canadians. The message contained in the 1948 telegram from the Foreign Office was very much in keeping with the main thrust of British and Canadian government policy over the previous two years, as discussed above.

The impression one gains from the archival record is one of reluctance on the part of the Allies, and of Britain in particular almost immediately after the war, to continue with war crimes trials. King was very much influenced by British

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attitudes in this matter. A memorandum from the Canadian High Commission in London reporting to Louis St. Laurent on a speech by the British Foreign Secretary, Ernest Bevin, brings together the principal factors which conditioned the mood and policy in Britain with regard to continuation of war crimes trials from 1945 on.(109) The memorandum deals with three issues: Palestine, the policy of the Western Allies in Germany, and the much publicized trial of the German generals. With regard to the first issue, the Foreign Office was not anxious to elicit sympathy for the wartime suffering of the Jews and thereby invite public pressure to open Palestine to Jewish immigration. With regard to the policy of the Allies in Germany, the focus was primarily on the rehabilitation of the German economy and industry. With regard to the trial of the German generals -- to whose headquarters the Einsatzkommandos from Eastern European regularly reported their activities and from whom they had received full cooperation in supplies, transport, manpower and intelligence -- the Foreign Secretary was "rather unsuccessful in stilling the many voices of disapproval which have been raised against the government's intention to bring to trial at this late date (1947) three aged German Field Marshals and one general."(110) Commenting on the fact that many people suspected that the motive for holding the trials was pressure from the United States, the High Commissioner's note continues: "indeed, the only aspect of this question which evoked approval was the statement that this would be the last trial to be conducted by a British Military Tribunal in Germany".(111)

The Clemency Act passed in January 1951 by the US High Commissioner in Germany, John J. McCloy, resulted in the early liberation of the majority of the remaining accused. Typically, while ~~these~~ the unpaid ato postwar trials did deal with crimes committed in Eastern Europe (i.e. the Einsatzgruppen Case, July 3, 1947 to April 10,

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1948 which detailed atrocities against Jews in the conquered eastern territories) -- they were concerned with SS and Gestapo men, and not with non-German collaborators in the crimes.

Later war crimes trials in various countries

A number of countries occupied by the Nazis continued to conduct trials of Nazi war criminals and their collaborators. In accordance with extradition agreements several hundred Nazi war criminals were extradited to the legal authorities of the countries in which they committed crimes -- though, to be sure, extradition activities were conditioned by Cold War considerations and continued only until 1950. A relatively large number of individuals were tried in Poland, Czechoslovakia and Hungary. Trials were also held in Holland, Belgium, Denmark and France. A relatively substantial number of individuals were convicted and tried for war crimes in West Germany from the close of the war until 1952 during the denazification period. Though no reliable data is available, drastic measures were taken in the GDR in the immediate post-war years, with an estimated 150,000 people interned in former Nazi concentration camps which were not dissolved until 1950. After 1953, "denazification" came to an end in both West and East Germany. Many who might have been convicted and tried earlier were able to flee Germany to resettle elsewhere. After a period of inactivity, West German authorities resumed an interest in the issue of war crimes in 1958 with the establishment of the Central Agency of the Ministries of Justice of the States in Ludwigsburg, and with the famous Ulm trial held in 1958 against the members of the Einsatzkommando Tilsit, which operated in Lithuania. German courts were not bound by the Nuremberg precedent according to which membership in a Nazi organization was sufficient for a prima facie case -- it first had to be proven that an individual defendant committed acts of murder or was an accomplice to these acts. The tendency in West Germany, particularly in the earlier years, was to exonerate

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criminals from severe punishment or to acquit them on the basis that they had committed these acts out of "an error of conscience", or that they were acting under "superior orders", or that for medical reasons they were unable to face the tensions of court proceedings.

The impact of the Eichmann trial in 1961 in reviving interest in the issue of Nazi war crimes and the Canadian government's reaction to the trial are discussed in Chapter XI of this report.

SUMMARY:

While the trials served the important purpose of documenting the Nazi period, punishing the guilty seemed an overwhelming task. The majority of those involved in war crimes went unpunished, and either reintegrated into German economic and public life or resettled in other countries. The focus of the war crimes trials was on the leaders, the planners, or the commanders who directed the killing operations. It was more difficult to document the crimes and apprehend those lower down in the hierarchy, instrumental in carrying out the policy -- those directly guilty of murder. Many of the non-German collaborators in massive war crimes and crimes against humanity in the conquered territories -- Croats, Ukrainians, Latvians, Lithuanians, Poles, etc., who participated in carrying out the policy to annihilate the Jews of Europe, to murder prisoners of war and local civilian populations -- were not handed over to the Russians and were included in the masses of people to whom the Allies accorded the right not to be repatriated. They merged with the displaced persons and the resettlement movement, acquiring asylum in the United States, Latin America, Syria, Australia, Canada, and elsewhere. The pattern of entry into Canada of displaced persons and, possibly, war criminals is the subject of the next section.

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CHAPTER II: Displaced Persons and Refugees in Postwar Europe: The International Setting and its Impact on the Canadian Immigration Experience

Introduction:

Canadian government policy with regard to displaced persons and refugees in the postwar period evolved in three stages. In the first, from 1945 to 1947, there were severe restrictions on immigration -- excepting a few preferred groups, such as the British, American, Scandinavian and French -- continuing a policy in place since the 1930s. In the second stage, from 1947 to 1952, DPs and refugees were admitted under specific immigration schemes and programs, designed with caution and selectivity according to perceived economic needs and distinct ethnic preferences. In the third stage, from 1952 onwards, 'displaced persons' came to be treated along with other prospective immigrants, under general, more open immigration criteria.

For the first two periods in particular, the Canadian immigration story (described in Chapters III to XI) is embedded in the framework of the broader international setting regarding policies for resettlement and practices in processing, screening and actual relocation of DPs/refugees. Though there was very little immigration of DPs/refugees to Canada in the 1945 to 1947 period, Canada played a role -- albeit a modest one -- in the establishment of agencies mandated to provide relief and to assume responsibility for war refugees and displaced persons.

While to a certain extent Canada participated in and contributed to international relief efforts in order to promote action by international bodies and to avoid having to take refugees/DPs into Canada itself, the Canadian government was in

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the process exposed to and conditioned by international pressures and deliberations on the DP/refugee issue, particularly those relating to the intensifying Cold War and to British policy regarding Palestine. Canada came to be directly affected in other, more lasting ways. The agreements negotiated by the various governments and the criteria established for the processing and screening of refugees by the earlier international agencies -- the Intergovernmental Committee for Refugees (IGCR), the Displaced Persons Section of Supreme Headquarters Allied Expeditionary Force (SHAEF), and the United Nations Relief and Rehabilitation Administration (UNRRA) -- were inherited by the International Refugee Organization (IRO), which in the course of its career, from July 1947 to March 1952, played an important role in the movement of 124,000 DPs/refugees to Canada.

The section which follows provides a sketch of the international refugee agencies, their mandates, experience and legacy, with particular emphasis on Canada's participation in the establishment and work of these agencies and the impact which they had on the Canadian DPs/refugee immigration experience.

Who were the Refugees/Displaced Persons?

In addition to the millions of Europeans who perished in the course of World War II, some thirty million were uprooted as a result of the war. Of these some seven million displaced persons found themselves at war's end in the territories occupied by the Allied armies. These displaced persons included a very wide range of individuals: liberated slave labourers, who had been brought by the German army from across Europe to work on farms and in factories in Germany; Eastern Europeans who had volunteered in the early 1940s to help with the German war effort, and who fled westward before the advancing Russian army, preferring their chances in the West to those they would face in

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Eastern Europe; ethnic Germans (Volksdeutsche) who either had joined the Reich voluntarily, or had been incorporated into it by force in accordance with Nazi government resettlement policies during the war, and later fled the Russian advance or were vengefully expelled from Eastern European territories, in keeping with the Potsdam Agreement of August 1945; former concentration camp guards, and surviving concentration camp inmates; both German and Russian POWs; Nazi collaborators and resistance sympathizers; dislocated family groups; shell-shocked wanderers; clusters of political dissidents from various countries; evacuees and civilian expellees; and other Eastern Europeans who refused to return to live under Communist regimes in their countries of origin.(1)

The Allied military attempted a classification of the masses of displaced persons, and came up with a crude but temporarily useful distinction between "refugees" -- civilians in their own countries, uprooted by war, and "displaced persons", commonly referred to as DPs -- people outside their countries of domicile, many of whom had been expelled from their countries by the Nazis and who required either repatriation or, as soon became obvious, resettlement in other countries.

In time, the terms 'displaced persons' and 'refugees' were used interchangeably, and new classifications of DPs/refugees emerged, along with assignment of responsibility for them. The most numerous group consisted of civilian victims of the war and its aftermath. Care and maintenance for this group, and of a second group, civilian or alien internees, was the responsibility of the governments of Western Europe or of international agencies. A third group consisted of enemy prisoners of war -- these remained under the jurisdiction of Allied military officials. A fourth group consisted of some

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850,000 prewar refugees and the demobilized "Free" Polish forces who continued to be the responsibility of the IGCR. (2)

The course adopted with regard to screening of persons in each of these groups in order to determine their status and eligibility for resettlement in other countries, and the results obtained, was a function of who took responsibility for them immediately after the war -- a matter which bears directly on the question of whether there were war criminals and Nazi collaborators amongst the DPs (treated below at pages 86-102).

International action on behalf of refugees and displaced persons in postwar Europe, and Canada's participation

By 1943, the problem of finding sanctuary for European refugees was becoming acute. The British government, fearing a flood of Jewish refugees to Palestine, urged the Allied governments to either admit refugees or to contribute financially toward action on their behalf. The initial preference of the American government--shared by the Canadian government as well -- was to provide financial assistance rather than to admit refugees. Agencies in place through which action could be taken included the following:

The Intergovernmental Committee on Refugees (IGCR): The IGCR, established in 1938, was the agency expected to deal with the problem of refugees and displaced persons during the early years of the war. By 1943, it became obvious to the participating Western countries, including Canada, that the IGCR was inadequate to deal with the growing refugee problem. When British and American representatives met in Bermuda in April 1943, they agreed that the mandate of the IGCR be broadened, that its finances be increased, and that membership of the Executive Committee be reorganized so as to expedite the repatriation of

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refugees. As a result, the IGCR Executive Committee, meeting in London in August, 1943, agreed to include in its mandate persons who became refugees during the war, in addition to those who fled in the prewar years, and to invite a number of governments who had not previously been members to join and contribute financially. Britain and the U.S., however, were to continue to bear the principal financial responsibility, and to dominate the policies of the agency.

With a relatively small staff, the IGCR undertook to provide temporary housing for refugees. The record of the IGCR is one of ineffectiveness, and in its preoccupation with repatriation it lacked vision with regard to the need for resettlement of refugees. Norman Robertson, then with the Canadian High Commission in London, criticized the IGCR's functions as "too narrowly drawn". It was his view that

> the statement of functions should include attempting to arrange with governments the temporary or permanent resettlement of Displaced Persons. This is going to be the vital question after the war and should be explicitly set forth.(3)

This represented a new note in Canadian considerations of the refugee issue, and was a source of concern for some government officials in Ottawa, apprehensive that Canada would be looked upon as a prime land for resettlement of DPs and refugees. The IGCR, however, soon became an empty shell and was eventually dissolved in 1946-47.

SHAEF and UNRRA: To deal with the problem of the masses of DPs/refugees in the zones of battle and in areas controlled by Allied military forces, the Allied governments had established a Refugee Section attached to Supreme Headquarters of the Allied Expeditionary Forces in Europe (SHAEF). The Refugee Section which was expanded in May 1944 and renamed the Displaced

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Persons Section (DPX), functioning as a separate branch of the American army. The United Nations Relief and Rehabilitation Administration (UNRRA), which had been established on November 29, 1943 by 44 allied governments in Washington to provide food, maintenance and relief to the millions of people displaced by the war in Europe, functioned alongside SHAEF's DPX as an administrative and subordinate branch of the military. The goal of both SHAEF's DPX and UNRRA was to provide immediate relief to the homeless, while planning large-scale repatriation of the displaced to their lands of origin. In November 1944, SHAEF and UNRRA signed an agreement by which UNRRA was placed squarely under military patronage. The army (SHAEF) was to provide food, shelter, clothing, and medical supplies, and law, order and security, to the assembly centres housing the displaced persons. UNRRA's tasks included administration of the camps, provision of supplementary supplies, recreational facilities, and health and welfare and vocational programs.

Unlike the IGCR, UNRRA soon established extensive facilities and an elaborate administrative network to care for and repatriate the DPs/refugees. In June 1945, 300 special UNRRA teams throughout non-Soviet controlled areas of Europe were locating, processing, and screening displaced persons and referring them to camps operated by UNRRA from which they were to be repatriated.

Separate camps were established for Poles, Soviet nationals, Balts, Czechs, Yugoslavs and Italians. Ukrainians were categorized as Soviet citizens, citizens of other countries, or stateless persons. The DPs were often utilized as interpreters and to staff various administrative positions in these camps -- practices which had some bearing on the relaying of information about the DPs to Allied authorities, including denunciations along ethnic lines (e.g. Poles vs. Ukrainians), but

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also permitting possible sheltering of war criminals and collaborators in the DP camps.

Repatriation: In accordance with the Yalta Agreement of February 1945, whereby the Western governments agreed with the Soviets to repatriate each other's citizens at the conclusion of the war, some six million people were assisted in returning to their homes, primarily in Western Europe, between May and September 1945. The repatriation activities, however, slowed down as it became apparent that many displaced persons of Soviet and Eastern European origin were reluctant to return to their homes -- a reality which the Allied governments and UNRRA officials were somewhat slow in recognizing. Some 2.75 million Soviet nationals, including some who were only nominally so -- were handed back to the Russians over a four month period, many returned against their will. Those who refused to be repatriated to the Soviet Union included people who for various reasons were opposed to the Soviet system; people who had volunteered for service in the Third Reich or who had fought alongside the Germans against the Russians, including, for example, the members of Vlassov's anti-Soviet army; the Cossacks mobilized by the Wehrmacht, some 30,000 of whom surrendered to the British in Italy; and the members of the Galician Waffen-SS Division, some 8000 of whom also surrendered to the British. The British and, to a lesser extent and more reluctantly, the Americans engaged in forcible repatriation of Soviet refugees in response to Soviet demands.(4)

With growing protest against forcible repatriation to the Soviet Union and news of the fate which awaited the deportees, the Americans announced a shift in policy, limiting forcible transfers to Soviet soldiers and well-known collaborators. The British, after some hesitation, adopted the same policy, leaving in the West a variety of persons, including

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an undetermined number of Nazi collaborators. Many Balts, Poles and Ukrainians were saved from repatriation to the Soviet Union by the proviso in the Yalta Agreement that the term "Soviet citizens" was to refer to those who were Soviet nationals at the outbreak of the war in 1939, thus excluding those Balts, Poles and Ukrainians originating in regions absorbed by the Soviet Union in 1939 and 1940. There was thus provision for the non-repatriation of persons who may well have feared not only an oppressive Communist regime, but also retribution for having collaborated with the Germans.

When SHAEF wound up its operations in July 1945, the British, French, and American occupying authorities took over responsibilities for the DP centres in their respective zones of occupation. After a few months of joint jurisdiction under the three Western powers, and UNRRA and the IGCR, displaced persons became, as of October 1945, the responsibility of the commanding generals in each of the occupied zones -- except for the DP centres in Italy which remained under joint Allied jurisdiction. By early 1946, after three-quarters of European displaced persons had been repatriated, UNRRA took responsibility for the approximately one million remaining DPs -- most of whom were in Germany -- by running the DP camps, coordinating the activities of voluntary agencies, and establishing an International Tracing Bureau. With a staff of 5,200 persons representing thirty-three nationalities, UNRRA carried out its activities with a budget covered 75 per cent by American funds and almost 25 per cent by British funds, thus being conditioned by American and British interests and perceptions in handling the DP/refugee problem.

The record of UNRRA, however, was one of confused and inadequate policy, poor administration, incompetent personnel, and corruption. Investigations indicated lavish expenditure and involvement by UNRRA staff in black market trading and

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profiteering.(5) These and other failings affected the screening of DPs (as discussed below), and led to the according of DP status to persons of questionable eligibility for UNRRA assistance and, later, for IRO resettlement programs.

The vacuum created by UNRRA incompetence was filled by the American army, without much improvement for the lot of the displaced persons. The army imposed rigid discipline in the camps, and as General George S. Patton advised, the DPs were to be treated as prisoners and put behind barbed wire. If not, he said, "they would not stay in the camps, would spread over the country like locusts, and would eventually have to be rounded up after quite a few of them had been shot and quite a few Germans murdered and pillaged."(6) Stories circulated about a distinct lack of empathy with Jewish concentration camp victims regarded as a rather strange breed, and about instances of favoured treatment of former Nazis and collaborators, particularly those of Baltic origin.(7)

Lieutenant General Sir Frederick Morgan, who headed UNRRA's German operations, was very critical of the organization, which he referred to as "that adventitious assembly of silver-tongued ineffectual, professional do-gooders, crooks and crackpots"(8). At the same time, he was very unsympathetic towards Jewish refugees who "infiltrated" into the Allied zones following the pogroms they encountered upon their return to Poland after the war, alluding to the 'dark political purposes' of the Zionists behind that migration.(9) Fiorello La Guardia, the former mayor of New York who became head of UNRRA in March 1946, was intent on eliminating corruption and inefficiency in the organization and on resettling the remaining refugees. An emmissary, whom he had sent to survey UNRRA's operations in Germany, upon his return denounced the role and approach of the

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military authorities and the incompetence of UNRRA's leadership and its apparent coddling of former Nazis and their collaborators.(10)

Between the autumn of 1945 and June 1947, when UNRRA ceased operations, more than one million DPs were repatriated. But nearly 650,000 UNRRA-supported refugees, virtually all of them Eastern Europeans, remained in the camps. Of these refugees, there were nearly 200,000 non-Jewish Poles, 150,000 Balts, and close to 110,000 UKrainians. Nearly 170,000 Jews came under UNRRA protection -- many of whom expressed the desire to go to Palestine. An additional 300,000 DPs chose to live outside the assembly centres. (See Table 1 below for breakdown of the DPs/refugees by origins and locations as DPs under UNRRA)

In terms of numbers, the Poles were the largest national grouping represented among the displaced persons. Many Poles did not want to return to Poland, whether because of reports about terrible conditions under the Soviet-dominated regime in Poland, or for other reasons.

Ukrainians constituted the second major group. Since the American military authorities had refused to recognize them as a separate nationality, they were classified as Russians, Poles, Czechs, Roumanians or "Stateless", depending on their place of birth or residence on September 1, 1939, or their personal wishes. The vast majority refused to be repatriated, fearing oppression under Soviet rule. A number of Ukrainians had voluntarily contributed to the German war effort by fighting alongside the Germans against the Russians, or by participating in militia or police units engaged in the Nazi campaign of mass murder of Jews. Such individuals would have had much incentive to change their

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names and identities and to avoid repatriation to Soviet-dominated lands after the war. It should be noted, however, that very large numbers of residents of pre-1939 USSR territories took on false identities simply to avoid repatriation.

There were 150,000 to 200,000 Balts (Latvians, Estonians and Lithuanians) amongst the displaced persons in the camps. Of these many had left for Germany voluntarily during the war or fled before the advance of the Russian armies in 1944. In 1940, the Russians had brutally deported more that sixty thousand persons from the Baltic states to the East, and when the Germans occupied the Baltic states in 1941, the Balts welcomed them. Many Balts, particularly those of German descent, had acquired German citizenship in the earlier war years; some had been sympathetic to Hitler and his policies. Many had either been conscripted or volunteered to serve in Waffen-SS units during the course of the war. A number would have directly participated in the murder of Jews in the Baltic countries and elsewhere.

The western-dominated international refugee agencies and western countries of resettlement accommodated the Lithuanians, Latvians and Estonians as nationalities oppressed by the Soviets -- to the extent of relaxing and, at times, completely bypassing security screening for war criminal background, in order not to place themselves in the situation of having to extradite these individuals to the Soviet zones. (Discussed in Chapter I, Part 2 above and at page 88 below).

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Of the approximately 40,000 Yugoslavs in UNRRA camps in early 1947, most refused repatriation. These would have included Croatian Ustashi who had murdered Jews and Serbs during the war, Serbian Chetnicks who had been friendly with the German occupiers, as well as persons simply reluctant to live under a Communist regime.

UNRRA's principal policy dilemma was that its mandate focussed on repatriation, precluding resettlement activities, while a large number of the DPs under its jurisdiction refused repatriation. The result was frequent confrontations between UNRRA officials from the democracies who advocated international assistance to all dislocated people, allowing them the choice between repatriation or resettlement elsewhere, and Soviet representatives on UNRRA's General Council who continued to maintain that international assistance should be extended only to those of their nationals who desired to be repatriated and to contribute to the work of postwar reconstruction; and that those rejecting their homelands must be suspected of holding pro-Nazi sympathies and ought to be forcibly returned to face justice.

Internal factionalism and the lack of a mandate to deal with resettlement prevented UNRRA from being in a position to resolve the dilemma of non-repatriable refugees. UNRRA was disbanded on June 30, 1947, leaving some 1.1 million refugees as the responsibility of a new refugee organization, the International Refugee Organization.

The International Refugee Organization (IRO), 1947-1952

Its establishment and constitution: The I.R.O. emerged after considerable and heated debates at the U.N. about the destiny of the remaining one million DPs who could not be repatriated. In early 1946, when the first session of the United

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Nations General Assembly met in Paris, more time was devoted to the discussion of the refugee situation in Europe than to any other question except that involving international security. (11) British representatives to the IGCR and the U.N. were particularly keen to involve the U.N., possibly with the view of diffusing responsibility for refugees who needed resettlement and widening the possibilities for resettlement throughout the world, so as to weaken the Zionist case against British restrictions on Jewish immigration to Palestine, a dominant concern of the U.K. at that time.

After a year of debate of the refugee issue, in U.N.G.A.'s Third Committee on Social, Humanitarian and Cultural Questions and in the Economic Social Council (ECOSOC), the General Assembly approved the I.R.O. constitution and its budget on December 15, 1946. The interim organization -- the Preparatory Commission of the I.R.O. (PCIRO) -- was created. The agency was to begin to function when fifteen states, contributing at least 75% of the budget, became signatories to the constitution. This occurred in July 1947.

As was the case with UNRRA, the debate on the establishment of the I.R.O. took on a Cold War coloration, as the states of origin of the majority of the displaced persons -- the Soviet Union and five East European states--presented opposing views to those presented by the states of temporary or permanent asylum -- the U.S., Britain and other Western States. Both camps held firmly to their respective views of what the role of the international community should be. As before, the Soviet camp presented the view that persons unwilling to return to their homelands would perpetuate the displaced persons problem and that any approach other than repatriation would lend assistance to war criminals and traitors fearful of returning home. The Soviet demand for return of their nationals certainly reflected a

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reluctance to see enemies of the Soviet regime resettled in the West, but it was also, at the same time, motivated to a certain extent by the determination to punish those who collaborated with the Nazi enemy and who participated in the murder of civilians. Western delegates, while careful to avoid a break with Moscow on the issue, continued to promote the establishment of an international agency to repatriate those refugees wanting to return to their homelands, while allowing those who wanted to resettle in other lands the option to do so. They therefore linked the refugee problem to the U.N. charter provisions relating to human rights, in particular to the notion of asylum.

Defining who would qualify for assistance from the proposed international refugee agency presented another difficult issue. The Soviet Union and its supporters opposed any definition likely to give refugee status to their nationals in the displaced persons camps, or to people they regarded as 'political enemies'. Western delegates strongly supported the view that the proposed refugee agency should have responsibility over nationals of any state who needed political asylum, including dissident and anti-Communist elements. All agreed, however, that relief assistance and legal protection should not be extended to war criminals, quislings, traitors and Volksdeutsche, or to Allied citizens suspected of having collaborated with former enemy governments. (12)

In the course of eighteen meetings of the Third Committee of the General Assembly, at which the refugee issue was discussed, the Soviet Union and its supporter states reiterated their arguments. Eventually the Soviets withdrew their participation, leaving the I.R.O. to become an instrument of the Western governments and with resettlement as its primary mandate.(13)

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The I.R.O.'s constitution considered as "refugees" the uprooted victims of the Nazi and Fascist regimes (including as eligible refugees Spanish Republicans and other prewar exiles); among these were also persons unable or unwilling to return home "as a result of events subsequent to the outbreak of the Second World War". "Displaced persons" were deportees and forced laborers, similarly victims of the Axis powers. Grounds for refusal of repatriation were built into the I.R.O. constitution: Refusal to return home could be based on "persecution because of race, religion, nationality or political opinion, providing that these opinions are not in conflict with the principles of the United Nations." Even more broadly, the I.R.O. would permit "objections of a political nature judged by the organization to be valid." (14)

Canada's role: Canada's position on the refugee issue favoured referral of the refugee issue to ECOSOC, rather than immediate endorsement of a specialized agency to actually begin the international cooperative work, even though the urgency of the situation was noted, in that both UNRRA and the IGCR were scheduled to terminate operations within a year.(15) This approach was in line with the Canadian government's preference to have the issue dealt with on an international level, at no great rush and with as wide participation by other countries as possible.

When the question of refugee repatriation and resettlement was referred to ECOSOC in February 1946, a special committee of 20 members, including Canada, was struck to present a plan of action with regard to the refugee question. It was debated whether the structure of the proposed international agency should be an autonomous specialized agency or a more dependent agency under the U.N. General Assembly. The U.S. led those governments favouring the specialized agency format,

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arguing that this would allow for greater freedom from governmental and political control. Canada, stressing budgetary considerations, favoured an agency within the United Nations. The Canadian delegate, Senator J.E. Turgeon, was made chairman of a sub-committee whose task it was to draw up a budget for the proposed organization.(16) The underlying message of Canadian pronouncements, in keeping with Canada's still restrictionist immigration policy at the time, was that Canada could assist in solving the refugee situation in ways other than by admitting displaced persons -- that is, by making financial contributions.

The position of the Canadian government with regard to the establishment of the I.R.O. was best summed up in a communication from External Affairs to the Canadian High Commissioner in London: "In our opinion, the problem of refugees is an international one and should therefore be dealt with on a wide, international basis with a participation of as many countries as possible."(17) Though delegating responsibility for refugees and displaced persons to the international arena, and not making any immediate concrete commitments other than the provision of funds, the participation of Canada in the establishment of the I.R.O. inevitably led to an awareness of the probable responsibilities which Canada would have to assume with regard to eventually accepting refugees for resettlement in Canada.

Functioning and accomplishments of the I.R.O.: The PCIRO began to function on July 1, 1947, after taking over some 600 DP camps and 1,600 personnel from UNRRA and 300 staff members from the IGCR. The first administrative task was to register, identify and repatriate as many displaced persons as possible. The total number of persons for whom the PCIRO had responsibility on July 1, 1947 was 1,037,404 -- some 850,000 in Germany, 148,000

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in Austria, and the remainder in Italy. Tables 2, 3 and 4 below provide a breakdown of the DP/refugees by origins and locations as DPs under the I.R.O. About 80% of the DPs (or 796,000) in some six hundred camps; the remainder lived among the general populations in the host countries. DPs from Eastern Europe comprised the vast majority of the DP population, almost 98% of whom refused to go back to their lands of origin. Location inside or outside the camps, or whether in the American, British or French zones, often determined the type of screening procedures administered prior to resettlement.

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Table I: Displaced Persons in Germany, Austria, and Italy, 31 December 1946 (18)

I. Total number

850,774 in Germany
147,864 in Austria
38,766 in Italy
1,037,404 in and out of camp.

II. Displaced persons in and out of camp

About 8 out of every 10 displaced persons lived in camps (300 alone in the US zone).

In camps	Germany		Out of camps	Total
US zone	375,931	59%	142,419	518,350
UK zone	271,088	35%	15,675	286,763
French zone	35,494	6%	10,167	45,661
	Austria			
US zone	44,933		24,867	69,800
UK zone	21,930		40,531	62,461
French zone	6,593		9,100	15,603

Italy

Not allocated by zones: 38,766 (13,591 in army camps including 3,000 estimated Royal Yugoslavs employed by British army; 25,175 in UNRRA camps exclusively UNRRA responsibility).

III. Ethnic origin of DPs/refugees in camps of all three countries.

Yugoslav	39,494
Polish	278,868
Baltic	180,838
Jewish	193,332
Western European	2,400
USSR	13,800
Other - including stateless	86,003
	794,725

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Table 2: PCIRO figures for August 1947 for displaced persons inside and outside the DP camps in Germany and Austria(19)

	Total	Germany	Austria
Total	1,214,500	837,700	376,800
United States zone	747,000	556,000	191,000
British zone	361,300	246,900	114,000
French zone	106,200	34,800	71,000

Table 3: Displaced persons in Germany, according to country of citizenship or ethnic group and zone, August 1947(20)

Country of citizenship or ethnic group	Total	U.S. zone	British zone	French zone
Total	837,700	556,000	246,900	34,800
Poles	221,400	100,500	106,300	14,600
Balts	171,000	99,500	65,600	5,900
Jews	128,100	115,800	10,500	1,800
All other	107,500	97,400	4,300	5,800
Ukrainians	86,000	57,000	29,600	----------
Undetermined	81,000	68,900	6,500	5,600
Yugoslavs	42,100	16,900	24,100	1,100

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Table 4: Displaced persons in Austria according to country of citizenship or ethnic group and zone, August 1947(21)

Country of citizenship or ethnic group	Total	U.S. zone	British zone	French zone
Total	376,800	191,000	114,400	71,400
Volksdeutsche	146,300	119,200	18,200	8,900
Sudetens	41,600	4,100	26,100	11,400
Germans	31,400	3,300	14,100	14,000
Jews	30,000	28,000	1,600	400
Yugoslavs	28,500	5,100	22,200	1,200
South Tyroleans	20,000	----------	--------	20,000
Undetermined	20,000	9,900	8,700	1,400
Ukrainians	17,300	8,400	4,200	4,700
All other	15,100	4,200	7,000	3,900
Hungarians	14,100	5,200	7,200	2,300
Poles	11,900	3,600	5,100	3,200

Religious affiliation and ethnic origin were factors of great importance in the resettlement process since church groups and ethnic agencies played an active role in the resettlement of DPs/refugees in the U.S., Canada and elsewhere. According to I.R.O. statistics on about 545,000 DPs receiving assistance from the agency on September 30, 1948, 35 per cent of DPs were Roman Catholic; 20 per cent, Jewish; 14.5 per cent, Protestant; 14 per cent, Greek Orthodox; 7.5 per cent, Greek Catholic; 7.5 per cent, not reported; and 1.5 per cent, other. The figures in the above tables do not include those displaced persons not then receiving assistance from the I.R.O., though eligible (an estimated at 300,000 to 400,000), nor those declared ineligible -- the Volksdeutsche in particular -- who were being assisted by voluntary agencies and church groups based in North and South America, such as the Canadian Council of Churches for Resettlement of Refugees (CCCRR) and its various affiliates (see pages 157-165 below).

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Table 5a (22)

RESETTLEMENT OF REFUGEES AND DISPLACED PERSONS BY NUMBER, BY PRINCIPAL NATIONALITY OR LAST HABITUAL RESIDENCE, AND BY DESTINATION DURING THE PCIRO-IRO PERIOD OF OPERATION, 1 JULY 1947, TO 31 DECEMBER 1951

Country of Destination	*Principal Nationality or Last Habitual Residence*											
	Total	*Poland*	*Ukraine*	*Yugo-slavia*	*Latvia*	*Hungary*	*Lithuania*	*USSR*	*Czecho-slovakia*	*Estonia*	*Rumania*	*All Other*
Argentina	32,712	6,563	2,283	10,105	640	3,067	603	2,071	603	201	639	5,937
Australia	182,159	60,308	19,607	23,350	19,601	13,320	10,136	4,944	9,884	5,958	2,190	12,861
Belgium	22,477	10,378	5,650	849	882	450	720	1,826	133	270	80	1,239
Bolivia	2,485	510	—	111	7	177	18	9	98	3	111	1,441
Brazil	28,848	7,770	4,609	2,587	794	3,146	398	1,427	1,499	158	1,365	5,095
Canada	123,479	46,961	14,877	9,828	8,619	7,479	8,559	8,158	5,916	4,118	2,536	6,428
Chile	5,108	516	319	867	134	574	56	320	289	26	245	1,762
France	38,445	11,882	3,342	2,085	925	3,655	434	735	1,068	179	1,558	12,582
French Morocco	1,446	166	57	40	53	106	24	67	95	11	7	820
Israel	132,109	54,904	35	83	58	7,191	1,178	1,689	1,960	2	7,260	57,749
Netherlands	4,355	2,969	118	57	117	188	37	63	365	110	19	312
New Zealand	4,837	847	179	504	545	280	242	275	336	189	918	522
Norway	1,105	232	58	121	130	55	9	41	290	37	27	105
Paraguay	5,887	1,433	146	68	33	166	19	2,665	134	19	353	851
Peru	2,340	103	86	1,492	6	117	4	33	148	4	91	256
Sweden	4,330	563	46	168	611	155	37	12	287	1,089	52	1,310
United Kingdom	86,346	35,780	15,001	9,817	8,447	3,013	3,407	459	1,956	3,418	501	4,547
United States	329,301	110,566	45,044	17,213	38,637	16,718	27,825	14,506	8,507	10,992	4,249	35,044
Uruguay	1,461	241	5	76	2	139	17	58	54	—	149	720
Venezuela	17,277	2,814	1,887	1,997	731	1,999	826	786	816	192	257	4,972
All other[1]	13,094	1,929	328	672	243	6	616	1,181	462	120	403	7,134
Total	1,039,601	357,435	113,677	82,090	81,215	62,001	55,165	41,325	34,900	27,096	23,010	161,687

Table 5b (22)

RESETTLEMENT OF REFUGEES AND DISPLACED PERSONS BY NUMBER AND COUNTRY OF DESTINATION DURING THE PCIRO-IRO PERIOD OF OPERATION: 1 JULY 1947 TO 30 DECEMBER 1951

Country of Destination	*1 July 1947 to 30 June 1948*	*1 July 1948 to 30 June 1949*	*1 July 1949 to 30 June 1950*	*1 July 1950 to 30 June 1951*	*1 July 1951 to 30 Dec. 1951*	*Total*
Argentina	12,212	14,772	2,457	2,301	970	32,712
Australia	5,702	48,923	90,774	31,876	4,884	182,159
Belgium	19,147	2,907	241	141	41	22,477
Bolivia	419	340	228	1,157	341	2,485
Brazil	3,526	16,298	4,011	2,140	2,873	28,848
Canada	25,313	40,710	19,993	21,125	16,338	123,479
Chile	1,486	392	1,939	782	509	5,108
France	16,218	18,797	2,394	823	223	38,455
French Morocco	729	444	166	91	16	1,446
Israel	16,891	99,526	10,768	4,376	548	132,109
Netherlands	3,488	559	29	212	67	4,355
New Zealand	37	1,065	66	2,512	1,157	4,837
Norway	14	176	187	156	572	1,105
Paraguay	3,047	1,927	646	157	110	5,887
Peru	1,283	844	110	95	8	2,340
Sweden	1,955	1,147	300	586	342	4,330
United Kingdom	69,457	12,263	1,242	2,911	473	86,346
United States	17,245	51,134	124,533	89,913	46,026	328,851
Uruguay	359	421	396	143	142	1,461
Venezuela	5,723	6,372	2,149	2,730	303	17,277
All other	4,427	4,540	1,736	1,822	558	13,083
Total	208,678	323,557	264,365	166,049	76,501[1]	1,039,150

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The I.R.O. developed three immigration schemes with the potential lands of resettlement, including Canada: government selection schemes; personal sponsorship arrangements through close relatives in the lands of resettlement; and selection according to special skills by employers in the lands of resettlement, usually under government supervision. Canada implemented all three schemes in its peak period of immigration of DPs/refugees from mid 1947 to 1951 (as described at pages 144-161 below). Table 5 provides a breakdown of the I.R.O.'s accomplishments in resettlement of refugees, by number and receiving country. The I.R.O. established special processing and staging camps in which government representatives, employers, and representatives of international voluntary associations in a position to sponsor refugees were provided with facilities to screen, register and medically examine thousands of displaced persons seeking resettlement. The various screening procedures and the I.R.O.'s role in the processing of prospective immigrants are described below at pages 91-98. To overcome the problem of lack of transportation the I.R.O. organized a shipping fleet of its own through long-term charters, which, for financial reasons, had to be filled to capacity for each voyage.

These various pressures -- Cold War, political, social, administrative, and financial -- to resettle and move DPs/refugees quickly had a very significant impact on the screening of individuals. This is discussed in greater detail below and in further chapters.

In Summary: The I.R.O. functioned first as a preparatory commission, between July 1947 and July 1948, and then as a specialized agency of the United Nations, between July 1948 and March 1952. Established as a temporary specialized agency of the United Nations, the I.R.O. was scheduled to terminate its functions in June 1950. However, in April 1949, the mandate of

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The I.R.O. was extended by a year to allow for further resettlement possibilities flowing from the new U.S. Displaced Persons Program. In the course of these years the I.R.O. handled approximately 1,700,000 individuals, of whom some 124,000 were resettled in Canada (see Table 5 above).

Screening by the Military, UNRRA and the I.R.O.

The allegations that considerable numbers of war criminals and collaborators merged with the general population of displaced persons and refugees in the camps were numerous and emanated from diverse sources. As mentioned above, the earliest and most persistent came from the Soviets who in their drive to repatriate their nationals claimed that all those who refused repatriation were war criminals and traitors. From 1945 onwards there were also a considerable number of reports from American military personnel, touring Congressmen, relief workers, and journalists, to the effect that the perpetrators of war crimes were sheltering among the DPs. An army report of August 4, 1945, noted that some 200,000 DPs had applied for German citizenship before the war had ended. (23) After inspecting UNRRA DP camps, Ira Hirschmann recorded in his report the frustration of camp officials at seeing Jewish survivors of Nazi terror lumped together with "collaborationists of every hew who populate DP camps throughout Germany, Austria and Italy".(24) Reporting from a camp populated by Baltic DPs in October 1945, Drew Middleton of the New York Times reported that "many thousands of former allies of Germany are being well fed and housed" by the American military "in camps for collaborators". An official army investigation a few months later confirmed Middleton's allegations: "in two camps containing Baltic nationals at Mainfranken, a majority of those investigated were found to consist of voluntary pro-Nazi exiles."(25)

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Abraham Duker's submission to the American Congress during the debates preceding the Displaced Persons Act of 1948 sought to raise public awareness of the fact that "amongst the many bona fide displaced persons in European camps were a considerable number of Nazi collaborators -- individuals who had voluntarily served in the German armies".(26)

Memoirs of survivors include accounts of recognition of murderers or camp guards in the DP camps, and of the absence of follow-up after reporting such incidents to camp authorities. The lists compiled by the War Crimes Section of the Central Committee of Liberated Jews in Germany, which functioned between December 1946 to December 1949, included names of alleged perpetrators of crimes denounced by surviving victims. According to Joseph Riwash, who headed the above-mentioned war crimes investigation office, it was extremely difficult to arrest these individuals given that "the management of the camps which was in the hands of the same nationals as those who were sought, refused to cooperate..."(27)

Ethel Ostry, a Canadian who worked at the Gauting Sanatorium which housed DPs under UNRRA care, recorded in her diaries the laxity of screening procedures with regard to Nazis and Nazi collaborators.

> The DP patients who were aware among themselves which ones were collaborators, regarded with ironic humour the laxity of the screening process. But the result was no joke. Groups of patients who were known as hardened Nazis were confirmed in their DP status and took advantage of having passed the test to harass and even steal from other patients. They were arrested by the DP police in the sanatorium. The DP police asked the military authorities to deal with them on the ground that they were a threat to security in the sanatorium as well as undesirable politically, but the military would take no action.(28)

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At one point she was told by an American Lieutenant in charge of interviewing DPs that people of Russian origin (Ukrainians, Byelorussians, etc.) were seldom screened out, because then they would immediately be sent to the Soviet border for repatriation, where "they'll be shot as soon as we leave them. It's just a waste of fuel to transport them to the border. So I hardly ever screen out any Russians." The term "Russians" included Ukrainians, Byelorussians and Balts. This sudden cessation of screening of DPs of Eastern European origin was reported in January 1947 the New York Herald Tribune as follows:

> Political cross-examination by certain UNRRA teams of anti-Soviet Polish and Baltic displaced persons, possibly designed to elicit information valuable to Warsaw and Moscow, has been called off at the request of United States Forces, European Theatre Headquarters, a G-5 spokesman disclosed.(29)

Ostry's diaries then describe the Gauting Sanatorium under I.R.O. jurisdiction in June 1947, when Canadian immigration teams came to recruit labourers for various industries. It was her observation that the political screening which this team undertook

> concerned itself little with the fascist activities and opinions of the DP's but laid emphasis on the strength of their anti-Soviet sentiments. I was shocked to find that one of the women working in Gauting Sanatorium, well known for her past Nazi activities, who had been screened out as a collaborator by the American military team and lost her DP status, but remained employed under the status of German personnel, was accepted for resettlement in Canada. As required, she signed a contract to work as a domestic at the rate of $35. a month for a year, at the end of which time she could if she chose enter other employment. I pointed out to the Canadian immigration representative the fact that the woman had been deprived of her DP status and asked how she could be considered eligible for resettlement in Canada. In spite

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> of this, the woman gaily announced to me a few days later that she was about to leave for Canada.(30)

In contrast, Ostry records the case of a young Jewish man who applied to go to Canada as a lumber worker, was accepted, but then had to wait for a long time for word as to what ship he was to take. He then went to the Canadian Immigration Headquarters in Munich to make inquiries, whereupon the head of the Canadian team told him frankly that "his instructions were to countermand the selection of Jews as lumber workers in Canada".(31) The role of ethnic preference in determining who came to Canada under the specialized immigration programs is discussed below (at pages 120-135).

A Jewish DP of Lithuanian origin, admitted to work in a Canadian lumber camp, wrote in May 1948, to a friend, Ada Siegel, involved in work on behalf of Jewish DPs in the U.S. about his experiences:

> It is quite true that among the new immigrants there is certainly a large percentage of former Hitler agents. I myself have recognized a Lithuanian who used to be a German agent in my own hometown, Vilno. They used to be called Khapens and their job was to go from house to house and collect Jews, ostensibly for labor. In reality those Jews would be taken to the Lukishk Prison and from there to Fanar, some 8 kilometers outside Vilno where they were all shot down. And this Lithuanian was in my house too collecting all Jewish men for "labour". I managed to escape in time.(32)

Mrs. Siegel sent this letter to Hugh Keenleyside, Deputy Minister of Mines and Resources, regarding which he responded:

> It is also, I think, unfortunately true that some collaborators have slipped through our screening processes in Germany and we have even heard of an occasional SS man who has succeeded in entering Canada this way.(33)

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Most of these allegations were of a very general nature, and were not followed up for factual assessment of the extent of criminality or collaboration. They do point, however, to the strong likelihood that war criminals found their way to lands of resettlement in the flow of DP/refugee immigration. Together with the story of inadequate security screening procedures by Canadian officials, and irregularities in the processing and identification of DPs/refugees by the international organizations -- described in the next sections -- there can be little doubt that war criminals could have and are likely to have come to Canada in significant numbers in the postwar years.

UNRRA's Screening Procedures:

While the bulk of DP immigration to Canada did not take place until the PCIRO/IRO period, the UNRRA camps were inherited by the PCIRO, and identification credentials provided to persons in the camps by the military and UNRRA continued to be valid under the PCIRO's jurisdiction after July 1947. UNRRA screening procedures were therefore of some importance to later immigration to Canada.

The official UNRRA and military eligibility criteria for displaced persons in the Western zone of Germany for the period July 1946 to July 1947 specifically declared the following categories as ineligible for both UNRRA and military assistance: war criminals, collaborators, quislings or traitors of whatever race, nationality, or religion; enemy or ex-enemy nationals (with the exception of persecutees) of Austria, Bulgaria, Germany, Hungary, Japan, Roumania; impostors; and Volksdeutsche or ethnic Germans, regardless of their former nationality (unless persecutees), and ex-Wehrmacht personnel of non-German nationality or Stateless.(34) While the category of war criminals, collaborators, quislings or traitors was considerably

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expanded by instructions issued to Military Intelligence Personnel charged with apprehending such persons, there was a considerable gap between guidelines and practice, as discussed below.

UNRRA's screening operations were confined to determining the eligibility of DPs for admission to an UNRRA camp. The screening was done by the Care and Eligibility Department of UNRRA by means of a questionnaire which the DPs were to fill out, which became the basic document for determining their eligibility for UNRRA care and, in all likelihood, their inclusion in the I.R.O.'s mandate shortly afterwards. This was the first stage of the screening of all DPs, except for Wehrmacht personnel, for whom there was a twofold process: persons, such as Balts who had served in the German army, were given a discharge certificate by the Allied Military authorities before taking off their German uniforms. According to guidelines, the ex-Wehrmacht personnel were then screened again by the military authorities to determine their status on four counts: as collaborators, as war criminals, as volunteers for the German army, and as Volksdeutsche. If they received a clean bill on all four accounts, they were given a certificate and then proceeded to fill out the questionnaire in the same manner as other DPs. An UNRRA Screening Panel then reviewed the questionnaires and divided the DPs into three groups: those clearly eligible for admission to DP camps; those clearly not eligible for UNRRA care; and all the doubtful cases. The recommendations of the Regional Screening Board were then passed to the military government authorities who alone had power to cancel a person's DP status.(35)

By July 1946, when the eligibility questionnaires were standardized, a number of persons found to be clearly ineligible began to be evicted from UNRRA centres. Evicted persons were made the responsibility of the German authorities, who then

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listed them for employment and issued them with ration cards. There is no indication of any routine practice to hand over persons evicted as war criminals or collaborators to authorities mandated to apprehend and prosecute them. There was general reluctance to apprehend suspected Eastern Europeans, whose repatriation to Soviet and Soviet-dominated countries would then be demanded. Suspect individuals amongst German and ethnic German refugees were transferred to the nearest German operated refugee camps, where various voluntary and church organizations actively arranged for relief and resettlement of the widest possible numbers, at times overlooking guidelines with regard to Nazi or war criminal background.(36)

In addition to unstated policies with regard to screening of Eastern Europeans, discussed above, there were other loopholes. There is no indication in the guidelines that persons other than ex-Wehrmacht personnel -- for example, persons who served in various militia and auxiliary police units -- were also subject to screening for collaboration or war criminal background. Also, as described in Chapter I, Part 1 above, the military's primary concern was to screen DPs for security purposes -- that is, to weed out those who might pose a threat to the occupying authorities. Moreover, the combined factors of absence of documentation in most instances and the lack of adequate machinery to investigate war criminal background would have provided a considerable enough gap through which war criminals and collaborators could have infiltrated into the UNRRA DP camps, though strictly speaking, according to screening guidelines, such background, if known, should have made them ineligible for UNRRA assistance. There was the additional factor of ineptitude and corruption amongst UNRRA staff which would have aided those seeking to circumvent regulations. (37)

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The inadequacy of UNRRA screening during this period was underlined in the 1948 American Report of the Committee on the Judiciary on the subject of displaced persons in Europe.(41) The report recorded that UNRRA security officials interviewed were in agreement that

> the administrative facilities now available and the zonal restrictions make it difficult for a thorough investigation to be carried out. The statements made by the applicant in his written application, together with his oral statement, must be relied upon almost entirely.(38)

According to the same report, access to official records or witnesses in the Russian zone was precluded and the practice of false and fraudulent immigration documents was prevalent and on the increase:

> American consular officers expressed alarm because of the wide-spread use of false and fraudulent documents in support of applications for visas. Testimony of consular officials was that an estimated forty per cent of applications for visas filed by displaced persons in Germany and Austria which were being processed were found to be fraudulent or supported by fradulent documents.(39)

The false certificates of residence, for example, which were meant to establish eligibility on the grounds of presence in the American zones prior to President Truman's directive date of December 22, 1945, had been supplied, it was discovered, by camp leaders who in many instances were of the same ethnic origin as the DPs on whose behalf they acted.

The status of the Balts in relation to UNRRA's eligibility criteria was complicated: although Estonia, Latvia and Lithuania were not members of the United Nations, their nationals were treated as such by the Western allies and UNRRA. There were cases of evictions of ethnic German Balts,

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particularly if they were known to have voluntarily applied for migration and German citizenship in 1939-1940. It was possible to check such information in the German records of the "Immigrants Central Bureau", which were in the hands of the U.S. zonal authorities. Balts who had clearly served with the German forces were declared ineligible by UNRRA, but treated as eligible in the British zones. There was, however, little inclination in any of the Western zones of occupation to screen for Balts who were not ethnic Germans and who may have served in native Baltic auxiliary police units who had engaged in massacres of Jews, rather than in the German forces as such.(40) The same absence of screening would have applied for members of those Ukrainian police units who accompanied the Einsatzgruppen in their mass murder sweep in Eastern Europe in 1941-1942, while not officially incorporated into the German military.

Screening Procedures in I.R.O. Camps:

The I.R.O. Constitution elaborated in detail the categories of persons who were not to be the concern of the organization -- including, inter alia, war criminals, quislings and traitors; persons who assisted the enemy in persecuting civil populations of countries, members of the U.N.; ordinary criminals extraditable by treaty; and Volksdeutsche.(41) Basing itself on several resolutions adopted by the U.N. General Assembly in 1946 to the effect that war criminals, quislings, and traitors should be screened, surrendered and punished, and following the definition of war criminals laid out in the Nuremberg Charter, the I.R.O. Constitution developed detailed criteria for screening purposes.

These criteria, nevertheless, allowed for considerable loopholes which were then incorporated into the I.R.O. Officers' Eligibility Manual. While declaring that the limited number of

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war criminals actually convicted by a court of justice were clearly not within the I.R.O. mandate, the Manual observed that the crimes committed during the war were overwhelming, amounting to hundreds of thousands and that it was beyond the I.R.O.'s capacity to maintain track of them. The UNWCC in London, it was noted, had already compiled a list of thirty-two thousand names of persons against whom a prima facie case had been found to exist, concerning

> mostly Germans (including Austrians) but also Hungarians, Bulgarians, Italians, Roumanians, Albanians, and Japanese and also a small number of persons of Allied nationality who were accomplices or principals who had -- or had not -- taken service with the German army or administration and who may -- or may not -- have acquired enemy nationality.(42)

Daunted by the overwhelming numbers, the focus was on Axis nationals. No mention was made in this regard of Balts or Ukrainians or Byelorussians who took direct part in the massacres in Eastern Europe. Even for war criminals of Axis origin, while acknowledging that the vast majority of suspected war criminals would still be at large, the Manual's guidelines indicated that

> the IRO is not equipped to conduct criminal investigation; moreover it would be impossible to expect from Eligibility Officers in the Field that, in respect of each applicant, they should consult the bulky UNWCC lists and other lists of wanted persons, to ascertain whether his name figures on them. This would cause delay and unduly hamper the proceedings.(43)

It would therefore appear that checking of applicants against existing lists of war criminals was certainly not routine, and that it was left to the individual officer in the field who, if in doubt concerning an individual, could -- if he so decided -- refer the case to the I.R.O. Headquarters of the Zone where a set

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of lists was available, or to the authorities of the country where the individual was residing at the time of the commission of the crime.

This latter provision of course ruled out screening for possible war criminals from Eastern European countries which were not cooperating with the I.R.O. Even where the I.R.O. officer took the trouble to consult the 'bulky UNWCC lists', the names of war criminals of Baltic, Ukrainian, or White Russian origin did not figure on them since these people were former Soviet nationals and the USSR did not participate in the work of the UNWCC. (as discussed in Chapter I, Part 1 above)

In fact, the Manual made clear that the I.R.O. was not particularly enthusiastic about screening for war criminals. While acknowledging that the Moscow Agreement required "any war criminals found in Displaced Persons Camps to be turned over under guard to the Military Command of the countries concerned upon due request, and upon production of satisfactory evidence...", this did not mean, the guidelines asserted, that the

> IRO should arrest even war criminals, far less surrender them, except when IRO has been expressly given authority to do so. The local governmental or occupational authorities should be informed of their presence and it is for them to arrest any war criminals who might be found in the Displaced Persons Camps.(44)

Even in cases where local governmental or occupational authorities were informed, the likelihood of apprehension and punishment was minimal. In cases where an applicant was identified as one whose name was on the UNWCC lists, the I.R.O. guidelines indicated that he should be informed verbally of the reasons why he was not within the I.R.O. mandate, but that the rejection form should only state "not of the concern of I.R.O. --

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Part II (1), without further comment."(45) There is no indication here that the official was about to refer the name of the individual to any police authorities. A sample case listed in the manual is worthy of mention: a Roumanian petitioner who claimed to have been deported in 1941 for forced labour in occupied Russia and later to Berlin, produced a different story when questioned again, and in the end admitted to having followed German troops whilst in the Todt Organization (the Reich agency in charge of construction), and this, according to the Manual, was "considered to be a strong presumption that he was actually in the Roumanian Legion of Fascist volunteers".(46) One is left wondering whether the individual in question was handed over to any other authority, or whether -- the more likely course -- simply 'let loose'.

The guidelines mention in passing that there were also CROWCASS lists in Berlin at U.S.A. Headquarters. It was clear, however that consultation of these lists was not routine, but rather up to the individual officer's initiative and decision. With regard to traitors and quislings, defined as "key persons of governments or semi-governmental organizations which were in sympathy with and actually helped the Nazis",(47) the I.R.O. guidelines handed responsibility for determining which persons were to be regarded as quislings and traitors to the various governments concerned. The eligibility officer was required to check whether the individual's name appeared on lists of persons wanted for indictment or trial by local governmental or occupational authorities. The I.R.O. officer was not empowered to arrest the individual upon request of another power.

The guidelines with regard to excluding from the I.R.O. mandate any persons who could be shown to have "voluntarily assisted the enemy forces since the outbreak of the Second World War in their operations against the United Nations", indicated

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that such assistance "must have been voluntary, and given deliberately and of their own free will by the persons concerned, with a specific purpose of aiding the enemy in their military operations against the Allies".(48) The guidelines went on to say that "persons who have been conscripted, (e.g. Balts, Poles, Luxembourgers, etc.) are not to be considered as having voluntarily helped the enemy, even if they fought in enemy forces."(49) The inference that Balts, for example, who served in the German forces were all forcibly conscripted is not historically correct. Many were conscripted, and many volunteered. One need only consult the German records on the Estonian SS Legion, or the history of the Latvian SS Legion compiled by the veterans themselves. While the guidelines indicated that the eligibility officer ought to obtain information concerning the date on which an applicant took service, in order to determine whether he had been a volunteer or forcibly conscripted, the comment was added that "neither conscription nor voluntarily enlistment are by themselves sufficient proof of attitude toward the enemy". Determination of "attitude toward the enemy" was left to the discretion of the I.R.O. officer on duty. It would indeed be surprising, if, in a sample case included in the I.R.O. manual regarding a Latvian petitioner with a blood-group scar indicating membership in the Latvian SS Legion, the I.R.O. officer would have felt the need to question evidence produced that the individual was in civilian life in May 1944 after conscription was imposed, or to question him with regard to the possibility that he may have belonged to police units in 1941 at the time of the large-scale massacres of Jews and 'partisans' in Lithuania before returning to civilian life by May 1944.(50)

Actual practice in I.R.O. screening for war criminals and collaborators was superficial, and according to a number of accounts, at times corrupt. One employee of the American DP Commission who worked closely with I.R.O. staff resigned in

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disgust, calling the I.R.O. certification process "a complete racket". Many of the I.R.O. clerks, he charged, were former collaborators themselves who coached the applicants in the techniques of successful deception or who simply filled out the papers on behalf of applicants, submitting them for rubber-stamp approval by unsuspecting I.R.O. officials.(51)

Canadian officials were aware of these malpractices. A report submitted by the RCMP to the Security Panel in April 1948 described irregularities in the screening practices prevailing in the DP camps. The report expressed particular concern about Communist infiltrators, but acknowledged that Nazis may very well have been receiving help from the I.R.O. in their resettlement, and that, more generally, I.R.O. officials were suppressing information concerning candidates for immigration to Canada. The RCMP report asserted that I.R.O. officials administering the DP camps

> do not cooperate in screening DPs presenting themselves for selection. In fact, if a DP is rejected by <u>one country</u> on account of his political or criminal record, the IRO will conceal this fact and have the DP present himself to the screening team of <u>another country</u>.
>
> There are grounds to believe that IRO officials have facilitated the movement of high ranking Nazis from Germany.
>
> IRO in some camps is also infiltrated by Communists and Communist sympathy, if not membership, seems to be an important qualification if the DP hopes to be selected for movement abroad.
>
> The RCMP have investigated and reported on cases where IRO doctors falsified medical records and switched X-Ray plates in order to facilitate acceptance for movement of DPs who would otherwise have been rejected on medical grounds by National Screening Teams.(52)

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I.R.O. guidelines with regard to the Volksdeutsche declared them ineligible, but indicated that they "should not be excluded as having voluntarily assisted the enemy forces", but remain "in suspense" as Volksdeutsche. By the end of 1948 the Volksdeutsche were declared as eligible for I.R.O. assistance.

The leniency in interpretation of the guidelines in relation to the Balts in particular, whether with regard voluntary or conscripted military service, or with regard to the extent of participation in war crimes, stands in stark contrast to the brief histories of the wartime experience of these groups, appended to the same I.R.O. Officers Eligibility Manual. The conclusion one may draw is that there was considerable awareness of the historical facts which for reasons of policy one had the discretion to overlook.

The manual contains damning -- and by and large historically accurate -- accounts regarding the criminal activities of pro-Nazi fascist groups in Hungary, Roumania, Ruthenia, the Ukraine, and the "independent state of Slovakia" under German tutelage; the experience of the Volksdeutsche; and the participation of Estonians, Lithuanians, Latvians and Ukrainians in massacres of Jews.

With regard to the Estonians, the Manual states that immediately after the occupation of the Baltic States, the Germans re-organized the local civic police forces into semi-military units called "Schutzmannschaften", which were mostly composed of volunteers, although some persons were conscripted; that at first these units acted as normal police but that later they were used to fight the Russians and eliminate Jews:

> some found their way into the S.S. Legions... soon after the Germans marched into the Baltic

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> States some Baltic nationals volunteered into the so-called Selbschutz or Partisan units whose self-appointed tasks were to help evict the Russians and to persecute Jewish populations.(53)

With regard to the Latvians, the Manual describes the various Latvian units which were formed, including the Schutzmannschaften of which there were about thirty -- each three hundred to four hundred men in strength. The Manual asserts that "evidence indicates that a large number of this group were volunteers" and that a number of SS Polizei regiments were formed in 1941 which also consisted of volunteers, and that these, in addition to an unspecified number of individual Latvians, worked in conjunction with the Einsatzgruppen whose functions were "to break the resistance of the populations lying behind the German Armies in the East and to exterminate the Jews in those areas".(54) As for Lithuanians, the Manual's historical account covers only a fragment of the story, focussing primarily on the large-scale voluntary migration to Germany in 1941 and the "ill fated attempt" to establish a Waffen-SS for which 30,000 volunteers came forward but which was soon disbanded. (55)

In justification of the I.R.O.'s initial exclusion of Volksdeutsche from its mandate, the Manual's account states that "many of the Volksdeutsche in countries other than Germany succumbed to the Nazi propaganda and became the fifth column in those countries", and that native populations embittered against them expelled them after the end of the war.(56)

However, despite these accounts, the I.R.O. lacked initiative and interest in identifying war criminals -- an attitude perhaps reflected in the introductory section of the same Officers Manual on Eligibility which discusses in rather

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abstract terms the burden of proof for exclusion purposes:

> it is clearly a logical impossibility for an applicant to prove the negative proposition that he is not a person who should be excluded **(i.e. that he is not a war criminal).** Equally, it is a practical impossibility for the Organization to prove that any applicant is in fact such a person, except in the rare cases when a person's name is, for example found on the list of war criminals, **(--in fact rarely consulted)** apart from the evidence provided by the applicant himself **(-- which was usually all that IRO officials relied on).** (57)

Impact of American experience with regard to admission of DPs/ refugees on Canadian government policy

In 1947 and 1948 Canadian officials closely watched developments with regard to DP immigration south of the border. The Canadian Embassy in Washington regularly sent detailed telegrams and reports describing and analysing the proposed Bills and debates in Congress on the issue, press coverage and public opinion, and implications for Canada. (58) From the time of the introduction of the Stratton Bill in April 1947, which provided for the U.S. to assume "its fair share" in the resettlement of displaced persons in Germany, Austria and Italy, questions were raised in Congress as to whether other countries, such as Canada, were assuming their "fair share". After considerable public pressure, the State Department issued a press release on June 4, 1947 explaining the rationale for admission of displaced persons to the United States -- information which was duly transmitted by the Canadian Embassy to Ottawa. Firstly, it was pointed out, many of the over one million DPs were strongly anti-Communist. Then, four alternative courses of action were presented: forcible repatriation; allowing DPs to fend for themselves; indefinitely maintaining them in displaced persons camps, which would continue their life of uncertainty while dissipating American tax dollars; or resettling them in various countries of the world. The fourth

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alternative was obviously the best solution.(59) The Bill introduced in the spring of 1948 was amended after being criticized for its restrictive clauses, and became law on June 25, 1948 as the Displaced Persons Act, which permitted the admission to the U.S. during the two years beginning July 1, 1948 of 205,000 displaced persons, including 2,000 recent Czech refugees and 3,000 orphans.

The DP Act was widely criticized as discriminatory, including by President Truman himself who signed only reluctantly. A summary of the U.S. Displaced Persons Bill circulated amongst Canadian government officials stated that the main objections voiced against the Bill were that: it provided for unjust preferences on the basis of nationality and occupation in its stipulation that 40% of persons admitted should be Balts and 30% should be agricultural workers; that the cut-off date of December 22, 1945 excluded the large number of Jewish refugees who had fled from Poland in 1946; and that the "Volksdeutche" provision -- stipulating that 50% of the combined German and Austrian quotas be made available over a two-year period exclusively to "Volksdeutche", ethnic Germans born in Poland Czechoslovakia, Hungary, Roumania, and Yugoslavia -- favoured admission of persons who in many cases were the "advance guard of Nazism" in their countries of residence.(60).

In reviewing developments south of the border, the formulators of Canadian refugee/displaced persons immigration policy saw a reflection of their own policies, and perhaps a reassurance that they were on the right track.

Conditioned by experience and practice at the international level, Canadian policy with regard to the immigration of DPs and refugees from postwar Europe -- that is, who was admitted and how they entered -- was shaped in its

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specific aspects by a long-standing restrictionist immigration policy, confronted by changing public sentiment in Canada, and by a growing lobby from within government circles, the business community, ethnic and religious groups, voluntary agencies and the media to open Canada's doors to European immigrants. This is the story of the following chapters.

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CHAPTER III

Part 1: Canadian Immigration and Refugee Policy: 1945 to 1950

The policy position, 1945-1946

Canada's participation in international discussions on the problem of refugees and in the founding and financing of international relief organizations, such as U.N.R.R.A. and the I.R.O., did not immediately translate into the opening of Canada's doors to immigration of displaced persons and refugees. Though Canada had experienced an impressive expansion of the national economy during and after the war, the government maintained its prewar restrictionist immigration policy until mid-1947.

At the end of World War II, the Immigration Act of 1910 was still in effect, and continued to be until 1952. Under that Act the Cabinet had wide discretionary powers and could issue orders-in-council to regulate the volume, ethnic origin or occupational standards of the immigration movement.

The classes of immigrants admissible to Canada in May 1946 continued to be defined by a 1931 Order-in-Council (P.C.695), restricting immigration to: British subjects ("of British descent", i.e. white); U.S. citizens; wife or unmarried child under age 18 or fiancée of legal resident in Canada; and "agriculturalists having sufficient means to farm in Canada". This restrictionist policy -- based on guidelines in place since the 1923 immigration regulations and further tightened after the Depression -- was also self-avowedly discriminatory, ranking prospective immigrants in a descending preferential scale, firstly according to ethnicity and country of origin, and only

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secondarily according to occupation. British and American immigrants were allowed unrestricted admission. Most Western European immigrants were in the 'Preferred Class', and most Central and Eastern Europeans, including Ukrainians and other Slavs, were in the 'Undesirable Class', though an exception was made for "farmers with independent means". Below the 'Undesirable Class' was the 'Permit Class' requiring a special permit for entry which only the Cabinet could grant. This class included Jews and Southern Europeans. Asiatic immigration was most explicitly and severely restricted.(1)

There were a number of reasons for a continued restrictionist immigration policy, even in the midst of the postwar economic expansion. There was uncertainty, and fear of a economic recession such as had followed World War I. Various other rationalizations and excuses for not relaxing immigration were offered, the most frequent being that all available shipping -- which was indeed scarce -- had to be used to repatriate Canadian servicemen and their dependents from Europe. In fact, the most potent factor behind the continued closed door policy was the longstanding tradition of restrictionism of officials of the Immigration Branch, and the difficulty which they and other bureaucrats and politicians had in changing their insular assessment of economic realities and their essentially racist perception of the demographic ideal for Canada.

Discrimination in immigration policy was in fact accepted as a necessary principle, as stated explicitly shortly after the end of the war in a confidential memorandum to Cabinet from A.L. Jolliffe, who had replaced F.C. Blair as Director of Immigration:

> Canada's immigration laws reflect class and race discrimination: they do, and necessarily so. Some form of discrimination cannot be avoided if immigration is to be effectively

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> controlled in order to prevent the creation in Canada of expanding non-assimilable racial groups...Many organizations have passed resolutions urging "selective immigration"...it is not possible to have selective immigration on the one hand and no discrimination on the other.(2)

The type of discrimination practiced by Canadian immigration officials had a direct bearing on the emergence of polices which facilitated the entry of possible war criminals to Canada. As discussed below, the policy of ethnic selectivity favoured the admission of groups of displaced persons who in all probability included war criminals in their midst -- the Balts and the Volksdeutsche particularly -- and, following the lifting of the ban in September 1950 on admitting enemy aliens (other than Japanese), German nationals.

Other factors, including labour shortages, lobbying by ethnic groups, and changing attitudes and the effect of public opinion opened Canada's doors to immigrants of Central and Eastern European origin, particularly those who were anti-Communist.

The purpose of the following section is twofold: a) to set out Canadian government policies and practices with regard to admission of possible war criminals, against the background of the political climate and attitudes regarding war refugees and war criminals in the different regions of Canada; and (b) to draw probable profiles of war criminals who may have entered Canada, given the wartime experience of the group from which the individual emerged, and the extent and nature of the security screening to which they were subjected.

In characterizing the postwar immigration to Canada of groups of nationals from countries where there was participation in war crimes and collaboration with the Nazi regime by the local

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populations and/or bureaucracies, there are clearly no grounds to suggest more than that a small segment of these groups who immigrated to Canada may have been war criminals. The grounds for making a statement about the possible war criminality of a segment are as follows: the majority of the perpetrators of crimes were not apprehended or prosecuted after the war (as established in Chapter I, Part 1 above); screening policies and practices of international agencies were inadequate to the task of weeding war criminals out of the mass of displaced persons moving through the camps (discussed in ChapterI, Part 1 above); and Canadian immigration policy and security screening procedures in the ten-year period of peak immigration from 1947 to 1957 were far from foolproof in keeping possible war criminals from entering Canada (as shown in this and subsequent sections of this report).

Political environment and public opinion in various regions of the country with regard to war refugees and war criminals, the 1930s to 1946

Attitudes amongst some segments of the Canadian population towards Nazi Germany in the years immediately prior to the outbreak of World War II were reflected in their postwar attitudes with regard to displaced persons/refugees and Nazi war criminals and their collaborators. Embedded in the broader public, these marginal groups had an impact on the different ethnic communities, which in turn had an impact on the government's immigration policy both during the war years and subsequently.

The legacy: Fascist groups and Nazi sympathizers in Canada in the 1930s: There were several small pockets of Nazi sympathizers in various parts of Canada in the 1930s, who adopted as their primary expression the anti-semitic component of Nazism.

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In Quebec, a thin current of ideological anti-semitism, established at the turn-of-the-century, was given expression in a number of publications and in occasional episodes over the following three decades. Such issues as that of the 'school question' in the 1920s, which concerned the place of Jews in Quebec's confessional school system, gave such views greater resonance. The 'school question' implicated both politicians and the Catholic Church, which took the position that in a Christian society non-Christians ought not to receive the same civic rights as Christians. In the 1930s, a Hitler-inspired grouping organized by a journalist, Adrien Arcand, and supported by right-wing students and elements in the clergy and the press, led a campaign against Jews, with boycotts of Jewish-owned businesses and declarations in three newspapers edited by Arcand that, as in Nazi Germany, the Jews of Quebec should be deprived of all civil rights. Until 1939, Arcand and his followers were legally tolerated and sympathetically supported by Le Devoir, by Quebec nationalist organizations such as les Jeunes Canadiens, and indeed, by prominent personalities such as Maurice Duplessis and l'Abbé Groulx.(3)

In English Canada, discrimination barred Jews from certain residential and resort areas and quota systems in effect at various universities made it difficult for Jews to enter such professions as law, medicine or dentistry. This situation was relatively common until the 1950s.

In Western Canada there was receptivity among some ethnic groups in the 1930s to propaganda disseminated by fascist organizers and Nazi agents. Amongst the Ukrainian community, which consisted of a quarter million people and which in the Prairies accounted for roughly 10% of the population, there were some right-wing nationalists who were militantly anti-Communist, and who also manifested anti-Jewish sentiment. They were ready

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recruits for a fascist movement.(4) It should be noted, however, that with the onset of the war, the Ukrainian National Federation (the Canadian affliate of the Organization of Ukrainian Nationalists) took an anti-German line, members of its leadership enlisting in the Canadian Army.

German Canadians formed the largest ethnic group in Canada, constituting 15% of the population in the prairies. Of these 70% were Canadian-born; of the foreign-born most were not from Germany but from Eastern Europe. The foreign division (Auslandsorganization) of the Nazi party directed Nazi propaganda overseas to Canada's half-million Germans via German consuls. S.W. Jacobs, M.P., alerted the House of Commons in 1934 to the fact that the Consul General in Montreal, Dr. Kempf, was distributing Nazi anti-semitic publications and asked the Minister of Justice, H.A. Guthrie, whether Dr. Kempf would be removed. Guthrie replied that he saw "no occasion" for the withdrawal of Dr. Kempf. Of the German Canadians, the Mennonites were particularly receptive to the anti-Communistic element of Nazism, and strong pro-Nazi and anti-Jewish sentiments were expressed in the Mennonite press of the thirties. It was a group of Anglo-Saxon veterans, however, headed by a former British soldier, William Whittaker, which launched an organized Fascist grouping in Western Canada in September 1933 -- the brown-shirted Canadian Nationalist Party. Presenting an anti-Communist platform and a program of 'economic reform', the Party adopted a para-military character, and published

> a virulently anti-semitic monthly called The Canadian Nationalist. Edited by Whittaker, it was printed by the publisher of a Mennonite church paper, Herman Neufeld; in his own paper, Neufeld praised Hitler, excerpted speeches by Goebbels, and promoted Nazism among the Mennonite flock. (5)

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While the leadership of the group remained Anglo-Saxon apart from two Mennonites, the rank and file consisted largely of European immigrants.

The three main German pro-Nazi organizations in Canada had in 1939 an estimated membership of some 3000. German records captured after the war revealed that there were some 250 members of the Nazi Party in Canada. RCMP officials who had earlier identified 134 Nazi Party members, admitted in 1945 that most of these individuals were still in Canada, some having acquired Canadian citizenship during the war years.(6) There is no indication in the files examined that any of these persons were subsequently deported or denaturalized on account of their Nazi Party membership.

While relatively small numbers of Canadians of German or other European origin would have been active Nazi supporters, those who were were also by and large integral elements of their broader communities. To a degree, they would have influenced these communities in the postwar period with regard to a sense of empathy for European kinsmen displaced by the course of the war, even if they had sided with the Nazis, and with regard to using the communities' political weight to promote the admission to Canada of their European brethren -- whether Volksdeutsche, German nationals, or Ukrainians, for example. The role played by Canadian ethnic groups in lobbying for the admission of refugees/DPs who had served in Nazi military formations is discussed in detail in Chapters V and VIII of this report.

Official attitudes and policy with regard to immigration of Jewish refugees/DPs, 1933-1948

Policy of exclusion: The terms of reference of this report require, inter alia, treatment of Canadian government policy with regard to wartime and postwar refugees -- which would

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include Jewish refugees as well. However, the subject of government policy with regard to Jewish immigration during this period has already been extensively treated in the Abella and Troper study, None is Too Many,(7) and given the scope of this report, it is presented here in brief, only insofar as it is relevant to general postwar immigration policy and practice with regard to admission of refugees/displaced persons, Nazi collaborators, and Nazi war criminals.

Canada's discriminatory immigration policy from 1933 to 1945 was directed specifically towards Jewish refugees fleeing from Nazi Germany and from lands occupied by Nazi Germany. Canada's record, during this period of crisis, was, as detailed by Abella and Troper, singularly negative:

> During the twelve years of Nazi terror...the United Kingdom opened its doors to 70,000 (Jews), and allowed another 125,000 into British-administered Palestine. Other states, with long histories of immigration, did even less. Argentina took 50,000, Brazil 27,000 and Australia 15,000...between 1933 and 1945 Canada found room within her borders for fewer than 5,000 Jews; after the war, until the founding of Israel in 1948, she admitted but 8,000 more. That record is arguably the worst of all possible refugee-receiving states.(8)

The story is one of indifference on the part of the government, the civil service and indeed much of the Canadian public to the doomed fate and subsequent tragedy which befell Europe's Jews, and of contempt on the part of those in key government positions towards Canadian Jews who pleaded on their behalf.

> There was no groundswell of opposition, no humanitarian appeal for a more open policy. Even the outbreak of the war and the mounting evidence of an ongoing Nazi program for the

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> total annihilation of European Jewry did not move Canada. Its response remained legalistic and cold. (9)

The policy of exclusion of Jews was implemented by a few government officials, in particular by F.C. Blair, the Director of Immigration Branch from 1936 to 1943, whose anti-Jewish sentiments found expression in a dogged determination to keep Jews out of Canada. Though it was Blair who drafted and interpreted government regulations and decided on individual requests for admission, it would be, as the research undertaken by Abella and Troper indicates, simplistic and incorrect to blame him alone for Canada's response to Jewish immigration.

> Blair's ideas were entirely compatible with those of the Canadian government, which kept him in his sensitive position as long as it could.(10)

The decision not to accept refugees was more political than bureaucratic. It was determined by a number of factors.

> The economic crisis that curtailed almost all immigration to Canada, the vocal anti-Jewish sentiment of Quebec politicians, the government's fear of being made the dumping ground in any British or American scheme to resettle Jews, and, most of all, the overriding sense on the part of the prime minister that whatever momentary sympathy might be stirred up for refugees, it would be quickly washed away in the wake of boatloads of Jews landing at Halifax or Montreal. (11)

There were no votes to be gained in admitting Jews.

The record with regard to Jewish immigration in the postwar years until 1948 reflects a continuation, to a significant degree, of the policy of exclusion:

> Compared to the total number of postwar refugees admitted into Canada during this period, the 8,000 Jewish refugees pale in significance.

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> Jews, who made up close to thirty per cent of the European refugee community, represented less than fifteen per cent of the approximately 65,000 refugees admitted into Canada through March 1948.(12)

One of the numerous episodes described in the Abella and Troper study -- the case of the child refugees project -- serves as an illustration of the sustained and meticulously negative approach taken by Canada's immigration authorities throughout the war years.

Following considerable pressure from Jewish and refugee organizations in Canada, and a precedent set by Britain, the Canadian government agreed in July 1939 to admit for the duration of the war one hundred out of a total of some nine thousand children from continental Europe who had been separated from their families and evacuated to Britain. The project was displaced by one to bring ten thousand British children to safety in Canada. Bypassing the continental European children in Britain was regarded as inconsequential, especially since, as the view was expressed, that in any case over eighty per cent of them were Jewish.

The government was put to the test again with regard to providing a haven for children in the summer of 1942, as the deportations of French Jews left several thousand children behind in internment camps. Following a vigorous campaign by American and Canadian Jewish organizations and protests from the Catholic church and allied governments against the deportation of the children to concentration camps, the Americans agreed by the end of September to take up to five thousand children. The British government decided in early October to admit all those children in France under sixteen who had a near relation in Britain. On the same day, Thomas Crerar, the Canadian Minister responsible for immigration decided, against Blair's advice, to

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> authorize the admission of five hundred children, with another five hundred to follow - "only when we are satisfied that the Jewish community will be able to properly absorb them". These children would be admitted as "non-immigrants" for the duration of the war, would not be able to bring in their "parents or other relatives at a later date," and were not to be adopted but placed in foster homes.(13)

Negotiations for implementing these decisions of the Allied governments moved along rather slowly. By November 1942 the fate of some 6,500 French children was sealed, as both Canada and the United States broke off diplomatic relations with the Vichy government and the Germans moved into the previously unoccupied areas of France.

Several hundred of the interned children, however, had escaped from France to Spain and Portugal, occasioning renewed pleading from Jewish organizations. The Americans expressed readiness to accept all those under age sixteen -- leaving twenty children between the ages of sixteen and eighteen. In response to formal requests from the Canadian Jewish Congress and the American government that Canada accept the twenty, External Affairs indicated that the government had no objection to the proposal. Blair overruled that response on the grounds that the children did not qualify as orphans in that some had parents with them on the Iberian peninsula, and it was government policy not to separate family units. Blair persisted in this position despite protestations from External Affairs and the Canadian National Committee for Refugees that no such objections had been raised in the case of the program to accept the British children in 1940; nor did Blair alter his stance in the light of suggestions that Canada could follow the example of American policy which required parents to promise not to use their children's temporary admission as a basis for admission for themselves or other relatives at a later date.

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The children's project re-emerged yet again during the war in late 1943, through the mediation of the I.G.C.R., when it was reported that several thousand French Jewish children in hiding with Christian families were in a precarious situation and that asylum had to be found for them. As Canada was preparing to reply positively, that it would live up to its earlier commitment to provide a haven for at least some children, A.L. Jolliffe, Blair's successor as Director of Immigration Branch, reiterated the 'orphan' stipulation attached to the commitment and argued that many of these children were likely to be "found inadmissible on medical grounds". When the Americans activated a scheme to smuggle French children to Switzerland and elsewhere, Jolliffe insisted that Canada should make no compromises and must adhere to all regulations and conditions; nor was Jolliffe prepared to entertain the suggestion that Canada contribute to the cost of maintaining the children in Switzerland. Immigration Branch remained fully determinated to keep Jewish refugees out under its new Director as well, despite full awareness by this time of the fate in store for those not sheltered.

By June 1944, most of these children had been deported. Not one had made it to Canada.

Admission was finally approved for one thousand Jewish orphans, the first twenty of whom arrived in September 1947, following concerted efforts on the part of Jewish organizations.(14)

Immigration policy with regard to Jews in the immediate postwar years: Discrimination against prospective Jewish immigrants from amongst the displaced persons and refugees continued within the sanctioned policy of ethnic selectivity which conditioned the various immigration schemes developed from 1946 to 1952. Immigration documents from 1953 and 1954 indicate

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severe restrictions on immigration from Israel on the grounds that Communists would likely be included amongst prospective immigrants from that country. (15)

Discrimination with regard to Jewish immigration continued after 1946, as a result of ingrained attitudes and well-established practices of government officials. These attitudes and practices were given further expression in the approach taken towards "preferred groups" such as Germans and Balts, who were likely to have included -- and indeed have been shown to have included -- in their midst persons who were Nazi collaborators and alleged war criminals. It seems reasonable to assume that a lack of empathy for the victims may have contributed to a lack of interest in seeking out the perpetrators of the crimes from amongst persons deemed to be highly attractive and desirable immigrants. The sections below do bear out connection between discriminatory policy with regard to Jewish immigration and the possible entry of war criminals to Canada. The subject, however, serves only as background to the story of actual policy and practice with regard to admission of persons who were adherents of Nazism and who implemented its criminal policies.

Security Screening, 1945: The earliest postwar documents from the RCMP and External Affairs relating to refugees as a security problem show a preoccupation with Jews as undesirable immigrants. Between November 1944 and July 1945, a great deal of attention was paid to the security risk liabilities of a number of Jews who had found asylum in the Iberian Peninsula and who were seeking admission to or had already been temporarily admitted to Canada.

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The cases in question had been cleared for receiving immigration visas by the Canadian Immigration Officer (Cormier) after no unfavourable reports had been received from British security authorities, and most had already arrived in Canada as refugees on a temporary basis. However, in at least five cases, as a result of "information received from sources of a delicate nature" and which "should not be given wider distribution than absolutely necessary", Jewish refugees were declared to be of "dubious sympathy" and security risks.(16) In one case, the individual, already admitted to Canada, had been denounced as a French Police informer who, it was charged, collaborated intimately with the occupation authorities and who was unscrupulous in money transactions. Not only was he, in the view of the Canadian security interrogation officer, a "collaborationist", but he made a "very bad impression" during the interview as a "highly undesirable type". In any event, according to the RCMP report, he had been refused a visa by the Americans and the British, and that was in itself reason enough for the Canadian visa to be immediately cancelled. In response to Commissioner Wood with regard to this and one other case, the Under- Secretary of State for External Affairs stated that

> The information contained in the reports is very disconcerting and clearly indicates that the arrangements made for examination prior to the issuance of visas were inadequate...So far as the X and Y cases are concerned -- also in the case of any other persons who may be of dubious sympathy -- I assume that all that can be done is to maintain RCMP surveillance until deportation becomes possible and to apply whatever restrictive measures seem to be necessary under the Defence of Canada Regulations. Mrs. X is clearly an enemy alien and should therefore be dealt with under Section 25, while in the Y case where nationality is doubtful, it would seem that Section 21 might be resorted to.(17)

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Another Jewish refugee, an accomplished communications scientist who took up residence in Toronto, and who was formerly a German national who had become "stateless", was subjected to RCMP scrutiny as a result of information from "sources of a delicate nature". A lengthy report on the RCMP interview with him, during which he appeared to "minimize his own contribution to the German cause in the war of 1914-1918", pointed to the fact that between 1933 and 1938 he was allowed to travel freely in and out of Germany, that he was able to publish books in his own name under the Nazi regime, and that he managed to secure a new German passport in 1940. This gave the RCMP cause for suspicion that he 'collaborated with the enemy'. Moreover,

> During interrogation this person displayed a particularly arrogant manner and was uncooperative in the extreme. He appeared to deliberately forget many details of his experiences and when pressed to elucidate some question, he became impertinent, which attitude discounting the possibility of his being a German agent certainly indicates that he cannot be looked upon as whole-heartedly supporting the United Nations' cause.(18)

Three other cases of RCMP investigations of alleged Jewish collaboration with the Nazi enemy show what would seem to be anti-Jewish prejudice. Another refugee from Portugal, desirous of remaining in Canada after the war had, also according to information from "delicate sources", "apparently fairly intimate knowledge of the dealings and doings of certain alleged swindlers and crooks". The subject was described as "highly educated...quiet and mentally alert", and his wife had a Doctorate of Political Economics from Berlin; nonetheless, he was judged to be

> a man who is not an asset, his motives are purely self-seeking and throughout his interview he showed no hint of loyalty to the Allied

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> cause. He is a "slippery" customer and it is believed that he wishes to settle in Canada because he sees here the prospect of quick and easy money. He fought against the Allies as a member of the Hungarian Army in the last war and there is no evidence that he has changed his sympathies towards Germany proper. (19)

The interrogator concluded that though he may not be an enemy agent himself, he was "so mixed up in the set of enemy agents in Lisbon that he is potentially dangerous".

Another refugee was deemed undesirable because his brother was reported on the Allied Security Black List as an enemy agent. The report mentions that most of the subject's close family had been ghettoized in Hungary and then deported. Yet the RCMP's conclusion was that

> This man's case is regarded as serious because of his acquaintanceship and correspondence with a suspected German collaborationist...We are considering him a potential source of danger to the security of this country.(20)

These episodes stand in marked contrast with the lack of concern in the course of the following few years, about sympathy for or direct collaboration with the Nazis, and with the virtual non-existence of security screening of persons much more likely to have included Nazi collaborators and war criminals in their midst than the Jewish refugees who had found asylum during the war in the Iberian Peninsula.

Public opinion and official perceptions of the DPs/refugees, 1945-1947

Polls and mainstream media opinion: Several Gallup polls in 1946 showed that while the business community, ethnic groups and liberal elements in Canadian society were pressing for

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increased immigration, the general public did not favour absorption of large numbers of refugees, especially of Eastern European and Jewish refugees. The April 1946 Gallup poll showed that

> those favouring immigration from Europe or giving it qualified approval accounted for thirty-one per cent of the sample. Sixty-one per cent were opposed. Seventy-one per cent of those polled in Quebec were opposed.(21)

Amongst those who approved, selectivity was a deciding factor. In the October 1946 Gallup poll, 60% classed the Japanese as undesirable, followed by -- not the other major wartime enemy, the Germans -- but the Jews.(22)

> By the summer of 1947, a Gallup poll showed
>
> fifty-one per cent of Canadians agreeing that Canada needed immigrants, eleven per cent supporting immigration of the "right type" and thirty per cent declaring that Canada needed no immigrants.(23)

The English-language press was largely in favour of government initiatives to expand immigration, but emphasized the need for selectivity so as not to allow into Canada "unassimilable alien types".(24)

In Quebec, French-language newspapers carried editorials expressing concern that there were no guarantees restricting British and European immigration to Eastern Canada. Some alluded to dark and powerful forces behind the intensive pro-immigration campaign which aimed at perpetuating the English majority of the country. There were also, however, arguments in the Quebec press for small-scale immigration on humanitarian or economic grounds, though it was recommended that this be tightly controlled as to occupation and ethnic origin.

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The ethnic press: The ethnic communities in Canada followed with great interest the postwar developments in Europe as they affected their kinsmen, and formulated suggestions with regard to the provision of relief supplies in Europe and resettlement in Canada for the refugees and displaced persons. The ethnic press reflected these preoccupations.

The Mennonite press in 1946 carried reports by C.F. Klassen, who was later to play a central role in lobbying for admission of Mennonites to Canada, describing the escape of Mennonites from Prussia to Denmark and the Western zones, their life in refugee camps and their appeals for aid.(25)

As in representations before the Senate Standing Committee on Immigration and Labour and before the House of Commons (see below), two opposing camps presented views in the Canadian ethnic press with regard to the situation of Ukrainian DPs and the issue of repatriation. A Polish pro-Soviet weekly presented the perspective of "anti-fascist Ukrainians" who

> believe that Ukrainians in Germany can be divided into three groups. First, those who were forced to go there; second those who were brought there under false pretenses; and thirdly, those who were voluntary collaborators with the Germans. For the first two groups, the doors are open to go back to their homes. And the third is the one which Ukrainian fascists in Canada are worried about.(26)

The pro-Soviet Ukrainian press in Canada carried numerous articles attacking Ukrainian refugees in Europe and Ukrainian nationalists in Canada. (27) At the same time, non-Communist Ukrainian newspapers were publishing long lists of addresses of Ukrainian refugees in Western Europe who were seeking to establish contact with their kinsmen in Canada.

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When the Communist Ukrainian perspective made its way into English-language dailies, the anti-Communist Ukrainian press denounced the campaign to discredit "Ukrainian Independents" with such labels as "bandits", "Hitlers' hirelings", "quislings" and so forth. The aim of such propaganda, according to one editorial, was to

> discredit the struggle of the Ukrainian people for freedom. And the sad part of it is that an effort is being made to identify the movement with anti-semitism, Jewish pogroms and robberies with the intention of convincing Anglo-Saxon public opinion that Ukrainian refugees must be turned over to the Soviets.(28)

Collaboration with the Nazis and service in the German armies, in fact fairly extensive, though the reasons for this were complex, was very much played down, in fact hardly mentioned in mainstream Ukrainian newspapers. In reaction to a Communist Ukrainian resolution branding Ukrainian refugees as Nazi collaborators, the Ukrainian newspaper stated that during the German occupation of the Ukraine, the Ukrainian people failed to produce a 'quisling', and for this reason the Bolsheviks had no evidence to support their accusations. With regard to the SS Division "Galicia", the editorial stated that the whole Division surrendered at the first opportunity to the British in Italy where they were still located, and not in Germany.(29)

In a message which it was hoped would reach government ears, another mainstream Ukrainian journal printed in bold type that **"Three hundred thousand Ukrainian Canadians are waiting for the Government's declaration similar to the one of president Truman".** (30)

House of Commons' perceptions and recommendations with regard to immigration of refugees/DPs, 1945-1947: During this period, the House of Commons heard arguments for and against

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opening up immigration and admitting refugees and displaced persons.

A number of MPs spoke of the need for manpower in agriculture and mining and the benefit which would accrue to the Canadian economy from increased immigration. (31) Some MPs did not hide racist prejudices with regard to European immigrants, asserting that priority be given to British ex-servicemen and British slum dwellers over other Europeans.(32) For political reasons, with a view to not upsetting the French-English balance in Canada, and because of ingrained prejudices, Quebec representatives in the House tended to favour restricted immigration. Liberal MP Pierre Gauthier argued that "we should first think of our young children, of our incapacitated soldiers, and veterans. Once their case is settled...a policy not of the open door but of restricted immigration, insisting on the most careful selection of the immigrants who are to be allowed to enter our beautiful Canada". Liguori Lacombe, independent MP from Laval - Two Mountains, insisted that there was no room in Canada for any immigrants.(33) MPs who served as spokesmen for the Ukrainian community argued that it was imperative that Ukrainian DPs be saved from repatriation, and that as anti-Communists they would make good citizens and a worthy contribution to Canadian life.(34)

A number of MPs spoke in the House in an effort to raise the government's awareness of the displaced persons problem and the need for action. In February 1947, Alistair Stewart, MP for Winnipeg North, criticized Canada's meagre efforts on behalf of European refugees, and in particular, discriminatory immigration policy towards Ukrainians, Poles and Jews.(35) A week later, W. Ross Thatcher, M.P. for Moose Jaw, lashed out at the

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> appalling lack of humanitarian interest in the displaced and starving peoples of Europe...I believe that Canada is pursuing a selfish and exclusive immigration policy which under the most liberal interpretation is self-destructive and internationally dangerous, (and characterized by)...smugness, selfishness and narrowmindedness...(36)

While acknowledging difficulties in the way of expanding immigration, such as scarce transportation and housing, Thatcher, convinced that Canada needed a long term immigration policy, challenged the government to come up with a statement on Canada's future immigration policy.

In March 1947, in one of the most comprehensive and eloquent addresses to the House on the issue, David Croll, one of the very few Jewish MPs in the House in the 1940s, foreshadowed a number of significant developments in immigration policy over the next few years. After criticizing the government's lack of vision, and its inadequate immigration policies, he proceeded to propose a way forward. He stressed the uprooting and privations experienced by Europe's refugees and displaced persons as a result of the war, including the plight of wartime foreign labourers in Germany, and the current condition of "enforced idleness...resentment and restlessness" in the camps. He spoke of the refusal of Poles, Balts and Ukrainians to be repatriated to Communist regimes, and the tragic homelessness of the Jews. Croll looked to the IRO as a solution to the problems posed by war refugees and displaced persons and urged Canada's active participation in "the great social task before us". He insisted, however, as did the IRO in its constitution, that doors be closed to war criminals and traitors. Croll agreed with the government that

> the refugee problem...an inevitable legacy of war is an international problem and it must be given an international solution. The United

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> Nations, on the basis of their available space and their economic stability, must be prepared to offer immediate haven to a million refugees. We must all do our share.(37)

Croll, moreover, tried to spell out what Canada's share might be. On the basis of room available and of Canada's strong economy, Croll suggested that a minimum of 100,000 people could be taken into the country, who if properly selected, would strengthen rather than weaken the economy. In addition to close relatives and orphaned children who should be taken in on humanitarian as well as national-interest grounds, various types of needed workers could be selected -- 5000 domestics were needed, for example, and manpower was desperately needed in mining, agriculture, textiles and other industries. The problem, in Croll's view, would be one of organization:

> We must send our immigration teams to Europe at once with instructions to go ahead at full speed and with the fullest support from the government agencies concerned. This is not the time for administrative delays or departmental complexities. We are faced with an emergent situation which calls for the same bold planning we threw into our war effort. Present facilities patterned on our pre-war set-up are inadequate for the task. We must set up a large efficient immigrant processing department with ample powers. There will be labour department officials to designate what kind of people were wanted and where they can best be employed. There will be a medical group to examine refugees on the spot, including the use of X-rays. There will be an administrative group to screen and document refugees and a transportation group to move them from the camps to Canada. There will be a reception group to receive then on arrival and distribute them to their destinations, and educational groups in the provinces must seep them in Canadianism.(38)

Most of these suggestions were in fact implemented in the course of the next few years.

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For MP Walter Tucker, a spokesman on behalf of Ukrainian DPs, the fact that DPs were in the camps was in itself proof that they were desirable, since by refusing repatriation they proved themselves to be anti-totalitarian and anti-Communist. Referring to a delegation of representatives of the Lutheran, Roman and Greek Catholic, Orthodox, and Mennonite churches who came to see Mackenzie King and Mr. Glen (Minister of Mines and Resources) to request a place of refuge for their brethren, Tucker designated the refugee problem a "national question, a question of Christianity".(39)

Views presented to the Senate Standing Committee on Immigration and Labour: The Senate Standing Committee on Immigration and Labour, reactivated in April 1946 with a mandate to review Canadian immigration policy and to determine -- as Senator Arthur Roebuck put it -- "whether Canada wanted, or needed, or could absorb vast numbers of foreigners", was also asked to determine

> the type of immigrants which should be preferred, including origin, training and other characteristics; the availability of such immigrants for admission; the facilities, resources and the capacity of Canada to absorb, employ and maintain such immigrants; and the appropriate terms and conditions of such admission.(40)

The Committee was chaired for two years by Senator Thomas Murdoch and subsequently by Senator Cairine Wilson, who had been the ardent organizer of the Canadian National Committee on Refugees (C.N.C.R.), one of the most active organizations pressing for liberalization of immigration policy. Great emphasis was placed in the briefs and hearings on the desirability or undesirability of admitting the various groups of DPs available for immigration to Canada. One influential spokesman was Lieutenant Colonel Arthur Hicks, who was with the Military Government Attachment

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working with DPs in Holland and in Germany in 1945-1946. He provided a breakdown of the types and categories in July 1946, and again in May 1947, with characterizations as follows:

A. **Baltic Peoples.**
(a) **Estonians.** Mostly farmers and their families were an intelligent, cleanly and sturdy group of people.
(b) **Latvians.** A mixture of professional people from cities and farmers from rural areas. Mostly families. Well educated and a very fine type.
(c) **Lithuanians.** Predominately farmers and their families. Also a fine people and akin in many respects to the Estonians.
B. **Poles.** The majority were peasant farmers in family groups. Not more than 20 per cent were city dwellers of whom many were professional people. They were in general a sturdy people, but with a much lower standard of living than most of the other people with whom we had to deal. They contained a small minority of ruthless, dangerous bandits who were a continual menace to law and order. These were mostly criminal types who had been taken from jails in Poland and put in concentration camps by the Germans. The Poles formed by far the largest group of people left in Germany.
C. **Ukrainians.** Predominantly farmers and their families. They were a sturdy lot, and more cleanly and more easily controlled than the Poles.
D. **Yugoslavs.** Almost exclusively male, and members of the Yugoslav army. The majority of those remaining were of officer or non-commissioned officer status. In general, they were a fine breed of men and most of them originated in small towns and villages.
E. **Czechs.** There were very few left in Germany. A few hundred Czech Jews, mostly young women, who had not returned to Czechoslovakia.
F. **Jews.** There were still approximately 10,000 left in my area. They were predominantly of Polish origin and were not interested in returning to Poland. In the main, they were ex-concentration camp inmates and were largely unattached, i.e. not in family groups.

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> **Personal Views**.. The Baltic peoples, the Ukrainians, the majority of the Poles, and many of the Yugoslavs left in Germany would make excellent settlers, and ultimately good citizens, in Canada. (41)

Lieutenant Hicks also pronounced himself as favouring the immigration of Volksdeutsche to Canada, but declared categorically that he did not regard the estimated 10,000 Jewish DPs as desirable immigrants.(42)

Salient in the presentations and briefs presented to the Senate Standing Committee were the distinct ethnic preferences for groups liable and likely to have included war criminals and collaborators in their midst. Enemy alien background certainly did not detract from the desirability of preferred groups. Disapproving somewhat of the admission of the Polish veterans to Canada, the Honourable Mr. McGuire complained that "we are looking for immigrants, but we do not get any better immigrants than Poles". His advice was that Canada should admit Germans, Austrians, Hungarians, and Italians -- "who should not be kept out of Canada because they were on the other side of the wall".(43) England, it was noted, was mentioned as already admitting Germans and Italians.

A number of presentations to the Senate Standing Committee gave strong assurance that the DPs were "thoroughly screened by UNRRA as to their political views. They are definitely anti-Nazi and most certainly anti-Communist in every sense of the word". (44) Another important report on screening of DPs was submitted to the Committee by T.J. Keenan, an UNRRA officer in charge of screening in Kiel, Germany, where there were four large Ukrainian DP camps.(45) After describing the screening process instituted by UNRRA, he assured the Committee that "Canada can freely accept any displaced persons from UNRRA Assembly Centers" without fear of acquiring collaborators.(46)

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These assurances were, in fact, not warranted (as discussed at pages 87 to 91 above). Keenan urged that Canada open its doors to the DPs, mentioning the fact that the Allied Control Commission in Germany was "anxious to dispose of the DPs in the UNRRA camps as quickly as possible". Apart from Canada's economic needs, Keenan pointed to the moral obligations, in order of priority, to survivors, to former slave labourers, and to refugees of the smaller democratic nations, fleeing totalitarianism.

A category which did "not rate a high priority on the grounds of our moral obligation" for Keenan but who "should prove the most acceptable groups as immigrants" were the young men of Baltic origin conscripted into the German army: "they are well disciplined; they keep their own camps in good order; they are willing workers and are easily instructed in any new line of work. Emphasizing the attractiveness and the assimilability of the Balts, Keenan declared:

> These refugee peoples resemble most closely the United Empire Loyalists who were driven from their homes to start life anew in the wilds of Canada. Of all the peoples that I have met abroad, this group would fit into our Canadian scheme of things the most readily, and would contribute the most to Canadian culture and to Canadian appreciation of the democratic way of life.(47)

He recognized, however, that bringing these people to Canada would entail irregularities since they were not eligible for admission under present immigration regulations:

> because of what these people are, they will never reach Canadian economic grounds without a vast amount of perjury on the part of both themselves and the interviewing officials. If we are to get any of these refugee peoples to Canada, we must do so under a special scheme

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> devised to meet their peculiar circumstances...Thus, we have two groups that do not fit into Canadian immigration policy without a specially planned scheme. **(i.e. enemy aliens and Balts who served with the Nazi armies)** (48)

While encouraging the immigration to Canada of Balts who served in the Nazi armies, Keenan gave the Senate Committee a very negative assessment of the Volksdeutsche:

> Not only did these jackals share the plunder of the German arms, but also they took a lead in the liquidation of Jewish people in their native countries. When they killed Jewish people they were allowed to keep the jewelry and the small change while the factories and the good homes went to their Gestapo masters. <u>These are the Volksdeutsche</u>. They are people born in other countries of German blood, or of pretended German blood for many who aped the Germans were given the same "rights and privileges"! The Volksdeutsche were urged in radio broadcasting by Hitler himself to "come home to the Fatherland." Hitler promised them Polish property and German citizenship even though their families had been born in other countries for generations...These Volksdeutsche have been displaced by their own greed and by their loyalty to the Fatherland. They are to-day making every effort to confuse themselves with the genuine displaced persons who are in the UNRRA Assembly Centres, awaiting resettlement.(49)

Spokesmen of German ethnic origin interceded on behalf of the Volksdeutsche from the Baltic countries. Robert Keyserlingk described to the Senate Committee the war time plight of forced evacuations of these people, lauded their qualities and emphasized the support accorded to them by various church groups, including the Catholic.(50) At this time, as Keenleyside had pointed out to the House one year earlier, there were already channels in place for bringing Volksdeutsche to Canada, namely through the church organizations which were established specifically for this purpose.(51)

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Another series of presentations emphasized the excellent qualities of Balts which would make them ideal Canadian citizens, and the need to act quickly so as to be able to pick these choice DPs and not be left with riff-raff, such as Jews. In response to a question about the number of persons in the DP camps, Mr. Van Ark responded to the Senate Committee in 1948

> Pardon me for giving you a rough figure: 400,000 altogether, not speaking about the Jewish elements. Of the Gentiles, I would say there are 400,000. You have the pick today. You know there is talk about the United States government having a program of 400,000 per year. You know that gentlemen, do you not?(52)

Historical briefs on the Baltic refugees described the 1940 deportations to Siberia under Soviet occupation and large scale evacuations in fall 1944 when Balts fled the advancing Russian armies to Sweden and to the British and American zones in Germany. Given that the incentive was to elicit support for Baltic immigration and to make a completely positive impression, no mention was made in those briefs to the 1940 to 1944 period of German occupation, of service in the German armed forces or of collaboration with the Nazi killing campaign.(53)

Two years before the lifting in September 1950 of the enemy aliens ban on German nationals, the Senate Committee heard from one Senator, preoccupied with cold war considerations, that there should be a change in policy:

> We are letting Russia beat us in the "cold war". If we are going to hold up the peace treaty with Germany and prevent this country securing any young Germans for this country, Russia is still winning the "cold war" against Canada. I do not think we can get any finer type of immigrant into this country, as they are "displaced persons" in the very true sense of the word. Their country has been given away.

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> The experience we have had with people who employed the German prisoners is that they were a very, very superior type of workman.(54)

The Senate Committee heard two sets of opposing voices with regard to Ukrainian DPs. The pro-Soviet Ukrainian and Polish spokesmen reiterated the Soviet line that the DPs in Germany were either war criminals or collaborators, or persons free to return to their homeland. They criticized Canada's policy of ethnic preference, which substituted

> immigration of people of a particular religious or political background for a policy of broad immigration based on Canada's needs and perspectives. We submit that this type of "selective immigration" is contrary to Canada's democratic traditions and insofar as it serves as a mask to cover the bringing over to Canada of the pro-Nazi remnants in Europe it is subversive and fraught with dangers to Canadian democracy and security.(55)

The Ukrainian Canadian Committee and several MPs who served as spokesmen for the broader Ukrainian Canadian community (Hlynka, Zaplitny, Tucker) rebutted the Soviet-inspired presentations with the argument that it was the Soviet aim to brand anti-Communist Ukrainians as war criminals and Nazi collaborators.

Perceptions of the various groups of DPs and opinions about what government immigration policy should be in their regard were aired at the public hearings of the Senate Standing Committee -- held annually through 1951; reports of and about the proceedings received wide press coverage and focussed public attention on the immigration issue.

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Impact of ethnic preferences on immigration policy and practice with regard to DPs/refugees

In the course of 1945-1947, perceptions in government circles with regard to the desirability of the various ethnic groups seeking admission to Canada crystallized. By mid-1947, when the principal immigration schemes began to operate on a significant scale, preferences were translated into decisions, at various official levels, to either admit or prohibit given categories of individuals.

As government officials were being sensitized to the issue of displaced persons and refugees, some groups, such as Slavs and even more so Jews, continued to be considered as undesirable immigrants. Arguments from persistent lobbying groups for admission of Volksdeutsche, Mennonites and Germans were favourably received, even while the thrust of screening for Nazis and war criminals was directed towards them. Balts, who may very well have included war criminals in their midst, since circumstances repeatedly permitted them to evade screening for war criminal background, were the group about whom there were the fewest qualms and the greatest regard. DPs from the Baltic states succeeded in making a most favourable impression on American and Canadian visitors to the DP camps. One influential Canadian spokesman on behalf of the DPs was Lieutenant General Maurice Pope, head of the Canadian military mission in Germany, who advised in March 1946 that Canada act quickly in selecting DPs so as to have the opportunity of selecting the most desirable ones.(56) The intended inference was made explicit in a memorandum attached to Pope's letter prepared by Colonel S. Morley Scott, which reviewed British and American actions on behalf of refugees and assessed the groups of DPs available for immigration. Scott's recommendations were that since inevitably some refugees will have to be admitted to Canada, that a

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'Jew-Gentile' proportion be determined, and that action should be taken quickly before the cream of Gentile DPs was skimmed off by others.(57) The message was made more explicit yet in the autumn of 1946, in a report by Scott on his inspection tours of the DP camps. The report ranked the DPs in descending order of preference, beginning with the Balts and ending with the Jews, who were described as 'lazy' and 'black marketeers'. He commended Ukrainians -- "unimaginative, industrious, conscientious peasants, very religious and without initiative" -- as persons who would provide Canada with hard workers, who were less "ingenious and inventive" than Balts, but not given to the "haughty, temperamental and visionary" nature of the Pole and not nearly as "agressivelly self-assertive" as Jews.(58)

Massey, the Canadian High-Commissioner in London, similarly did not much like Jews or Poles. He too was very impressed by the Balts. After visiting a DP camp in Germany which was under the control of Canadian army authorities, Massey reported that

> In this camp there were about 1,500 Balts of all ages and of both sexes, most of them from Latvia...I am deeply impressed by the quality of these people who appear to be industrious, clean, resourceful and well-mannered. The camp itself was a model of self-help, and I could not help feeling that of all the Europeans I have seen, these Balts would make the most admirable settlers.(59)

Government officials' perceptions of the DPs could not but have been conditioned, and indeed reinforced, by these reports from official observers on the scene.

The evolution of immigration policy, 1946-1947

Pressure on the government to review its immigration policy mounted as the need for skilled and unskilled labour increased. Pro-immigration arguments which began to gain

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currency included the following; that a large population would ensure continuing expansion of the economy; that mass production of goods would create new jobs; and that the immigrants could occupy uninhabited regions of the country, thereby improving national security and enhancing maintenance of a national identity. The pressure for modification of Canada's immigration policy came from within government, from business leaders, the media, and, particularly, from ethnic and religious associations whose members wished to sponsor close relatives and co-religionists from displaced persons camps in Europe.

External Affairs officials especially, exposed to the international dimension of the DPs/refugee problem, felt a growing urgency for the government to undertake some action on behalf of DPs/refugees. That position was made clear in an October 1946 memorandum to Cabinet from Secretary of State for External Affairs, Louis St. Laurent:

> The delegation might find itself in an embarrassing position if, in a discussion on the eventual disposition of refugees, it could refer only to Canada's action in the past in admitting a few refugees or in revising the immigration regulations so as to admit the relations of residents in Canada. On the other hand, if it were possible to announce a practical plan for the resettlement of even a small number of refugees, the delegation might be able to influence in a very constructive way the consideration of the refugee question. (60)

In response to the growing pressures for a change in immigration policy, both from within and outside the government, a number of initial steps were taken in 1946-47 by the Cabinet and senior officials of concerned Departments -- Mines and Resources, Labour, External Affairs, Health and Welfare. An Order-in-Council was passed on October 26, 1945 regularizing the status of some 3,500 European refugees who had entered Canada during the war years. These included civilian internees brought

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from Britain in 1940, and other Europeans, including a small number of Jews transported to Canada from Portugal and Spain in 1944.

Interdepartmental consultations and proposals: The next stage, regarded by some as stalling, was one of preoccupation with long-range planning on immigration. Early in 1946, a Cabinet subcommittee was formed to consider the entire question of postwar immigration to Canada. Eventually a series of committees and subcommittees at the Cabinet, parliamentary, and departmental levels were established to monitor and regulate the immigration movement, the displaced persons/refugee movement in particular. An inter-departmental committee was created to consider the domestic implications of increased immigration. The recommendations of this Committee were expected to lead to policy decisions sometime in 1947.(61)

In a preliminary report, in April 1946, the Interdepartmental Committee pointed out that thousands of applications for admission to Canada were being received from British subjects and from continental Europeans who were displaced persons or refugees or persons dissatisfied with postwar conditions in Europe. Amongst these prospective immigrants, it was noted, were some who "wish to bring substantial funds with them to this continent".(62) The Interdepartmental Committee was of the opinion that desirable immigrants should be brought into Canada, but that only limited measures could be undertaken because of the scarcity of shipping space and the unsettled situation in Europe which would hinder re-establishment in a short time of an expanded immigration service.

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The Interdepartmental Committee therefore cautiously recommended as a short term measure admission of a limited number of approved persons for whom there was transport and who would be maintained and housed by relatives . The revisions to existing regulations proposed by the Committee consisted of a) expansion of the admissible close relatives class to include parents, unmarried children eighteen years of age or over, unmarried siblings and orphan nephews and nieces under age sixteen of Canadian residents and (b) provision for persons entering with sufficient capital to establish an essential industry. The Committee also recommended that a travel document establishing the identity of the holder be accepted in lieu of a passport for displaced persons not in possession of valid passports.(63)

Except for the provision for persons with sufficient capital, the recommendations were implemented. An order-in-council in May 1946 widened the categories of admissible relatives, and the government recognized provisional travel and identity documents acquired from appropriate international agencies in lieu of regular passports. In another step, the Prime Minister announced on November 7 emergency measures to bring refugees and displaced persons to Canada.

The move to admit first-degree relatives of persons in Canada, irrespective of whether they were DPs or not, was intended to appear generous, but in fact there was still considerable scope for refusals within the scheme. While relatives from northern and western Europe soon began to arrive, applications from DP relatives in less preferred categories were simply filed away for a year or so, on the grounds that one had to await the setting up of Canadian immigration offices in Germany, Austria and Italy -- which the Immigration Branch was in no hurry to do. When two immigration inspection teams were eventually assigned in March 1947 to the countries where DPs were

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assembled, they were deliberately understaffed, and included officials well-imbued with Immigration Branch's tradition of restrictionism. Jews in particular were subjected to "a full battery of tests, interviews, security checks, examinations and reviews" which resulted in almost none being approved.(64) IRO officials complained about the Canadians' "extravagant and unnecessary demands for detail" during this period.

One of the 1946 revisions -- the recognition of travel documents for identity purposes -- had some bearing on the possible entry of war criminals to Canada. An April 1952 Canadian Visa Control memorandum from Bremen noted that until August 1951 people immigrating to Canada from Germany were issued by the Combined Travel Board (CTB), (Allied) Control Commission Germany (CCG), with temporary Travel Documents (T.T.Ds.) which took the place of ordinary passports, and that

> Applications for T.T.Ds. were made to the CTB not by the person concerned but in bulk by the Sponsoring Organization viz: - International Refugee Organization (IRO) or the Canadian Christian Council for Resettlement of Refugees (CCCRR).(65)

According to the document, checks were made with British and American intelligence sources before the T.T.Ds were issued. However, as discussed in various parts of this report, IRO screening practices, the CCCRR's career and reputation with regard to membership in Nazi organizations and the unreliability of British and American intelligence checks would have permitted T.T.Ds to find their way to undeserving persons, at times with falsified information.

Retention of German POWs in Canada: By arrangement with British authorities, German POWs were sent to work in Canada in the course of the war years. In May 1946, shortly before the time approached for their return to British authorities, there

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was a reluctance to have them leave because their labour was needed on Canadian farms.(66) In September 1946 discussions focussed on the possibility of retaining a certain number. Of the 4207 German POWs in Canada at the time, it was reported that 60 per cent would very much like to stay. There was some hesitation, however, that

> it may be very difficult for the Minister of Immigration to answer complaints from relatives and others who would point to the fact that former enemies were being allowed to remain in Canada as civilians, whereas, persons from Allied countries wishing to immigrate to Canada were not allowed entry.(67)

The retention of German POWs was discussed in conjunction with the proposed admission of the Polish veterans from the U.K. for work on Canadian farms. The retained POWs, it was felt, could be used for the much needed labour that winter in lumber camps. Cabinet therefore decided on December 3, 1946 that some two hundred POWs, selected for their "economic utility to the country", be permitted to remain in Canada on the same terms accorded the Polish veterans then entering the country, provided that they were deemed 'politically sound' by Defence and Military Intelligence (D.M.I.). It was also agreed that at least 500 and probably more would be found "suitable both politically and from an employment point of view.(68)

No doubt many of these POWs were "politically sound". There was exceedingly great pressure and haste, however, in carrying out the D.M.I.s screening. The list of those considered politically sound was to be drawn up by December 14 at the latest, and D.M.I. in fact reported before December 9 that 745 of the POWs were politically sound, and that of these 738 had volunteered to remain.(69) One may question the type of screening and checks which would have been possible in so short a time. Their terms of admission being analogous to those of the Polish

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veterans, one would assume that those POWs who so opted could have applied for immigrant status if they were still in Canada in September 1950 when the ban on admissions of enemy aliens was lifted.

The Polish Veterans scheme: Canada's restrictionist immigration policy continued until mid-1947. In one, exceptional, bolder initiative, which was to set the precedent for the 'bulk labour' schemes developed in the following years, admission for non-immigrant farm labourers was approved in July 1946 by an order-in council for some four thousand Polish ex-servicemen who had served with the General Anders' army and who found themselves in the United Kingdom at the end of the war. After a two year period, these individuals were free to discontinue or renew their contracts. The majority chose not to do so applied for immigrant status and migrated to urban centres.(70)

The Polish immigration scheme emerged at a meeting of High Commissioners in London on April 12, 1946 at which British officials had urged that action be taken to resettle the veterans of the Polish Free Army, and committed themselves to absorbing a certain number of these Poles in Britain. Massey, though expressing a definite dislike for Poles, recommended that Canada admit some 4000 Poles who, in his view, would provide a replacement for the departing German POWs who had been working on Canadian lumber camps and farms. Ottawa approved the scheme one month later, and the program was in place by mid-July. It was made known that Cabinet had instructed careful security screening to insure that no "subversives" slipped through with this group. In testimony before the Deschênes Commission, however, Joseph Robillard stated that in his first assignment with Immigration Branch -- the processing of 2000 soldiers from Anders Army, there was "no security screening". If they worked on farms for two years in Canada, they would be granted immigrant status.(71)

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There was some negative reaction, expressed by several MPs in the House of Commons, to the admission of the Polish veterans, revealing a definite bias against Poles and others, but also some concern about "admitting people who fought with the enemy forces during the war". MP John Blackmore asked why these soldiers were being allowed in and wondered whether they were displacing "good British names", as had already happened in parts of the West. He queried further whether they were fascists? Were they Protestants, atheists, Roman Catholic or Judaistic? On which he commented:

> We have enough internationalists already [???] I have had unfortunate experiences with groups of people who settle in communities and cannot be changed into Canadians, who insist on keeping their own language and culture and going on from generation to generation. That is not good.(72)

J.A. Glen, the Minister of Mines and Resources, responded that these Poles in fact fought against Nazism -- but as a precaution they would be spread across the country. Similarly, T.L. Church, MP for Broadview, also expressed resentment at the fact that Poles were being brought in at a time when there was a lack of ships for bringing in British immigrants. Furthermore, he objected to the government bringing in Polish soldiers who were volunteers "on the side of Germany" fighting against British and Canadian forces in Italy, as "was shown in the British House of Commons".(73)

Though it would have seemed unlikely that Nazi collaborators would have found their way into the Polish Free army, there were allegations made before the Senate Standing Committee on Immigration and Labour by a spokesman for pro-Soviet Polish groups in Canada, that General Anders recruited 'Fascist' Poles who had served in the Wehrmacht.(74) In fact, as a desperate measure, the Germans in late 1944 recruited Poles -- not necessarily Fascists -- into the Wehrmacht. A former Polish

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Minister Plenipotentiary defended the Polish veterans before the Senate Committee, declaring that they were forcibly conscripted into the Wehrmacht or the Todt organizations and took the first opportunity to escape to join the Allies.(75) There were later stronger allegations made in the United States -- largely unsubstantiated -- about war criminals amongst the Polish soldiers.(76)

It may be presumed that these allegations have never been investigated. It was also held to be most unlikely that there would have been communists in the group since its members were particularly adamant about not returning to Soviet-dominated Poland after the war. Jewish members of the Polish army were carefully screened out. Of the first 1,700 Polish veterans to arrive in Canada it was reported that only one was a Jew.(77)

Immigration policy and programs for DPs, 1947-1952

Changes in 1947: The initial measures which opened the doors to a very limited number of displaced persons and refugees did not satisfy the pro-immigration forces. As post-war prosperity became more evident and the need for manpower more pressing, support for broadening immigration policy increased. The immigration debate, meanwhile, intensified, following considerable discussion in the media and the numerous representations and briefs which came before the Senate Standing Committee on Immigration and Labour.

External Affairs officials, particularly those who had been stationed in Europe, were more keenly aware of the dimensions of the European refugee problem, and a number of MPs, sensitive to the concerns of the ethnic groups, urged the liberalization of Canada's immigration policies. Other persistent voices for a liberalized immigration policy continued

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to come from the business and banking communities who argued that unskilled or semi-skilled immigrants who would be employed in agriculture, in the extraction industries and in construction would permit native-born Canadians to embark upon more appealing vocational opportunities. They argued, too, that increased population would lessen transportation and production costs. The media, particularly the Toronto Globe and Mail, was by this time very critical of the government's restrictionist immigration policy. By 1947, the opposition to increased immigration was on the defensive.

Organized labour continued to express concern that an influx of immigrant labourers might displace Canadian workers, and advocated increased immigration only if it did not introduce skills already plentiful in Canada. The shortage of manpower in natural resources, construction and related industries, however, led to meetings in December 1946 between representatives of these industries with officials of the Department of Labour and Immigration Branch. As a result, with the opening of additional processing stations in Europe in January 1947, Canadian immigration teams were processing not only sponsored relatives but also miners, lumbermen and construction workers, though on a limited scale. The Departments involved in the Interdepartmental Committee on Immigration were by early 1947 submitting their assessments and recommendations with regard to immigration policy. The report prepared by the Department of Labour asserted that prospective immigrants would engage in the types of manual labour generally eschewed by Canadians, and that the economy needed increased population. The report recommended the admission of 50,000 immigrants annually -- a number which the Department judged could be readily absorbed into the economy.

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The report from External Affairs focussed on Canada's international obligations and image; on humanitarian considerations; and on reasons and need for speedy action so as to be in a position to select the best immigrants.

Immigration Branch balked somewhat at these developments, which seemed to threaten its jurisdiction, and there was some tension between the various departments, each of which approached the issue from its own perspective and interests.(78)

Ethnic preference, meanwhile, continued to be a very weighty consideration and continued to dictate a restrictionist policy. The pros and cons of implementing a quota system for immigrants of various national backgrounds, in such a way as not to appear discriminatory, but in effect to retain selectivity, was raised in a February 1947 memorandum to Cabinet.(79)

A 14-page undated, unsigned, "Confidential" study, offering "Draft Proposals for Immediate Measures to Regulate Immigration into Canada" stated that, as the American experience had shown, the quota system could solve the problem of increasing immigration, while controlling numbers and qualifications, assuring a predominance of British, American and desirable European immigrants, and avoiding a basis of selection expressed in terms of racial or national discrimination. This could be achieved, the study advocated, by basing the quota system on the racial origins of the Canadian population rather than on the proportions of the foreign-born, "in order not to disturb too radically the present population balance".(80) For public relation purposes, the study recommended that total figures for quota immigration not be publicized, so as not to arouse opposition. With regard to DPs, the study tentatively suggested that either for a short period of one year (or two years), or up

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to a specific total, "it would probably be desirable to have a special non-quota group to cover displaced persons...on the grounds of the emergency character of the situation. (81)

The Minister of Mines and Resources (J.A. Glen) then recommended, in a March 1947 Memorandum to Cabinet, that admissible relatives now include DPs and that special provision be made for the admissions of persons coming under group labour movements, such as farm labourers or domestic servants, and under assured sponsored employment. Glen further recommended that an Interdepartmental Committee on Immigration and Labour be established to assure smooth implementation of these provisions.(82)

The various pressures and recommendations culminated in a landmark statement by the Prime Minister in the House of Commons on May 1, 1947 which drew the main lines of postwar immigration policy for Canada. The policy statement was drafted by Gordon Robertson, Secretary to the Office of the Prime Minister, and redrafted by J.W. Pickersgill, Mackenzie King's special assistant, before being submitted to the Prime Minister and Cabinet. The opening words of the statement set out the main lines of a careful policy of selectively increasing immigration based on economic development needs and ethnic preference:

> The policy of the government is to foster the growth of the population of Canada by the encouragement of immigration. The government will seek by legislation, regulation and vigorous administration, to ensure the careful selection and permanent settlement of such numbers of immigrants as can be advantageously absorbed in our national economy.(83)

An important condition for "population growth through immigration" was that no "fundamental alteration" was to be made in the character of the Canadian population. In this regard,

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large-scale immigration from Asia was specifically rejected, but the implication of this principle for other non-preferred ethnic groups -- such as Jews, Poles, and Ukrainians -- was not missed by immigration officials in the years immediately following.

Pressure from MPs, transportation companies, public servants, and, especially religious and ethnic groups in Canada finally had an impact. While humanitarian considerations shaped some people's perspectives with regard to the more than a million displaced persons and refugees in Europe, it was the economic and political considerations which finally led to the adoption by the government of some concrete measures. The arguments that the expanding economy needed additional manpower and that an increased population would provide a large consumer market for goods produced in Canada persuaded C.D. Howe, a dominant figure and the Minister of Reconstruction responsible for Development, and to become an outspoken advocate of increased immigration, including immigration of DPs. On the advice of the Interdepartmental Committee on Immigration and Labour, the Cabinet issued several orders-in-council which, over a period of fifteen months starting from June 6, 1947, raised the quotas for entry of DPs from 5000 to 40,000, many of whom moved to Canada via the bulk labour scheme. These quotas did not include persons from DP camps who were sponsored by close relatives in Canada. While national economic self-interest motivated the change in Canadian government policy with regard to immigration from mid-1947 onwards, discrimination on ethnic grounds was to determine which individuals would in fact be admitted.

The development and introduction of special immigration programs, 1947-1952

Apart from the regular flow of immigration structured in terms of the established categories, three principal special immigration programs or 'schemes' operated from 1947 through

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which the vast majority of the displaced persons and refugees entered Canada over the following five year period. These programs, implemented in close cooperation with the IRO or with accredited church organizations, included the close relatives scheme, the sponsored labour/bulk labour scheme, and the church sponsored programs, which, in fact, linked up with the first two schemes.

Prospective immigrants whose applications had been approved by Ottawa for any of these schemes were processed by mobile teams functioning with rather inadequate facilities throughout the British and American zones in Western Europe, assisted by the I.G.C.R. and later the IRO. I.G.C.R. or IRO officers would locate and assemble DPs whose applications were already approved, and Canadian teams would then proceed to medically examine and politically screen them. The IRO would then transport them to transit camps from which oceanic transportation would be arranged, expenses being covered by the IRO -- which was funded in part by the Canadian government.

By August 1947 some 16,000 displaced persons were approved under the close relatives scheme and some 10,000 under the bulk labour movement.(84) In August 1947, after the establishment of the Canadian Christian Council for the Resettlement of Refugees, arrangements were also already under way to apply these immigration schemes to admissible persons who did not come within the mandate of the IRO, such as Volksdeutsche, German nationals who had opposed the Nazi regime, German fiancées of Canadian servicemen, and German and Austrian wives and minor children of legal residents of Canada.

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a) The Close Relatives Scheme:

The Canadian government was under continuous pressure immediately after the war from Canadian residents who wished to bring close relatives from the DP camps to Canada. One of the first measures taken in broadening immigration policy was the expansion of the category of admissible close relatives in May 1947 to include -- in addition to wives and children under age 18 and fiancées -- parents, unmarried children over age 18, siblings, spouses, fiancés of both sexes, and orphaned nephews and nieces under age 16 of Canadian residents able to receive and care for such relatives. A further extension in September 1948 made provision for dependents of DPs who had already arrived. As soon as these relatives arrived in Canada and became legal residents, they were in a position to apply for other admissible relatives. After the first Canadian immigration office opened in Germany in 1947, the delays in the close relative immigration movement, due to administrative problems in Europe and scarcity of transport, diminished.(85)

Emotional requests on humanitarian grounds vied with the government's longstanding official policy of "maintaining the existing ethnic and racial composition of the country".(86)

After the expansion of the close relatives category of admissible immigrants and Mackenzie King's announcement in the House that applications would be received from close relatives of European refugees, over 30,000 applications reached Immigration Branch, of which a considerable proportion were for Volksdeutsche refugees whose Canadian families sought their admission to Canada.(87)An important consideration for the government in this regard was that Canada had a commitment to assist in the resettlement of persons internationally regarded as being permanently displaced by war -- in other words, persons who came

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under the protection and jurisdiction of the IRO and its predecessors. Ethnic Germans, however, were outside the IRO's mandate, and, as many had acquired German nationality during the war, their status as 'enemy aliens' was also at issue, as were allegations regarding their active collaboration with the Nazi regime.

Canadians of German extraction constituted at this time the largest ethnic minority in Canada after English and French Canadians. Because the Volksdeutsche were not eligible for DP status and were therefore not afforded access to the IRO's facilities and transportation arrangements, and because of uncertainty about their status, applications from Canadian residents on behalf of close relatives who were ethnic Germans piled up at Immigration Branch, much to the annoyance of their prospective sponsors in Canada.

Very quickly, however, efforts on behalf of the Volksdeutsche were effectively organized by Canadian German ethnic organizations and church groups, with some high-level support in clearing obstacles. The role of church groups in Canada, especially the CCCRR, in influencing changes in Canadian immigration policy, particularly with regard to relaxation of restrictions on former members of the Nazi Party and of Nazi organizations, and in bringing large numbers of ethnic Germans and German nationals to Canada from 1947 to 1955 deserves attention in its own right, and is described at pages 154 to 161 and in Chapters V and VIII below.

b) <u>The Bulk Labour Scheme</u>

The most extensive of the immigration programs for bringing DPs to Canada was the sponsored labour program and its broadened version, the 'bulk labour' scheme.

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The 'Polish' resettlement scheme, which had proved successful, did not solve the still acute shortage of labour in some basic industries, and was soon looked upon as a model for bringing in other groups of labourers to Canada. The Deputy Minister of Labour reported on December 6, 1946 that as of December 1, 1946 there was a shortage of approximately 45,000 men, mostly in the lumber and mining industries. It was estimated that Canada should absorb some 20,000 heavy labourers a year for the next five years.(88) One solution offered was the placement of selected groups of workers from the DP camps in Europe in industries which needed labourers.

An Interdepartmental Immigration-Labour Committee was established on March 27, 1947 to advise the Cabinet Committee on Immigration with regard to immigration of displaced persons and others.(89) The repeal in April 1947 of the order-in-council which had prevented contract labour from being brought into Canada, permitted the Department of Labour to assume an important role in these programs. Represented on the Immigration-Labour Committee were the Immigration Branch and the Departments of Labour, External Affairs and Health and Welfare, with the Deputy Minister of Labour acting as chairman. The Committee's mandate was to monitor the admission of DPs under various labour programs, and to approve the admission of given numbers of DPs according to existing labour requirements.

The process involved in the 'bulk labour' scheme was simple: potential employers -- such as logging, lumbering or mining firms -- would forward an application to the Department of Labour requesting that a specified number of labourers be brought into Canada under pre-arranged employment contracts covering wages, housing and basic conditions. A committee consisting of government and industry representatives would then decide on the

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number and types of workers who could be readily absorbed, following which a selection team would travel to the DP camps to screen and process people who might fit the pre-selected occupational categories, with the help of IRO officials. Dr. Hugh Keenleyside, the Deputy Minister of Mines and Resources (in effect, of Immigration), who played a central role in the implementation of the scheme, described the procedure as follows in the House:

> The manufacturer, industrialist or group of industrialists, in Canada who need labour, make a request to the Department of Labour, or to the Immigration Branch, for assistance from the DP camps, stating the number they want, the conditions under which they will be employed, and when they will be ready to take them. That request is then screened by the inter - departmental committee known as the Immigration Labour Committee, on which the Department of External Affairs, and the Department of National Health and Welfare are also represented. If the screening shows that the request is a sound one, looking at it from the standpoint of both employer and employees, the Immigration-Labour Committee recommends that it be accepted. Approval is sent overseas by the Immigration Branch to our officer in Germany, who is in charge of our selection teams. These selection teams consist of an immigration officer, a labour officer, and a national health officer, and also a representative of the RCMP for screening on security grounds. The team, having received an application for the admission of say a thousand wood workers, go to the camp or camps, where they think the workers are most likely to be available, announce that Canada is prepared to give employment to a thousand persons in that category and receive applications from the individuals who want to come to Canada on those terms. The screening is then proceeded with. As the thousand persons are obtained they are put on the first available ships and sent over here. The movement is carried out at the expense of the International Refugee Organization.(90)

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C.D. Howe, at the time also Acting Minister of Mines and Resources, played a central role in keeping up the momentum behind the bulk labour movement. In a June 1947 memorandum to Cabinet he recommended Cabinet approval for the admission of 1400 woodworkers, 2000 craftsmen for the clothing industry and 2000 persons for domestic work in homes, hospitals and similar institutions.(91) Further recommendations, such as those contained in another memorandum to Cabinet from Howe in September 1947, provided for 5000 men for heavy industry, construction and lumber camps and 2000 women for domestic work.(92) Single girls who came in under the domestic scheme could soon apply for the admission of their entire immediate families as 'close relatives', and it was common practice for the entire family to be pre-examined with the single girl. Additional proposals for 'bulk labour' immigration came from Keenleyside, who recommended further numbers of woodworkers, domestics and groups of Estonians.(93)

The bulk-labour program was soon expanded to include other types of labourers and specialized agricultural workers, such as sugar-beet farmers who came in family groups for settlement in western Canada. According to statistics presented to the Senate Standing Committee on Immigration and Labour, some 47,000 workers were brought to Canada in these group movements between 1947 and 1951. Once in Canada as legal residents, these persons were in a position to bring in other immigrants under the 'close relatives' scheme, resulting in the admission of over 100,000 DPs to Canada through the labour immigration program.

Following the precedent set in the Polish scheme, Canadian employers and government officials discreetly excluded Jews from this large scale movement of DPs through the 'bulk labour' or 'sponsored labour' programs -- with the exception of the specialized programs organized in Jewish circles for tailors and furriers. This fact, specifically confirmed by IRO officials

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at the time of an investigation of discriminatory practice in the DP camps, led to charges that it seemed easier for war criminals to get into Canada than for Jews. Canadian officials may have rationalized their discrimination against Jews in bulk labour recruitement on the grounds that Jewish DPs, who had suffered most at the hands of the Nazis, were perhaps least suited for intense physical labour of the type required by the schemes. Gentile intellectuals and professionals were similarly discriminated against. It is difficult, however, to understand why no Jewish girls were recruited in the 'Domestics Programs' for placement in Jewish homes and institutions.

The processing of 'bulk labour' immigrants was a very pressured operation. Sponsoring employers in Canada wanted the numbers they were requesting without delay, and the demand for labourers was far greater than Canadian officials' ability to complete transportation and processing arrangements. This had a definite impact on the security screening process (as discussed at pages 190 to 202 below). Immigration through this channel slowed down somewhat in the summer of 1948 as the demand for labourers was more or less fulfilled, and the Displaced Persons Act opened up immigration to the United States, making Canada only a second choice for many potential immigrants. In competition with the U.S. for European immigrants, Canadian officials urged that regulations be relaxed and that action be taken without delay so that displaced persons could be selected in accordance with stated ethnic preferences.

The 'bulk labour' movement, which was a special program, an exception to existing immigration legislation rather than part of a normal immigration flow, did not escape criticism from both pro and anti-immigration forces. One Canadian daily newspaper referred to the bulk labour program as a "paltry" scheme allowing employers to recruit labour on a plan of

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"semi-servitude, utterly at variance with Canadian notions of human rights and freedoms".(94) Others argued that the government was treating the DPs as "an economic commodity rather as people requiring humanitarian programs".(95) The Canadian Labour Movement and the CCF disapproved of the government schemes which they saw as undercutting wage rates and potentially displacing Canadians from positions of employment. The IRO Director General expressed some criticism of the Canadian government's immigration policy with regard to DPs/refugees, referring to the 'bulk labour scheme' as "looking upon the refugees as just so much labour fodder".(96) What he criticized in particular was the stringency in medical requirements and in rejection criteria for political reasons. With the primary goal being the resettlement of as many DPs as possible, as quickly as possible, the IRO pressured the Canadian government to open its doors more widely and to exercise greater leniency in security screening of individuals.

c) Church Sponsorship:

There was dissatisfaction with the existing close relatives scheme and with the bulk labour schemes amongst relatives of those who were still outside the IRO mandate -- in particular, the Volksdeutsche and certain Baltic groups who were excluded from the IRO mandate because they were ethnic Germans or because they had served with the German armies. Assisted by voluntary agencies and church groups, an estimated 800,000 refugees of Germanic origin or of German nationality provided a large pool of prospective immigrants to Canada and elsewhere.

A number of Canadian ethnic and religious groups -- in particular, Lutheran, Mennonite, German Baptist and Catholic groups -- organized relief assistance from 1946 on for their co-religionist DPs who were outside the IRO mandate. When in

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late 1946, Robert Keyserlingk applied for registration, under the War Charities Act, of the Baltic Relief Fund, it became clear that the fund was intended only for Balts of Germanic ethnic background who had acquired German nationality during the war, and who subsequently found themselves "stateless" and in Germany. C.H. Payne, Deputy Minister of the Department of National War Services and External Affairs officials Pearson and Gordon Riddell were perturbed by the misleading nature of the name of the fund.

> We made the objection quite strongly that the term "Baltic" was misleading and that either Keyserlingk should make it clear that his Fund included non-Germans from Baltic areas or he should change the title.(97)

After persistent representations from External Affairs, the group finally changed its name to "Baltic Refugees in Central Europe", which was also considered to be misleading. However, because of "the support which Keyserlingk had", Payne stated that he was unwillingly to pursue the matter any further. The source of that support is alluded to in a letter from Keyserlingk to Payne, in which he mentions that he

> had opportunity to discuss this whole aspect privately with His Excellency Viscount Alexander who is quite familiar with that situation and has been following it very closely. He has mentioned to me that references about the Balts could be referred to him, naturally in his private capacity only.(98)

A letter from Viscount Alexander to Louis St. Laurent, then Secretary of State for External Affairs, makes clear the high-level interest on behalf of German Balts. Seeking advice regarding a message he had drafted in response to Keyserlingk's request for support for the Baltic Relief Committee, the Governor-General stated:

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> I am not only willing, but should like to help in any way I can, because I know many of these Balts and have good friends amongst them of many years standing.(99)

The strategy followed by the German Canadian religious/ethnic organizations was to impress upon government officials the plight of their brethren in Europe, to gain government approval for delivery of supplies to the camps inhabited by ethnic Germans, and then to press for their admission through close relatives or sponsored labour immigration programs.

Thus, for example, the Canadian Lutheran World Relief Society received in February 1946 government authorization to distribute relief supplies to Lutheran refugees -- these being primarily of Baltic Germanic origin -- and then lobbied successfully for the admission of a number of Lutherans as close relatives or sponsored labourers. Later, from 1948 to 1955, the group lobbied government officials, either independently or through the CCCRR with which it was affiliated, for relaxation of restrictions on enemy aliens, Waffen-SS and SS members.(100)

Baptist groups in Canada similarly organized aid for their refugee brethren in Europe. From the summer of 1947, H. Streuber, a leader of the Baptist community from Winnipeg, initiated a program to assist Canadian relatives in the preparation of IMM 55 forms (for sponsored immigrants) on behalf of Baptist ethnic German relatives in Europe.(101)

The Canadian Christian Council for Resettlement of Refugees (CCCRR)

In June, 1947, T.O.S. Herzer, a key figure in the mobilization of efforts on behalf of ethnic Germans and German nationals, brought the various interested groups together with representatives of transportation companies and government

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officials, and founded the Canadian Christian Council for the Resettlement of Refugees (CCCRR) with the specific task of promoting and assisting the immigration to Canada of refugees who were outside the mandate of the I.G.C.R. or the IRO.(102)

The story of the CCCRR, an umbrella organization representing Baptist, Lutheran, Mennonite and Catholic church groups of predominantly Germanic origin, is closely linked to changes in government policy with regard to admitting enemy aliens, and former members of the Nazi Party, of the Waffen-SS, and of other Nazi organizations. (The career and impact of the CCCRR on Canadian immigration policy is described in Chapters V and VIII of this report).

During the period of peak immigration from 1946 to 1955, 169,073 immigrants of German ethnic origin, of whom 132,265 held German citizenship, came to Canada (see p.220 below). By 1953 some 30,000 ethnic Germans and German nationals came to Canada with the assistance of the CCCRR.(103) The CCCRR's leadership enjoyed an excellent rapport with senior government officials and with immigration and security screening officers in key positions in Europe, as well as with the colonization departments of the Canadian railways. The organization was therefore in a position to act effectively, to circumvent or to effect change to regulations on behalf of prospective German immigrants, and was, as well, organized to make concrete arrangements for actively bringing them to Canada. In his testimony before the Deschênes Commission, Joseph Robillard, Chief of the Canadian Immigration Mission in Germany and Austria in the early 1950s, attested to the immigration officers' considerable dependence on voluntary agencies, a principal one being the CCCRR--for information on prospective immigrants.(104)

Following the Rauca investigation, when names of alleged war criminals were brought forward from Germany, Department of Justice memoranda indicated that a number of the

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individuals under investigation had come into the country in the same manner as Rauca -- some, indeed, on the same ocean passage with Rauca -- as refugees sponsored by the CCCRR.

The CCCRR, 1947-1949: The CCCRR was founded in June 1947 as a result of the efforts of Herzer, the Director of a CPR land subsidiary and an active Lutheran layman. Herzer had consulted with H.C.P. Cresswell, Chief Commissioner of the Department of Immigration and Colonization of the Canadian Pacific Railways, concerning the plight of ethnic German immigrants to Canada, contacted the various German ethnic groups interested in resettling Volksdeutsche refugees in Canada, and lobbied Immigration Branch officials in this regard. The founding meeting, held June 23 and 24 at the Chateau Laurier in Ottawa, brought together representatives of the churches --including the Canadian Mennonite Board of Colonization, Canadian Lutheran World Relief, the German Baptist Immigration and Colonization Society, the Baptist Convention of Ontario and Quebec, and the Catholic Immigration Aid Society -- with representatives of transportation companies and government officials. The stated purpose of the CCCRR was "to assist in the immigration to Canada of those refugees who do not come within the mandate of the IGCR or the IRO" -- primarily ethnic Germans and German nationals.

The agenda of the group was ambitious: to take over, under its own jurisdiction, a considerable number of steps of the immigration procedure, including chartering of ships and establishing its own overseas mission in Germany which would contact nominated immigrants, provide Temporary Travel Documents (T.T.Ds), and undertake preliminary medical examination and screening for prospective immigrants.(105) Remarkably, within a few months, these aims were largely achieved. The argument

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presented was that the barrier with regard to Volksdeutsche refugees was simply that they were technically not Displaced Persons, and that as a result

> there had been no refugees, no people of the so-called "Volksdeutsche" - coming on the various ships unless they had somehow been able to convince the authorities overseas, principally the IGCR that they were, technically, Displaced Persons. Now that these refugees are legally admissible to Canada if nominated by relatives the problem has arisen as to who is to process them. Mr. Herzer stated that it had been proposed overseas that since IGCR could not process these refugees, being restricted to the handling of Displaced Persons, a committee should be set up - similar to IGCR to undertake this work.(106)

Initially, government officials hesitated in offering official recognition and assistance to the CCCRR, lest a precedent be set for other religious organizations.(107) In November 1947, however, Cabinet approved the following formula to explain the CCCRR's relationship to the government:

> From time to time the Canadian Government, through its Department of Mines and Resources, accepts the offer of cooperation and assistance from Canadian voluntary welfare organizations for the purpose of seeking out and assembling for inspection prospective immigrants who are admissible to Canada under the Canadian Immigration Regulations. These persons for the most part are not Displaced Persons within the mandate of PCIRO, although some of them do come within the mandate. The Canadian Government would appreciate any assistance and cooperation which can be afforded to these Bodies by the Control authorities (PCIRO, etc) in order that they may carry out the above-mentioned tasks more effectively.(108)

The CCCRR also received governmental authorization to have church representatives go to Germany in order to locate Volksdeutsche refugees who had close relatives in Canada. These

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representatives would assemble, process and present potential immigrants for medical inspection and political screening by Canadian immigration teams, in many instances providing a pre-screening service undertaken by their own staff. A rumour that the Allied Control Commission for Germany was about to label the Volksdeutsche as German nationals, which would render them ineligible for admission to Canada as enemy aliens, intensified the efforts of these representatives and their staffs. H.H. Erdmann, the Lutheran representative on the CCCRR, spent much of 1947 in Europe assessing the situation and arranging for a reception camp for Volksdeutsche refugees in the British zone.(109)

Though large numbers of Volksdeutsche refugees were assembled with remarkable efficiency and speed, refugees falling under the IRO mandate still had priority for transportation arrangements. The CCCRR then pressed the government to help bring the already visaed refugees to Canada more promptly. CCCRR representatives met with government officials and proposed three possibilities: that the Canadian government urge the IRO to include the Volksdeutsche in its mandate; that the Canadian government itself absorb CCCRR operations in Germany; or that financial assistance be provided to the CCCRR to carry out the administrative and transportation arrangements more efficiently. The Canadian government's response was that it would consider financial assistance, but warned that this assistance should not be interpreted as constituting governmental sponsorship of the overseas program of the churches, since such sponsorship would involve "assuming responsibility for the acts of this and similar associations, recognized by the Department of Mines and Resources for immigration work in Germany".(110) A possible intent of this precaution was to preclude other such organization engaged in immigration work in Germany -- such as the Ukrainian Canadian Committee or the Jewish Immigrant Aid Society -- from applying

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for similar government assistance. The government also set aside space for 400 Volksdeutsche to be brought in monthly on the Beaverbrae, acquired as part of the reparations assessment with Germany.

After visiting refugee centres for Volksdeutsche and German nationals in the British and American zones of Germany, Herzer presented in January 1948 a brief to the Minister of Mines and Resources describing the difficulties experienced by refugees declared ineligible for IRO assistance. By this time one hundred Volksdeutsche had already been brought to Canada as a result of the "utmost cooperation of the IRO, the Canadian government, British occupation authorities, officials at Canada House, Cunard and CCCRR staff".(111) The government's designation of the Beaverbrae for CCCRR's use had greatly increased the prospects for bringing to Canada far greater numbers of refugees who were outside the IRO mandate.

Herzer complained, however, that there were not enough Canadian Inspection Officers available for processing the large number of prospective immigrants outside the IRO's jurisdiction. He therefore suggested that the CCCRR provide some of their own people who might be attached to the Canadian inspection teams. He pointed out that more than half of the refugees approved under the Close Relatives Scheme were ineligible for IRO assistance, and that the government should assist the CCCRR, a voluntary organization with limited resources, in facilitating the way for what had become the majority of immigrants coming under the Close Relatives schemes -- an undertaking which, Herzer stated, was in any case essentially a Canadian domestic issue.(112)

In response, Glen prepared a memorandum to Cabinet acknowledging governmental recognition of the CCCRR as a body working in conjunction with Canadian immigration teams in German

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and Austria, and recommending that Cabinet approve a $100,000 grant for the CCCRR's operating expenses in 1948.(113) The Cabinet accepted Glen's recommendations, stipulating that the CCCRR bring in 5000 immigrants during 1948. It was decided, however, to omit specific reference to the fact that the immigrants in question would be for the most part of German ethnic origin, and to replace reference to the specific agency employed (i.e. the CCCRR) by "such agency as you may approve".(114) After several months, the recommendation was revised in August to accord a $100,000 grant over 10 months, stipulating a minimum of 700 immigrants per month.(115) The CCCRR's fulfillment of its undertaking to the government to bring in the stated number of immigrants gained it a renewal of the grant at the rate of $10,000 per month for the next 12 months starting in April 1948.

As the numbers of those eligible under the close relatives scheme began to dry up, the CCCRR, in a further initiative in late 1948, petitioned the government to permit bringing to Canada "brethren of the member religious organizations" who were without close relative sponsors in Canada. The CCCRR felt that they could now broaden their scope, given that the Baltic Volksdeutsche were by this time included within the IRO mandate, permitting them to concentrate on remaining Volksdeutsche and German nationals. An important consideration both for the CCCRR and the government was the financial advantage of filling the Beaverbrae to capacity for the regularly scheduled monthly sailings.(116)

One avenue for broadening the scope of the CCCRR was suggested to the government in January 1949 by one of the affiliate groups of the CCCRR -- the Canadian Lutheran World Relief Organization -- which proposed that the volunteer organizations engage in the selection of immigrants from amongst refugees outside the IRO's jurisidiction on an occupational basis. The proposal was that each of the affiliate organizations

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of the CCCRR select 1000 young persons under a blanket permit and on the organization's guarantee of employment, or on sponsored applications, and that these persons could then be in a position to bring in their families under the 'close relatives' scheme. It was also suggested that the close relatives categories be further expanded to include nephews, nieces, aunts, uncles and cousins.(117) The Mennonites group similarly requested that it be authorized to select immigrants on an occupational basis.(118)

In response to these representations the government's Immigration Labour Committee dismissed the prospect that the close relatives class would be enlarged "merely for the purpose of affording entry to groups brought to Canada by religious organizations".(119) However, with regard to authorizing these organizations to select immigrants on an occupational basis, the Committee responded positively, but suggested that in order to allay criticism, applications brought forward through the religious organizations should be cleared through the Dominion - Provincial Farm Labour Committee or the National Employment Service.(120) It was felt that in this way the active role of the CCCRR in the bulk labour schemes could be camouflaged. In mid-January 1949, the CCCRR received permission to bring five hundred farm and wood workers to Canada with the promise that additional movements would be permitted if the initial group proved to be successful. At a meeting in February 1949, CCCRR executive officials proudly announced the official recognition of their new status as not merely a relief agency, but an immigration agency working in conjunction with the Canadian government:

> Whereas at its inception it was made up of voluntary agencies representing various religious groups and ethnic communities, interested primarily in the welfare of refugees ineligible under the IRO, it has now become the

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official agency for groups interested in relief and immigration, appointed and recognized in the participating church bodies.(121)

The special status accorded to the CCCRR by the government opened the door for thousands of Volksdeutsche "expellees", and -- after the lifting of the ban on enemy aliens, and, to some extent beforehand as well -- for German nationals to come to Canada. The accommodation of the CCCRR by the government and the support given it were, as far as my own research indicates, unique. The government for its part took pains to ensure that this did not become a matter of public knowledge.

The crucial role played by the CCCRR in influencing the government to relax restrictions on admission of German nationals and of former members of the Nazi Party and of various Nazi organizations is described in below in Chapters V and VIII of this report.

Immigration of Balts to Canada:

As discussed above, from the earliest reports on the DP camps in Europe, Canadian officials pointed to the Balts as most desirable immigrants. Their wartime plight was described as having been caught between German and Soviet forces, opposing both Soviet expansion into the Baltic region in 1940 and the Nazi invasion which followed -- a statement which was in fact accurate when applied to some, but not all Balts. Collaboration with the German armies in the Baltic states was played down. Balts under the IRO mandate in Germany and Austria were amongst the first DPs selected by teams from the U.S. and Canada. However, those who were in Sweden or Denmark were outside the IRO mandate and facilities for processing them and arranging for their immigration to Canada were lacking. Stressed above all was their passionate anti-Communism.(122)

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The majority of postwar Baltic immigrants came to Canada under the bulk labour scheme. As discussed below (p. 201 ff.), a number of Lithuanians, Latvians and Estonians (as well as Volksdeutsche and Poles/Ukrainians) with SS tattoo marks entered Canada in 1947 under the bulk labour scheme with the knowledge of Canadian officials, at a time when immigration guidelines clearly prohibited the admission of persons who had served with the enemy forces. Time constraints on this report have permitted only a fragmentary development of the account of the immigration to Canada of Balts who had collaborated with the Nazis. Treatment of the subject was further constrained by the lack of access to important sources: access to archival collections of the Lithuanian community deposited with the Public Archives in Ottawa was denied to this Commission of Inquiry. Recently, the Multiculturalism Directorate of the Department of the Secretary of State has sponsored the publication of accounts of Estonian and Lithuanian immigration to Canada by scholars from these communities.(123) The focus in these studies is not on the possible entry to Canada of Nazi collaborators or war criminals but rather on the broader immigration stream of bona fide DPs and refugees.

In addition, to inadequate screening and irregularities relating to admission under the bulk labour scheme, several aspects of the Baltic immigration story are noteworthy in that they involved waiver of normal screening and approval procedures and requirements: the relaxation of restrictions with regard to former members of the Baltic Waffen-SS (discussed in Chapter VIII below); the cases of the Estonians who came via Sweden and the Estonian 'boat people' (discussed immediately below); and the immigration to Canada in the mid-1950s of Latvians who had resettled in South America after World War II (discussed in Chapter VI and X below).

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The Estonians in Sweden: Some twenty-five thousand Baltic refugees who took refuge in Sweden, were welcomed by the Swedish government which was prepared to arrange for their integration into Swedish society. These included some 23,000 Estonians, 4000 Latvians and 400 Lithuanians. Many Balts, however, were uneasy about remaining in Sweden, fearing that the the Swedish government, which had recognized the Soviet annexation of the Baltic States in 1940, might be vulnerable to Soviet pressure to expel them for repatriation. Many therefore sought to be resettled in Canada or elsewhere.(124)

The case for the immigration of Estonians to Canada was favourably received by members of the Senate Committee on Immigration and Labour and by a number of important officials, in particular by Hugh Keenleyside, the Deputy Minister of the Department of Mines and Resources. Though not under the IRO mandate, the Estonians in Sweden were eligible to immigrate to Canada if applications were received on their behalf from close relatives or employers in Canada. However, there were no Canadian immigration processing teams in Sweden, and it appears, in order not to arouse the Soviets, the Swedish government was reluctant to permit the establishment of a Canadian immigration team to recruit Balts in their country.(125) Keenleyside's proposal, adopted by the government, was that prior approval be given for the entry of up to five thousand Estonian refugees (though it was estimated that only two to three thousand would want to come to Canada), with the necessary processing to be carried out by an enlarged legation staff at Stockholm. Transportation costs would be covered by the IRO, though IRO ships would not be used so as not to upset the Soviets. Because the Estonians in Sweden insisted on choosing their own employment and on travelling to Canada in family units, only 115 visas were issued to them by February 1949. However, many more came through in the course of the rest of that year.(126)

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The 'boat people' episode was quite irregular: groups of Estonians on a number of small boats arrived at Canadian ports between August 1948 and 1949 without being medically inspected or visaed. Though by regulation no one was permitted to enter Canada as a landed immigrant without first having been processed by Canadian officials in the applicant's last country of residence, in this instance inspection machinery was set up on an ad hoc basis in order to process the group of illegal entrants. The government then admitted then, waiving current immigration restrictions by special orders-in-council in each case. In 1948, 519 such 'boat people' arrived in Canada; 951 arrived in 1949, and 123 in 1950. Only twelve were declared ineligible. With the liberalization of immigration policy in 1949, many more Estonians came in over the following two years.

Keenleyside's interest in the admission of Estonians had a personal dimension. He had welcomed an Estonian girl into his home, who had made an excellent impression on the household, to the extent that she soon married Keenleyside's son. Of note in relation to the immigration story is that this girl later worked at the IRO's Canadian Headquarters in Hull, and was in a key position to influence facilitation of admission of other Baltic immigrants.(127)

Public sentiment with regard to Displaced Persons and Alleged War-Criminals, 1947-1951

Treatment in the press and in the House of Commons: Reaction to the first large group of DPs, the Polish veterans, was ambivalent, as discussed above. In the course of 1947 the issue of whether they had fought on the German side -- which in fact, with few exceptions, they had not, and quite the contrary was true -- was raised in the House on several occasions, putting the government on the defensive.(128) Views expressed by MPs, and

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in the English-language media; reflected a determination to "keep Canada British" and resentment at the possibility that "foreign ideologies" might overtake "our ideas and ideals of government".(129) There were of course other streams of opinion. A number of MPs applauded King's May 1, 1947 statement on immigration policy, complaining that the statement had been too long delayed. Davey Fulton urged that one should "not place too narrow an interpretation upon the words 'enemy aliens'.(130) There was also expresssions of dissatisfaction with the too limited scope for action by the international refugee agencies on the grounds that these agencies excluded the Volksdeutsche from their mandate.(131)

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Speaking on behalf of Ukrainian DPs in the House in July 1947, Anthony Hlynka accused the government of discriminating against Ukrainians in its admission practices, and recommended that immigration regulations should be revised to accommodate not only people with muscle, but also intellectuals, of whom there were some 2000 amongst the Ukrainian DPs seeking admission to Canada.(132) There continued to be, however, various expressions in the House of unease about and opposition to Slavic and Jewish immigration. In response to Hlynka, MP Herridge referred to a report by a commander of Canadian forces in Germany, which he opined would lead the House, if members could read the report, to "fully appreciate the kind of people they are dealing with in this instance".(133)

In the course of 1949-1950, MPs spoke up in the House on behalf of 'well-educated' Latvians and Estonians as desirable immigrants, and, on a number of occasions, urged the lifting of the ban to admission of German nationals. Prejudice against other DPs still prevailed. In the view of one member, "the proper mode of immigration" would be to bring

> immigrants from Italy, England, Scotland, Norway and Holland...I am not in favour of dumping DPs into this country. This process of admitting so many DPs is not going to be successful, from the Canadian standpoint. About twenty or twenty-five percent of them will be good Canadians, but I have grave doubts about the other seventy-five percent.(134)

A Quebec member observed that DPs were

> a drain on society's resources and also take away jobs from natives. We, the people of Chicoutimi country, want to keep Canada for Canadians. Instead of spending millions to bring over from Europe fur merchants, ladies-wear manufacturers and dealers in ready-made garments...(135)

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Reaction to the de Bernonville case and to the admission of former members of the Ukrainian Waffen-SS: The subject of war criminals as a Canadian domestic issue was issue was brought to the attention of the Canadian public between 1949 and 1951, principally as a result of two developments. The first was the case of French Nazi collaborators who found a haven in Canada, and, in particular, the deportation proceedings instituted against Jacques de Bernonville, which received considerable media coverage. (The de Bernonville case is treated in Chapter XII, Part 2 below). The second development, which also received much publicity, was the admission of the Ukrainian Halychyna Waffen-SS Division as a group, after their sojourn in the U.K. (See Chapter XII, Part 3 below).

The de Bernonville case pitted important elements of Quebec's social and religious hierarchy against English Canada, placing a French-Canadian Prime Minister in a delicate situation. Canada's leading Yiddish-language newspaper, the Daily Eagle, was of course highly critical. MP Alistair Stewart was warmly commended for speaking against granting residence to former French Nazi collaborators.(136) The German language newspaper, Der Nordwesten, also took an interest. It published Stewart's speech, and protested that former French Nazis were permitted to enter, while anti-Nazi Germans were being kept out.(137) In a parallel development, when Karl Murin, the former secretary of Josef Tiso (President of the Nazi 'Independent State of Slovkia') was admitted, a Winnipeg German newspaper similarly expressed indignation that Nazis like Murin were being admitted, while Reichsdeutsche continued to be barred. [The case of the Slovak collaborators is treated in Chapter XII, Part 5 below.]

Great offence was taken by Jews, and others, at Frederic Dorion's speech in the House of Commons in favour of de Bernonville, in which he commented that had de Bernonville been a

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'Communist Jew' rather than 'a good French Catholic nobleman who served his country', such a fuss would not have been raised.(138)

The possible admission of the Ukrainian Waffen-SS group aroused reaction from the Jewish community, which in fact influenced the government to briefly delay its decision on admitting the group. Mainstream newspapers of the Canadian Ukrainian community defended the "so-called Ukrainian Division" then in the U.K., and supported their admission to Canada, saying that the members had been forcibly drafted into service, and that a number had relatives in Canada prepared to sponsor them.(139)

The Communist Ukrainian press still maintained its earlier line of attack on Ukrainian DPs, criticizing Canadian immigration authorities for having a screening system which permitted the entry of "German bandits, child slayers, robbers and all kinds of Hitler rubbish".(140) The Communist Lithuanian press, similarly, accused Lithuanian DPs of killing Jews during the German occupation.(141)

The issue of the entry of French collaborators and the admission of the Ukrainian Waffen-SS coloured the political campaigns of the contenders in the July 1949 federal bi-election in Winnipeg North, and generated a "campaign within a campaign" in the Jewish community. The contenders were Alistair Stewart, the incumbent CCF member of Parliament, who spoke in the House on numerous occasions on behalf of DPs and a more open immigration policy; Peter Taraska, the Liberal candidate, who was of Polish descent; and Joseph Zuken, a Communist candidate of Jewish descent. In support of Stewart's campaign, the Jewish War Veterans ran an ad in the Jewish press featuring Stewart's speech in the House against Nazi collaborators, and attacked the Liberal Government for discrimination against Jews and for harbouring de Bernonville.

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Zuken's campaign ran ads in the Jewish press attacking not only the Liberal government, but also Peter Taraska who was described as a supporter of declared anti-semites in the Ukrainian and Polish communities, and as approving the government's policy of admission of Nazi collaborators. A Zuken ad asked:

> Why did Mr. Taraska in April of this year present and introduce a delegation to Prime Minister St. Laurent and Winnipeg which...urged the admission to Canada of the members of "Division SS Haylchyna"? This SS Division was a fascist military unit organized by the Hitler High Command. Its members are guilty of crimes against the Jewish people and humanity.(142)

In fact, Taraska was very much involved in representations on behalf of Polish, Ukrainian and ethnic German groups seeking admission of their kinsmen to Canada. His papers at the Provincial Archives of Manitoba contain considerable correspondence from the years 1947 to 1949 with the various affiliates of the CCCRR and with Polish and Ukrainian organizations and individuals, as well as with Immigration Branch, regarding immigration matters. In the end the Liberal Party's Jewish Election Committee for Taraska rallied behind him, rejecting Zuken's accusations as slanderous. Alistair Stewart won the election.(143)

The Valdmanis Story: A cause célèbre which kept Eastern European immigrants in the public eye was the case of Dr. Alfred Valdmanis, a prominent Latvian who was recommended to the Minister of Mines and Resources by Deputy Minister Keenleyside for immigration to Canada. Keenleyside reported that Valdmanis had been imprisoned by the Russians in 1940, and again by the Germans as an anti-Nazi in 1943; that following the war he worked for two years with the Allied Occupational Forces on refugee and DP matters, and that he had then joined the IRO as

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Assistant Chief of the Division of Planning and Field Services. Keenleyside recommended that Valdmanis be engaged to assist Immigration Branch in handling DP immigration on a part-time basis, as he had also been offered a teaching position at Carleton College.(144) The request was granted and Valdmanis took up residence in Ottawa, but soon accepted a teaching position at McGill University.

In a lengthy presentation to the Senate Standing Committee in April 1949, Valdmanis reiterated the story conveyed by Keenleyside, and pleaded on behalf of immigration to Canada of anti-communist Balts, and in particular on behalf of Baltic Waffen-SS members, who were rehabilitated and released in December 1945 and January 1946, because, he explained, they had nothing to do with the SS.(145)

The pro-Communist Polish ethnic press responded to Valdmanis' presentation to the Senate Committee with an article claiming that as a former advisor to the wartime President of the Bank of Germany, Valdmanis "was infected with Nazism".(146)

After assuming a position as Director of Economic Affairs with the Newfoundland government, notoriety struck Valdmanis as the respected New York Yiddish daily, Der Tag (and, as well, the Communist Toronto Yiddish weekly, Wochenblatt) carried articles in 1951 about his "fascist and Hitlerite" past, and charged that he had killed Jews in Latvia and had been a Quisling member of the Latvian government during the German occupation.(147)

Following character references from officials of Jewish organizations and a retraction from der Tag, the matter should have been laid to rest. But, as reported in the Montreal Gazette in November 1951, feelings continued to run high against him.

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Conservative MP W.J. Browne (St. John's West) charged that Valdmanis was bringing National Socialism to Canada, that he was "behind the importation of a steady stream of German industries and technicians into the island-province".(148) The Gazette correspondent recounted the contents of Valdmanis' presentation to the Senate Standing Committee on Immigration, and was particularly perturbed by his involvement in Germany's wartime economic planning, his pleading for immigration to Canada of Waffen-SS members, and the hefty $25,000 salary he was drawing from the Newfoundland government.

The documents on Valdmanis in the Pickersgill papers then skip to September 1956, when the Legal Division of the Department of Citizenship and Immigration addressed a memorandum to the Minister recording that Valdmanis was granted citizenship in March 1954, and that he was arrested by the RCMP in Newfoundland a month later and sentenced to four years at hard labour after pleading guilty to a charge of defrauding the Newfoundland Government of $200,000. There were no grounds, however, according to the Department's legal advisor, for revocation of Valdmanis' citizenship, since he had not obtained his certificate of citizenship by false representations, fraud or concealment of material circumstances, nor had he been convicted of any offence involving disaffection or disloyalty to Her Majesty.(149) It should be noted that there were never allegations that Valdmanis had been involved in war crimes. He had intitially collaborated with the Nazis in the economic domain, and apparently fell out of favour with the Nazis at a later stage. Interest in his story in this report relates to the prominent role he played in the resettlement of refugees/DPs both with the IRO in Europe and later in Ottawa, as well as in the impact he would have had on Canadian public perceptions of the DPs/refugees.

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CHAPTER IV Security Screening of Prospective Immigrants to Canada, 1945-1950

Despite Canadian government awareness and concern about the possibility that persons undesirable on security grounds were amongst those seeking admission to Canada, a number of factors militated against thorough security screening of prospective immigrants in the decade following the war, and whatever stringency was introduced in security screening was directed towards persons considered to be current security risks -- that is, Communists and Communist sympathizers -- rather than persons whose past actions may have been reprehensible, but who were regarded as presenting no current danger to Canada's security.

Security Screening, 1945-March 1947

According to immigration regulations in effect immediately following the war, prohibited classes included: persons guilty of crimes involving moral turpitude; persons advocating or affiliated with organizations which advocated overthrow by force of the Government of Canada or the assassination of public officials; persons guilty of espionage or of high treason or who assisted His Majesty's enemies in time of war; and enemy aliens.(1)

Government officials, particularly at External Affairs, were aware that persons who had been involved in Nazi war crimes or who had collaborated with the Nazis, might seek to enter Canada with the DP immigration stream.(2) During this period restrictions in immigration guidelines on enemy aliens -- and hence on a major category of persons amongst whom war criminals may have been found -- appear to have been very tight, limiting admission to the wife and unmarried child of a legal resident of

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Canada, and the fiancée of a Canadian serviceman. However, an April 1946 amendment to the immigration guidelines (P.C. 1373), provided for the admission to Canada of enemy aliens who could establish that they "were opposed to an enemy government." Such persons could then be considered for the general admissible 'close relatives' categories.

Almost immediately after the war, the Director of the Immigration Branch complained to External Affairs that his office was being flooded with applications from former residents of Continental Europe now in Canada for the admission of relatives from Europe, the majority in Displaced Persons camps. Striking a note of caution in this regard, a confidential External Affairs report warned that amongst the numerous applications received in Ottawa it would be difficult to distinguish between "the genuine political refugee and the political agitator" who had collaborated with the enemy. As an illustration, the report referred to applications already received on behalf of

> Ukrainian nationalist leaders, Skoropadsky and Melnik, who operated from Germany and apparently under German auspices in the pre-war years. These men are regarded, with some justification as traitors and war criminals by the Ukrainian Soviet Socialist Republic. There must be numerous other persons, amongst the thousands of Ukrainians, Poles, Yugoslavs and others who found themselves in Central Europe either during the outbreak of the war or during the German domination of the continent, who have similarly compromised their status as refugees by cooperating with the enemy.(3)

The author of the report then further warned immigration authorities against any lowering of immigration barriers to Nazi sympathizers since any "desire to continue their political activities (in) their new homes, might have highly undesirable consequences."

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Concern about the possibility that Nazis and Nazi sympathizers might enter Canada was soon overtaken by yet greater security-related apprehensions about the possible infiltration of Communist agents. The revelations in 1945 concerning Igor Gouzenko, the Soviet cypher clerk stationed in Ottawa, was a turning point in the development and focus of Canada's security intelligence activities. Gouzenko's disclosures that the Soviet Union had organized an extensive espionage network in Canada, which operated largely through the recruitment of civil servants and scientists, alerted the Canadian government to the urgent need to strengthen defences against Soviet espionage and clandestine Communist involvement in political life. In direct response to these revelations, the Canadian government introduced in 1946 a programme of security screening in the federal Public Service to ensure as far as possible that persons with access to secret information were trustworthy.(4) The broader international political atmosphere was already quite conditioned by the deepening Cold War; the Gouzenko case, indicating that Canada itself was being targetted by the Soviet Union, greatly increased security consciousness with regard to the impending immigration wave from Europe.

At an informal External Affairs departmental meeting on February 6, 1946, at which recommendations emerged advocating action on behalf of refugees and adoption of the IGCR proposal that member countries widen 'close relatives' immigration programs, attention was given to the security issue. After asserting that collaboration with the enemy and sympathy with or adherence to Fascism, Nazism, and other undesirable political tenets should constitute grounds for rejection of a prospective immigrant in a security examination, special note was taken of the fact that "there were no adequate local arrangements abroad for the security screening of applicants for passports and

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visas".(5) It was therefore proposed that processing functions then assumed by the U.K. Passport Control Service on behalf of Canada should be incorporated into the Canadian passport and visa granting machinery abroad, with possible reinforcement by RCMP personnel for screening purposes. These proposals began to be implemented only over a year later, and then, not very adequately, as discussed below.

After several months of discussion of the issue amongst External Affairs, Immigration, and RCMP officials, Cabinet considered the concerns expressed about security screening, and established the 'Security Panel' as an advisory body to the government. The Panel, consisting of senior officials from the departments most concerned -- including External Affairs, Immigration and the RCMP -- was charged with the task of coordinating government policy on security issues. (A sub-panel was established in 1953 to assist the Security Panel in elaborating the details of security policy). At the first meeting, on June 24, 1946, the Panel concurred with External Affairs' view that there was a need for more adequate machinery for security screening abroad, and began to seek ways in which to accommodate this need. (6)

At the second meeting of the Panel on July 8, 1946, G. de Glazebrook, representing External Affairs, pointed to the two major gaps in establishing a security screening policy: a) the absence of screening machinery abroad, and b) the absence of policy with regard to refusal of visas on security grounds. As a temporary solution to the first problem, Glazebrook suggested that, until such time as the Canadian government formulated its own long-range policy on security screening, Canada should rely on British screening facilities. This suggestion was accepted by the Panel. With regard to the second problem, it was agreed that an inter-departmental sub-committee would draw up a clause for

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inclusion in the new immigration regulations which would list the categories of persons to be deemed undesirable on security grounds. A first draft of this clause provided for the rejection of "Nazis, Fascists, and those who held beliefs subversive to democratic government" -- phrasing which some of the Panel members found too sweeping.(7) A new draft, subsequently approved, specified the prohibited classes, including

> Persons who are, or at any time have been, members of the Nazi Party or of the Fascist Party or of the Gestapo or of the Schutzstaffel or of the Sturm Abteilung or of any organization or party auxiliary to or supporting Nazism or Fascism or persons classified as war criminals by the United Nations War Crimes Commission.(8)

In conjunction with these discussions the RCMP circulated a brief to Immigration and External Affairs officials describing the Nazi and Fascist Parties and their affiliated organizations.(9)

Cabinet, however, on the grounds that it was difficult to draft a suitable clause, rejected the Security Panel's recommendation to include in the proposed Bill to amend the Immigration Act an additional category of prohibited persons to deal with members of Nazi and Fascist parties, war criminals and similar groups.(10) Instead, the Cabinet instructed the Panel to deal with the problem "by departmental administrative action rather than by legislation."(11) The Cabinet's decision not to establish firm and explicit rejection criteria by legislation in effect permitted considerable flexibility in changing, re-interpreting and in using wide discretion in applying the criteria in individual cases in the following years.

At its fifth meeting on August 19, 1946, the Security Panel proceeded to discuss means -- other than legislative now ruled out by Cabinet -- to provide the basis for security

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screening. The Panel emphasized the importance of security screening "since deportation, in the case of displaced persons who proved to be undesirable, would be impracticable."(12) The recommendation which emerged was that the resources of the RCMP be made available to the Immigration Branch for security examinations in the originating country of prospective immigrants. Following upon this recommendation, the Commissioner of the RCMP, S.T. Wood, suggested to the Minister of Justice, Louis St. Laurent, that four RCMP officers working from the London office of the British Passport Control Department would be sufficient to carry out the security screening task.(13)

By October 1946, immigration screening for Canada in Europe was being carried out by a few RCMP officers -- Sgt. Hinton and his staff -- based in London with the cooperation of the Passport Control Department of the Foreign Office. The inadequacy of these arrangements to accommodate the large numbers of applications coming forward to the Canadian processing team soon became all too obvious. The load and the resulting delays and backlog so overwhelmed the screening process that the Director of Immigration Branch advised the RCMP that security screening should be eliminated in applications submitted prior to November 10, 1946 where the prospective immigrants were resident in Belgium, France, the Netherlands, Norway, Denmark, or Greece. (14) Applicants from these countries, particularly from Belgium, France and the Netherlands, may well have included war criminals and collaborators. Though they still required vetting by Sgt. Hinton in London, he was to report back not to Immigration but to RCMP Headquarters, so as not to delay the movement of immigrants from these countries -- in other words, these immigrants would likely arrive in Canada before being cleared by security screening officials, and once in Canada -- according to documents from the period -- there were no appropriate deportation provisions to be applied against them.

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There was a sense of resignation with regard to these failings and the problems encountered in trying to keep undesirables out. RCMP officials stated at the time that in the proposed system some undesirable people might slip through to Canada, and acknowledged, prophetically enough, that "under present regulations...it would be practically impossible to deport such individuals", but expressed hope that immigration officials would revise the Immigration Act in due course so as to give greater possibility for deportation in such cases.(15)

The backlog of applications and the limited screening facilities available led the Security Panel to progressively reduce the amount of screening which would be required, rather than to strengthen the facilities for screening to meet growing needs. At the tenth Security Panel meeting on January 30, 1947, it was agreed that at the rate of twenty-five to thirty checks per day, the existing machinery could not even handle the number of applicants coming through the close relatives scheme; that given Cabinet approval on the previous day of amendments to the Immigration regulations extending the categories of admissible immigrants to include, inter alia, agricultural workers brought forward by the C.P.R. and C.N.R. Colonization Boards, a substantial increase in the number of persons applying for admission was anticipated; and that therefore screening should be waived, at least temporarily, for certain additional categories.(16) The proposal of the Director of Immigration Branch was accepted, that "with the exception of displaced persons and other immigrants from enemy countries, for whom screening would be continued as at present, the Immigration Branch (should) immediately discontinue withholding decisions on cases where admissibility apart from screening is established."(17) This policy had the effect of pushing through all applications then before Immigration Branch, as well as those

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coming forward as agriculturalists, without requiring screening reports from Sgt. Hinton in London prior to their arrival in Canada.

While immediate and concrete recommendations were advanced concerning the elimination of categories of applicants for whom screening would be required, the Panel discussed in general terms the need for expanded facilities -- particularly for places from which most undesirables were deemed likely to come -- such as Poland, Czechoslovakia and Yugoslavia. The concern, clearly, was primarily with possible Communist infiltration. It was at this point that a memorandum to Cabinet from the Security Panel, dated February 4, 1947, opposed the abandonment of security screening as "a highly dangerous course",

> This is particularly true of persons coming from countries within the Soviet sphere of influence where evidence suggests that emigration can only take place with the permission of the government concerned and there seems little doubt that in any movement of persons, a proportion will be included from these areas who will be instructed to pursue the aims of their government upon taking up residence in Canada.(18)

In the memorandum, two alternatives were offered for further reducing the security screening load while maintaining vigilance with regard to the danger of Communist infiltration. These were a) to limit screening to individuals coming from Eastern Europe, or b) to institute a system of "spot checking" which would not interfere with the entry into Canada of immigrants otherwise acceptable, providing for examination of, at the most, twenty per cent of expected immigrants. Either of these approaches, it was suggested, would be preferable to abandoning security examinations entirely; maintaining a screening service would provide a basis for later expansion if necessary.(19) In its response to the Panel on February 7, the Cabinet stated that,

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> in the circumstances, the security screening of aliens applying for entry into Canada as immigrants (should) be required only in cases in which it was felt that the information available to immigration authorities needed to be supplemented by special security investigations.(20)

An undetermined number of immigrants during this period could therefore have entered Canada without any security screening. A suggestion offered by Cabinet was that the Security Panel explore "the possibility of improving screening facilities through increased cooperation from the U.K. and U.S. sources".(21) Strengthening Canada's own security screening facilities had low priority.

In contrast with its earlier reluctance to legislate exclusion of Nazis, collaborators and war criminals, Cabinet agreed on March 6, 1947 that the Immigration Branch be authorized to refuse admission, without having to give any reason for such action, when security investigation indicated that the prospective immigrant was a Communist.(22)

The prohibitions which broadly obtained applied to 'Communists' and 'enemy aliens', simplifying the work of screening officers when it came to the issue of the various ranks of German Nazis who were 'enemy aliens', and facilitating the entry of non-German DPs who may have collaborated in Nazi war crimes, but who were able to convince officials that they were anti-Communistic and that they did not serve in enemy armed forces during the war.

While Cabinet and the Security Panel were deciding on policy framework and guidelines, RCMP officers in the field were increasingly frustrated by the inadequacies of the screening system in terms of facilities, personnel and information sources. Sgt/Mjr. J. Murray, an RCMP officer whose

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duty was to screen DPs in Germany, travelled in 1947 from camp to camp, and since he did not establish an office, carried his security reports and documents with him in a briefcase. After a year of proceeding in this way, he reported in March 1948 that his car had been broken into and all his documents stolen. Initially, Murray had intended to check applicants to Canada with British intelligence sources and the Berlin Documentation Centre, but soon reported to Ottawa that he had discovered from British intelligence that

> no information is available from records, or otherwise, regarding these DPs prior to their arrival in Germany other than what information they have been able to obtain from questioning these people together with any records of their conduct since being placed in DP camps."(23)

In another letter from an I.G.C.R. camp in Germany, Murray reported that he was experiencing difficulties, that without adequate facilities or help, he had screened forty persons whose records were very meagre, that he had to rely primarily on personal interviews, and that in the end he cleared them all. Reporting from the DP Division of the British Army on the Rhine on March 12, Murray stated that it was difficult to obtain help from British intelligence sources, since MI Division was at the time itself overwhelmed by the necessity of checking for the British government 100,000 names at the rate of some four thousand names per week. Again, security screening was limited to whatever information came out in the course of a personal interview with the prospective immigrant:

> There are so few records available to check against people so I have been interviewing everyone on the list and that to my mind is the only way to screen them...there is nothing available regarding their records prior to their coming to Germany.(24)

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Towards the end of March, Murray reported to Hinton in London that all the DPs being processed for screening were already in possession of a DP card, entitling them to UNRRA assistance. As discussed above (at pages 86-90), UNRRA's screening for war criminals was hardly foolproof, or indeed trustworthy. If possession of a DP card at first offered Murray some assurance, he soon became wary of the possibility, and indeed likelihood of irregularities, such as the doctoring of documents by DP clerical staff in the camps:

> From what I was told this seems to me to be the only way to get as much information as we can concerning all Displaced Persons at the moment...this is by visiting each camp. One reason given is that all records are held at the different camps and cannot be sent forward with the DP reporting to Mulenburg as UNRRA Staff is being cut and that most of the work being done clerically at the moment is being done by DPs, and that should they be able to get hold of the files the chances are any information detrimental to the party concerned might be removed from the file.(25)

His own checks, however, did not take him much further: "I have not considered having these persons checked through the Nazi records in Berlin as this takes anything from six weeks to two months before a reply is obtained".(26) In another report, Murray observed that the BDC had thirteen million names and that it was very difficult to check an individual without appropriate information regarding full name, place and date of birth -- basic information for which authenticated documents were often lacking. With regard to a pre-screening by UNRRA, Murray reported in April 1947 that the only information that the RCMP officer could obtain about DPs was their record whilst they were in the UNRRA camps. But even these records were not easily obtainable.

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Despite the persistence and knowledge of irregularities, it continued to be assumed to some extent that international refugee resettlement agencies -- such as the I.G.C.R. or UNRRA -- had in fact pre-screened persons ruled to be within their mandate. In Ottawa, this assumption was reinforced by presentations to the Senate Standing Committee from Canadian UNRRA officials.(27)

During the 1945-1947 period, then, when the flow of immigration was relatively light in comparison to what was to follow, the machinery in place for security screening of war criminals amongst prospective immigrants to Canada was already remarkably inadequate. This problem became progressively more severe with the liberalization in immigration policy which followed.

Security Screening, 1947-1949

Summary of immigration situation during this period: From the spring of 1946 to the spring of 1947 several significant developments in immigration policy took place: inspection facilities in Europe were restored (as of January 1, 1947); the classes of admissible close relatives were expanded (May 28, 1946 and May 1, 1947) to include spouses and fiancés of both sexes, parents, siblings and children; the provision for "agriculturalists with independent means to farm in Canada" was extended to include farm labourers, miners and loggers (January 30, 1947); and "sponsored labour"/"bulk labour" immigration schemes were developed, modelled on the admission in July 1946 of 4000 Polish veterans of General Anders' army for agricultural work in Canada.

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Following considerable pressure from ethnic organizations, church groups, the media and a number of influential government officials, an order-in-council of June 1947 (P.C. 2180) authorized the admission of 5000 individuals from displaced persons camps in Europe. A series of amendments raised the quota for admission of DPs to 20,000 in September 1947, to 40,000 by the end of 1948, and to 60,000 by the early 1950s. In September 1948, the Cabinet Committee on Immigration Policy recommended that French citizens coming to Canada as immigrants be considered on a similar basis to that of British and U.S. immigrants. Though not many French immigrants were anticipated, given the restrictions imposed by the French government on its citizens, it was felt that an order-in-council putting in effect such a recommendation "might help to mitigate certain Canadian criticisms".(28)

It is incorrect to assume that only non-Germans were being processed for immigration from January 1947 to September 14, 1950, when it was decided to treat German nationals on the same basis as any other European nationality. Ethnic Germans who acquired German nationality during the war were admissible under the general 'close relatives' provision. While German nationals were until September 1950 still in the category of enemy aliens and formally inadmissible, a number did enter Canada legally from 1946 by means of an April 1946 provision for those who were opposed to the Nazi regime, and under the close relatives provision as 'special cases' admitted by orders-in-council. Arrangements and admissions of German nationals before September 1950, and of former members of Nazi organizations in subsequent years, were generally kept quiet. As a result, there are inconsistencies and contradictory statements in government documents relating to the subject.(29)

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The enemy alien ban was lifted for nationals of Finland, Hungary, Italy and Roumania in July 1947, following the signing of peace treaties with these countries. This meant that prospective immigrants from Hungary and Romania, where involvement in war crimes and collaboration was particularly significant and extensive, were to be considered on the same basis as any other European applicants. A January 1948 Circular Document from the Secretary of State for External Affairs to the heads of the Canadian Missions abroad stated further that nationals of Finland, Hungary, Italy and Roumania who had served in the armed forces of their own countries during the war were not to be refused admission to Canada on account of such service, unless recorded in the official list of war criminals.(30) As discussed in other parts of this report, that list was in fact seldom consulted.

Immigration Branch circulars from March 1948 also indicate that citizens of Austria were no longer being classified as 'enemy aliens', since Austria was now recognized as an autonomous state, liberated from German occupation.(31) In fact, membership in the Nazi Party in Austria was proportionately higher than in Germany itself, there was virtually no prosecution for war crimes in Austria, and many convicted German Nazis sought haven in Austria.(32)

Canadian inspection facilities in Austria were very limited. In addition to responsibility for processing of Austrian prospective immigrants, one team was covering five IRO processing centres located in Austria. Rather than establishing a new team, it was proposed that one of the teams operating in the British zone of Germany be sent to Austria.

Screening Procedures, spring 1947 to 1949: In March 1947, two Canadian Immigration inspection teams were sent to Germany, each consisting of one Immigration Inspector, one doctor

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(Immigration Service, Department of National Health), and one RCMP officer for security screening. Immigration officer O. Cormier was put in charge of the teams, and assumed responsibility for overall Canadian immigration operations in Germany and Austria.(33) These mobile or "flying" teams, functioning with very inadequate facilities, processed in DP camps throughout the British and American zones persons who were nominated by Immigration Branch as close relatives of Canadian residents, or for 'bulk labour' programs. I.G.C.R. or IRO officers would locate persons whose applications were approved in Ottawa and pass them them on for medical and political screening by the Canadian teams. If approved by the Canadian team, the IRO would assume responsibility for maintaining the prospective immigrants and for transporting them to Canada.(34)

Instructions dealing with applications for immigration to Canada, issued on May 30, 1947, described in detail the procedures of submission of applications on form IMM 55, completed in Canada by the sponsor on behalf of the prospective immigrant in Europe for whom security screening was required.(35) The prospective immigrant then filled out an IMM O.S.8 form which focussed on current occupational skills. (Further discussion of immigration application forms and questions with regard to wartime military history is at Annex 3 of this report.)

The screening process involved three stages: Stage 'A' -- the medical examination; Stage 'B' -- the security screening; and Stage 'C' -- the final interview by the immigration Visa officer. The IGCR assumed the role of assembling DPs coming within its mandate for examination by immigration teams from countries of resettlement. Special mention was made in the May 1947 instructions of the fact that the IGCR did not include within its mandate

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> nationals of enemy countries (Germans, Austrians, Italians, Roumanians, Hungarians, (or)...regardless of nationality, war criminals, quislings, or traitors, or any persons who have assisted enemy forces or those who have fled from Germany or into Germany from their places of residence in order to avoid falling into the hands of allied armies, etc.(36)

There was, however, some scope for leniency in deciding on the DP status of individuals processed:

> It is not always possible to determine whether or not the proposed immigrant is a Displaced Person coming within the IGCR mandate and in doubtful cases application is to be dealt with as Displaced Persons.(37)

Moreover, there was total reliance on British intelligence for security checks: The screening arrangements provided that any form 55 for DPs wishing to immigrate to Canada would simply be passed over by the security screening officer to the British M.I., who checked with their records and arranged for the same to be checked in Berlin, the form ultimately being returned to the RCMP in Ottawa suitably marked and with a report if necessary.(38)

Problems and gaps in screening, 1947-1949

In addition to reliance on international refugee agencies and British intelligence for security-related information regarding displaced persons, other problems existed as follows:

a) Special categories not examined by security officer: non-DPs and group labour movements: The situation with regard to security screening at the time when a number of immigration schemes were in full operation, and when stringent immigration

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restrictions began to be progressively lifted, is summed up in a Security Panel document of March 30, 1948, which outlined five types of immigrants coming in under the specialized programs or by orders-in-council:

> (i) Near Relatives - Sponsors resident in Canada.
> (ii) Near Relatives - Displaced persons. Sponsors resident in Canada.
> (iii) Displaced Persons - Brought in under special employment categories.
> (iv) Agriculturalists - Selected by Railway Colonization officials.
> (v) All other immigrants not falling within the first four categories and subject to admission by special Order-in-Council.(39)

The document states that DPs were interviewed verbally in the camps and whatever papers they had available were examined. However, other prospective immigrants -- including near-relatives of sponsored residents in Canada, agriculturalists selected by Railway Colonization officials, and all immigrants admitted by special Orders-in-Council -- "are checked against the records of our contacts but the applicant himself is not examined by the security investigator".(40) According to this document, acceptance or rejection on security grounds was final -- the implication being that just as there was no provision for appeal from rejection, there was no recourse to reverse a decision for admission once an applicant was accepted.

Guidelines with regard to the screening of aliens required security clearance for DPs and prospective immigrants from Russia, Germany, Austria and Italy prior to their being granted visas. One category, however, stood apart from the general screening requirements -- agriculturalists, and persons entering through the 'bulk labour' immigration schemes or pre-selected by the IGCR. Aliens in the U.K. or elsewhere in Europe who came forward as agriculturalists were dealt with either individually through applications on Form 55, or in bulk

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movements in conjunction with the Department of Labour (described above at pages 150-155). Such aliens could come forward under arrangements with the Colonization Department of one of the Canadian railway companies, and if recruited overseas for group movements, such as industrial labour or as agriculturalists, without a Canadian connection, the transportation company or organization recruiting the prospective immigrants was required to furnish the immigration officer in Paris, Brussels or The Hague with the barest of information: name, place and date of birth, citizenship, and current address.(41)

Security screening of the first groups of agriculturalists and of immigrants coming through the close relatives scheme before April 1947 was therefore either waived completely, or limited to personal, usually very brief interviews by the Canadian screening officer.

With regard to DPs on IGCR lists, Sgt. Hinton indicated in April 1947 that the RCMP was being bypassed in the screening process since the Canadian immigration teams were receiving forms 55 concerning those DPs directly from the IGCR, which thereby had considerable input into the screening process.(42)

A recorded instance of the approval by Canadian officials of the admission of twenty men with SS tattoo marks through the bulk labour scheme in September 1947 -- when immigration guidelines clearly prohibited admision of persons who had served in the enemy forces -- is described later in this chapter (at page 201-202).

b. Overload of applications and unreliable documentation and sources: Overload of applications and reliance on unreliable sources were determining factors in weakening security screening in the field. Even though screening was regarded as increasingly important, in order to guard against possible Communist infiltration, there were simply too many applications to process

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and too small a staff in place in Europe to carry out thorough security screening. Hinton reported, rightly or wrongly, on April 16, 1947 that with respect to some of the Eastern European countries, such as Poland, Hungary, Yugoslavia and Roumania, there was not much "fifth column" action there, and that it was too much bother to screen the very numerous applications coming from former inhabitants of those countries.(43)

c. Preoccupation with Communists: That security screening concerns were increasingly shifting towards preoccupation with Communists and towards leniency with former members of Nazi organizations was evident at the Security Panel meeting of April 2, 1948, where discussions centred on security investigation of government employees, particularly with respect to members and associates of the Communist Party, and on an illegal traffic of Soviet passports issued in France. Colonel Laval Fortier (Associate Commissioner, Overseas Services, and from 1950 to 1960 Deputy Minister of Citizenship and Immigration), who played an important role in Canadian immigration policy in the postwar decade, noted that "there was a good deal of evidence to support the contention that Communistic elements were trying to introduce undesirables into the immigration stream."(44) It was for this reason that it was decided that screening facilities had to be improved, and that security investigation of prospective immigrants had to be strengthened, (see pages 182 above and 224-226 below).

d. Personal discretion of security screening officers and almost total reliance on interviews: Guidelines governing rejection of applicants or the waiving of requirements for security investigations left a good measure of discretion to security and immigration officers. In a memorandum of July 22, 1948, an RCMP officer expressed the view, for which he found

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complete endorsement from immigration officials, that rejection on grounds of enemy nationality should be left to Immigration officers and not be regarded as "rejection on security grounds" -- the reason being that a rejection on security grounds did not allow for an appeal, whereas a rejection from a visa officer did allow for an appeal. The widest scope for the security officer's personal discretion in deciding on rejections came, however, from the almost total reliance on interviews with applicants in eliciting information on their background.(45)

e. Waivers of Security Screening, 1948: A series of waivers widened further the scope for entry of possible war criminals. Visa officers were instructed that in special cases the nationality clause could be waived, opening the doors to enemy aliens. Security investigations were waived, for example, for priests and nuns sponsored by the Catholic Church in Canada, waivers extended in May 1948 to include "Brothers" and "duly ordained Ministers of religion and other persons whose normal and full-time vocation is devoted to the service of a recognized religion".(46) This permitted evasion of screening for some collaborators and quislings, such as members of the Iron Guard who came to North America to assume positions as priests at various Roumanian Orthodox churches under the guidance of Valerian Trifa; and to persons who might have entered Canada disguised as clergy, as de Bernonville did.(47) The much-discussed role of the Vatican in assisting former Nazis to resettle in other countries suggests additional possibilities. (One Vatican-related case for which research for this report has found documentation is that of Karol Sidor, a former commander of the Hlinka Guard and prominent politician in the German satellite state of Slovakia, in 1939 (discussed in Chapter XII, Part 1, below.)

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Remarkably, the RCMP decided not to officially notify Immigration officers overseas that certain groups were not being subjected to security screening -- lest reasons should arise at a later date to reverse such decisions. An additional result was that these waivers were not scrutinized by Immigration officers. The procedure advised simply returning form 55 after the sponsor in Canada had been cleared, marking it "sponsor cleared for security -- security screening overseas unnecessary".(48)

f. Absence of questions on application forms with regard to wartime military service: No provision was made in any of the application forms before 1953 for information with regard to military service or POW standing, or even for a record of employment during the war years.(49) It is difficult to explain this omission, other than that indicates the very low priority attached to eliciting Nazi or collaborationist background for immigration purposes during this period. Applicants may have been asked about military service orally. The informal nature of such interrogation, done most likely at the discretion of the individual officer, would have given little incentive to security officers to seek to verify the applicant's verbal statement of the facts. In any event, it is most improbable that persons seeking admission to Canada would have admitted to concentration camp duties or war criminal activities. In contrast with U.S. procedures, moreover, there would not have been, as a matter of course, a written record of the applicant's response, against which later evidence or possible contraindications could have been checked. The absence of such a written record has proven to be one of the major obstacles in recent efforts to find ready legal means to deal with war criminals who became Canadian residents or citizens.

g. No fingerprinting A further gap in the screening system resulted from the Canadian decision not to fingerprint prospective immigrants, in contrast with American practice and despite a CROWCASS directive in this regard.(50)

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h. No consultation of official lists of suspected war criminals: The neglect to consult and the decision not to circulate the lists of suspected war criminals, compiled by CROWCASS and the UN War Crimes Commission, which Canadian authorities had been receiving since 1946-1947, was a particularly blatant gap in security screening for war criminals and members of criminal Nazi organizations.(51) These lists were not transmitted to Canadian security screening officers in Europe, who in turn did not feel obligated to consult them.

Rejection criteria, 1948-1949

Lists of criteria for rejection of applicants on security grounds, outlined in 1948 and 1949, included the following:

(a) Communist known or strongly suspected; Communist agitator or suspected Communist Agent;
(b) Member of SS or German Wehrmacht; Found to bear mark of SS Blood Group (Non German -- since Germans were already excluded as enemy aliens);
(c) Member of Nazi Party;
(d) Criminal (known or suspected);
(e) Professional gambler;
(f) Prostitute;
(g) Black Market Racketeer;
(h) Evasive and untruthful under interrogation;
(i) Failure to produce recognizable and acceptable documents as to time of entry and residence in Germany;
(j) False presentation; use of false or fictitious name;
(k) Collaborators presently residing in previously occupied territory;
(l) Member of the Italian Fascist Party or of the Mafia;
(m) Trotskyite or member of other revolutionary organization.(52)

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A Cabinet Directive of October 1949 (Circular no. 14) stated that rejection criteria should include:

> Communists, members of the Nazi or Fascist Parties or of any revolutionary organization, 'collaborators', and users of false or fictitious names or documents.(53)

Secrecy surrounded these guidelines. The list of grounds for rejection was not intended for immigration officers in the field but only for the most senior officers of the RCMP, who could, if requested, communicate to senior officials in the Immigration Branch the precise reasons for rejection on security grounds in individual cases. The stated reason for the secrecy was that valuable information sources had to be protected. An added consequence, however, was that scrutiny of the discretionary process was precluded. Restricted distribution of the criteria permitted the Immigration Branch freer exercise of its powers of discretion with regard to admission of prospective immigrants who might have served in the enemy forces, but who could persuade authorities that they were compelled to do so.

Security screening problems related to special immigration schemes, 1949

An RCMP document, dated March 29, 1949, outlines problems in security screening under the different immigration schemes in effect at the time.(54)

a. The 14-day procedure: Under the 'close relatives' scheme, according to this document, DPs were screened by direct interview in Germany, Austria, Sweden, etc. and usually did not come forward before their security report was completed. However, persons other than DPs, sponsored by a relative or other individual in Canada, and who met immigration requirements other than for security clearance, needed only to pass through "the 14-day procedure", whereby Immigration authorities could approve

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the application after 14 days elapsed, whether or not security screening had been completed -- and, according to the March 1949 document, it practically never was. Given the backlog of some 3,000 cases at RCMP Headquarters in Ottawa and a backlog of 13,365 cases in London, it was felt at that time that a year and a half was required to catch up with the screening required. All applications in London were to be checked by British contacts against their files. As British contacts could handle only approximately 30 to 35 cases a day, the backlog rapidly increased, while the volume of applications received from Immigration continued to expand. Frequent requests from Immigration Branch to expedite certain cases, many of which were from Eastern Europe, added further to the backlog. As a result, many individuals who would have already entered Canada would not have been cleared for security, and once they were in Canada there were "apparently no legal provisions under which the persons involved can be deported as they have already been granted a permanent landing."(55)

b. Misleading information from the IRO: For persons entering under the bulk labour immigration scheme, the March 1949 RCMP document records that a major security screening problem was caused by lack of cooperation and misleading information from certain IRO officials:

> There have been cases of men who have applied to come forward with a group on, for instance, the Mine Workers' Scheme and have been turned down for security. Some of these men have immediately departed for another section of Germany and made application to join, for instance, a group of lumber workers coming forward to Canada and the IRO file at the point where they made previous application does not follow them forward. On arrival at the new point of application, IRO officers make up a new file which does not disclose that the man has been previously rejected on security grounds. He is by now better prepared to face interrogation and quite

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> frequently is passed. Similarly there have been cases of men having been rejected as DPs and who, under similar circumstances have made application to come forward under a Labour Scheme and have been accepted due to there being no record of their previous screening.(56)

As a result, the RCMP proposed circulation of a 'black list'. However, re-application by rejected individuals could take place within days, long before the names could be entered on the black list and circulated to all security officers.

c. Pressured situations: Under the C.N.R. and C.P.R. schemes, cases were forwarded to the London RCMP office, but since they were marked for "Preferred Attention", due to the fact that shipping space was usually available for them because of the C.N.R. or C.P.R. connection, they were screened ahead of other cases -- leading to yet a greater backlog, and to more individuals entering Canada prior to completion of security checks on them.

d. Inadequate security information from Eastern European countries: With regard to screening of applicants from behind the Iron Curtain, it was felt by the RCMP that, with the exception of Czechoslovakia where good sources still obtained, screening was impossible because no adequate security information was obtainable in the country of origin. After noting that Communist organizations abroad were doing everything possible to infiltrate Communists into Canada, and that "other groups were doing the same for former Nazis and Nazi collaborators in planned and at times successful operations", the March 29, 1949 analysis of problems in security screening concluded that screening was incomplete and ineffective:

> If immigration is to continue at its present volume, it must be clearly understood that security risks are involved and must be accepted. Security screening will necessarily

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be incomplete and it cannot be assumed that an effective screen exists through which all persons coming to Canada must pass.(57)

e. Reliance on British and American intelligence: The solution to the weaknesses in Canada's security screening arrangements was not considered to lie in increasing the number of Canadian security officers, since Canada did not maintain an overseas intelligence/security organization, and was dependent upon the records of friendly countries who did collect and collate such information. Therein lay another problem: It has been established -- in connection with Klaus Barbie's links to American intelligence agencies and prewar and postwar links between British intelligence and fascist or pro-Nazi groups in Eastern Europe -- that American and British intelligence agencies assisted former agents, including Nazis and collaborators, to find resettlement opportunities abroad for services rendered to these agencies. Canada's reliance on these agencies for security screening information would have made it a likely dumping ground for various classes of agents, whether with or without the knowledge of Canadian authorities. (Documented cases of such use are treated in Chapter XII, Part 5, below).

It would therefore appear that, in addition to the regular immigration flow, several special categories of persons who were eligible for entry to Canada in early 1949 could have included persons with war criminal background and who would have entered Canada with relative ease, as far as screening for possible war criminal background was concerned: a) DPs coming within the mandate of the IRO and who could be made eligible under any of the bulk labour movements, provided they had been selected as suitable for a particular type of employment, and that other medical and civil immigration requirements were fulfilled; b) DPs sponsored by close relatives, or farmers in a position to offer such sponsorship; and c) Germans, Volksdeutsche and others sponsored by close relatives residing in Canada.

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Incident indicating SS tattoos not a bar to entry via bulk labour program: In September 1947, a U.S. Army Transport chartered by the PCIRO left Bremerhaven, Germany with 832 DPs who had signed labour agreements to take up employment in Canadian lumber camps. Immediately prior to their departure, Mr. Legis, a PCIRO Escort Officer, handed to Canadian immigration officials a list of 25 DPs on board who on medical examination just prior to leaving Germany were declared to be "special medical cases" -- that is, they had SS blood group tattoo marks under the left arm. Mr. Legis relayed this information by coded message to the Transport Commander in New York suggesting that further investigation be conducted by the Canadian authorities when the ship docked at Halifax.

Canadian officials were determined to handle the reported situation in a discreet manner so as to avoid any publicity or delay in the handling of the passengers. RCMP officers along with PCIRO and U.S. Army Transport representatives therefore boarded the vessel about one hour before it was due to arrive in Halifax and examined the men. A detailed RCMP report on the 25 men stated that 5 did not in fact have SS tattoo marks. Included amongst the 20 who did have SS tattoo marks were 7 Volksdeutsche from Soviet territory, 5 Poles/Ukrainians, 3 Latvians, 3 Estonians and 2 Lithuanians. Of these, 12 had removed or had attempted to remove the marks while the remainder left the marks intact.

In interviewing the men, the officers found that

> with the exception of one, who claimed that he had been forced to serve in the German army for two days, all denied ever having served in any of the German armed forces other than to have been taken to Germany for forced labour.(58)

Despite expressed doubts about the truthfulness of at least four of the men regarding service with the Nazi armed forces, there was little further probing about their background.

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All were cleared and their admission to Canada was approved on the grounds that

> Nothing was brought to light from the interrogation which would indicate to any of those present that any of the 25 DPs in question had been former German Storm Troopers or had any subversive tendencies and, with the exception of Nos. 2, 21, 22 and 25, who due to their actions at the time of being interviewed gave some indications by movements of their body, etc., when spoken to and who at first stated that the marks under their arm had been obtained by accident, thereby giving some indication that they may have been in the German Army at sometime or other; nothing was noted or found that appeared to warrant the detaining (of) any of the 25 men at Halifax, thus they were permitted to disembark with their respective groups according to schedule.(59)

It is noteworthy that in the incident described above, SS tattoo marks were either somehow not detected, or not reported by Canadian security, medical and immigration officers in Europe, but rather by a PCIRO official.

It may be noted, too, that those Balts, Ukrainians, Byelorussians and others who had served in Nazi-organized auxiliary police and local militia units which carried out numerous killing actions in 1941-1942 but did not subsequently serve in the Waffen-SS units, would not have borne SS-tattoo marks and would have had much greater facility than Waffen-SS members in concealing their wartime collaboration with the Nazis.

Security screening procedures and problems, 1949-1950

Security screening guidelines required all immigrants subject to security screening to fill out application form IMM 55, which immigration officers were to forward to the RCMP in Ottawa.

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Prospective immigrants from Iron Curtain countries, from Israel, from Central and South America (other than native-born citizens of those countries), and from other countries outside Europe (apart from South Africa) could not enter Canada before being cleared for security. Israel in particular was regarded as a likely stepping stone for Communist infiltrators. In the case where a sponsor was cleared for security, but security screening was still required for the proposed immigrant, a form letter 'B' advised the applicant that the proposed immigrant needed to apply to one of the Canadian Immigration offices in Europe for a visa -- in Brussels, Rome, Karlsruhe, Salzburg, London, Stockholm, Paris, or The Hague. Bona fide refugees and displaced persons, however, who had resided outside the Iron Curtain countries since January 1, 1949, could apply for a visa in the country where they were then residing. In both these cases it was not necessary to await a report that the applicant was cleared for security before approving the application. If found to be undesirable on security grounds after arrival in Canada, these landed immigrants were most unlikely to be deported.

It was emphasized in the instructions that in order to protect sources providing security information, reasons for refusal of visas to prospective immigrants on security grounds should not be disclosed. The October 1949 Cabinet Directive stipulated that.

> under no circumstances should the reasons for withholding permission to enter Canada, in the case of displaced persons and prospective immigrants be attributed to security grounds. The only information to be given out in these cases should be a simple statement, without explanation, that a visa has been refused.(60)

As in earlier instances, secrecy could also be used as a tool to prevent scrutiny of the exercise of discretion on the part of officials in Ottawa and immigration and security screening officers in the field.

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Security screening instructions of October 17, 1949 provided for waiver of screening for, inter alia British subjects, citizens of France born in and residing in France, and citizens of the United States. It would appear, however, from the minutes of the Security Panel meeting of April 27, 1950, that immigrants from France were still being screened -- not for Nazi background but for Communistic leanings -- which led Colonel Laval Fortier, the Deputy Minister of Citizenship and Immigration, to argue that because of the "relatively low percentage of rejections amongst French citizens applying for entry into Canada", that immigration arrangements applying for French citizens should be equalized to those applying for British citizens.(61) The view was then expressed at the meeting that British subjects intending to settle in Canada should also be subject to security screening for political leanings, underlining the extent of preoccupation with possible Communist infiltration.

Following discussions between senior officials of Immigration Branch and the RCMP, it was agreed that in the cases of immigrants who were allowed to enter the U.S. and who were now applying for entry to Canada, that no screening would be required since it could be assumed that they already screened by U.S. authorities. The result was an additional category of persons for whom security screening was waived -- aliens legally admitted to the U.S. for permanent residence.(62)

These security screening guidelines provided additional loopholes with regard to the possible entry of war criminals to Canada: for persons who infiltrated into the U.S. with the general flow of DPs, for those who managed to obtain South African citizenship, and for French-born citizens of France.

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CHAPTER V Relaxation of Restrictions on the Admission of Volksdeutsche and German Nationals.

Role of the Canadian Christian Council for Resettlement of Refugees

As discussed earlier, Volksdeutsche immigrants, mostly in the category of 'admissible close relatives', began to enter Canada under the auspices of the CCCRR in December 1947, with two groups of fifty persons each entering before the end of that year. The number of Volksdeutsche immigrants increased dramatically after January 1948, when the government set aside, at first 400 and then 780 spaces on the S.S. Beaverbrae, specifically for the CCCRR's immigrants. By the end of 1949, over ten thousand Volksdeutsche entered Canada without hindrance under this arrangement.(1) Documentation for Volksdeutsche from the Baltic states and from Eastern European countries was sparse, and Canadian screening officers accepted Temporary Travel Documents (TTDs) issued by the Combined Travel Board (CTB), usually without checking official German sources in order to determine whether German naturalization had been received. Furthermore, the IRO in 1948 had decided to grant DP status to Volksdeutsche who had taken on German citizenship in 1945 or later. The attempt to distinguish, in the conditions obtaining in Germany in the early years following the war, between those who voluntarily took on German citizenship during the war, and those upon whom it was forcibly conferred, was problematic.

As described by the CCCRR's chairman (Herzer), the question of rejections of Volksdeutsche on account of German citizenship had not been a problem before the summer of 1949, particularly in the British zone, because of the excellent rapport the CCCRR enjoyed with the CTB (Combined Travel Board)

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which provided TTDs upon request. According to Herzer, in a case where a Canadian visa was later refused, the TTD was returned. There was a sudden change in the situation, however, in July-August 1949. TTDs were being refused in the American zone to Volksdeutsche who had assumed German citizenship, on the grounds that such persons were not eligible to enter Canada under current regulations. In addition, Canadian visa control officers abroad and officials at various district offices of Immigration Branch began to reject applicants on the grounds that they were German nationals and therefore inadmissible. It has not been possible within the time available for this report to explore the reasons for this sudden switch to stricter application of guidelines with regard to Volksdeutsche and German nationals. However, it may be noted that the change coincides with adverse American reports about a group of Mennonites (discussed below at pages 212-213), as well as with generally stricter screening procedures designed to keep Communists out.

Herzer complained about this development in a September 1949 brief to the Minister of Mines and Resources (Gibson), as well as in an audience with the Prime Minister, and then again more urgently in a December 20 cable addressed to St. Laurent, in which he deplored the numerous rejections of Volksdeutsche who, after fleeing from Eastern Europe in 1945, "had either assumed German citizenship or had this doubtful honour conferred upon them".(2) Herzer argued that apart from the imposition of hardship on Volksdeutsche refugees, and the Christian and humanitarian call for action on their behalf, the close relatives movement of Volksdeutsche was beginning to dry up, and that as foreseen, it had become difficult to find enough non-German nationals to fill the quota for the Beaverbrae's next sailing.(3)

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St. Laurent responded that he would bring the matter to the immediate attention of the Minister of Mines and Resources (Gibson). In February 1950, Herzer elaborated his arguments in a brief to the new Minister of Mines and Resources, Walter Harris, adding the political factor that Canadian sponsors of these Volksdeutsche were becoming quite disgruntled, as well as the practical argument that immigrants destined to enter under the labour quotas were not being admitted, even though their passage was being financed by religious organizations. (4)

Change in government policy with regard to German nationals, 1949-1950

According to formal immigration regulations, German nationals were still inadmissible to Canada in late 1949, unless they were able to demonstrate that they had been opposed to Nazism, or came within the limited 'admissible close relatives' category allotted to enemy aliens, or had joined, unnoticed, the stream of Volksdeutsche, who, while still legally inadmissible if they had acquired German citizenship, had been entering with considerable freedom under CCCRR auspices since December 1947.

In the course of 1949, as the CCCRR intensified its lobbying efforts for the admission of German nationals, government policy was being adjusted to meet the pressure to relax restrictions in this regard.

The problems of overloaded screening facilities, and the impossibility of obtaining security information from Eastern European countries, was considered at the Security Panel Meeting of April 5, 1949. It was noted at that meeting that of some 60,000 DPs considered for entry into Canada, approximately 1,000 were rejected for security reasons; and that of the backlog of

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some 13,000 cases then under review by British authorities, some 11,000 were from Eastern European countries -- for whom security screening was deemed virtually impossible.(5)

Norman Robertson, then Secretary to Cabinet, who chaired the Security Panel meetings, was well aware of the problems in security screening which arose in the course of the previous year. Yet, in a memorandum to the Prime Minister he supported the decision reached at a Cabinet meeting on April 4 to modify policy with regard to admission of enemy aliens, to permit their entry if they were friends or relatives of a Canadian resident prepared to sponsor them, and if they were approved upon examination. (6) Robertson noted that in the absence of the Minister of Mines and Resources at the time when the decision was taken, the Deputy Minister of Immigration (Keenleyside) had expressed misgivings about the decision which "would put German nationals in a better position than nationals of other countries, since there are more examination centres in Germany".(7)

The rationale which carried the decision was that:

> In view of the delay in concluding a peace treaty for Germany, and of the desire of persons resident in this country to have relatives and friends from Germany admitted, it seems doubtful whether the policy of exclusion should be maintained indefinitely. The distinction between nationals of a former enemy country with which a peace treaty has been signed, and those of one with which a treaty has not been signed, does not seem realistic as a basis for policy over a period of years.(8)

St. Laurent's comment on this memorandum was that in his understanding, it was not a change in regulations that was intended, but "that individual cases might be brought to Council for special decisions in respect of each."(9) This was an

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approach which had been favoured before and which St. Laurent was to favour again with regard to possibly controversial cases which would be resolved by orders-in-council.(10)

An account of the CCCRR's career, by one of its leaders, William Sturhahn, records that it was Louis St. Laurent, as Secretary of State for External Affairs, who at a 1949 meeting of government officials countered questions raised by Hugh Keenleyside with regard to admission of refugees who were German citizens with

> a brief and decisive statement which swung the total mood of the conference towards a positive approach and which reaffirmed the government policy that refugees of German ethnic origin should not be barred from admission to Canada.(11)

Background to St. Laurent's support is provided in an anecdote describing an encounter in 1947 between St. Laurent and T.O.F. Herzer, the originator and chairman of the CCCRR

> After one of the first sessions of church and ethnic representatives with Government immigration officials in Ottawa there appeared to be an atmosphere of defeat among the members. The efforts to secure approval for the formation of the Canadian Christian Council for the Resettlement of Refugees during a day-long session seemed to have met constant opposition by Mr. Hugh Keenleyside, who was quite anti-German and would not hear of having these Nazi-Germans come to Canada. Mr. Herzer and a number of colleagues feeling defeated, on their way from Ottawa to Montreal, were going over the day's events. Mr. Herzer noticed a private car attached to the C.P.R. train. His inquiry of a porter revealed that it was the private car of the Hon. Mr. Louis St. Laurent, then Minister of External Affairs of the MacKenzie King cabinet. Mr. Herzer pulled out a card, wrote a few comments and asked the porter to take it to Mr. St. Laurent's car. Only a few minutes later the porter returned with the invitation to Mr.

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> Herzer to come for a cup of tea to the private car. No one has recorded the conversation, but when Dr. Herzer returned to his colleagues he had victory written all over his face. The Minister would request an immediate meeting with the immigration people and suggested that the delegation return to Ottawa as soon as possible. The result was a meeting in which the air was cleared. Mr. St. Laurent gave a strong endorsement to a positive immigration program for Volksdeutsche, and even made positive suggestions of the formation of the Canadian Christian Council for the Resettlement of Refugees.(12)

In contrast with the stiffness and formality extended to representatives on behalf of less preferred groups of immigrants, the founders of the CCCRR recall garden parties in 1951 in Dr. Herzer's backyard where Col. Laval Fortier, Deputy Minister of Immigration, would meet with the Premier of Manitoba, the District Superintendent of Immigration in Winnipeg and members of the CCCRR directorate and other members of church bodies. CCCRR organizers received similarly warm receptions from Walter Harris, Minister of Citizenship and Immigration between 1950 and 1954, and himself an active member of the Baptist church and very sympathetic to the accomplishments of the CCCRR, on behalf of fellow Baptists in particular, who according to Sturhahn, extended to the CCCRR a standing invitation to visit him in his office whenever we were in Ottawa.(13) Laval Fortier, Deputy Minister of Citizenship and Immigration from 1950 and Joseph Robillard, Chief Canadian Immigration Missions for Germany and Austria from 1951, were both considered friends and sources of ready assistance for the CCCRR.

The sense that some camouflaging of the Cabinet decision to admit German nationals was necessary was made evident in a subsequent request for clarification from Immigration Branch as to what was intended(14) as well as in a P.C.O. note to Norman Robertson, which with some circumlocution stated that:

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> It seems clear that some clarification is needed of what Cabinet intended to decide, since it is now possible to do what the Prime Minister apparently thought they were intending to make possible.(15)

In reporting on the change in policy with regard to the admission of sponsored German nationals, the wording was carefully chosen so as to minimize the impression that a significant concession was in the making:

> The Cabinet agreed that no change be made in general policy concerning enemy nationals, with the exception that in cases raised by persons resident in Canada, they might be informed that prospective immigrants might be allowed entry if they could present themselves for examination by an inspection team and were recommended for admission.(16)

It was an informal change in policy which was to be conducted by orders-in-council, and it is therefore not surprising that some immigration and screening officials were unaware of it, and continued to reject German nationals.

German nationals could, then, according to April 1949 government policy, be admitted by orders-in-council, so long as they were sponsored by Canadian residents (not necessarily relatives) and had passed an examination by Canadian officials in Europe.

At Immigration Branch it was felt that this new development would entail problems. In a memorandum to Cabinet dated April 30, Immigration Branch reported a backlog of several thousand applications from across Canada for admission of German nationals. The Minister of Mines and Resources was seeking guidance as to whether the Department should notify all the applicants of the change in policy, or whether it should apply only to those who made further representations to Immigration

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Branch or the Minister. Problems were foreseen in suddenly having to deal with a large number of "special cases", and there were difficulties in carrying out the examination of German nationals in Germany since there was only the one examination centre at Karlsruhe to deal with German nationals. Karlsruhe, moreover, was located in the American zone and German nationals could not travel freely from zone to zone. Approval of large numbers of cases would also entail further delays in the RCMP's security screening.(17)

In the light of these problems, which had been brought to the government's attention earlier by the CCCRR, it would have appeared to government officials to be eminently sensible to cooperate with the CCCRR in the processing of applications on behalf of German nationals.

The various snags in the way of admission of German nationals to Canada, such as the CTB's more stringent approach in issuing TTDs, and decisions taken by Canadian screening officers -- in keeping with the main line of immigration regulations regarding enemy aliens -- to reject Volksdeutsche who had assumed German citizenship, led the CCCRR and its affiliate organizations to intensify efforts to normalize the status of German nationals for admission to Canada.

The government responded positively, if somewhat cautiously. A proposal placed before Cabinet in September 1949 concerned modification, by means of legislation, of immigration policy with regard to German nationals, so that German close relatives would be admitted on the same basis as close relatives of other nationalities. The comment of the Secretary to Cabinet in this regard was that it would be sound to permit some extension of the admissible close relatives category for German nationals but that "there is something to be said for not going

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all the way at once".(18) . He suggested that the age of admissible children could be raised from eighteen to twenty-one or twenty-five, and the age of admissible parents could be lowered from sixty-five to sixty or fifty-five, but that German nationals not yet be accorded the same open basis as immigrants who were not enemy aliens.(19)

The concern was undoubtedly political: worry about public reaction to an official change in policy in this matter. In any case, Canadians of German origin who wished to bring in their kinsmen -- including those who were German nationals -- could already take the route of applying for 'special cases', under the auspices of the CCCRR or under the informal 'sponsored relatives and friends' provision.

In addition, uncertainty was generated with regard to some Mennonites. In the course of the summer of 1949, Immigration Branch was receiving numerous applications from sponsors of Mennonites seeking admission to Canada. The problem in admitting them was that many of them were German citizens and thus enemy aliens. An IRO document examined by Canadian officials pointed out that Mennonites were outside the IRO mandate, unless it could be shown that they registered as Volksdeutsche in order to avoid repatriation or that they were compelled to take on German citizenship under duress. Arguments proving eligibility on these grounds were generally accepted and some ten thousand Mennonites were found to be within the IRO mandate in August 1949. However, in August 1949 a letter from IRO Headquarters in Geneva to the IRO Canadian office in Hull reported on information received by U.S. Intelligence sources from the Berlin Documentation Centre, just as a group of Mennonites was about to embark for the U.S., that the majority of the Mennonites in question had in fact received German citizenship before the end of World War II, and that the reason

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given that they took on German citizenship in order to escape repatriation was therefore without foundation. Furthermore, there was reliable information that no duress was exercised on Mennonites applying for German citizenship in particular camps during the war, and, according to the BDC reports, a number of Mennonites had served in "reprehensible" German units, such as the Waffen SS and the SD.(20)

The recommendation of the IRO official in this matter was that all new cases should be checked against the records in the BDC, but those already ruled to come within the IRO mandate on the basis of previous information and instructions, and who had received visas to countries of resettlement, should be accepted without review. This recommendation was made with particular reference to Canada, since guidelines for admission of Mennonites to the U.S. required that a review take place whether or not visas had already been issued. It was also pointed out that the Mennonite Central Committee, which was doing the processing for resettlement, had not provided the information that many had in fact volunteered for German citizenship between 1942 and 1945 and that some had served in the SS and SD. Hector Allard, head of the Canadian IRO office in Hull, passed on this information to Jolliffe, who in turn passed it on to the Canadian Immigration Mission in Karlsruhe.(21)

Meanwhile, C.F. Klassen of the Canadian Mennonite Board visited Jolliffe to express concern about these IRO instructions, which were holding up the movement of Mennonites. He presented the argument that the Mennonites were tricked into German citizenship by being asked to sign blank forms when they were in the camps in Germany -- forms which, he said, turned out to be applications for German citizenship. Jolliffe was skeptical about this explanation, but subsequent developments with regard to the admission of German nationals soon opened the doors to

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Volksdeutsche -- other than those already coming in as exceptional cases or under the 'close relatives' scheme since 1947.(22)

In February 1950, Herzer addressed a brief to the Minister of Mines and Resources, requesting that restrictions on Volksdeutsche immigration be relaxed so as to overcome the problem of rejections.(23) Herzer then informed Harris of impending changes to the Displaced Persons Act in the United States which would ignore the German citizenship question altogether, and put the U.S. a step ahead of Canada in recruiting Volksdeutsche immigrants.(24)

The government was responsive. A formal change in policy with regard to immigration of ethnic Germans and German nationals was effected through an Order-in-Council (P.C. 1606) issued on March 28, 1950. The main provision had the effect of removing from the class of prohibited enemy aliens a) displaced persons and refugees who acquired German citizenship by naturalization after September 1, 1939; and b) German nationals who were spouses; children and siblings of any age, together with their spouses and unmarried children; parents of any age; orphaned nephews and nieces under age 21; and fiancés of both sexes of legal Canadian residents.(25)

There was also provision made earlier in January 1950 for temporary non-immigrant entry of German nationals who were businessmen engaged in international trade or persons likely to "make a contribution to the intellectual, scientific, commercial or cultural life of Canada.(26) Transit visas for non-immigrant German nationals were also possible. This route precluded screening, and the question arises as to whether some may have stayed on illegally.

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The fundamental change in policy with regard to German nationals took effect through a September 14, 1950 order-in-council (PC 4364) which removed German nationals from the category of prohibited enemy aliens, placing them on a par with other prospective immigrants for admission to Canada. In justification of the change of policy, Harris presented in a memorandum to Cabinet the following factors:

> The restrictive provisions of P.C. 1606 have the effect of depriving Canada of substantial numbers of German immigrants whose professional, technical or industrial skills would be a valuable asset to the national economy.
>
> It is averred that German immigrants who came to Canada in earlier years have become an important, industrious and loyal element of the Canadian population.
>
> Under the Immigration Regulations of the United States German nationals are no longer treated as enemy aliens and have been allotted a generous quota.(27)

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Chapter VI Immigration and Refugee Policy, 1950s

The new Department of Citizenship and Immigration had opened its doors in January 1950, with the intent of implementing the government's broad policy mandate to attract immigrants to Canada, particularly those who could fulfill the growing demand for labour in the primary industries and for manpower in some professional and skilled occupations. While large numbers of European immigrants were keen to come to Canada, many of them, for various reasons enunciated in Canada's immigration regulations, were not eligible. As a result of economic considerations, and in response to continued pressure from ethnic, religious, and pro-immigration organizations, such as the Canadian National Committee for Refugees (CNCR), the narrow existing categories for admission were revised and the old restrictive Immigration Act was replaced in 1952. An order-in-council of June 9, 1950 (P.C. 2856) had enlarged the admissible classes of European immigrants to include any person

> who satisfies the Minister that he is a suitable immigrant having regard to the climatic, the social, educational, industrial, labour or other conditions or requirements of Canada; and that he is not undesirable owing to his probable inability to become readily adapted and integrated into the life of the Canadian community and to assume the duties of Canadian citizenship within a reasonable time after his entry.(1)

This new, broader set of criteria applied to all prospective immigrants, including German nationals after their removal from the 'enemy aliens' category in September 1950.

The Immigration Act of 1952 governed Canadian immigration procedures for the following twenty-five years. Elaborating on the basis of the June 1950 order-in-council, the 1952 Act gave the Governor-in-Council all-embracing power to prohibit or limit the admission of persons by reason of:

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1. Nationality, citizenship, ethnic group, occupation, class, or geographical area of origin;
2. Peculiar customs, habits, modes of life, or methods of holding property;
3. Unsuitability having regard to the climatic, economic, social, industrial, educational, labour, health, or other conditions or requirements existing temporarily or otherwise, in Canada or in the area or country from or through which such persons come to Canada; or
4. Probable inability to become readily assimilated or to assume the duties and responsibilities of Canadian citizenship within a reasonable time after admission.(2)

Despite the negative wording of the 1952 Act, immigration to Canada was in fact being encouraged, and restrictions regarding admissible categories were progressively relaxed. In February 1952 Cabinet approved a program for the movement of 145,000 immigrants, 18,000 of whom were to provide general labour as woodworkers, in mines and in other industries and 18,000 were to become farmworkers. In the first 9 months of that year 135,296 immigrants arrived; the expected total immigration for 1952 was 165,000, the bulk arriving from Europe. Comparatively large-scale immigration from European countries, where participation in 'crimes against humanity' during World War II had been extensive, continued throughout the 1950s and 1960s (see Annex 2 to this report).

The 1952 Act specified prohibited classes of immigrants and laid down conditions for the arrest, detention and deportation of immigrants and would-be immigrants, as well as for examinations, inquiries and appeals. Section 5 of the Act listed the classes of persons who were prohibited from admission to Canada. The following were considered security risks:

(1) persons who are or have been...members of or associated with any organization, group or body of any kind concerning which there are reasonable grounds for believing that it promotes or advocates...subversion by force or

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other means...except persons who satisfy the Minister that they have ceased to be members of or associated with such organizations, groups or bodies and whose admission would not be detrimental to the security of Canada;

(m) persons who...are likely to engage in or advocate subversion by force or other means...

(n) persons concerning whom there are reasonable grounds for believing they are likely to engage in espionage, sabotage or any other subversive activity...

(q) persons who have been found guilty of espionage...

(r) persons who have been found guilty of high treason or treason against or of conspiring against Her Majesty or of assisting Her Majesty's enemies in time of war...(3)

Section 19 of the Act (renumbered section 18 in the 1970 Revised Statutes of Canada), which was concerned with persons already in Canada, made subject to deportation, on security grounds, persons who fell within the following categories:

(a) any person, other than a Canadian citizen, who engages in, advocates or is a member of or associated with any organization, group or body of any kind that engages in or advocates subversion by force or other means of democratic government, institutions or processses, as they are understood in Canada;

(c) any person, other than a Canadian citizen, who, if outside Canada, engages in espionage, sabotage or any activity detrimental to the security of Canada;(4)

The focus was clearly on excluding members of still active organizations considered subversive, and persons considered current security risks -- namely Communists. Though provision was still made for exclusion of persons convicted for treason against Her Majesty or "of assisting Her Majesty's enemies in time of war", restrictions with regard to admission of persons

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who served with enemy forces during World War II were progressively relaxed in the 1950s, as discussed in Chapters VIII and X below. The exception made for admission of persons who "have ceased to be members of or associated with such organizations, groups or bodies" reflects the new approach with regard to former members of now defunct Nazi organizations.

Though RCMP officers were first assigned to security screening duties overseas in 1946-1947, it was not until 1959 that there was specific statutory authorization for such a function by the RCMP with the addition of the phrase "outside of Canada" to Section 4 of the RCMP Act.(5) As a result of the relative informality of their status until 1959, RCMP security screening officers abroad often felt compelled to comply with decisions of both immigration officers in the field and immigration officials in Ottawa.

The 1952 Act vested virtually uncontrolled discretionary power in the Minister of Citizenship and Immigration. The Minister had the last word on cases, and could reverse decisions of his officials or indeed and even of the Immigration Appeal Boards which might be created under the provisions of the Act. The Minister could admit any individual by Minister's permit for a twelve-month period and extend that permit indefinitely, subject only to the obligation to report the fact to Parliament annually. He had, in fact, total authority over admissions, and total authority in relation to deportation over those immigrants who were not yet Canadian citizens. Immigration files from J.W. Pickersgill's period as Minister (1954-1957) provide examples of a number of former members of the Waffen-SS who were admitted to Canada by Ministerial permits before 1956, when restrictions on entry to Canada were lifted for all but major offenders and camp guards. There are of course many examples of cases continuously rejected before 1956, invited to reapply and finally admitted in 1956.

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Immigration from Germany: The most remarkable immigration wave to Canada for the greater part of the 1950s was from Germany, as noted in September 1960 by Escott Reid, Canadian ambassador in Bonn:

> In 1959 the biggest single group of persons receiving Canadian citizenship papers was German. Since the war, Germany has been our second most important source of immigrants. Germany remains the third most important motherland of the Canadian people.(6)

As shown in Table 6 below, immigration of Germans increased dramatically towards the end of 1950. As soon as Germany was placed on an equal basis with other European countries with respect to immigration to Canada, Canadian immigration officials made special efforts to stimulate immigration from that country, and the CCCRR was at the government's disposal to effectively assist in that migration. Immigration of German nationals and ethnic Germans continued on a significant scale until the late 1950s, as shown in Table 7.

TABLE 6 -- Number of German immigrants to Canada (7)

1950	3, 815
1951	29, 156
1953	35, 015
1954	29, 845
1955	18, 082
1956	26, 457

TABLE 7 -- Immigration from Germany, 1945-1960 (8)

Year	All Immigrants from Germany	All Immigrants of German Ethnic Origin	Immigrants of German Citizenship
1946-55	145, 198	169, 073	132, 265
1956	26, 061	27, 996	25, 590
1957	28, 430	31, 191	28, 513
1958	13, 888	15, 842	14, 107
1959	10, 423	12, 481	10, 401
1960	10, 774	12, 430	10, 596
TOTALS	234, 774	269, 013	221, 472

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Until the mid-fifties, the CCCRR continued to its lobbying efforts on behalf of Waffen-SS members and on behalf of neo-refugees from Eastern Europe. The Canadian Council of Churches (CCC) -- not to be confused with the CCCRR -- engaged in humanitarian endeavours on behalf of 'hard-core' refugees (physically disabled or unsuitable for employment in Canada) still lingering in DP camps, developed the 'Approved Church Program' with the Department of Citizenship and Immigration. Immigration officials, however, maintaining the view that immigration policy must be governed by economic considerations, were much less forthcoming in responding to the CCC's efforts than they had been to the CCCRR'S large-scale immigration endeavours, government officials expressing concern in a number of instances that the CCC might be 'overstepping its jurisdiction' in it attempts to bring 'hard-core' refugees to Canada.(9)

As discussed in other sections of this report, there were gaps in Canada's screening system in the early 1950s quite sufficient to permit war criminals, and members of designated Nazi organizations to enter Canada through regular immigration channels -- in many instances legally, particularly after October 1955 when restrictions were lifted on former members, including voluntary members of the Waffen-SS, SS, SD, SA, and Abwehr.(See pages 290-296 below).

There were, however, as late as 1955, still clusters of other groups of refugees in DP camps for whom the issue of possible war criminal background was raised. A report on the suitability and desirability of refugees of Polish, Ukrainian and Baltic origin, as well as recent refugees from Yugoslavia, residing in refugee camps in Germany, Austria, Trieste and Italy was submitted to the government in January 1956 by Dr. V.J. Kaye, Liaison Officer with the Canadian Citizenship Branch. Kaye's

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findings were that, apart from the newly-arrived Yugoslavs, most were "older" refugees who had served with the German armed forces during the war, and many had been convicted of "various crimes of varying degrees of seriousness".(10) They were not considered suitable or desirable for immigration to Canada -- but it needs to be added that this was not only on account of their criminal records, but for medical reasons, age, and lack of appropriate skills.

The response from the government to appeals for admission of German farmers who fled from East Germany was more positive. Though there was some reluctance to admit such persons on a large scale in 1953, even after Chancellor Adenauer personally interceded on their behalf in a meeting with the Prime Minister, it was decided to accept some, despite the security risks involved in admitting persons from the Eastern zone -- because of the urgent demand for workers in Canada. In 1956 the Minister of Citizenship and Immigration (Jack Pickersgill) recommended that Canada take as many of these East zone Germans as possible, and that for a six week period all screening be waived on their behalf.(11)

Latvians from South America: Between mid-1947 and 1952 some 45,000 Latvians, Estonians and Lithuanians came to Canada from Europe as sponsored close relatives, as farm labourers, or under the allotted quota for DPs whose services were sought by Canadian employers. A number of these immigrants had served in the Nazi forces and bore SS tattoos, but as of 1948 screening officers were advised by RCMP headquarters not to attach importance to these tattoos and to focus instead on determining whether they had voluntarily joined the Nazi military formations, or were instead to be deemed to have been conscripted (see pages 235-237 below). As of 1950, former Baltic Waffen-SS members were also admissible to the U.S. Many Latvians and other Balts opted to resettle in South America after the war.

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The relaxation of Canadian immigration regulations in 1950 as a result of Order-in-Council P.C. 2856 (see p. 216 above) received considerable publicity in the local and foreign language press in Argentina, giving rise to a flood of applications in 1951-1952 for immigration to Canada, largely from persons of Italian origin, but also from a substantial group of Poles who had served with General Anders, and from Latvians, Germans and others who came to South America after the war.(12)

In December 1952, Victor Kalins, the Secretary of the Latvian Congregation of St. Andrews' Lutheran Church in Toronto wrote to C.E.S. Smith, Director of Immigration Branch, seeking admission for some 3000 Latvians in South America who did not "feel well there because the climate and the way of life is much different to that of their home countries".(13) The Immigration Branch's response was that it was not government policy to encourage immigration of newly resettled Europeans in South American countries since

> for the most part, they are countries of immigration and, like Canada, they are endeavouring to increase their own populations. In addition, we are unable to obtain information required to complete immigration examination of persons residing in South American countries and we are, therefore, unable to process all applications submitted in Canada by close relatives.(14)

In fact, the Immigration Branch's policy at this time with regard to prospective immigrants from South America was restricted to close relatives and 'cases of exceptional merit' -- interpreted as cases for which there were humanitarian considerations or where there were exceptional qualifications, that is, which "in the opinion of the Immigration Branch Headquarters would be to the social, cultural and economic benefit of Canada". This guideline applied to both sponsored and unsponsored immigrants.(15)

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Kalins continued to lobby immigration officials in Toronto and Ottawa in 1954 and 1955 on behalf of the Latvians in South America, initially on behalf of 10 particular cases for whom the decision had been "complete rejection".(16) In September 1955, after a meeting with Kalins, representing the Latvian Federation in Canada, and with Rev. Lusis of the Latvian National Association in Canada, the Minister of Immigration (Pickersgill) decided to give a more liberal interpretation to 'meritorious cases' and to approve admission of European refugees who had established themselves in South America following World War II in cases where "satisfactory settlement arrangements are provided for the immigrant and when his admission will not adversely affect the Canadian labour market by displacing a Canadian resident".(17) All these cases were to be decided at the Minister's discretion and approved at Immigration Branch Headquarters. The list of the persons admitted under Ministerial approval in this instance had been attached to several memoranda on the subject but did not find its way into the archival collections examined for this report.(18) By August 1956, most of these European-born applicants from Argentina had received approval to immigrate to Canada as 'exceptional merit' cases, particularly if they dealt directly with the Immigration Branch in Ottawa rather than with the Embassy in Buenos Aires.

No mention is made in the memoranda examined of screening these prospective immigrants from South America for Nazi or war criminal background. Perhaps this was in keeping with developments in immigration security screening policy which in that same month rendered virtually all former SS members admissible to Canada (discussed at pages 294-5 below). Despatches from the Canadian Embassy in Buenos Aires in 1956 registered complaints regarding an overload of applications, too small a staff, and problems resulting from a situation whereby approval for admission was decided and granted in Ottawa prior to

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input from the embassy.(19)

Canadian security screening arrangements in South America at this time were weak. The relatively lenient two-year residence rule applied for applicants from Argentina, Mexico, Brazil, Venezuela, and Paraguay, where Canada maintained screening facilities. There were no screening facilities in other South American countries.(20) Even where Canadian screening facilities were available, there was heavy reliance on British and American sources for information on prospective immigrants. Commenting in June 1956 on security screening procedures in South America, the Director of Immigration remarked on the ease with which visas were issued in the early 1950s:

> Immigration authorities sent the Embassy one letter containing all necessary instructions for the issuance of a visa. One letter of instruction was in turn sent by the Embassy to the Prospective immigrant. Pending his appearance the local security clearance was obtained by telephone from the British Embassy. At the examination it was necessary only to verify that the applicant had followed the letter of instruction correctly, visa was issued and the fact was reported to Canada.(21)

In Paraguay, Canadian immigration matters were handled by the U.K. mission in Asuncion.(22) The security screening conducted in Argentina at this time relied on U.S. sources and focussed on the local record; it consisted of

> writing to the Visa Control section of the United States Embassy in Buenos Aires, which provided a report on the selected prospective immigrant. This report is passed on by letter via Courier to the RCMP, Special Branch, Ottawa, with any necessary comments.(23)

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There is no indication in the documents examined that the Latvians who came to Canada from South American countries were Nazi collaborators or war criminals. It may simply be noted that the highest contribution to the Latvian movement from South America to Canada was made by the Canadian Lutheran World Relief, the same organization which had earlier been lobbying Canadian government officials for relaxation of admission guidelines for Waffen-SS and SS members.(24)

There have been numerous allegations -- many of which have been substantiated -- about the presence of Latvian and other Nazi war criminals in South America. [In 1965 Captain C. of the Arajs Group, discussed in Chapter XII Part 4 below, alleged on strong grounds to have been a war criminal, was assassinated in Uruguay where he had been residing.] It was therefore noteworthy that security screening for war criminal background at a time when large numbers of European-born applicants from South America were being processed does not appear to have been at all an issue of concern for Canadian officials.

The Hungarian Refugees, 1956-1957: The Soviet suppression of the Hungarian uprising of October-November 1956 resulted in an unparalleled wave of immigration to Canada. Of some 200,000 Hungarian refugees seeking asylum, 36,700 reached Canada by the end of 1957, after being sheltered in camps in Austria with the assistance of international refugee agencies.(25)

The generous program to admit the refugees was a response to political and public pressure. At first the government did not change normal immigration procedures but offered the Hungarian refugees priority treatment. More generous emergency measures were taken following continued and growing pressure -- in particular pressure from religious and ethnic organizations. Two-thirds of the refugees were Roman Catholic,

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while another one-fifth were Jewish).(26) According to an account of the immigration to Canada of Germans and ethnic Germans, there were also a large number of Volksdeutsche amongst the Hungarian refugees.(27)

The Canadian government offered all Hungarian refugees free transport and agreed that travel documents visaed by Canadian immigration officials would be the only requirements for the refugees.(28) In addition, because of the crush of numbers and the lack of adequate facilities in Austria, the screening of Hungarians was postponed, except for a cursory examination, until their arrival in Canada.(29) Joseph Robillard, who organized the instant processing of the Hungarian refugees in Austria, described it as an "overnight service", with 600 applications processed in one day without any security checks whatsoever. Once in Canada, the refugees filled out form IMM 1000.(30)

As Minister of Citizenship and Immigration, Jack Pickersgill played a central role in the immigration of the Hungarian refugees. During the initial weeks of the flight from Hungary, Pickersgill visited Austria to examine the situation first hand. The decision to admit the refugees was taken, for the most part, by the Minister himself, following almost carte blanche discretionary powers given to him in this matter. He was not bound by financial guidelines nor by any explicit limitation on the number of refugees which Canada could absorb. As pointed out by a student of Canadian immigration policy

> During no previous movement of refugees had so much discretionary power been given to the responsible minister by his colleagues, nor had the machinery for processing and transporting refugees ever been so promptly organized.(31)

It remains that this impressive action on behalf of the Hungarian refugees, motivated by concerns both political and humanitarian, may also -- because of the special arrangements and pressures -- have permitted the entry of some individuals with a war criminal past.

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CHAPTER VII Security Screening, 1950-1951

Preoccupation with the threat of Communism, 1950-1951

Developments in the 1950s with regard to screening for Nazis and Nazi collaborators may be best assessed in conjunction with the high priority given at this time to security screening for "subversive" elements -- namely Communists and Communist sympathizers. Laval Fortier, Deputy Minister Citizenship and Immigration explained in a memorandum dated September 7, 1950, to Norman Robertson, Chairman of the Security Panel, the reasons for the 1950 amendment to the Citizenship Act withholding citizenship from certain applicants on the grounds that these persons were found by the RCMP to be known or suspected of engaging in subversive activities.(1)

The subject of the memorandum, reflecting the intense preoccupation at that time with danger of Communism -- far outweighing any concern about the presence of Nazis or wartime collaborators in Canada -- was the focus for discussion at the Security Panel meeting of October 27, 1950.(2) At the meeting, Fortier stated that his department was holding back some one hundred and twenty applications for citizenship pending guidance from the Security Panel as to whether the Minister should exercise his discretion and not grant citizenship to these individuals. Of the total, only four cases involved concern about Nazi background. Apart from one Japanese person and seven applicants of German nationality, of whom four were described as "having been strongly pro-Nazi during the war and still pro-Nazi", all the rest were either 'known' or 'suspected' Communists or Communist sympathizers. In the view expressed by Gordon Robertson of the Privy Council Office, the fact that a person identified with the Communist Party, whether by

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affiliation with a Communist-dominated group or as an active Party member, was in itself adequate justification for withholding a citizenship certificate at the Minister's discretion, since that individual had proved himself "unworthy of enjoying the benefits of Canadian citizenship". The Chairman of the Panel, Norman Robertson -- who during the early years of the war had chaired a committee advising the Minister of Justice on action to be taken with regard to persons regarded as subversives because of their pro-Nazi sympathies -- noted the importance of ensuring that "any publicity on this question should be phrased in such a way as not to suggest that membership in, or affiliation with, the Communist Party was the only reason for the rejection of applications for citizenship".(3) Communism was, clearly, the burning security and political issue. Security screening of former Nazis was deemed to be of minor importance in comparison with the need to screen for Communists, regarded as constituting a present security danger. The conclusions reached at the October 27 Panel meeting were that German nationals who had been members of the SS, the Waffen SS, the Abwehr, the SD or the Gestapo should continue to be regarded as poor security risks, but that "this general ban should not extend to persons in countries occupied by the Nazis during the war who might have become identified with such organizations under pressure from the occupying power".(4) With regard to Ministerial discretion in withholding citizenship, it was agreed at the Panel meeting that "active members of Communist or Communist-controlled organizations" should be rejected outright. "Strong and still active Nazis" were a lower order of concern together with those who were judged to be merely Communist sympathizers and for whom it was recommended that applications for citizenship be held for a two year period, at the end of which time each case would be decided on its individual merits. It was also recommended that

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an interdepartmental committee be set up "to review cases where evidence of subversive activity might appear to warrant revocation of citizenship".(5)

In contrast to the increasingly liberal approach being taken with regard to possible entry into Canada of Nazis and war criminals, External Affairs proposed to the Panel a quick and effective method of dealing with possible Communist infiltrators. Upon identification of a suspect, the Department of Citizenship and Immigration would be immediately notified and deportation proceedings instituted.

Guidelines and problems in security screening, 1950-1951

The overloading of Canadian security screening facilities continued in the 1950s. By early 1951, labour shortages and an already established policy to encourage immigration led the Minister of Citizenship Immigration (Harris), to write to the Minister of Justice asking for remedial action to overcome the long delays incurred by security procedures, which in Harris' view might "cripple the immigration movement, particularly from Continental Europe."(6) Delays from four to seven weeks were quite common, he says, for aliens from the U.K. and nationals of Western European countries, and delays up to one year were not uncommon for persons residing in South America. He suggested an increase in RCMP staff abroad.

RCMP Headquarters in Ottawa communicated in early March 1951 to Major J.A. Wright, in charge of security screening in London, the concerns amongst Ministers and officials in Ottawa with regard to security screening problems. The situation was described as acute, with a backlog of some fifty thousand applicants in Europe. Given the government's policy to encourage increased immigration, the RCMP feared that it would be in an

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extremely embarrassing situation should matters deteriorate any further. Though M.I.6 had offered to make additional facilities available to Canadian officials, RCMP officials in Ottawa decided that in order to speed up the screening process, checks against M.I.6 records other than for exceptional and dangerous cases must "cease as a major factor in Canadian screening policy", and that henceforth security officers would clear or reject applicants simply on the basis of a personal interrogation.(7)

In announcing this policy, it was acknowledged that security measures on the continent would be weakened by it, though hope was expressed that tighter legislation with regard to deportation of undesirables who may already have arrived in Canada would somehow compensate for the looseness of the security screen. The policy of direct interrogation as virtually the sole means of security screening was instituted as routine practice immediately, and additional personnel were recruited to implement a screening policy based on interviews.

The problems and gaps in security screening at a peak time of immigration to Canada were summed up in a mid-1951 report to the Commissioner of the RCMP from Supt. George McClellan, who had been on an inspection tour of the Visa Control facilities in London, Paris and Rome.(8) As McClellan saw the situation, the practice (by then largely abandoned) of checking the names of proposed immigrants with security organizations in Britain and other Western countries was not in itself "an absolute check" though "it did serve to turn up a number of undesirables."(9) With the increase in the volume of immigration in 1950-1951, it had become impossible for the security organizations to process the number of names Canadian officials were putting before them; the result was a tremendous backlog. With a view to eliminating the backlog and not delaying the stream of immigration, RCMP

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officials had agreed to process applicants by personal interview only, and to bring before security organizations overseas for file checks only those cases where preliminary interrogation had raised serious doubt. In McClellan's view, total reliance on personal interviews for security screening entailed considerable risk, since the security check depended to a great extent on the opinion which the interrogator obtained in the course of the interview, and that unless some damaging admission emerged, applicants would normally be cleared for security for entry into Canada.

In his review of the situation in the different European countries, McClellan frankly admitted that "so far as Italy, France and the United Kingdom, Germany and Sweden are concerned, our present procedure affords very little check against the infiltration of undesirable security risks into Canada".(10) Security screening in these countries, he judged, was

> little more than a facade, which offers little real security...the government should be under no illusion that our present procedures in these countries are more than a cursory check and that, if there is any opinion that an adequate security check is maintained on immigrants coming into Canada, this opinion should be changed at once.(11)

The situation was judged somewhat better in Denmark, Holland and Belgium, where the volume of applicants was not so great and where Canadian officials were receiving cooperation from local authorities.

In both the U.K. and France, McClellan stated, the majority of applicants were of foreign origin, many of them originating from countries which did not cooperate with the West in security screening matters; therefore no adequate back-check

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was possible for them. Limited to complete reliance on the personal interview and given the volume of applicants coming forward, Canadian interrogators could spend only a few minutes with each person, making adequate interrogation impossible. The screening load in France was further increased by the large number of French citizens applying to come to Canada. These were being screened for Communists, even though, in theory, Canadian regulations permitted the entry of citizens of France born in France on the same basis as British citizens.

Screening in Italy was regarded by McClellan as highly vulnerable due to the notorious corruption which made it possible to obtain almost any kind of document if one was prepared to pay a sufficient sum. With regard to immigration from Israel, he observed that there were numerous applicants and very meagre records, and extreme caution was deemed necessary since "the Communist governments would be stupid if they had not taken the opportunity to infiltrate agents into Israel for documenting and furthering to other countries...a better set up never existed to infiltrate Communist agents into this country".(12)

McClellan's basic conclusion on security screening practice was that "we should be under no illusion that we have an effective screening system to weed out undesirables from coming to Canada".(13)

Immigration officials vs. the RCMP: Different approaches to screening for Nazis and Nazi collaborators:

There appears to have been during this period some tension between RCMP and Immigration officials with regard to the need for stringency in security screening -- a tension which grew over the next few years, as discussed in Chapter X below. In many instances, RCMP officials, aware of the lack of resources to

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conduct adequate field investigations, were inclined to resolve problematic situations "in favour of Canada". Immigration officials were more inclined to exercise leniency in order to allow a greater number of immigrants in, and perhaps also more likely to be influenced by the considerable and effective lobbying directed at Immigration Branch from such groups as the CCCRR.

It has been observed that immigration officers considered themselves to be a good deal more sophisticated politically than the RCMP (Stage B) officers who conducted the security screening at each post, and that interviews with some of these officers, with rare exceptions, confirmed this.(14) Though there has not been time for the purposes of this report to explore the issue, it would be of interest to assess the knowledge, training and experience of the security officers in the field who throughout the postwar decade had a great deal of discretion in decisions to admit or refuse prospective immigrants. Immigration officers were critical, for example, of the security officers' lack of knowledge and outdated approach with regard to screening former members of the Communist party in some countries.(15) It would have been even less likely for these RCMP officers to have been knowledgeable about the complex interactions between and wartime histories of the various groups, from Eastern Europe in particular, from which DPs and other prospective immigrants came.

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CHAPTER VIII: Security Screening: Relaxation of guidelines with regard to former members of the Nazi Party, Wehrmacht and Waffen-SS veterans, and Nazi collaborators, 1948-1953

Policy and screening guidelines with regard to admissibility of former members of the Baltic Waffen-SS

The first steps in relaxing guidelines with regard to admission of former members of Waffen-SS units concerned Balts and Baltic Germans. In January 1948 representatives of Latvian and Estonian DPs met with Canadian Immigration and RCMP officials at the IRO office in Heidelberg to urge that Latvian and Estonian DPs who had served in the German army should not be required to prove that they had been forcibly conscripted, since such proof was impossible to find. They presented the Canadian officials with a lengthy brief to the effect that all Latvians and Estonians who had served in the German army were forced to do so.(1)

RCMP Headquarters then reported to its London office about representations made in Ottawa on behalf of Balts and Ukrianians which pointed to the difficulty DPs would face if they had to produce proof of forcible conscription into the German army.(2) An April 1948 memorandum from the Director of Immigration Branch (Jolliffe) to the Commissioner of the RCMP described the basis on which the IRO determined the eligibility of Balts: firstly, it was stated, the SS tattoo mark was related to blood grouping, and had no other significance -- a precedent for this approach was already set in September 1947 when Canadian officials decided to overlook SS tattoo marks on a group of DPs entering Canada under the bulk labour program (see pp. 201-202 above); and secondly, that it was possible to determine by date of enlistment whether service was voluntary or forced. The conclusion reached was that Balts who joined the Baltic Waffen-SS units after December 1, 1943 "could be regarded prima facie as

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conscripted, and Balts joining earlier may have been forced, and investigations would be required in individual cases".(3) Jolliffe strongly advised, however, against making a hard and fast dateline rule on so complex a matter.

Jolliffe recommended to the RCMP that in the case of the Balts the SS tattoo mark be disregarded, and that proof of forced conscription not be required. As discussed above (pp. 201-202), a precedent was already set in the bulk labour immigration movement for not attaching importance to SS tattoo marks. He suggested that the December 1, 1943 date be used as a general guide for security clearance, while allowing the officers sufficient latitude to deal with individual cases according to the facts developed during personal examination.

After reviewing long briefs from Baltic representatives on the coercive nature of conscription into the Latvian Volunteer SS Legion, and considering Jolliffe's recommendations, the RCMP also weighed political repercussions and concluded that

> the question of setting a hard and fast dateline to say that all those who served after that date could be considered as having been conscripted is highly dangerous and can have wide-spread repercussions in this country if it becomes known, as it surely will, that numbers of immigrants are coming forward to Canada who bear "S.S." blood group tattoo marks. It is suggested therefore, that we reply to Mr. Jolliffe that in those cases where the person served in the German Armed Forces prior to December 1, 1943, the person so serving will be considered as having been a volunteer and therefore will not be considered as clear for security. If the person served after December 1, 1943 such cases will be judged on their merits and will depend on whether the individual can show satisfactorily that he was conscripted.(4)

The RCMP formulation left the policy proposed by Jolliffe intact -- not to rule membership in Waffen-SS units as a basis for exclusion in itself, and to adopt a dateline cutoff

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approach to determine eligibility -- but was worded so as to avoid the suggestion that the doors would now be wide open, automatically, to all those who served in the Waffen-SS units provided service came after December 1, 1943. The approach established for former Baltic Waffen-SS members set a precedent for future government policy with regard to membership in the Waffen-SS. By July 1951, the Security Panel moved the 'voluntary/conscript' dateline back to January 1, 1943 for Volkdeutsche and German Waffen-SS members (see pages 249-252 below), and by May 1952 the Security Panel further broadened the categories of exceptions to the blanket rejection of former Waffen-SS members (see pages 254-256 below). By October 1955, SS service of any kind was removed as a bar to admission. (See pages 294-298 below).

Admission of former members of the Ukrainian Waffen-SS

Ukrainian organizations lobbying for the admission of members of the Ukrainian Waffen-SS Halychyna Division, then in the U.K., learnt of the decision in favour of those who had served in the Baltic Waffen-SS. According to a Canadian immigration official stationed in London:

> These applicants are closely knitted together and organized, and once one of them gets by, the story he puts up will quickly travel around and they will all follow the same line. We have 30 Ukrainians who have submitted statements so parallel to that of Dmytro, enclosed, that obviously they have been prepared for them to sign, presumably by Mr. G.R.B. Panchuk of the Association of Ukrainians in Great Britain or some person under his direction.(5)

The form letter prepared by Panchuk -- a Canadian of Ukrainian descent and an RCAF Flight Lieutenant who played a key role in the lobbying efforts to facilitate the immigration to Canada of Ukrainian DPs, including members of the Waffen-SS Division -- stated that now that policy was to admit Waffen-SS

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members who had been involuntarily conscripted, Ukrainian Waffen-SS members were applying for admission, since they too had been forcibly conscripted by the Germans.(6)

This approach did not produce the desired result. Though it would appear that the status of the Ukrainian Waffen-SS may have been viewed in the same manner as the Baltic Waffen-SS, -- that for them, too, cases could be weighed according to individual merit -- the response from government officials was not as forthcoming as it had been for the Balts. The explanation given was that "the group under consideration served voluntarily in the German armed forces" -- which was in fact historically correct.(7) Though members of the Ukrainian Waffen-SS did enter Canada from 1948 on, it was not until June 15, 1950, that a formal Immigration Branch Directive was issued to admit the Ukrainian Waffen-SS members. Admission was deferred, however, in July 1950 for some months in response to objections raised by the Canadian Jewish Congress. [Fuller account in Chapter XII, Part 3 below]

Relaxation of guidelines with regard to service in the Wehrmacht

Relaxation of guidelines with regard to service in enemy forces came about, to a certain extent, as regularization or confirmation of what had already become practice.

The ban on admission of German nationals as enemy aliens was still officially in effect in December 1949, and RCMP instructions included service in the Wehrmacht as a cause for rejection on security grounds. Yet, an RCMP officer with the Canadian immigration mission in Germany observed that according to a particular paragraph of those instructions, security officers would not reject a potential immigrant who served voluntarily in the forces of the enemy, unless that immigrant was

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also a subject to rejection on one of the other grounds mentioned in the instructions. Since security officers no longer considered service in the Wehrmacht as in itself a reason for rejection, the RCMP officer recommended to his superior in London that service in enemy forces be deleted altogether from the list of grounds for rejection.(8) Without any explicit policy declaration on the subject, voluntary service in the Wehrmacht had come no longer to be regarded in itself as grounds for rejection for admission to Canada.

In response to representations from the CCCRR, an Immigration Branch Circular dated May 20, 1950 advised all immigration and visa officers that with regard to German nationals and ethnic Germans, "service in the German Armed Forces during World War II, with exception of service in the German Waffen-SS, does not constitute cause for rejection". An exception, however, had already been approved for ethnic Germans who served in the Baltic Waffen-SS (as discussed above) for whom admission would be decided on the basis of whether the service was to be deemed the result of forced conscription, or voluntary enlistment.(9)

Representations from the CCCRR and evolution of policy with regard to former members of the Nazi Party and the Waffen-SS, 1950-1951

In a new brief to the Minister of Mines and Resources (Harris) dated September 18, 1950, Herzer expressed gratitude for government's responsiveness to the CCCRR's requests to date, which resulted in the admission under CCCRR auspices of some 15,000 Volksdeutsche and 6,500 Mennonites over less than a three year period. In particular, Herzer was grateful for the dramatic reduction since March 1950 in the number of rejections on the grounds of German nationality:

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> Last spring, when the rejections on account of German citizenship, born, assumed or conferred, presented a formidable cause of rejections, we brought this to your attention. You granted our petition and when P.C. 1606 was passed, the situation improved almost immediately. Where approximately three-quarters had been rejected and only one-quarter admitted, immediately after the passing of P.C. 1606 this percentage was practically reversed.(10)

Herzer added that the implementation of P.C. 1606 had brought with it "practically no criticism in Canada or elsewhere" and that it had only facilitated the entry of desirable immigrants. Not yet aware of the September 14th order-in-council removing German nationals from the category of enemy aliens, Herzer proposed that Canadian screening officers be more clearly instructed that the new generous provisions of general immigration regulations were to apply to Volksdeutsche, even if they have assumed German citizenship; and that restrictions on German nationals be altogether lifted.

The main concern of Herzer's brief was with the remaining rejections of prospective immigrants coming under CCCRR auspices. According to Herzer, only 60 percent of the applicants in July 1950 were granted visas. Of the 40 percent refused, half were for unavoidable medical or civil reasons, and half for reasons of security. In his estimation the security rejections were on two grounds: membership in the Nazi Party and membership in the Waffen-SS.

Herzer then stated that many Germans and Volksdeutsche from the East joined the Nazi Party "ignorantly, innocently and under economic pressure," for example, farmers and labourers who joined the Party so as to retain their farms or jobs:

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> most of them were ignorant of or out of sympathy with the policy of the Nazi Party towards the Church, toward the Jews, and toward others who did not agree with them.(11)

With regard to the Waffen-SS, Herzer argued that it was a formation quite different from the SS proper, service in which was entirely voluntary, whereas service in the Waffen-SS was voluntary only until 1942; that Volksdeutsche in particular were drafted by whole villages and individuals had no choice but to follow orders conscripting them. Pointing to the difficulties involved in proving that conscription was coerced, Herzer assured Harris that information from reliable and impartial refugee organizations or testimonies of the respective churches could be trusted. Herzer's proposal was that

> Nominal membership in the Nazi Party, or the Waffen S.S., shall not in itself constitute a barrier to Canada, if it can be reasonably established by the proper officers overseas that the prospective immigrant comes within the class of the nominal, ignorant or forced membership in these two organizations.(12)

Herzer pointed out that following the implementation of P.C. 1606, Volksdeutsche DPs were receiving preferential treatment at the CCCRR's camp at Bremen, in effect at the expense of those who were German nationals, and that the CCCRR was prepared to offer its services to the government for the processing of German nationals.

In this instance as in previous ones, Herzer did not miss the opportunity to observe that the then existing situation with regard to rejections was causing much dissatisfaction amongst sponsors of Volksdeutsche and German nationals in Canada, and that there was a broad base of support for government action in this regard:

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> we believe that you are as anxious as we are to expedite the movement to Canada of desirable future citizens and to eliminate any possible avoidable delay. It should not be necessary to say that the Volksdeutsche are diligent and efficient people; that they have formed the largest group among Canadian immigrants of German racial origin and that their sponsors in Canada have helped to open and settle the Western Canadian prairies and have also contributed to the development of British Columbia and Ontario.(13)

Herzer concluded his brief with praise for the Canadian government, saying that

> there is no Government in the world which has brought the same sympathetic understanding to the problem of the homeless refugees - particularly the friendless Volksdeutsche refugees or expellees.(14)

As pointed out by one of the leading Baptist members of the CCCRR, W.J.H. Sturhahn, in his history of postwar German immigration to Canada, the government felt compelled in the late 1940s and early 1950s particularly after the creation of the Department of Citizenship and Immigration, to show "production", and the "pool of Volksdeutsche" was regarded as undoubtedly the greatest available source.(15) Deputy Minister of Immigration Laval Fortier, circulated Herzer's brief among External Affairs officials and the RCMP, inviting comments on the CCCRR's proposals in the light of the new regulations removing German nationals from the category of prohibited enemy aliens.(16)

Herzer had meanwhile transmitted to Fortier information obtained in Washington by C.F. Klassen of the Mennonite Central Committee regarding the U.S. Displaced Persons Commission's ruling with regard to the Baltic Waffen-SS, described as different from the SS in purpose, ideology, activities and qualifications for membership.

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However, Herzer's proposals met with some opposition from the RCMP. P.W. Bird, Officer-in-Charge at the Canadian Government Immigration Mission in the U.S. who had examined Herzer's September 18 brief, reported to Immigration Branch that Klassen's observations regarding both Nazi Party members and Mennonites were distorted to the benefit his organization; that in fact, after tentative clearance of a party of Mennonites, it was found necessary, after checking with the BDC

> to withdraw security clearance on a large number of people. It was confidentially reported to me that the persons refused clearance had grossly misrepresented themselves to the Security Officer, and the Chief Security Officer advised me that all had been soundly rejected as security threats. I cannot see that we should concern ourselves about any "hardships" that ensued to those people any more than we should about the hundreds of other displaced persons or refugees who have been previously refused entry to Canada under similar circumstances.(17)

Bird also asserted that clearance from the de-Nazification Court in Germany, which in his view was aptly referred to as "The White Wash Court", was no guarantee that the person concerned was no longer a security threat. With regard to membership in the Waffen-SS, Bird emphatically stated that

> Regardless of all representations submitted by this Committee, a minute percentage of Volksdeutsche was forced into service in this Nazi Organization. Membership in the S.S. "Elite Guard" and the Waffen-SS was, to the best of my knowledge and belief, entirely voluntary and regardless of any submissions that the CCCRR or any other organization may make I shall not believe differently...(It is) very hard for our examining officers to disprove their statements. Our only safe-guard is to be guided by the advice given by the Allied Government Officials and by the records of the Berlin Documentation Centre.(18)

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Bird further stated that

> the records of the Refugee Organizations in this country are by no means reliable or impartial, and that the testimonials from churches or Ministers of the Gospel cannot be taken at face value.(19)

In his view, it would not be good policy to constitute the CCCRR at that time as processing agents for German nationals on behalf of the Canadian government.

The CCCRR's offer with regard to processing was not in fact accepted. The other proposals, however, received a more sympathetic hearing from Immigration External Affairs officials.

An October 1950 memorandum from European Division expressed the view that it was time for a change in the security regulations with regard to Volksdeutsche who, it was felt, had a greater claim to admission than German nationals, recently ruled admissible. It was felt, moreover, that public attitudes were changing:

> For the first few years after the war when the displaced persons problem was acute and shipping accommodation at a premium, it was no doubt necessary to be strict in the application of the security regulations in deference to Canadian public opinion. Conditions have now changed and with them the Western attitude towards Germany.(20)

A rationale for leniency in admitting former members of the Nazi Party or of the Waffen SS was also presented, in agreement with the CCCRR's proposals:

> Rejection should not be based on the simple fact of membership in the Nazi Party or the Waffen S.S. in itself, but rather on the circumstances of entry and the degree of participation.(21)

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Major offenders, it was stated, should continue to be prohibited from entry, but the proposals put forward by the CCCRR seemed "eminently sensible" and in the view expressed by European Division, offering a sound justification for greater leniency in admitting former members of the Nazi Party and of the Waffen-SS, particularly those who might be considered to have been purely nominal members or to have joined under duress. Anticipating considerable scope for discretion in this regard on the part of security officers in the field, it was suggested that in order to reduce the number of rejections on security grounds, greater leniency should be exercised in borderline cases. This message was reinforced in a memorandum from G.de.T. Glazebrook of External Affairs' Defence Liaison Division to Consular Division -- which controlled visa granting in Europe -- on the theme of a remarkable 'about face' said to be taking place in the relations between the Germans and the English speaking peoples.(22)

A communication from the Undersecretary of State for External Affairs to Laval Fortier then endorsed the CCCRR's proposals with regard to relaxation of restrictions on former members of the Nazi Party and the Waffen-SS, expressing approval for entry of "a larger number of minor offenders", as long as "major offenders" were kept out.(23) It should be noted that according to Allied Control Council Directive No. 38, 'Major Offenders' included -- in addition to the Gestapo, the SD, the Allgemeine SS and other SS organizations -- all office holders and members of the Corps of Political Leaders of the Nazi Party, and members of the organizations of the Nazi Party, including the Waffen-SS for all officers down to and including the rank of Sturmbannfuehrer (Major).(24)

Following the government's response to the CCCRR's requests, RCMP instructions of November 8, 1950 stated that with the exception of the leadership itself, membership in the Nazi

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Party should not in itself constitute a reason for rejection. As for participation in the key organs of the Nazi regime, in the view of Inspector MacNeil, RCMP representative on the Security Panel, members of the Waffen-SS, General SS, Abwehr (the intelligence collecting agency of the German army), SD (Sicherheitsdienst/Security Police) and Gestapo (Political Police), should continue to be rejected since membership in these organizations was entirely voluntary. (MacNeil did not mention the SA -- Sturmabteilung/Storm Troopers). The fact that membership in what MacNeil referred to as the "token" Waffen-SS regiments formed in the occupied countries was not confined to volunteers, in his view dictated that individual cases would have to be judged separately, each on its own merits, "as there would be exceptions worthy of consideration".(25) An RCMP circular of November 30, 1950 declared that:

> excepting members of SS, Waffen SS, Abwehr, SD, Gestapo or other important and dangerous Nazis when identified, membership in the Nazi Party was no longer ground for rejection. (26)

The explanation for the change was explicit:

> In view of the desire for increased immigration to Canada, it was decided that the regulations concerning former Nazis would be relaxed and membership in the Nazi Party would no longer be considered grounds for rejection. (27)

The outcome of these deliberations were communicated to Herzer by Fortier on November 18, 1950, acceding partially to the CCCRR's requests: membership in the Nazi Party was no longer to be in itself a cause for exclusion, but the government was not yet prepared to formulate a change in stated policy with regard to the Waffen-SS. It should be noted, however, that by this time screening guidelines and Immigration Branch Directives already permitted entry of Baltic and Ukrainian Waffen-SS members, and others, who could show that their service was not voluntary.

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In a letter to Klassen of the Mennonite Central Committee, Herzer mentioned that Colonel Fortier had indicated that the problems with Waffen-SS immigration would soon be solved. He also stated that the Mennonitische Rundschau had indiscretely printed garbled news about the CCCRR's meetings in Ottawa, and that as a result, negative reaction from the Jewish community was to be expected.(28)

Further development with regard to relaxation of restrictions on admission of Waffen-SS members, 1951-1952

In the course of 1951-1952, RCMP and Immigration officials continued to be preoccupied by the issue of further relaxation of guidelines with regard to admission of Volksdeutsche and German Waffen-SS members. The 1948 precedent set by Canadian officials for former Baltic Waffen-SS members was reinforced by the American decision in September 1950 to admit former members of the Baltic Waffen-SS on the grounds that their service in it was coerced. The CCCRR brought these developments to the attention of Laval Fortier in January 1951, who in turn brought it to the attention of both the Commissioner of the RCMP and the Undersecretary of State for External Affairs. Herzer continued to lobby Harris and Fortier to further liberalize policy, warning them that the U.S. was picking up large numbers of desirable immigrants from amongst the Volksdeutsche.(29)

In February 1951, Harris met Herzer in Winnipeg in order to discuss the CCCRR's concerns. Herzer suggested that the church organizations would investigate the story of Waffen-SS recruitment for the government's consideration. Harris seemed responsive, leaving Herzer with

> the impression that he (Harris) personally, would like to say 'yes' to our proposals. We just have to make it possible for him to do so legally.(30)

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The CCCRR then embarked on writing drafts of a potted history of the Waffen-SS, emphasizing the coercive nature of Nazi recruitment of Volksdeutsche and differentiating between the Waffen and Allgemeine SS.

To be sure, most Waffen-SS units were combat units. It remains, however, that basing itself on persuasive evidence, the International Military Tribunal at Nuremberg declared the Waffen-SS to be a criminal organization:

> Units of the Waffen-SS were directly involved in the killing of prisoners of war and the atrocities in occupied countries. It supplied personnel for the Einsatzgruppen, and had command over the concentration camp guards after its absorption of the Totenkopf SS, which originally controlled the system.(31)

Historians such as John Armstrong have pointed to the diversified uses to which the Waffen-SS was put, including concentration camp duty:

> Himmler adopted the practice of awarding nominal Waffen SS status to personnel in other branches of his appanage, either for administrative reasons or to protect them from conscription. In 1944, for example, some 40,000 of the 600,000 members of the Waffen SS were employed in other components of the SS organization. More than half of them were assigned to the SS Ecomonic and Administrative Main Office (SS-Wirtschaftsund Verwaltungshauptamt, or WVHA), which ran the concentration camp system. Although the concentration camp personnel were not under the command of the Army or the Kommandoamt der Waffen SS, they wore Waffen SS uniforms and carried Waffen SS paybooks. Furthermore, there was a relatively limited but nevertheless continuous exchange of personnel between the concentration camp staffs and the combat formations of the Waffen SS throughout the war. In short, the denials of SS apologists notwithstanding, there existed a connection between the Waffen SS and the concentration camps.(32)

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By 1951, it was possible to assert a new perspective. Lobbyists in Canada on behalf of the Waffen-SS could point to American precedents. The U.S. Internal Security Act of March 30, 1951 stated that involuntary membership in totalitarian organizations was no longer a bar to immigration, and the DP Act was being interpreted accordingly to permit the entry of 7000 ethnic Germans over the next fifteen months, including those who had served in Waffen-SS units.

These various arguments were integrated in an April 1951 brief from the CCCRR to the Minister of Citizenship and Immigration, essentially restating previous representations of the CCCRR in September and October 1950, requesting a review of regulations which excluded former Waffen-SS members. In particular it was requested that ordinary Waffen-SS membership "since 1942 and particularly since 1943 be not considered in itself a cause for exclusion".(33)

Government officials were receptive to these arguments. In May 1951 A.D.P. Heeney, Undersecretary of State for External Affairs, reinforced his 1950 recommendation in favour of granting the request of the CCCRR with regard to Waffen-SS members, and communicated his endorsement of such relaxation of security screening regulations to P.T. Baldwin, Acting Director, Immigration Branch.(34)

The decision to relax immigration restrictions on Waffen-SS members was taken quietly and informally in May 1951 by the RCMP and immigration officials. Even C.E.S. Smith, the Director of the Immigration Branch, was not aware of what had transpired. A month later he asked the Commissioner of the RCMP for comments on the issue of admission of Waffen-SS members, since the CCCRR was pressing him for a decision in this regard. Commissioner Nicholson responded that the matter had already been

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discussed in Mr. Baldwin's office on May 16, when it was decided that "service in the Waffen-SS in itself would no longer be considered a blanket cause for rejection".(35)

Following the change in policy with regard to German nationals, Wehrmacht veterans, and former members of the Nazi Party, and the softening of policy and practice with regard to Waffen-SS members, the Security Panel considered on May 17, 1951 statistics presented by Immigration's Security Section with regard to rejections on security grounds. While approximately 20 per cent of all security rejections involved cases of 'known or suspected Communists', only 2 per cent of these had been reviewed, and in the reviewed cases 20 per cent of the rejections were withdrawn. The comment in presenting the statistics for this category was that "naturally we cannot anticipate any relaxation under this category".(36) In contrast, where membership in the Nazi Party was concerned, constituting approximately 25 per cent of all security rejections, 35 per cent had been reviewed, and in about 95 per cent of the cases reviewed, security rejection had been withdrawn. The Security Panel's recommendation in this regard was that former membership in the Nazi Party be officially declared as no longer a reason for security rejection, and any case of rejection should be referred to the RCMP for reconsideration. Membership in the Nazi Party, in fact, had been disregarded since November 1950 as a factor in security screening, but not officially declared to be irrelevant to security screening until May 1951.

Service in enemy forces accounted for approximately 40 per cent of the security rejections. Of these, approximately 50 per cent had been reviewed, and in about 65 per cent of the reviewed cases, the rejection on security grounds was withdrawn. The explanation given for such a high percentage of favourable reviews was the change in policy with regard to German nationals

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and Volksdeutsche by Order-in-Council P.C. 1606, and the elimination of service in the Wehrmacht as a reason for security rejection -- both factors having caused a steady increase in the number of applications for review of persons who had been previously rejected. W.H. Hickman from Immigration's security section foresaw that favourable reviews were likely in nearly all these cases. Hickman's personal opinion was that Waffen SS rejections in the past had been based on "public sentiment in Canada as a result of World War II, rather than the fact the authorities would consider the individual concerned a security risk in Canada at the present time", that policy now should be to judge each case on its individual merits, and that the criteria should be that the prospective immigrant would not become a present security risk and that his service in the Waffen-SS had not been of an objectionable nature.(37) However, apart from checks with British and American intelligence, existing sources for information, such as the BDC, about past 'objectionable' service in the Waffen-SS, were seldom examined; nor was there any formal interrogation with regard to military service in security screening forms until 1953. (See Annex 3 to this report).

Immigration's position with regard to former Waffen-SS members, stated in a May 1951 memorandum and closely following arguments presented in the CCCRR brief of April 17, was that:

> as there are some cases involving compassionate grounds and when age of enlistment or when circumstances surrounding enlistment appear to warrant consideration, recommendation is being made that service in the Waffen SS, in itself should no longer be a blanket cause for security rejection -- rejection for such service to be based on the individual case.(38)

The Director of Immigration Branch then communicated to Laval Fortier the RCMP's current position and External Affairs' earlier recommendation in October 1950, resulting in a Security Panel

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decision on July 5 to remove from the category of automatic rejection on security grounds cases of Waffen-SS members forced to join or conscripted after January 1, 1943. The Minister of Citizenship and Immigration (Harris) was then able to respond to Herzer's April 17th brief, informing him "that members of the Waffen-SS who joined after January 1, 1943 will not be rejected automatically if it can be established a prospective immigrant was forced to join that group" -- there was no mention of a cutoff dateline. Herzer then dispatched a confidential telegram to George Berkefeld, the Director of the CCCRR's processing camp in Bremen, to inform him to invite Waffen-SS veterans to reapply, since 95 per cent of those who joined after January 1st 1943 were now eligible for admission, and those who joined before that date could be presented to security officers as special cases. A follow-up letter advised Berkefeld not to refer to this new development publicly, but to let it "percolate" among sponsors in Canada.(39)

The Bye Report: (December 1951): The main stated criteria governing decisions to admit or refuse former members of the Waffen-SS or of other Nazi organizations concerned the issue of whether the individual had joined the organization or military formation in question voluntarily or by coercion. As discussed above, that distinction was a rather fluid one which gave considerable discretionary scope to security screening officers.

In early 1952, the RCMP was circulating a detailed report by Security Officer Bye outlining recruitment policies in the Waffen-SS and service in the Waffen-SS by persons from various national groups. The basic proposition of the Bye Report was that security regulations dealing with former membership in the Waffen-SS were not sufficiently discriminating. The formal

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grounds for blanket rejections at the time included membership in the SS, the Waffen-SS (German), the Abwehr, SD, Gestapo, and non-German members of the Waffen-SS who joined that organization "prior to January 1, 1943 and are found to bear marks of S.S. blood group".(40) Non-German members of the Waffen-SS who joined after January 1, 1943 were required to satisfy the security officer that they had been drafted, that is, that they did not enlist voluntarily. In Bye's view the categories needed refinement in order to take into account: Germans who had previously been of another nationality who had been naturalized by compulsion or coercion; Volksdeutsche who joined the Waffen-SS prior to January 1, 1943 because they were subject to conscription; Germans who were conscripted into the Waffen-SS at a very early age; ethnic Germans living in territories occupied by Germany and who never assumed German nationality, even though conscripted before January 1, 1943 under laws governing ethnic Germans. Bye also concurred with previous opinions with regard to existing policy which required for purposes of admission evidence that service in the Waffen-SS had not been voluntary -- in his view it was rarely possible to produce such evidence.

While Bye's analysis and conclusions supported a more lenient approach to admission of Volksdeutsche who were members of the Waffen-SS, he had strong reservations about Waffen-SS members from Roumania and Hungary. According to his findings, these people had definitely volunteered and ought to be rejected regardless of the date of enlistment. Perhaps revealing an an ethnic bias in this regard, Bye stated that these Roumanian and Hungarian ex-Waffen-SS members, were in any case "much inferior to German ex-members as potential Canadian citizens".(41)

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RCMP and Security Panel conclusions with regard to former Waffen-SS members, 1952: G.A. Sincennes, Chief Security Officer at Karlsruhe, communicated to Ottawa aspects of Bye's report which militated against relaxation of restrictions with regard to non-Volksdeutsche and non-German Waffen-SS members, who, according to Sincennes, had definitely volunteered for service in the Waffen-SS.(42) Sincennes added that Volksdeutsche and others from the Baltic States, who had become German citizens and who were given farms or benefits upon resettlement in occupied Poland, also did so voluntarily. In Sincennes' view, the date January 1, 1943 was too early for compulsory conscription for non-German nationals; he therefore suggested the January 1, 1944 date as more appropriate, since it was only after that time that German authorities, short of manpower, were pressing anyone they could into service. He further suggested that the phrase in the instructions requiring former members to satisfy the security officer that they did not volunteer be waived entirely, and that the deciding feature should be the date of commencement of service after January 1, 1944.(43)

The RCMP's conclusions in April 1952, after examining Bye's study, was that non-Baltic, non-German and non-Volksdeutsche members of the Waffen-SS were most likely volunteers, and that leniency should be shown to those who were conscripted.

A broad range of exceptions for the Waffen-SS was approved at the May 1952 Security Panel meeting, despite reservations expressed by A.W. Boulter, representing Citizenship and Immigration, that

> this at best is a dubious group and unless there is reason to envisage serious grounds for consideration on their behalf they should be refused visas. The large backlog of eligible German applicants does not suggest the need to select from this group.(44)

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Categories now admissible, according to the Security Panel's recommendations, included former Waffen-SS members who were

- German nationals who joined before the age of 18, when there are reasonable grounds for believing they were conscripted or joined under coercion.

- Volksdeutsche formerly residing in German occupied territory, whether they were subsequently naturalized German or not, when there are reasonable grounds for believing they were conscripted or joined under coercion.

- Volksdeutsche and other nationalities who were resettled and naturalized German before joining, when there are reasonable grounds for believing that naturalization was not of their own choosing, and reasonable grounds for believing they were conscripted or joined under coercion.

- German nationals, Volksdeutsche formerly residing in territory not occupied by the Wehrmacht, whether subsequently naturalized German or not, or other nationalities, when any of these persons can satisfy the Security Officer that they were conscripted or joined under coercion.(45)

In communicating the Security Panel's decision to the Director of Immigration, Deputy Minister Laval Fortier omitted the fourth exception, which in effect made a mockery of the first three exceptions, since it did not provide for the coercion requirement in assuming German nationality, and since it referred to German nationals and other nationals formerly residing in territories not occupied by the Wehrmacht -- and therefore clearly volunteers.(46) It is not clear whether the RCMP similarly omitted the fourth exception approved by the Security Panel.

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Further CCCRR memoranda to the government in January 1953 requested that the cut-off conscription date for admission purposes be rolled back by two years to January 1st 1941, or "if this is thought too radical to change it at least one year to January 1942".(47) (The story of the CCCRR's lobbying in this regard and the government's response continues at pages 296-297 below).

Immigration and security screening policy with regard to admission of Nazi collaborators

Cold War considerations had conditioned the approach of the Western Allies in the years immediately following the war with regard to Nazi collaborators from Eastern European countries. As a result, many were able to evade screening and/or apprehension, either because of the absence of documentation and information in their regard, or because, as anti-Communists, they elicited sympathy in the West. (See Chapter I Part 2 and Chapter XII Parts 2-5 of this report for further discussion of the Allies' and Canadian government policy and practice with regard to Nazi collaborators.)

Prior to 1951, there were no specific security screening guidelines for persons who may have collaborated with the Nazis in the occupied territories and who were no longer residing in those territories, other than for those who served in the German armed forces. Following the signing of treaties with Finland, Italy, Hungary and Roumania and the removal of nationals from these countries from the category of enemy aliens, External Affairs informed Canadian missions abroad that persons from these countries who had served in the armies of their own countries (albeit in collusion with the Nazi occupying forces) should not be refused admission to Canada on account of such service, unless recorded on the official lists of war criminals -- lists which were seldom consulted, as noted earlier.

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Restrictions had been relaxed for the Baltic Waffen-SS as of April 1948 (see pages 235-237 above), and, in some cases, for other non-German Waffen-SS. An RCMP study has recorded that some fifteen former members of the Ukrainian Waffen-SS Galician Division entered Canada prior to June 15, 1950 -- the date of the government directive which first ruled them admissible.(48)

Again, and as discussed in earlier sections on security screening, there were serious gaps in the information available for Eastern European displaced persons. Screening for this category of prospective immigrants was reduced to the applicant's statement of facts in an oral interview, and on checks with British or American intelligence, who on an undetermined number of occasions had their own programs in which some of these people were used for intelligence or anti-Soviet purposes (See Chapter XII below). Whatever screening was undertaken was usually done with a view to determining the risk the individuals might present to current security concerns -- that is, to screen them for possible Communist background.

The view from Immigration in May 1951 was that for collaborators who had resided in Nazi occupied territories, the RCMP should withdraw objection on security grounds "when in their opinion, the circumstances surrounding, and the degree of collaboration indicated that favourable consideration was warranted".(49) It was therefore recommended that "collaboration, in itself, not be considered a cause for rejection, except for those whose crimes are such that they are not desirable" -- a rather vague specification; that regulations with regard to collaborators be relaxed so long as the individual concerned did not "present a security risk in Canada at the present time and, providing the degree of collaboration and circumstances surrounding same warrant such leniency".(50) Considerable discretion was thus to be given to the security officer to make a judgment based entirely on the applicant's presentation of the facts.

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Guidelines as of 1951 required that collaboration cases be divided into two categories, following denazification guidelines: (a) major and minor offenders, and (b) lesser offenders, followers and exonerated cases. The policy which emerged was that category (b) should be cleared for security, without hesitation. For category (a) collaborators, the procedure involved referral of the particulars of all those cases for which representations were received at Immigration Branch in Ottawa to the Deputy Minister of the Department of Citizenship and Immigration for his decision.(51)

In late November 1951, G.de T. Glazebrook of External Affairs' Defence Liaison Division and a member of the Security Panel, transmitted to Gordon Robertson of P.C.O. recommendations from A.J. Andrew, the Head of the Canadian Mission in Germany, to relax restrictions on Nazis, following denazification guidelines.(52) Glazebrook also noted that there was a consensus of opinion amongst the missions in Paris, Oslo, Brussels and Copenhagen that minor collaborators should be admissible and that those who served a prison term should be regarded as having their slate "wiped clean". It was felt, however, that major collaborators should still be barred. These would include persons convicted of fighting against the Allies; those convicted for involvement in the taking of life and in activities connected with forced labour and concentration camps; those employed by German police and security organizations and who acted as informers against loyal citizens and resistance groups; and those charged and found guilty of treason.(53) There were virtually no mechanisms in place, however, to detect background of this nature.

It was Laval Fortier, Deputy Minister at Citizenship and Immigration, who had since May 1951 required that all cases of major and minor collaborators be sent to him for personal review, that full details of investigations be forwarded to

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Ottawa, and that decision with regard to their admission be taken in Ottawa. In a communication to the Commissioner of the RCMP, dated November 29, 1951, Laval Fortier expressed the view that

> information supplied by the various Visa Control officers (with regard to collaboration) is not sufficient to enable me to reach a decision. Additional information concerning the exact nature of collaboration practiced, as well as the present status of the prospective immigrant with respect to punishment and loss of military, political and civil rights would be of considerable assistance to me in reaching a decision as to the suitability for immigration of the individuals concerned.(54)

In response to Fortier's request, Supt. McClellan of the RCMP stated on December 11, 1951, that

> your request for further particulars regarding collaborators raises a rather difficult question...it would require a great deal of field work to produce positive evidence, and the production of such evidence would, in most cases, be impossible.(55)

It was because of the meagre sources of information, McClellan asserted, that the RCMP had developed the policy to resolve doubtful cases in the favour of Canada, rather than to have doubtful individuals pass the screening examination on the grounds that there is too little evidence against them.

In resisting leniency with regard to admission of collaborators, the RCMP expressed the view that such persons would make undesirable immigrants, that it was

> difficult to believe that proposed immigrants who are disloyal to the country of their birth would in fact be any more loyal to the country of their adoption...any large-scale immigration

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> of collaborators from German-occupied countries would materially increase our difficulties should a state of emergency arise.(56)

As the organization charged with responsibility for the internal security of Canada, the RCMP's reluctance to accept relaxation in the admission of Nazi collaborators to Canada was based on the grounds of a demonstrated liability for treasonous behaviour. Possible involvement in war crimes or crimes against humanity does not appear to have been at issue.

In the end, the policy which emerged followed Fortier's cue. In collaboration cases which appeared to be minor or where there were extenuating circumstances, security officers were to clear the proposed immigrant at their own discretion.(57) In cases where there was a rejection, and where representation was being made by an interested party in Canada or where the report showed that there was a known Canadian sponsor, the RCMP was requested to submit particulars to the Deputy Minister of the Department of Citizenship and Immigration (Laval Fortier), who would make the decision with regard to the suitability of the individual for immigration to Canada. All of the cases referred to Laval Fortier would have concerned individuals whom the RCMP was not prepared to clear for security. It would appear, then, that both major and minor collaborators who were detected, and for whom there was consistent lobbying in Canada, may have been favourably assessed for admission to Canada directly by Immigration officials, even though rejected on security grounds by RCMP screening officers in Europe.

At the Security Panel meeting of May 15, 1952, it was pointed out that while current policy was to prohibit immigration of collaborators, cases were in fact being dealt with on the basis of individual merit.(58) External Affairs communicated to the Panel the consensus of opinion of missions abroad that collaboration in itself should no longer be a cause for

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rejection, particularly where a prison sentence for collaboration had already been served, except "where a clear and present danger to Canada or Canadian institutions is involved".(59) The RCMP's reservations with regard to collaborators were noted, that "a person who had been disloyal to his country of birth, if the occasion arises, would be equally or more disloyal to a country of adoption".(60) The Panel was advised, however, to bear in mind that collaboration sometimes resulted "only after intolerable pressures had been applied by the Germans." (61) Laval Fortier, who often had the last word on the admission of collaborators, both major and minor, made a plea on their behalf pointing out that former collaborators were often denied civil rights in their own country and had difficulty in rehabilitating themselves, and that it was natural for them to seek better conditions in Canada.

The recommendation which emerged at the May 15th meeting was that former collaborators should be excluded on grounds of "moral turpitude", except minor collaborators whose actions resulted from coercion -- a recommendation in line with the view presented at External Affairs.(62) The reaction of RCMP Inspector W.H. Kelly, in charge of Security Visa Control in London, upon examining this new guideline was to question whether collaboration should be struck out as a security reason for rejection altogether, now that collaborators are to be excluded only on grounds of 'moral turpitude' -- which were general grounds for undesirability with which Immigration Officers rather than Security Officers should deal.(63)

A November 1959 memorandum to the Cabinet Committee on Immigration signed by Laval Fortier stated that collaboration was not in itself grounds for automatic rejection, except for persons who had engaged

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> a)...in activities harmful to the safety and well-being of allied forces; or, b) those who were employed by German police or Security organizations and who acted as informers against loyal citizens and resistance groups.(64)

In practice, however, Immigration officials in the 1950s and afterwards did not pay much attention to excluding Nazi collaborators -- except in cases which were seen as potentially embarrassing or likely to arouse opposition and controversy.(65)

The issue of admission of Nazi collaborators resurfaced in 1961 as Immigration Branch officials discussed the admission of a particular individual. A senior official opined that "nothing would be gained by seeking to re-open this business" and suggested

> that in the case of collaborators no action should be taken unless the case is particularly active and correspondence is being exchanged. In such active cases we should, where necessary, secure an up-to-date report from the RCMP and submit the case to the Deputy Minister for consideration.(66)

Further cases illustrating government practice with regard to admission of Nazi collaborators are described in Chapter XII (Parts 2 to 5) of this report.

Policy with regard to former members of the Abwher and SA:

Security policy with regard to the Abwehr (the intelligence collecting agency of the German army), and the Sturm Abteilung (SA) was not decided until the Security Panel's meeting of September 18, 1951. External Affairs expressed reservations with regard to the Abwehr, but Kelly, the RCMP liaison officer in London, had expressed the view, communicated to the Panel, that the U.S. authorities did not regard the Abwehr as objectionable as the SD and Gestapo and that, on the contrary, the Abwehr was "fundamentally anti-Nazi".(67) Other representatives on the

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Panel recommended that each Abwehr case be treated on its merits. The Panel did not accept the recommendation to liberalize policy with regard to former members of the Abwehr, but did decide that membership in the SA should not constitute grounds for rejection in view of the fact that the objectionable nature of the SA had changed after the purge of 1934.

Application of Policy

For reasons discussed in the next chapter, it was in fact possible to bypass or further stretch the already relaxed guidelines with regard to former members of Nazi organizations outlined in this chapter, and to permit entry to technically inadmissible persons. A case examined by the Commission of Inquiry serves as an illustration. Subject J', admitted to Canada in December 1951, had been a member of the Nazi Party from 1933 to 1945, and of the criminal police until 1942, who joined the SS in which he served in 1942-1943 as SS sergeant and company sergeant with Einsatzgruppe D's Einsatzkommando 10a, a unit which carried out killing actions in Southern Russia; BDC records also show that subject J' attained the rank of 2nd SS Lieutenant in 1944 and was awarded the Iron Cross and other Nazi decorations during the war years.(68)

Such cases indicate that it was possible in the early 1950s for persons who were clearly inadmissible according to immigration guidelines and whose wartime military record was available at the BDC, to enter Canada openly and under their own names. On the basis of documentation available it is not possible to say whether such persons were admitted with the knowledge of Canadian officials or simply as a result of negligence in carrying out proper checks on prospective immigrants.

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Chapter IX: Security Screening, 1951-1953

Focus on screening for persons "detrimental to the security of Canada": Deliberations in the 1950s on the admissibility of former members of Nazi organizations were quite marginal to the main security screening concern -- Communists. When the Security Panel considered in March 1952 drafts for sections to be included in the new Immigration Act with regard to categories of alien persons who should be rejected on security grounds, and with regard to grounds for deportation of aliens already in Canada, the focus was hardly at all on former Nazis, whether major offenders or offenders, but rather on persons whose admission or presence in Canada was deemed "detrimental to the security of Canada at that time". Such persons were defined as

> members of or associated with any organization, group or body...(which) promotes or advocates...unlawful opposition to or subversion of...democratic government, institutions, or processes as they are understood in Canada, except persons who the Minister is satisfied have ceased to be members of or associated with such organizations, groups, or bodies and whose admission would not be detrimental to the security of Canada. (1)

The characterization of unacceptability, in terms of doctrinal opposition to democratic government and current threat to Canadian security, in effect left out of the reckoning aliens who may have been prominent Nazis and who may have committed war crimes. By these guidelines such persons would not be deemed inadmissible or deportable -- unless of course they presented a current security risk. That the determining factor was no longer whether one was a major offender, but rather, whether one was a 'security risk', was made clear in Laval Fortier's statement to Norman Robertson:

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> Former membership in the Nazi and Fascist Parties is no longer a blanket cause for security rejection and very few rejections are being made for such membership, the only exceptions being persons who would present a security risk if admitted to Canada. (2)

As the shift in focus to current security risks took place, the Security Panel in the course of 1952 considered in some detail aspects of immigration security policy with regard to wartime collaborators and membership in Nazi organizations. The recommendations which emerged, put forward at the Security Panel meeting of May 15, 1952, inclined, unsurprisingly, towards greater leniency, these decisions setting Canadian government policy and practice with regard to security screening for the next few years.

As indicated above, following the May 1952 meeting of the Security Panel, a range of exceptions for former Waffen-SS members was approved, and Nazi collaborators were to be dealt with on the basis of individual merit and not rejected, unless they were a current security risk or were deemed to be persons of 'moral turpitude'.

Guidelines and problems in screening, 1951-1952

By mid-1951, rank and file members of the Nazi Party, Germans and others who served in the Wehrmacht, and Waffen-SS members who were concripted after January 1, 1943 had become admissible to Canada. Against this background, government officials and the RCMP in particular paid attention to developments relating to the de-Nazification process in Germany. Reporting to the Secretary of State for External Affairs (Pearson) in August 1951, A.J. Andrew, the Head of the Canadian Mission in Bonn stated that

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> for obvious reasons the Occupying Powers are not interested in maintaining too close an interest in denazification and the main interest of the German authorities is in softening the lot of existing classified Nazis.(3)

In fact, the tendency -- not yet the de jure regime -- was to eliminate for all practical purposes categories 3, 4 and 5 Nazis (lesser offenders, followers and persons exonerated) from classification, and for this reason Canadian officials were advised not to expect German authorities to inform them that a prospective immigrant was in any of those categories ("they might even condone an incidental concealment of the fact"), though one might still be able to obtain information concerning categories 1 and 2 Nazis (major offenders and offenders).(4) Following denazification guidelines, and taking into account developments in Germany by mid-1951, Andrew's recommendations with regard to admission of Germans to Canada were that no investigation for Nazism be conducted on Germans born after January 1, 1919; that no routine investigation be carried out in Germany on persons who were POWs in Canada and for whom records were available in Canada; that no further investigation be undertaken for persons able to prove that they were not in jail in Germany since January 1946; that Nazi Party members be accepted if they could produce evidence that they were <u>not</u> in categories 1 and 2 -- regarding which one might obtain information from German authorities; and that categories 3, 4 and 5 Nazis be accepted on the assumption that they "have now seen the error of their ways and will make good citizens".(5)

After considerable study of these proposals by RCMP officials, a number of problems were identified. With regard to the suggestion that POWs who had been held in Canada should not be routinely investigated since there were files on them in Canada, RCMP Supt. McClellan commented that, in fact, with the

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exception of a few who came to RCMP notice when they escaped from POW camps or farms, there were no records available in Canada, since the records accompanied them when they were returned to Europe. With regard to police certificates stating that an individual in Germany had not been in jail since January 1946, McClellan informed Robertson that the Control Commission in Germany had given up jurisdiction over the Central Criminal Records, and that Canada was now being asked to provide payment for five employees to take care of checking Canadian Immigration lists against criminal records. In any case, McClellan observed, checks with local Police Registries were of little value, since it was common practice for German officials to doctor such records.(6)

The "Lookout" process: The absence of measures to which the security screening system could resort in the event that an undesirable alien had already landed in Canada -- such as adequate provisions for deportation -- led to the establishment of the "lookout" process in November 1952, designed to prevent the movement to Canada of persons refused visas or clearance, or whose presence in Canada might be a source of embarrassment. Lookout notices with lists of such individuals would be forwarded to all Canadian Visa offices and to the Head Visa Control Office so as to prevent those individuals from obtaining Canadian visas, or, in the event that a visa had already been granted, to arrange for cancellation of the visa by taking measures to withdraw it and to halt travel arrangements. Categories of individuals included in the lookout notices were: those refused on Stage 'B' grounds; persons about whom adverse information had been received; and persons ordered deported from Canada.(7) If implemented, the lookout process should have screened out persons undesirable on security grounds and who may have included persons with war criminal background. However, the 'lookout process' was not put into place until the end of 1952, by which time an undetermined number of such persons would have already received

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visas and arrived in Canada. By the end of 1952, moreover, the relaxation of guidelines with regard to admission of members of Nazi organizations and Nazi collaborators provided open and legal entry to persons whose background made war criminality a distinct possibility.

Confusion with regard to security screening guidelines emanating from Ottawa: A revised formulation in December 1952 of security screening guidelines with regard to former members of Nazi organizations, forwarded from RCMP headquarters in Ottawa to Kelly in London, shows the extent to which there was ambiguity and confusion with regard to the issue. The communication stated that

> German nationals, Volksdeutsche, members of the SS, the Abwehr, and the Gestapo are no longer subject to rejection unless they are classed as 'major offenders' or 'offenders' or are, in the view of the Security Officer, a security risk; that former membership in the Waffen-SS, regardless of nationality, is a cause for blanket rejection unless the security officer is satisfied that such members were coerced.(8)

In practice, the latter category already included recognized exceptions for the Baltic Waffen SS since 1948; for Ukrainian members of the Galician Waffen-SS unit since January 1951 -- though the record shows that at least fifteen had entered in 1948 and 1949; and, in cases where the security officer was persuaded that service was not voluntary, for Volksdeutsche and German Waffen-SS, since May 1951. With regard to the former category, the use of Directive No. 38 for determining 'offenders' and 'major offenders' was problematic. Former members of the SS, Abwehr and Gestapo were clearly classified as 'major offenders'

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or 'offenders' under Directive No. 38, yet here too there was the possibility that such persons need not necessarily have been regarded as 'major offenders' or 'offenders'. RCMP guidelines, which allowed the individual security screening officer to decide whether an applicant fell into either of these categories, now also coloured his discretion in this regard with the higher priority consideration of whether or not applicants presented a security risk. The inclusion in this document of the SS and the Gestapo in the admissible class unless they were 'major offenders' or 'offenders' while placing the Waffen-SS in the category of blanket rejections is even more puzzling, since all other documents examined do not show any positive decision in this regard from the Security Panel. It seems likely that there was such confusion about what the regulations actually meant that security officers could in good faith judge after December 1952 that a former SS or Gestapo officer did not represent a current security risk, and that the possibility of war criminal background was a secondary or not generally relevant consideration.

With regard to former members of the Waffen-SS, the more consistently-stated criteria for admission, based on ability to prove coercion was also problematic. Documentation was almost never available, the practice of requiring proof had long been abandoned, and the conscription dateline criteria was conditioned by effective and persistent lobbying on behalf of the Waffen-SS, backed by artful historical argumentation.(9) It would appear that few former Waffen-SS members determined to enter Canada during this period would have been kept out so long as they could persuade the security officers that they had not been volunteers but conscripts.

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Inadequacies in application of Directive No. 38: As a principal officer in the field, Kelly was well aware of the problems in application of the guidelines and made an attempt in January 1953 to clarify them. Following Directive No. 38, he interpreted the rejection guidelines as in principle applying to all members of the SS, SD, and the Gestapo since they were all classified as "major offenders". If the broad general provisions of the Directive were to be followed, Kelly observed, a much wider range of both 'major offenders' and 'offenders' would need to be rejected. Kelly pointed out that if the intention was to refer to those 'major offenders' and 'offenders' so declared by the Tribunals set up under Directive No. 38, then there was a problem. He had been informed, he stated, by a British Foreign Office expert that it was

> impossible to check on the decisions of the Tribunals that arose from the authority of Directive 38...for practical purposes, the provisions of Directive 38 were placed in the hands of various Area Commanders, who in turn deputized junior officers to conduct certain Tribunals. There is no knowledge in the British Foreign Office that the decisions of these Tribunals were collected or indexed in any way. The whole procedure was so unwieldy that soon after this particular operation went into effect, it was turned over to the German authorities to handle (Denazification Courts). These records...were not reliable, as Germans appearing before the German Tribunals were invariably classified in much lower categories than should have been the case.
>
> Certainly our present sources of information in Germany do not supply us with this particular information and as far as is known, to obtain it in view of the circumstances described above would be for all pratical purposes, a waste of time.(10)

Moreover, Directive No. 38 had classified members of the Abwehr and the SA for the most part as 'major offenders' or 'offenders', and all former members of the Waffen-SS down to the

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rank of Unteroffizier as 'offenders', presumably, Kelly concluded, because "anyone who reached this position must have shown unusual zeal and particular leanings to the Nazi cause". Kelly was therefore critical of the RCMP's statement implying that "there are members of the SS, the SD, the Abwehr and the Gestapo who have been categorized lower than 'major offenders' and 'offenders'".(11) There were contradictions then for a number of categories between Directive No. 38 and Canadian Security Panel guidelines, rendering the 'major offenders' and 'offenders' categories inapplicable in their original sense as outlined in Directive No. 38.

In order to establish workable guidelines, Kelly recommended a relatively strict interpretation of grounds for exclusion with regard to former membership in Nazi organizations and military formations -- an interpretation which was not in keeping with prevailing Immigration policy and Security Panel guidelines. As interpreted by Kelly in January 1953, the grounds for rejection should have been as follows:(12)

A. (1) Communist known or suspected.
(11) Communist agent, known or suspected.
(111) Communist agitator.
(1V) Communist sympathizer.

B. Former members of:

(1)	The Allgemeine S.S.	All former members.
(11)	The S.A.	All officers down to Unter-offizier and all members who joined prior to 1 April, 1933 regardless of rank.
(111)	The S.D.	All former members.
(1V)	The Abwehr	All former members.
(V)	The Gestapo	All former members.
(V1)	The Waffen S.S.	All former members down to the rank of Unteroffizier, regardless of conscription or coercion.

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All former members below the rank of Unteroffizier unless there are reasonable grounds for believing that the man was conscripted or joined under coercion.

As a practical guide it will be taken that there was no conscription or coercion before 31 December, 1943.

All former members of the TOTENKOPFVERBANDE and concentration camp personnel

C. The N.S.D.A.P. and affiliated organizations.

Former members who held an important rank or who were particularly active.

Kelly's interpretation also provided for rejection of collaborators, leaving it to the discretion of the investigating security officer to decide whether "the circumstances of a collaboration were serious enough to warrant rejection". Three different grounds of misrepresentation were also added as grounds for rejection: evasive and untruthful under interrogation; failure to produce recognizable and acceptable documents; and false presentations, such as use of false or fictitious name.(13)

The views of RCMP officers, however, did not prevail in this regard. The attempt by the RCMP to develop a relatively strict basis for the screening of former members of Nazi organizations and military formations was vitiated by the fact that until 1953 no written statement regarding wartime military service was required of applicants; by actions undertaken by Immigration officials; and by developments in Ottawa.

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RCMP-Immigration differences, 1952-1953

The archival record shows that RCMP officers in the field were generally inclined to sustain the screening process and to follow policy guidelines. The record also shows, however, that these officers were on occasion not informed for some time with regard to changes in screening guidelines adopted in Ottawa, and that there were instances when they were either bypassed entirely or their decisions to reject applicants simply overruled by decisions taken in Ottawa.

Kelly complained in September 1952 to RCMP Headquarters that his office was not notified of important changes in policy on such important matters as who was to be included on the RCMP's blacklist, or on criteria for rejection or otherwise of Waffen-SS members, in particular the Volksdeutsche.(14) It may be noted that the CCCRR was notified about the change in policy relating to former members of the Waffen-SS in July 1951, more than a year before Kelly, whose London office was in charge of overseeing security screening in Europe.

It was only in August 1952 that Kelly received new instructions with regard to admissibility of former Waffen-SS members following recommendations advanced at the May 1952 Security Panel meeting. Kelly recognized immediately that the "new instructions represented a very marked change in our policy concerning former members of the Nazi Party and its formations", and tried to read between the lines and to simplify the wording so as to make the intent of the new guidelines clear. For example, he questioned whether "there shall be no automatic security objection to former members of the SD, the Abwehr, the SS, and the Gestapo unless the individual has been classified under Allied Control Council Directive #38 as a "major offender" or an "offender". Kelly pointed out that it had not been until then practice for Canadian security screening officers to follow

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Allied Control Council Directive #38, by which the categories of 'major offenders' and 'offenders' were defined, and that therefore there was no procedure in place to determine whether a prospective German immigrant belonged to one of these categories. His suggestion was that certificates from a denazification Court be required. The view from RCMP Headquarters was that it was up to the Security Officer to reject anyone who he felt "should be included as an offender, whether or not he was formerly classified as such", and that certificates from denazification Court were in any case "of little or no value".(15)

It may be pointed out here that incomplete as the Allied denazification process was, it did often establish, in some cases incontrovertibly, a war criminal background. Kelly's August 1952 letter appears to confirm that it was not practice for Canadian security screening officers to refer to lists of major offenders and offenders which emerged in the course of the denazification process. Furthermore, the category of collaborators, with its own subdivision of 'major offenders' and 'offenders', had imperceptibly dissolved into the 'moral turpitude' category -- still subject to immigration screening, but with much reduced emphasis and not for security purposes.

In carrying out their duty to keep undesirable persons out, RCMP officers were at times disturbed by directives from Immigration Branch overturning decisions which they had taken in line with their guidelines. One such case occurred in February 1952, when a German woman who had been rejected in August 1950 for admission to Canada on the grounds of very strong affiliation with the Nazi Party was again rejected by the security screening officer in 1952 because, in the view of the officer, the applicant was obviously lying. His determination -- rejection on security grounds -- was overruled by a directive from the Department of Immigration advising that the subject had passed

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stage 'B'.(16) A comment on the RCMP document recording this episode referred to "numerous files" which had been forwarded by Immigration officials with the notation "having passed stage 'B'"-- but without signature. The RCMP found such interference in the screening process annoying, particularly when done without notification. W.H. Kelly, head of the Security Section, Visa Control in London, complained in March 1952 to RCMP headquarters in Ottawa that

> such information should be received here in order to maintain records correctly and also to ensure that a Security Officer who has conscientiously reported that there are security objections to the granting of a Visa does not subsequently find out only by chance and unofficially that his findings have been disregarded.(17)

Another instance of Immigration officials overruling RCMP decisions concerned fifty files at Karlsruhe for cases which had not passed Stage 'B' security clearance, and which then carried a notation from Immigration that they were 'Clear for Security'. In response to Kelly's complaint, RCMP Headquarters responded:

> As you are aware, in some cases the Immigration Department have overruled our decision and issued visas to proposed immigrants. This action does not constitute a clearance as far as we are concerned, and it is not understood why a notation would appear on such files that a proposed immigrant had passed Stage 'B'.(18)

In fact, Immigration officers in the field, working in conjunction with the security screening officers, had as their main objective to speed up the processing of immigrants, and 'security' screening was, in their view, an obstacle. Thus, Robillard, Chief of Immigration for Central Europe, was urging the American Central Intelligence Corps (CIC) -- a prime

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information source for Canadian security screening -- to speed up processing of Canadian cases with which it was being inundated at the rate of 4000 to 5000 a month.(19)

Tension between the RCMP and Immigration was manifest at the policy-making level in Ottawa as well. When C.E.S. Smith, Director of Immigration in Ottawa, was confronted with the RCMP's position that no change should be made to guidelines providing for rejection of persons recruited into the Waffen-SS before January 1st 1944, he requested that the matter be put on the agenda before the Security Panel. P.M. Dwyer, the Secretary of the Security Panel pointed out to Smith that "four considerable exceptions" to the grounds for rejection for former members of the Waffen-SS had been made to the rule excluding former members of the Waffen-SS from immigration to Canada.(20) Referring in particular to the case of two Volksdeutsche which the German Foreign Office brought to the attention of Robillard, Dwyer pointed out that the exceptions would apply to them

> since they were both residing in Yugoslavia which was German occupied territory. You will note the phrase "when there are reasonable grounds for believing they were conscripted or joined under coercion". My understanding of the circumstances is that very many Volksdeutsche in occupied territory were drafted into the Waffen-SS and that the German Foreign Office is substantially correct on this point. Therefore if your officer in Karlsruhe is satisfied that this was so in the cases of Anton Scherfel and Johann Pfeiffer, it is within his discretion to admit them to Canada.(21)

Thus criteria for deciding whether Volksdeutsche were coerced into the Waffen-SS was reduced to the fact that they resided in German occupied territory. Dwyer further informed Smith that the "rather arbitrary date of January 1, 1944" had already been dropped.(22) Smith duly transmitted this "strictly secret information" to Robillard. Apparently, the two Volksdeutsche in-

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question had "reliable and respectable parents" in Toronto and consideration of their case was to take into account humanitarian grounds of re-unification of families and specific requests from the German government for favourable notice.(23)

At the Security Panel meeting of January 15, 1953 it was decided, at the suggestion of Gordon Robertson, that screening for immigration purposes of former members of Nazi organizations -- in line with policy being adopted with regard to Neo-Fascist organizations -- should be governed by considerations of policy, rather than security, and should therefore be referred to the Minister of Citizenship and Immigration rather than continue to be a concern of the Security Panel. Immigration officials thus acquired a greater say in the development of policy with regard to admission of Nazis than they had previously had.

In one recorded instance the RCMP position prevailed: though it had not been routine practice for Canadian security screening officers to consult information or archival sources such as the Berlin Documentation Centre, RCMP officials in 1952 regarded continued access to BDC as essential to the screening process. Cuts in American funding of the BDC resulted in a message that as of April 1, 1952, the BDC records would no longer be available to the RCMP on a no cost basis. Also, owing to financial restrictions and to the fact that the British had cut staff at the Central Registry Police Records in Hamburg, that facility was no longer available to the RCMP, unless Canada paid for additional staff. Inspector Hall of the RCMP therefore addressed a memorandum to the Security Panel urging that the matter of Canadian contributions toward the cost of maintaining these facilities should be placed as a high priority item on the agenda of the next Security Panel meeting.(24) The Security Panel

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did agree in March 1952 that efforts should be made to underwrite the cost of maintaining the BDC and Hamburg facilities, either through international funds or by making special provisions in the estimates of the Department of Justice.(25)

This funding issue led to significant change in the staffing of the BDC. Reporting on a meeting between a member of the German Foreign Office and Sincennes (Canada's Chief Security Officer, Karlsruhe), the Canadian Ambassador in Bonn informed Lester Pearson, then Secretary of State for External Affairs, that there appeared to be pressure from the German Foreign Office to have German nationals employed in the offices of the BDC, and a related preparedness on the part of German authorities to assume payment for the staff required at both Hamburg and the BDC. Sincennes expressed some doubts with regard to employing German nationals for the purpose of maintaining a political records office on Germans. However, Immigration official, C.E.S. Smith, however, then heading the Canadian Delegation to the Provisional Intergovernmental Committee for Movement of Migrants in Europe (PICMME), one of the IRO's successor organizations, which was meeting in Geneva, reported that shortly afterwards the German delegate at the conference confirmed that, in accordance with the agreement of PICMME, countries of origin would undertake to provide preliminary selection and recruitment of migrants -- thus permitting German nationals to participate in the Canadian screening process, and overcoming earlier reservations on this account.(26)

Security Screening, 1953

Security screening of prospective immigrants in 1953 was carried out by members of the RCMP posted with Immigration Teams in various countries, where they were designated as security officers, their RCMP membership being kept secret. The 1953 grounds for rejections were as follows:

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(1) Membership or suspected membership in a Communist-dominated organization. Communist agitators, or suspected Communist agents.
(2) Prominent functionaries of the former Nazi Party. Offenders and major offenders of the Nazi Armed Services and other military or semi-military organizations.
(3) Collaboration with an enemy.
(4) Evasion or deception under interrogation, or withholding of proper documentation.
(5) Membership in any other revolutionary or subversive organization.

It would appear that security screening officers took these guidelines seriously in 1953. A case recorded in RCMP files of 1953 concerns the rejection on Stage 'B' grounds of a member of the Brandenburg Division. The rejection was based on a 1950 precedent in which another member of the Brandenburg Division, who was to have been part of what was referred to as the "500 Lutheran Farm Family Quota", was rejected as "a definite security threat". Sincennes had suggested in 1952 a reversal of the rejection decision on the basis of misinformation about the involvement of the Brandenburg Division in the July 1944 anti-Hitler plot and on the grounds that security screening regulations had changed. Sincennes soon withdrew that suggestion following a British intelligence report on the Brandenburg Division, which provided justification for the 1953 rejection.(27)

In another case, a German who had visited Canada in 1949 as a member of a German trade delegation and who had then been cleared for security by a Bipartite Vetting Party, came to Canada again in May 1953 to develop, in cooperation with Trade and Commerce officials, branch plants for German industrial concerns. He applied for immigrant status and though recommended to Immigration Branch by a Trade and Commerce official, he was

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rejected on Stage 'B' grounds, since he too was a member of the Brandenberg Division. The individual was ordered deported, but left voluntarily in October 1953.

Improvements in the screening system, 1953: Security screening was in fact tightened in 1953 when permanent offices were set up, security files centralized and arrangements made for proper exchange of information between zones of occupation.

Significant administrative change was introduced with the "green form" system, whereby security checks were individually processed and returned to Immigration officials for action. Stage 'B' security screening officers would complete the green form in ten copies for each prospective immigrant who had passed the preliminary phase, and would then circulate the form for security checks for each individual rather than wait until a list of some fifty names was passed through the checks.(28) The procedure greatly alleviated the backlog problem and permitted more extensive checks.

The central point, however, is that stricter screening procedures -- such as they were -- were a direct response to concern about infiltration of Communists to Canada. The posible entry of members of criminal Nazi organizations was seen as a political problem rather than as a problem relating to security policy.

Security screening problems, 1953: Despite the more systematic approach now being taken in security screening, significant flaws in the system and in Canada's approach remained. These included:

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a. The "two-year rule" method for security screening of applicants from Eastern Europe, referred to by W.H. Kelly as "negative clearance":

> This means that all possible sources, if available, will be checked and, if there is no derogatory information picked up, the person is clear for security on the understanding that the term "clear for security" simply means we have nothing recorded against.(29)

In testimony before the Deschênes Commission, Kelly allowed that the "two-year rule" was "a stalling tactic mainly because we had to do something with them, and yet we had no basis for clearing them for security". Kelly could not think of any case where adverse information came forward within the two-year period or following admission to Canada.(30) Thus, applicants from Eastern European states, who complied with the two-year rule, gained admission to Canada, even if no sources were available to check their security status. A 1963 review of postwar security examination of immigrants indicates that Immigration officials subsequently made representations to the RCMP to apply the two-year waiting period "only when unavoidable and not to refugees."(31)

b. Understaffing and overload: The problem of understaffing of security screening posts and overload of applications continued in the 1950s, resulting in brief and hasty interviews. In Robillard's estimation, the normal load was about ten to twelve Stage 'B' interviews per day, some requiring interpreters -- allowing about forty-five minutes for each security interrogation.(32) Albert Greening, a former security screening/visa control officer, recalls heavier daily workloads, ranging from ten to thirty-five Stage 'B' interviews on "long days", allowing only moments for reviewing each applicant's background.(33)

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c. No written statement required with regard to wartime history: The absence until 1953 of questions in immigration/security screening application forms, relating to the wartime military history of applicants constituted another major flaw.(34)

d. Leniency in government policy and approach of immigration officers with regard to Nazis and Nazi collaborators: The impact on security screening of policies implemented in Ottawa of relaxation of guidelines with regard to admissibility of Nazis and Nazi collaborators, and the practice of senior Immigration officials to effect waivers for certain categories and 'special cases', at times overruling rejections by screening officers on security grounds. The situation continued to 1956, and continued, as well, to cause friction between Stage 'B' and Immigration officers.

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CHAPTER X: Relaxation of rejection criteria and security screening practices, 1954-1960s

As the Wirtschaftswunder (Economic Miracle) took hold in Germany and the overall European recovery gathered momentum, Canadian Immigration officers in Germany found it ever more difficult to entice potential immigrants away from job and hearth. In Canada, demand for immigrant labour remained high, prompting officials to contemplate admitting a larger portion of the dwindling pool of applicants. Security regulations stood in the way of this approach, and were increasingly seen as a cumbersome obstacle impeding the efficient operation of the government's immigration programme.

Friction between Immigration and Stage 'B' officers, and problems in security screening, 1954-1956: Tension between RCMP security screening officers and Immigration officials reached a peak in 1954. The points of friction were catalogued in a long letter from Joseph Robillard, Chief of the Canadian Immigration Mission in Germany and Austria in Karlsruhe, to the Chief of the Operations Division at the Department of Citizenship and Immigration. (1) Robillard complained about delays caused by the Stage 'B' security screening procedure in Germany and Austria, which in his view was too stringent and needed to be revised. Robillard pointed out that it was only since late 1953 that local Stage B officers came to interpret the security screening regulations strictly. He viewed the new practices excessively narrow and rigid, in particular the practice of deferring decisions, sometimes for many months, in cases where information available was judged to be insufficient for making a decision to pass or refuse an applicant. In contrast, Robillard pointed out that in 1949-1950, during the hey-day of the IRO,

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fewer Stage 'B' officers had processed many more immigrants than were being processed in 1954. There was no such thing as a "deferred Stage 'B'" at that time, and thousands of cases on which no information whatever was available were dealt with on their "individual merits" -- that is, provided no incriminating information was forthcoming, visas were granted.(2) While allowing that "a small number should never have been admitted because of their political views or criminal records of which we were not aware at the time of issuing visas", Robillard asserted that by and large, the DPs had turned out to be good citizens. His principal concern was that the delays caused by security screening were now seriously disrupting the orderly movement of immigrants to Canada; many applicants, he reported, refused or put on hold by Canada, were employed by the Allied forces and able to obtain visas for the U.S. or Australia.

A further problem, according to Robillard, was that Immigration officers were processing thousands of applications which had no hope of being passed by Stage 'B'. These were being accepted because no one at the Canadian Immigration Mission in Germany, not even he himself, Robillard attested, knew precisely what the security screening policy and criteria were. This was known only to the RCMP Stage 'B' Chief Security Officer (CSO) and the local security officers. Robillard recommended that Stage 'B' policy be made known to the Department, so that only those with a chance of passing Stage 'B' would be processed. Robillard's objectives, however, were more ambitious than this. He also recommended extension of waivers of 'Stage B., including waiver of the two-year residence rule for a wider range of categories, "provided nothing is known to the detriment of the applicants" at the time of their interview; he recommended as well that the age factor for waiving security screening be

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lowered to 55 for men and 50 for women -- which in effect would permit persons who were in their prime during the war years to evade screening.

Robillard's aim was a return to the old approach, whereby "unless there are reasonable grounds [for refusing entry], the proposed immigrants should be cleared and granted visa."(3) The RCMP, on the other hand, insisted, in Robillard's characterization, on positive proof that an individual was a law-abiding and democratically-minded citizen. (4) In the course of 1954, 7,183 out of the approximately 150,000 applicants for immigration to Canada were rejected on security grounds. A major portion of the rejections, however, would appear to have been suspected or known Communists or Communist sympathizers rather than persons suspected of Nazi-related crimes.(5)

The application by some security officers of the more stringent screening measures -- again, as the result of a determination to keep Communists out rather than to screen and reject former members of Nazi organizations -- particularly dismayed Robillard, who reiterated that for these individuals the policy had been one of relative leniency, focussing on whether there was a current threat to Canada's security and leaving admissibility to the discretion of officers, encouraged to judge cases on their individual merits.

In a letter to Kelly at the London Headquarters for security screening in Europe, Chief Security Officer Seppala (who had replaced Sincennes in Karlsruhe), countered Robillard's complaints by alleging that Immigration Officers were unreasonable and were interfering with the screening process. Some particularly "unsecurity-minded" Visa Officers, he charged, even "issued visas illegally to persons who had been rejected on

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our Stage 'B' grounds". Robillard's contention that persons who had been employed by Allied forces should not be rejected was a "hollow one", in Seppala's view, because the American Labour Service Corps was a "dumping grounds for American agents, many of whom are not eligible under our present policy".(6) Improved security screening was required to serve primarily as a shield against Communist infiltration:

> we must be more security minded as world conditions change...there is more danger of Communist infiltration at the present time than in the early days of immigration as our enemies have been able to plan and set up an effective anti-West organization with the passing of time.(7)

Seppala based his objection to the suggestion of lowering the age for waivers on the grounds that there were many older Communists about who could take advantage of such a waiver -- not on the grounds that this would waive screening for persons likely to have been active in the service of or in collaboration with the Nazis during World War II.

Far from endorsing Robillard's stand that an applicant should be accepted in the absence of any damning information, Seppala supported the need for thorough checks and a residence requirement, arguing -- as RCMP security officers had done before -- that "our country should get the benefit of the doubt, rather than the individual".(8) He maintained, too, that security information must not be released to Immigration officers lest intelligence contacts and sources dry up.

In response to Immigration's concern about delays, Seppala proposed a streamlined, dual Immigration-Stage 'B' screening process, to consist of four main steps: 1) medical and visa officer interviews; 2) screening by Stage 'B' officers

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for those who passed step 1; 3) elimination of those rejected on basis of interview alone; and 4) further checks with intelligence agencies. The thousands who failed to show up for their interviews and the further thousands who failed to pass medical examinations and visa control would not have to be screened, thus reducing the Stage 'B' workload by one half.

Kelly, too, responded to Robillard's criticisms, paragraph by paragraph, defending the procedure of deferring decisions in cases where "the interrogation or investigation revealed a complete lack of any information upon which a decision could be based". He defended the requirement in such cases for two years residence in any country in which a Canadian security officer was posted so as to ascertain if a person was active in subversive activities. In Kelly's view this was a more reasonable and, in fact, more lenient approach than outright rejection.

Kelly was in fact quite critical of Robillard, pointing out that the category of deferred decisions ("Security Screening at Present Impossible") was in fact set up on agreement between the RCMP and the Immigration Department,

> after Robillard had created an untenable situation in Berlin by accepting applications from residents of the Soviet Occupied Zone of Germany, something which was not permitted even by his own Regulations.(9)

While conceding that deferments caused inconvenience to prospective immigrants, Kelly queried why Robillard was not complaining about the inconvenience created by Immigration Branch in its "expensive and time-consuming" arrangement to handle people sponsored by the CCCRR at the post set up in Bremen rather than at Canadian immigration posts nearer to their homes.(10) Kelly apparently had misgivings about that particular arrangment, perhaps because it permitted, to a certain extent, the bypassing

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of normal screening channels. He objected, too, to Robillard's suggestion that it would be desirable to return to practices which prevailed in the days of the IRO, when, in Kelly's view

> there was no such thing as security clearance as we know it today. I submit that we should have had more organization in the days of IRO than we had and which would have been in the best interests of Canada...Because we permitted thousands of immigrants to enter Canada in the days of the IRO without adequate security check does not mean, surely, that we should continue on this basis today...in those days, apart from the assistance obtained from a poorly set up black list, a man was cleared, or not cleared, according to the impression he made upon a security officer. There was no information received, from any source worthy of the name, by the security officer. Mr. Robillard's reasoning in paragraph six is that there is no need for a security service.(11)

RCMP officers in 1954 and 1955, again, did take their screening duties seriously, and contrasted the efficacy of screening policy at that time with earlier practices. As Kelly observed:

> Mr. Robillard is now seeing the change from an operation that was extremely loose and which, in my opinion, permitted security risks to enter this country, to a system which has been set up consistent with reasonably good security precautions and which endeavours at all times to reconcile the need of immigrants on the part of Canada with the need for protection against subversive elements.(12)

By 1954, there was "no doubt that the Canadian Security Service [was] more strict in its application than that of the USA or Australia".(13)

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Ironically, while Canadian Security Officers prided themselves on being more diligent than the Americans, the latter, along with the British, were their prime and, often, only source of background information on individuals undergoing screening. The procedure followed in the British zone was to refer cases to the British Intelligence Organization, the West German Federal Police, the BDC, and, for refugees, the West German Ministry for Refugees. It was found, however, that German authorities would only state whether or not an individual had a criminal record, but would not provide details.(14) Nonetheless, in Kelly's opinion

> the very fact that we request such a record prohibits the entry of a great many people who would otherwise be passed by Immigration. Immigration's attitude towards criminals is not all that is to be desired from a police standpoint.(15)

In the American zone, checks were made with the CIC, and occasionally with the Air Force and Navy Intelligence, and with the U.S. Army's Research and Resettlement Branch which played an active role in the resettlement of persons, including Nazi collaborators who had rendered services to American intelligence agencies. [See Chapter XII, Part 5 below for discussion on role of British and American intelligence services in the resettlement of Nazis and Nazi collaborators.]

From the bureaucratic point of view, the RCMP's dependence on foreign agencies was not without its advantages, since it was a convenient scape-goat for lapses in security. RCMP Commissioner L.H. Nicholson explained to Minister of Justice Stuart Garson that screening information from foreign sources was "frequently very sketchy and lack[ed] precision." Nevertheless, he wrote, "I know of no other procedure to suggest and I think it is either a question of continuing with our present arrangement

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or dropping security screening of immigrants altogether".(16) From the security standpoint, this dependence represented a serious flaw in the screening system.

A joint Immigration - Stage 'B' meeting was held in Karlsruhe in February 1955, to discuss Immigration - RCMP differences. In a background paper prepared for the meeting, the RCMP was prepared to refer all the Immigration Stage 'B' conflicts to the Security Panel in Ottawa, because

> until the responsibilities of our two departments are clearly defined, we will continue to be plagued by cases in which the Immigration Officer is very impressed with the need for giving special consideration and the Security Officer is equally impressed with the need for imposing a further waiting period.(17)

Defining responsibilities, however, was made rather difficult by the fact that one side cloaked the extent and nature of its screening criteria and operations in secrecy. The minutes of the Karlsruhe meeting bear this out, with Robillard suggesting that it would be "a great help if the Stage 'B' policy could be made known to the Immigration representative", who could then automatically reject applicants who were members of certain units or organizations. In response, RCMP Inspector Grayson reiterated that "the Stage 'B' policy was classified and could not be divulged even to Immigration". Nonetheless, a number of minor points were agreed upon and both sides agreed to meet periodically "to help clear the air of misunderstandings".(18)

In the wake of the Karlsruhe meeting, Inspector Ashley of the RCMP toured Canadian Stage 'B' posts in Europe and was able to report that most of Robillard's complaints had either been satisfactorily answered or the problem rectified: while expressing a heightened degree of circumspection with regard to refugees from the Soviet Bloc ("they were the greatest threat to

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the security of this country"). Ashley also suggested a loosening of Canadian rejection criteria for former members of the various branches of the SS and SA. Almost as an afterthought, as the fifty-fifth of fifty-five points discussed, he proposed that "membership in the Waffen-SS, the Allgemeine SS, the SA, and SD, might be deleted as a ground for automatic rejection as far as security is concerned". He conceded that this of course may not be politically expedient at this time".(19)

Deliberations with regard to further relaxation of criteria with regard to members of Nazi organizations deemed criminal at Nuremberg and under Allied Control Council Directive No. 38: In a more detailed exposition of the Force's proposed changes to paragraph B of the schedule of rejections which dealt with former members of Nazi organizations, Inspector Grayson of the RCMP's London post stated that the "rejection of certain ex-members of the SS, SA, SD, Abwehr, Gestapo and Waffen-SS is more of a political question than one involving the security of Canada".(20) The SA (Sturm-Abteilungen), he thought, should be dropped entirely, as would the Latvian and Estonian Legions of the Waffen-SS, regardless of whether service had been voluntary; the treatment of the 14th Galician Division was cited as a precedent. Consideration might be given, he offered, to revising the criteria for other Waffen-SS veterans, but this would have to be a decision of the Security Panel in the light of government policy and two political factors: whether public opinion in Canada would so oppose the admission of such persons as to warrant their continued exclusion; and whether there was sufficient threat from a re-armed West Germany to warrant belief that the security of Canada would best be maintained by excluding such persons as immigrants.

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While the second factor may seem spurious with the benefit of hindsight, Germany and its re-militarization was still viewed with some suspicion and skepticism in 1955. In any event, public reaction to the entry of persons connected with the SS, was then, and indeed remains, a contentious political issue.(21)

It is worth noting that in the RCMP's analysis of the security and political implications of admitting SS volunteers and officers, the moral dimension was absent, with Insp. Ashley going so far as to write that "while we have no strong views on the question of former membership in the SD or the Gestapo, the [Security] Sub-Panel might wish to reconsider this point at the same time".(22)

The matter of German rearmament was also cited in support of the admission of Waffen-SS veterans. Robillard wrote to Charles Ritchie, Canada's ambassador in Bonn, to argue that Canada should

> reconsider its stand concerning persons who had voluntarily served in SS Divisions...After West Germany becomes a member of NATO, the German authorities will no doubt take a very dim view of the fact that we welcome their new soldiers in our family of nations, but still refuse to declare eligible for migration to Canada those who in former times joined the elite of their Armed Forces in order to serve the Fatherland.(23)

While war criminals and camp guards were excluded from Robillard's enthusiastic recommendation, Ritchie reacted with one of the very few expressions of moral concern in the annals of Canadian war crimes policy. "I find it hard to believe", he wrote to Laval Fortier in May 1955, "that we are so short of suitable candidates for immigration that it is necessary to start recruiting in a portion of the German and 'Volksdeutsche' population whose war records are of the worst".(24) Ritchie also

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anticipated adverse political reaction in both Germany and Canada to any move which appeared to vindicate the SS. The ambassador's arguments were, for a time, convincing, and carried the day even at the Department of Citizenship and Immigration, where it was accepted that there "should not be any changes in the refusal to accept former members of the SS Waffen.(25) Ritchie's views may well have been one of the reasons the CCCRR's lobbying efforts on behalf of the Waffen-SS did not meet with total success until later in the year.

Ritchie's voice, however, was not the only one emanating from the Department of External Affairs. J. George of the European Division sympathized with Citizenship and Immigration's desire to increase the flow of immigration, especially since the RCMP had no immediate security objections to the entry of rank and file SS veterans and non-commissioned Waffen-SS officers. Although politically important organizations such as the Canadian Legion might be offended by the decision, "it seems to me invidious", he wrote, "to continue, in 1955, restrictive policies that most of our closest friends (United States, United Kingdom, Australia, etc.) no longer maintain."(26)

While government policy makers discussed in internal memoranda the question of which SS men should be admitted to Canada, the Minister of Citizenship and Immigration, Jack Pickersgill, publicly assured a journalist that, before admitting any prospective immigrant, the Immigration Branch conducts

> an investigation to satisfy ourselves that the proposed immigrant has no criminal record, is not a member of the Communist Party...or has not belonged to the SS or Nazi or Fascist terrorist organizations or that he had not collaborated with the enemy forces of his Majesty during World War II.(27)

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The best that can be said for this public stance is to describe it as untruthful. Having admitted the Galician Division and Volksdeutsche Waffen-SS members, and while seriously considering accepting other hitherto barred categories of SS veterans, including volunteers, the government continued to imply that mere membership in the SS or collaboration with the enemy was an absolute bar to entering Canada. The extent to which this fudging was evident to government officials outside Citizenship and Immigration and the RCMP has yet to be determined.

Robillard continued to press for the lifting of restrictions on SS veterans. He informed Ritchie that in fact not all former SS men were inadmissible to Canada, that "strange as it may seem...hundreds of them have migrated to our country since the end of the war", and he characterized the continued restrictions as anomalous and a problem, noting that "Time and time again, the German authorities dealing with migration matters...have raised the question of our arbitrary rejection of former members of SS units".(28)

The RCMP prepared a memorandum to the Security Sub-Committee containing brief descriptions of the organizations to be reviewed. The SS, Waffen SS, SA and Abwehr were presented as fairly innocuous organizations, responsible for political, military, home guard and intelligence functions respectively. The Gestapo "administered the concentration camps and was responsible for most of the atrocities against the Jews, both before and during the war."(29) Its "sister service", the SD, was "infamous for the brutality , often completely gratuitous, with which it did its work". Having assigned complete responsibility for the Nazi terror to the Gestapo and SD, the way was cleared for a lifting of the restrictions against members of the SS, Waffen SS, SA and Abwehr.(30).

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Security Sub-Panel decision removing restrictions on SS, Abwehr, SA, and SD: Four months elapsed between the initial memorandum to the Security Sub-Panel and its decision of October 18, 1955. There was no opposition to the admission of SS, SA and Abwehr members, only comments about the interpretation and implementation of what seemed inevitable. G.G. Crean of External Affairs' Defence Liaison Division also regarded the problem as "predominatly a political rather than a security one", one which may possibly affect relations with Germany. He suggested in this regard that European Division solicit the views of the Ambassador in Bonn.(31) In response, the Embassy in Bonn indicated that there would be no argument with Immigration officials over admission of

> a certain number of desirable immigrants who, because they joined certain Nazi organizations at a very early age, have hitherto been automatically excluded...security reasons for the exclusion of these people from Canada have probably ceased to be of particular importance, if indeed they ever needed to be given much weight.(32)

The dispatch went on to say, however, that political considerations were still important: "[The] reputation of such organizations as the Allgemeine SS, the Waffen SS and the Sicherheitsdienst (SD) has not been forgotten."(33) Since there was no sign of public pressure for a relaxation of restrictions, it was suggested that the best solution would be to treat each immigrant's case on its own merits, but also to make certain that there would be no sudden influx of former Nazis, something which could cause political problems both in West Germany and in Canada.

After considering the RCMP's finding that both the U.K. and the U.S. considered cases on merit, and External Affairs' view that the issue was political rather than one

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involving security, the Security Sub-Panel approved on October 18, 1955, the admission of former members of the SS, Waffen-SS, SA, Abwehr, and SD. These cases "were to be considered on the basis of political and humanitarian considerations...only in the close relative and meritorious categories."(34) Surprisingly, the SD, which had been severely condemned in the RCMP'S original background memorandum, was now one of the organizations whose members "should no longer be automatically rejected as applicants for immigration to Canada", while the Gestapo was lumped together with concentration camp guards and major offenders under Allied Control Council Directive No. 38 in the category of those to be automatically rejected. [For discussion of screening for 'major offenders' and concentration camp guards see page 303 below.] The files contain no clues as to why the SD was included with the Nazi organizations deemed absolved of wrongdoing (or perhaps only an excess thereof).

The Security Sub-Panel did not need, nor did it seek, approval or confirmation of its decision from either the full Security Panel or from Cabinet. It was treated as an administrative procedure within the discretionary authority of the responsible Minister. (35) Thus, on November 16, 1955, Laval Fortier wrote to Jack Pickersgill, Minister of Citizenship and Immigration, informing him of the Sub-Panel's decision and of the CCCRR's most recent lobbying efforts on behalf of the former members of Nazi organizations. In conclusion, he added that,

> it is my opinion that now that World War II has been over for over ten years and that we are attempting to have better international relations with Germany, and also due to the fact that, according to certain documentation, persons were forced to join these organizations, that membership in such organizations should no longer be a cause for rejection but that each case should be studied on its own merit...(36)

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Fortier further recommended that the decision apply only to those coming to close relations in Canada. In a note alongside Fortier's recommendation, Pickersgill wrote: "I concur. Please go ahead".(37) The decision was perhaps a source of relief for the government and for the Minister who had complained some months earlier that lobbying on certain rejected cases was taking up a lot of his time.(38)

Once again, the CCCRR had played a central role in influencing the government to relax restrictions on former members of Nazi organizations. After succeeding, in July 1951, in changing policy with regard to Waffen-SS members who joined after January 1, 1943, the CCCRR lobbied unsuccessfully for several years to roll that date back to January 1942 or 1941. In April 1955, the CCCRR sensed that "there (is) a willingness to rethink this whole question of Waffen SS membership(39) and proceeded to draw up another brief history of the Waffen-SS showing forcible recruitment of ethnic Germans.(40) A CCCRR delegation came to discuss the matter with Laval Fortier in November 1955 -- either not aware that a decision had already been taken by the Security Sub-Panel, or intent on backing up that decision lest there be opposition to it. They presented the government with a brief reiterating earlier arguments that the Waffen-SS was different from the "Black SS" which was largely used for guard service in concentration camps, and that ethnic Germans in particular were coerced into service with the Waffen-SS and were placed by the Nazis on the Eastern front because of their anti-Communist sentiments -- a factor, they argued, which should make them desirable immigrants for Canada.(41)

Though the RCMP had earlier found that many Volksdeutsche did volunteer for service, especially prior to January 1943, the government was now responsive to the CCCRR's

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request. For its part, the CCCRR's focus on exonerating Volksdeutsche, in whose favour there was already considerable flexibility and extensive leniency following guidelines established by the Security Panel in May 1952 (see pages 244-245 above), served to establish a precedent for the lifting of restrictions for Waffen-SS, which would then benefit German nationals who were former members, given that since September 1950 German nationals were on a par with nationals of other countries for immigration purposes.

The government's response to this lobbying in fact far exceeded the CCCRR's request. By endorsing the Security Sub-Panel's October 1955 decision, the government approved entry not only to former Waffen-SS members, but also to former members of the SS, SA, Abwehr and SD.

The implementation of the decision, however, presented a number of problems. The RCMP Stage 'B' officers felt that "no onus should be placed on a Security officer to decide which is a meritorious case...", and froze cases covered by the decision in anticipation of further instructions.(42) External Affairs wanted to keep track of the number of formerly restricted persons, most likely so as to be able to anticipate negative fallout generated by a sudden wave of immigrants with a Nazi past.(43) Fortier, taking the initiative, meanwhile broached with the RCMP the feasibility of identifying cases previously turned down by Stage 'B' which should be reviewed in light of the decision.(44) Given the volume of such cases, the RCMP suggested looking at cases rejected from 1953 to 1955. Priority was given to reviewing cases sponsored by the CCCRR.(45)

There was at this time provision in immigration regulations that Canadian residents cleared for security could bring over wives, husbands, children of any age or marital

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status, and parents, without any screening required.(46) There was also at this time no minimum period of residence in Canada necessary before a recent immigrant would be entitled to sponsor another immigrant.(47) The Pickersgill papers at the Public Archives in Ottawa record a number of cases of a father or sister applying for admission of a son or a brother who was an SS veteran. In at least seven cases examined, these individuals were admitted in 1956, after repeated rejections on Stage 'B' grounds in previous years.(48) At this stage, decisions by the RCMP to reject applicants on security grounds could be formally overruled at the discretion of the Minister of Citizenship and Immigration, without further notifying the RCMP. Instructions to visa officers in April 1956 read:

> ...when after rejection on security grounds, the Minister decides to admit the person, the Immigration officer is to grant the visa immediately upon receipt of this information without further reference to the RCMP.(49)

During discussions of implementation of the October 18 decision, a letter from a Social Democratic member of the Bundestag arrived in Ottawa, which caused some consternation at the Security Sub-Panel's meeting of December 21, 1955. The reaction to the letter indicates that the decision was indeed considered to be one of political sensitivity, requiring careful public handling. The Department of Citizenship and Immigration had not even informed its own overseas officers of the new policy, yet here was an SPD Bundestag member inquiring about the admission of former SS officers to Canada. Sub-Panel members envisaged Canada being publicly embarrassed on the floor of the German parliament by the Social Democratic opposition, and suggested to the Ministers of Citizenship and Immigration and of External Affairs the option of informing the West German government of Canada's new position, so as to avoid unnecessary misunderstandings.(50) The Deputy Ministers in the two departments, however, having had the benefit of an opinion from

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the Canadian Embassy in Bonn, agreed that the Bundestag member's question was probably prompted by a constituent's inquiry, that the Ministers need not be informed of this development and that Canada's new policy should be communicated to the West German government through "the desk in charge of immigration matters, as a more high level communication to the German government might have the effect of producing complications which it is our aim to avoid."(51)

Discussion of the details involved in implementing the new policy continued throughout the first three months of 1956. For public relations purposes, it was emphasized that only cases under the close relatives scheme and "exceptional cases where the circumstances are really outstanding" would be considered. Visa officers were informed of the changes, and the RCMP even indicated that it had no objections to disclosing to the public the admissibility of SS veterans to Canada.(52) Meanwhile, the CCCRR was already discreetly letting word of the decision "percolate"to potential sponsors in Canada.

Immigration case files from 1954 and 1955 indicate repeated rejections of applications from close relatives or fiancées of former SS and Waffen-SS members who had clearly volunteered for service, and a sudden switch in policy in 1956 permitting the admission of the same individuals to Canada.(53) An example of the recurring theme is the case of a Volksdeutsche Yugoslav who in January 1954 is declared to have been

> classified "NOT CLEAR FOR SECURITY" on the grounds of "B" in accordance with the present policy and we are unable to change our ruling which is based on undeniable facts and conforms with the Security Panel directive, setting out the various reasons for rejecting.(54)

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After strong protests from Senator Euler, the Minister of Citizenship and Immigration (Walter Harris) wrote to a former MP that he personally reviewed the case three times at the request of Senator Euler. Some ten months before the October 1955 Security Panel decision regarding the admissibility of former SS members, Harris advised Senator Euler that "while favourable action was not possible, the file would not be closed in view of the possibility of change in immigration procedure". In March 1956, Harris advised Senator Euler that "the envisaged change has occurred and the former grounds for refusal in this case are no longer applicable".(55)

In one instance in which the Minister had ruled in December 1953 that "reversal (of earlier rejections because of SS membership)...was not warranted", and in which an MP then interceded on behalf of the individual, that individual was cleared for security some months before the Security Panel decision.(56)

Amongst the cases of former SS and Waffen-SS members finally admitted in 1956 after rejections in the 1948 to 1955 period, priority was given to persons who had been sponsored by the CCCRR.(57) One individual admitted in 1956, who had been residing in Uruguay, had been rejected previously despite support from the Canadian Mennonite Board of Colonization in Saskatchewan.(58) Striking a responsive chord, the president of the German-Canadian Business and Professional Association who wished to sponsor the admission of his brother, a former member of the SS, wrote to an Immigration official that "we should not be too concerned about ex-Nazis and more concerned about Communists".(59)

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Aftermath: It would appear, from contradictory and inconsistent statements in the documents after the decision was taken, that there was either considerable confusion or misinformation about what the decision implied. A March 1956 Immigration Branch directive to posts abroad explicitly stated that ex-members of Nazi organizations could come to Canada under the close relatives scheme "notwithstanding their membership... was voluntary."(60) The statement contradicts the case which had been made in previous years in justification of relaxing criteria with regard to former Waffen-SS members. If it was a reflection of now established policy, it would seem to definitively have eliminated the "volunteer vs. conscript" distinction, much abused in practice in the earlier years; yet the question would still come up during periodic reviews of immigration policy.(61)

As late as April 1959, during a review of Canada's grounds for rejection of prospective immigrants, the seemingly settled issue of SS veterans re-surfaced. Reference was made to the Security Sub-Panel decision of "October 18, 1954" [sic -- in fact the year was 1955] which recommended that "membership in these groups should no longer be a cause for automatic rejection, and that each case where close relatives in Canada are concerned should be studied to ascertain whether or not the individuals joined voluntarily".(62) The 1955 decision, however, did not make admissibility contingent upon the compulsory nature of service in the SS or other Nazi organizations. The Immigration Branch directive of March 1956, as has already been pointed out, explicitly stated that this was a moot point. Thus, although the Security Panel in 1959 was trying to broaden the immigration programme by including in it SS veterans falling outside the close relative and meritorious categories, there was in fact a misreading of the 1955 decision with the result that in 1959 a limitation on immigrants in this category may actually have been reintroduced -- though it is most unlikely that it would have affected screening practice.

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Documents examined in the course of research for this report provide no indication that there was any controversy, inside or outside government, after the implementation of the new policy with regard to former Nazis. One does not even find any requests for clarification of the criteria nor any correspondence concerning 'judgement calls'. The only new element added was the arrival in Germany of thousands of POWs released from Soviet labour camps in 1956 under the post-Stalin amnesty. The RCMP were extremely wary of them as potential immigrants both because they were arriving from the USSR, and because "these people were convicted war criminals and...we do not feel that the Russian decision can be easily dismissed."(63) As German screening of this group was considered inadequate, the application of the two-year residence rule was recommended to allow time to observe their activities.

Meanwhile, the new Stage 'B' procedures recommended by the RCMP (simultaneous civil, medical and Stage 'B' interviews first, Stage 'B' check later) were being implemented by Canadian Immigration posts in Europe. Most immigration officers simply hated the new system, which made the security aspect of the immigration process painfully obvious and produced an avalanche of letters from applicants who had passed what to them were all the formalities (visa, medical) and wanted to know what was holding up their passage. The Department of Citizenship and Immigration pressed for a return to the old procedure. At this stage, however, after the late 1955 decision to admit former members of the SS and other Nazi organizations, rejection on security grounds had little to do with Nazi background.

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Remaining criteria for rejection after October 1955 on grounds of Nazi war criminal background: Major offenders, former members of the Gestapo and concentration camp guards

As discussed in Chapter IX of this report, the category 'major offenders' as defined in Allied Control Council No. 38 had little bearing on the vague and liberal interpretation given to the term by Canadian officials in the early 1950s.

As for former members of the Gestapo and concentration camp guards, the case of Helmut Rauca illustrates the inadequacy of screening for such a background even where the individual had retained his name and identity. It is more likely, however, that a prospective immigrant with background in the Gestapo or as a concentration camp guard would have taken measures, such as assuming a new identity, in order to hide that background. It is also likely that Canadian immigration officials overseas admitted persons with such background if they had already served their time after being convicted. One case examined by the RCMP involved a person alleged to have been a guard at the Mauthausen concentration camp. A guard by that same name was convicted by a U.S. Military Tribunal and sentenced in May 1948 to 15 years imprisonment. Dr. Ruckerl, the Chief Public Prosecutor of the Central Office of Provincial Justice Administration at Ludwigsburg, West Germany, informed the RCMP that this person would have been released in 1951. A Canadian citizen with the same name immigrated from Germany in 1953, though with documentation showing a different date and place of birth from that of the convicted guard. The RCMP's conclusion is this case was that

> One would have to assume, in the absence of immigration and security screening files, that the Canadian citizen and the person convicted are different people. Or, that they are the same; but, he had served his time and Canadian authorities overseas permitted him to immigrate.(64)

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Immigration and security screening 1955-1970s

As immigration policy with regard to former members of Nazi organizations was modified, screening was also relaxed in a number of additional special cases and the categories for waived screening were broadened. Pressure from Canadians to have large numbers of farm labourers arrive quickly and on time for seasonal employment led to a Cabinet decision in April 1956 allowing in farmers from East Germany without screening for a six-week period.(65) In September the Minister of Citizenship and Immigration (Pickersgill) increased the 'waived category' status for groups of Volksdeutsche and West German farmers, admitting some 245 persons with their families without any screening.(66) The RCMP then complained about Immigration's interference by granting waivers -- some 10,000 people having had security screening waived on their behalf in the first eight months of 1956.(67) In the RCMP's view, the effect of these extensions of waived categories was to "gradually break down the efficiency of our security screen".(68) As discussed above (at pages 226-227), there was virtually no screening of the Hungarian refugees who arrived in 1956-1957.

Waivers of screening were also extended to a wider range of immigrants from Communist countries. A Cabinet decision of September 21, 1955 authorized waiving of security in the case of husbands, wives, parents, children, and fiancé(e)s from Yugoslavia, U.S.S.R. and its satellites, "provided the sponsors in Canada were Canadian citizens cleared for security by Stage "B" and the proposed immigrants were otherwise suitable".(69) On March 21, 1957 Cabinet further extended waivers for immigrants from these countries for brothers and sisters with their spouses and dependent unmarried children in cases where the sponsor was a Canadian citizen cleared for security. The applications also had to be approved and endorsed by one of the three following organizations: Jewish Immigrant Aid Society, Canadian Polish Congress and the Ukrainian Canadian Committee.(70)

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In August 1957, exemption from security screening was also recommended for children under 21 and men and women over 60 -- the latter category would have included persons who were in their forties during the war years.(71)

Approval was granted in the mid-1950s, after several years of hesitation, for the admission of a substantial number of Latvians who had resettled in South America following World War II (discussed in Chapter VI above). This was done at the Minister's discretion on the basis of a liberalized interpretation of 'exceptional merit' for both sponsored and unsponsored cases. The documentation regarding the Latvians from South America indicates that the limited security screening carried out in processing them -- after their admission was authorized directly from Ottawa -- relied largely on information gathered from British and American sources and focussed on the prospective immigrant's record in South America rather than on earlier activities in Europe. Given South America's well-deserved reputation as a haven for Nazis and Nazi collaborators, the story of the admission and security screening of the Latvians from South America may be viewed as an illustration of the government's lack of concern in the mid-1950s about the possible entry into Canada of Nazi collaborators. This approach was in keeping with the permissive admissions policy with regard to Nazi collaborators already established in 1951-1952 (see pages 256-262 above).

Developments in the 1960s: A 1962 Order-in-Council introduced the principle of universal immigration for unsponsored applicants, although sponsored immigration from some countries remained restricted. By the mid 1960s, in response to an urgent need for manpower, Cabinet approved relaxation in security screening procedures for sponsored immigrants who were Communist Party members in a country controlled by the Communist Party. Concern about treason and wartime activities against her Majesty's allies certainly seemed anachronistic in the 1960s and

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1970s, as reflected in the 1976 Immigration Act which omits any such reference in its list of classes of people inadmissible to Canada for security reasons.(72)

As a leftover from the late 1940s and early 1950s, the Immigration Manual in use through the 1960s and early 1970s still included the following entry in the list of grounds for rejection:(73)

Reason	Interpretation
(b) Member of SS or German Wehrmacht. When non-German found to bear mark of SS Blood Group.	Former membership in the German SS, SA and Waffen SS should not be considered cause for automatic rejection whether or not the applicant is sponsored by relatives in Canada; and each case should be studied to ascertain whether or not the individuals joined these organizations voluntarily;
(c) Nazi.	Former membership in the Nazi Party should not be considered an automatic cause for rejection, but former members of the Nazi Party who are considered by the RCMP to constitute a real security risk should continue to be rejected.

In each of these cases, the interpretation of the guidelines virtually eliminated the grounds for rejection. Moreover, it is clear from the account of policy considerations and practice in implementing guidelines in the 1950s (discussed above) that the distinction between voluntary or coerced service in Nazi organizations had long ceased to be an issue.

Large-scale international travel and a growing tourist industry also led to the gradual removal in the 1960s of the visa requirement for most visitors. A 1967 amendment to the Immigration Regulations allowed visitors to Canada to remain

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permanently, if they met stated selection criteria. Many people took advantage of that provision. By 1970 one fourth of all landed immigrants were persons who first came to Canada as visitors.(74) Moreover, the Immigration Appeal Board Act of 1967 created an appeal body independent of the Minister and extended the right of appeal for persons ordered deported, even for arrivals at a port of entry and even if entry into Canada was illegal. The Board was accorded power to set aside deportation orders on compassionate grounds. As a result, persons who might otherwise have had difficulty qualifying for immigrant status, or who might have been prohibited on security grounds had they applied abroad, could, at the discretion of the Immigration Appeal Board, remain in Canada despite deportation orders.(75)

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CHAPTER XI Policy with regard to Presence of Alleged War Criminals in Canada, 1960 to the Present

The preceding sections of this report described the effect, on security screening and processing of prospective immigrants, of preoccupation with Cold War concerns and the security threat posed by Communism, and the intense international but mainly domestic pressure to resettle Europeans displaced by the war. The RCMP, in unsuccessfully resisting these pressures not to delay or hinder the flow of immigrants, had warned that once cleared through the security screening and immigration process, individuals who later proved undesirable would be difficult to remove from Canada. This concern was proven justified within the decade.

In the event, the manner in which the problem came to present itself to the federal government -- in extradition requests from Soviet-bloc countries -- was an extremely important factor in setting the approach of the government and the main lines of policy for the following twenty years. The question of what to do about persons alleged to have committed war crimes and now residents or citizens of Canada arose as a result of requests for extradition from Czechoslovakia and the Soviet Union. A review of the record of correspondence and policy deliberations involving officials and Ministers of the Departments of External Affairs, Justice, and Citizenship/Immigration, and the RCMP, makes it abundantly clear that it was as a matter of policy and of domestic political considerations that surrender of a Canadian citizen of East European extraction to a Communist country and to Soviet justice could not be considered, whatever the merits of the case in itself.

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The first case -- leaving to the side the 1951-52 request from Yugoslavia (discussed in Chapter XII, Part 5 below) -- was that of the Czech request, in 1958, for the extradition of subject A and subject B, following retrials of former members of the Hlinka Guard, previously tried and sentenced for collaboration. The Cold War rhetoric of the Czech request and the political context in which the Czechoslovak authorities placed it would have made it most difficult for the government (even if it were so inclined, which it was not) to accede to the Czech request, or, indeed, to give it serious consideration without appearing to associate itself with an attack on West Germany. Legal Division in the Department of External Affairs was asked to examine the position regarding extradition, clearly with a view to determining the grounds on which the Treaty with Czechoslovakia would be held not to apply. Indeed, the de Bernonville case was advanced as a precedent -- contrary to the facts of that case, as discussed below (Chapter XII, Part 2). There was no attempt to seek evidence with regard to the charges against subject A and subject B. The Czech Minister was told that "the decision on extradition would be taken on technical legal grounds on the advice of the Minister of Justice... that it would not be a political decision".(1) External Affairs canvassed other Western countries to see whether their grounds for refusing similar Czechoslovak requests could be of use. The extradition request was refused, after a delay caused by the reluctance of Czechoslovak authorities to release the children of a Czech refugee family in Canada. The Czechoslovak government persisted, repeating the request for extradition and forwarding additional depositions regarding the war crimes allegations against the two individuals.

The political context in which the government's approach was shaped are clear. John Diefenbaker's address to the United Nations General Assembly in support of the claims of the captive nations of Eastern Europe was then six months away. Henry Davis of European Division in External Affairs noted that

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though it was clear that the Czechoslovak government was not going to let the matter die quietly, as hoped, the negative decision was final and taken on far from "technical legal grounds". "Although it may be necessary", added Davis, "to couch our reply to the Czechs in legal terms, it would in effect be a political decision...it would be impossible politically to allow the extradition of long-term Canadian residents to a Communist country". (2) This point is freely acknowledged on a number of occasions in the government's deliberations, which came to involve the Department of Justice, to whom the question had been referred by External Affairs' Legal Division.

The issue of war criminals living in freedom in the democracies of the West was meanwhile rapidly becoming a more visible one, internationally and in Canada, for a number of reasons. The release by the Soviet Union of German POWs following 1956 brought a good deal of new evidence to light on the crimes committed in the Eastern territories (evidence which led to the 1959 West German request to Canada for help in locating Helmut Rauca, and to the issuing by West Germany of a warrant for the arrest of Rauca, in 1962). The capture of Adolph Eichmann and his trial in Israel in 1961 had a very deep impact in Germany and on Jewish communities, and a significant one in the West broadly, all of which led to increased attention in the media and elsewhere to the war crimes/war criminals issue.

The reaction within the Canadian government to the Eichmann trial is of interest, indicating the assessment of the war crimes issue in particular political terms, and a view of it as a matter of parochial concern. The Undersecretary of State for External Affairs (Norman Robertson) communicated in a March 6, 1961 confidential letter to the Deputy Minister of Justice (E.A. Driedger) Israel's offer to have an official observer from Canada at the trial. Robertson asked

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whether the Justice interest was sufficient to merit acceptance of the offer, a question put in a way hardly calculated to elicit a positive response. Robertson noted that

> While I can see disadvantages from the political viewpoint to any action that might be interpreted as indicating a special Canadian interest in the trial, I should be prepared to arrange for discussions on the matter between officials of our two departments if you should favour the attendance of an official observer at the trial.(3)

The Department of Justice in response indicated that it had no interest in the proceedings, to the point that when Robertson sent Driedger a copy of a significant and thoughtful report by Escott Reid, Canada's ambassador in Germany, on the impact of the Eichmann trial in Germany,(4) T.D. MacDonald, the Assistant Deputy Minister at Justice, wrote to the Undersecretary of State for External Affairs on the Deputy Minister's behalf to say that

> This document would seem to fall in the category that has lately been discussed, by correspondence, between the Deputy Minister of Justice and yourself and in respect of which it was requested that no further such documents be sent to this Department unless, in your view, they called for some action on the part of this Department or related to a matter in which this Department was presently interested.
>
> Unless in your view, one of the above-mentioned circumstances obtains, I would request that further documents relating to this matter not be sent to the Department of Justice.(5)

The heightened public interest in the question of war criminals as a result of the Eichmann trial led to two requests, in early 1962, that the RCMP initiate investigations relating to alleged war criminals -- the first for Menke/Mengele, following a January 1962 report to the OPP that Mengele was living as "Joseph Menke" in Oxford County, and the second concerning subject C,

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alleged to be responsible for some 2000 killings in Galicia in 1943. The RCMP, who then thought it "probable" that Menke was Mengele, quickly became concerned about their prospective involvement in these and other, further such investigations.(6) The Commissioner in a letter to the Deputy Minister of Justice wrote that "we feel that if we conduct further enquiries in these investigations some publicity may result which could have both international and political implications"; that similar cases will arise in the future, and that it was therefore essential for the government to establish policy.(7) The Police, for their part, prior to committing themselves to enquiries, would need to know "where we are going, and what we intend to do when we get there", in view of what appeared to be a difficult legal situation with regard to prosecution, even if that proved warranted.(8)

Driedger sent the Commissioner's letter on to Norman Robertson on April 27, 1962, requesting that policy be established. External debated the issue internally for five months. A variety of points of view were given expression in the Department, including the view, expressed by the Consular Division, that any investigations should be halted immediately, that "anti-Jew baiting by the Jews is just as reprehensible as Jew-baiting by the Nazis", that "there was a good deal of doubt whether any crime has been committed", that the Government ought not to get involved in "witch hunts", and that any action would adversely affect Canada's relations with Germany or the Third World.(9) The discussion, however, essentially turned on one fundamental consideration -- the exclusion of extradition to the USSR as a matter of policy. It was acknowledged that the absence of an Extradition treaty did not by itself render extradition impossible. The possibility of revocation of citizenship was raised as an alternative approach to taking action in view of the fact that the Canadian Jewish Congress was aware of the case of subject C and might also become aware of the second, and would be

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highly critical of inaction by the government. Indeed, Consular Division, otherwise hostile to the idea of action, itself proposed that the possibility of revocation be explored for cases which entailed an offence committed under Canadian law, under Canadian immigration or citizenship processes.(10)

In eventually replying to the Deputy Minister of Justice on September 11, 1962, and after consulting the Secretary of State for External Affairs on the form and substance of the proposed reply, Norman Robertson set out the basic assumptions on which policy would need to be elaborated. These were that Canadian courts had no competence in regard to war crimes committed in Europe; that extradition, while possible even in the absence of a Treaty, could not be contemplated where surrendering a Canadian resident to a Communist regime was concerned; and that the possibility of action in the form of liability to deportation, for misrepresentation to Canadian authorities, should be examined. As regarded the specific cases of Menke and subject C, the best solution would be, if the evidence available warranted and if the two governments agreed, for them to be tried before West German courts -- notwithstanding the fact that subject C was not and had not been a German national.(11)

The RCMP by this time had become even more reluctant to be involved in the investigation of persons alleged to be Nazi war criminals. An allegation based on information received from Israel that subject D, a resident of Sudbury, was guilty of the murder of Jews in Lithuania, charges supported by the Soviet Union and East Germany, led the RCMP Director for Operations and Criminal Investigations to observe in a memorandum to the Deputy Commissioner (Operations) of the RCMP that subject D was in fact "very antagonistic towards Communists and Communism in general", and that while Canadians calling for the investigation of such allegations might be sincere, their "overseas informants" might have different motives. The view taken was that

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> In view of the possibility that some individuals or groups engaged in indicting individuals...may attempt to employ the Force as an investigational agency for their own purposes, we do not think we should become involved in such situations. This is particularly significant when we recall the Eichmann episode. It would be most unfortunate if the Force contributed in any manner to an incident such as occurred in that case.(12)

The proposal was that new policy instructions be issued, to the effect that there would be no investigation by the RCMP of complaints regarding war criminals, save for those of immigration, or security and intelligence concern. Enquiries and allegations about suspected war criminals would be directed to External Affairs.(13) While the Force did carry out a number of investigations in the following years, at the request of government departments, and allowed, in a 1975 revision of its guidelines, for investigation of cases related to an actual or likely extradition, this basically remained RCMP policy for twenty years. In 1982, when Robert Kaplan was Solicitor General, a change in policy was introduced, allowing and then requiring investigation upon the receipt of information. The increased RCMP preparedness in the early 1980s to take an active interest in the war crimes issue and to seek information did in fact lead to a significant increase in cases for which documentation of one kind or another was or became available.

Overall policy took definitive shape in response to the USSR requests for the extradition first, of subject E in 1964, and then, in 1965 for subject F. The situation was one of minority government. Political change in Quebec and the "Bilingualism and Biculturalism" response presented a set of issues, moreover, which placed a premium on not alienating politically significant European ethnic groups whose heritage was neither English nor French. The early 1960s saw a campaign by the Soviet Union to discredit West Germany and the West by

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disclosing facts and cases suggesting that significant numbers of Nazi war criminals were being sheltered in the West . There was a view that Soviet initiatives regarding war criminals in Canada were responses to Canadian initiatives regarding family reunification -- 'to balance the moral ticket'.(14) Canadian Ambassador Ford in Moscow was also careful, however, to note that

> In the last analysis...it should be remembered that the subject of war criminals, is essentially an emotional one with the Russians and the timing may or may not be the result of careful consideration.(15)

There was, as well, a concern about the longstanding Soviet policy to prevent and discredit contacts between minority nationalities in the Soviet Union and their compatriots abroad. The RCMP gave direct expression to this concern in its internal correspondence on the subject of allegations relating to the presence in Canada of war criminals:

> The majority of the persons accused of war crimes by the Soviet authorities are known to have been actively anti-Communist. The Soviets have construed this anti-Communism to indicate pro-Nazi tendencies but such, in fact, was not the case, they were also strongly anti-Nazi, caught in a desperate situation between two evils. Most of them are nationals of the smaller captive nations, their only crime being to defend their country against invaders. The question also arises as to how much longer people are to be accused of pro-Nazism, particularly when German immigrants are now freely admitted to this country.(16)

Guidance was sought by the RCMP for determining an appropriate approach,

> in view of the political implications inherent in dealing with this type of "disinformation", and the disquiet liable to be engendered amongst

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> the ethnic groups if they are to be accused rather than protected by the Canadian authorities.(17)

Increased public and media interest led to the posing of questions to Ministers, who found the issue an uncomfortable one. In response to a query from the Metro Mirror organisation, Jean Marchand wrote to a colleague that alleged war criminals who acquired Canadian domicile or Canadian citizenship "appear to be beyond the reach of the deportation provisions of the Immigration Act", making investigation pointless.(18) He indicated that he would not make an official statement on the subject, noting that it was the Department of External Affairs which was responsible "for looking into this problem in all its aspects".(19) The Department of External Affairs was meanwhile taking the view, and stating, that since extradition to the Soviet Union was out of the question, consideration should be given to the possibilities of revocation of citizenship and deportation, matters for the Departments of Citizenship & Immigration and Justice.(20)

A more in depth consideration of the question was called for by External Affairs: letters were prepared for Citizenship & Immigration, and Justice, seeking their views. The response arrived at with regard to the extradition request for subject E was that a legal case could be made against any manner of proceeding -- making a lack of legal capacity to act the best way to handle the matter. Part of the argumentation advanced by Legal Division in defence of the approach that there was no legal basis for proceeding was that Canada was not a party to the Moscow Declaration (of 1943) or to the Nuremberg Agreement, and was therefore not bound by the various international obligations referred to by the Soviet Union.(21) With regard to the possibility of the deportation of subject E, the Deputy Minister of Citizenship & Immigration wrote to Marcel Cadieux noting that subject E had been granted citizenship, and that while there was provision in legislation for deportation, he had "no reason to

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believe that these particular provisions of the legislation would be applicable to subject E", who, he added, was well known in the Ukrainian community of Canada, which would be "most perturbed at the charges that have been made by the Russian government in the case of subject E and others."(22) In informing his Minister of developments, Mr. Cadieux summarized the legal case which could be marshalled against action, and noted the concern amongst Ukrainian Canadians, suggesting that this made it "clear that we should reply promptly and firmly in the negative to the Soviet request".(23) Reiterating ten days later the legal basis for inaction with regard to subject E, Cadieux argued for making the Canadian decision public quickly, for otherwise the Soviet Union would be tempted "to return to the charge with fresh evidence or arguments", when "it is in our interests to close the case with a public statement soon".(24)

The international debate engendered by the impending application, in May 1965, of the German Statute of Limitations to war crimes (in the event extended to 1979, and then finally abolished with regard to war crimes) gave further exposure and salience to the war crimes issue, and led to another round of policy deliberations at External Affairs. In anticipation of the May expiry date, the West German embassy in Ottawa sought the help of the Canadian government in getting material or evidence relating to Nazi war crimes which might be available in Canada.(25) A press release was issued by the Department of External Affairs on February 15 inviting people in Canada to submit relevant information to the Department, for onward transmission to the West German authorities. Material was received on two alleged war criminals in Canada. A conflict then arose within External Affairs as to whether the RCMP should undertake any investigation, and whether the material should be conveyed to the West Germans, in that such action would leave the government vulnerable and seem to imply a preparedness to act if action was requested by West Germany (with whom Canada had not yet concluded an extradition treaty). The question, again, was

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consistently viewed as being one of political sensitivity. The legal advisor in the Department of External Affairs, Max Wershof, was moved by consideration of the combination of political and legal constraints to observe that

> Now...I think on the whole that it would be unwise even to forward the information about persons resident in Canada. With the benefit of hindsight, I think we made a mistake in issuing the press release, at least in the broad unqualified form in which it was released.(26)

The Soviet request in June 1965 for the extradition of subject F (who died in Toronto in 1983) caused more consideration to be given to the need for and possibilities of action of some kind. Subject F, a naturalized Canadian of Latvian descent, was convicted in absentia in 1965 by a Soviet court in Riga as the captain of a firing squad which murdered 5,128 Jews in the Rezekne district of Latvia during World War II. Though interpreted as another attempt by the Soviet authorities to embarrass Canada and to "reinsure against possible adverse publicity on reunification of families",(27) the case against subject F, and the nature of his crimes, were more compelling and less amenable to the sort of allowances of interpretation made in the case of subject E. The case of subject E was now being treated as one involving "political offences", in that subject E could be considered to have been in a state of armed revolt against the USSR.(28) Subject F, sentenced to death in absentia in October 1965 by a Soviet court, aroused more public interest and indignation, and discomfort in External Affairs, where there now appeared to be developing an inclination to review more substantively the issue of what to do about war criminals living in Canada. In considering the reply to be given the Soviet request for extradition of subject F, Legal Division observed, in a memorandum to European Division on September 21, 1965, that

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> While it would no doubt now be an easy move to let this matter drop and to take no further action on it in Canada there is another aspect to both these extradition requests which, although essentially political in its nature, we do not think can be passed over in silence. That is, what policy Canada should follow in respect of such Canadian citizens, who may in fact be guilty of war crimes. There are probably not many such cases but this country has now declined formal requests for extradition in at least four instances of which we are aware when the person concerned may well in fact have been guilty of having committed atrocities. These are the earlier Czech requests for the extradition of **subject A** and **subject B** and the two current Soviet requests. Clearly Canada was legally in the right in refusing extradition in all these cases. Moreover it is only too probable that the requests themselves were made on essentially political grounds and in order to cause embarrassment to the Government. Nevertheless it is at least open to question whether, given the nature of the acts which the persons concerned are alleged to have committed, they should be allowed to remain in Canada, with the status of Canadian citizenship, without any further investigation being made. **Subject F** in particular, if the Soviet Note 57/2E is to be believed, and we see no reason on the face of it why it should not be, would appear to have been an ardent Nazi lackey, not only cooperating actively with the occupying German forces but actually serving their Jewish and Gypsy extermination squads.(29)

In response, in part, to a request from Saul Hayes of the Canadian Jewish Congress, that the legal situation and possibilities for taking action of some kind -- specifically, revocation of citizenship -- be reexamined, an interdepartmental exercise was launched. The conclusions reached at the interdepartmental meeting, held January 6, 1966 were that extradition, though possible, was excluded for policy reasons, as was special legislation.(30) Departments were not prepared to recommend retroactive legislation, at least not to deal with subject E or subject F -- though it was allowed that such a course might be considered for a truly notorious war criminal,

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such as Martin Borman (then alleged by some to be in Canada). It was observed, again, as a particular caveat, that any legislation to allow Canada to send alleged war criminals back to the USSR or other Eastern European states would cause concern among various ethnic communities. The requirement that a candidate for citizenship be of "good character" was noted as offering a potentially promising avenue for action, the report reading that "the consensus of the meeting was that...a court could not possibly find a person to be of good character were they known to have been guilty of mass murders."(31) In reporting these conclusions, however, to Paul Martin, the then Secretary of State for External Affairs, Marcel Cadieux noted that while revocation was possible, the Court hearing required under the Act would in practice amount to "something like a full war crimes trial", and doubted that the Government would want this, suggesting that this was no doubt a matter the Secretary of State for External Affairs would want to take up with the Prime Minister, and the Ministers of Citizenship & Immigration and of Justice, and others in Cabinet.(32)

The standard reply to questions about action on alleged war criminals in Canada meanwhile remained that of the lack of capacity to act because of the legal difficulties involved in dealing with crimes committed outside of Canada. Later that year, Simon Wiesenthal communicated to the Canadian Embassy in Vienna a list of 15 alleged war criminals in Canada, a development which occasioned considerable media treatment and questions posed to the Government. By mid-1967, the Canadian Jewish Congress had focussed its attention on the question of subject F's citizenship, since no other course appeared to be open. There was interest, as well, within External Affairs for another view of existing policy regarding revocation (that there was nothing to be done, once a suspect acquired Canadian domicile under his own name). A European Division memorandum to file

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dated May 5, 1967, records a meeting in the Under-Secretary's office (with representative from Justice and Immigration present) at which the view was taken that there was indeed evidence against subject F, and that revocation seemed possible through section 19(1)(b) of the Citizenship Act which authorised the Governor-in-Council to revoke citizenship if satisfied that a person "has obtained a certificate of naturalization and of Canadian citizenship by false representation or fraud or by concealment of material circumstances", if failure to volunteer information on participation in mass murder could be held to constitute "concealment of material circumstances" and to contradict the "good character" requirement.(33) After some further discussion, Paul Martin resolved to put the questions directly to the Minister of Justice, then Pierre Elliott Trudeau, for decision. Martin wrote to Trudeau on August 7th, noting the concerns about subject F, and seeking Trudeau's opinion on the possibility of revocation, noting that there were possible national and international repercussions. Martin's hope was that this opinion would form the basis upon which the Cabinet could consider whether to instruct Justice to determine whether sufficient evidence existed to warrant action on subject F. Martin then discovered that the Secretary of State, Judy LaMarsh, had already written to Trudeau with the same question (on May 25) and had received a reply, dated July 27, the essence of which stated that

> ...in my opinion, it could not be established that **subject F** knowingly concealed material circumstances relating to his good character even if it be assumed he was, in fact, guilty of the crimes for which he was convicted in absentia. While the word "knowingly" does not appear in section 19(1)(b) of the Canadian Citizenship Act it should, in my opinion, be implied.
>
> In expressing this opinion...I am acting on the understanding, as confirmed by the Registrar of Citizenship, there is no evidence whatever that the Citizenship Court which dealt with the application for citizenship inquired into the alleged conduct by **subject F** ...(34)

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Martin then wrote to Trudeau a second time, September 26, asking him to review his decision as communicated to Judy LaMarsh. Trudeau expanded upon and reinforced the points of his earlier letter to LaMarsh, in his November 6th reply to Paul Martin:

> There is nothing in the Act to indicate that an application for Canadian citizenship is in the nature of a confessional requiring the applicant to disclose all prior conduct, whether public or private, on his part which he knows or ought to know to be a "material circumstance" within the meaning of Section 19(1)(b). The applicant's obligation is to satisfy the Court that he is of good character. He is not required to satisfy the Court that he, at no time in his past, committed an opprobious act. Indeed, there appears to be good reason why such a requirement is not found in the Act since it would impose an obligation on an applicant to determine what events in his past might be regarded by the Court as constituting material circumstances bearing on the question as to whether he is, at the time of the application, of good character. From a practical, and indeed reasonable, point of view, few, if any, applicants could meet a requirement of that kind and, apart from an express statutory duty, I know of no legal principle that would require disclosure of this kind.(35)

The question at issue in the case of subject F, however, was one of direct participation in many killings; Justice's opinion at this point seems highly abstract and contrived. The concrete consideration does in fact follow. Trudeau continued:

> I might add that, while I appreciate your concern for the repercussions and anxiety which you mention [of the Jewish community and others concerned about the problem of inaction with regard to war criminals settled in Canada], it appears to me, on the other hand, that it would be most ill-advised for the government to undertake this venture which would involve publicly accusing a Canadian citizen of having committed crimes in Latvia in respect of which he has been convicted, in absentia, in Russia.

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> Indeed, if we did so, we would I think be forced to concede that similar steps might be taken against any persons who had obtained a certificate of citizenship if it were found that he had not disclosed occurrences in his past which we, the government now decide to be of sufficient gravity as to constitute concealment of circumstances material to his grant of citizenship. I cannot, therefore, on the basis of my present appreciation of this case, recommend or concur in a course of action designed to strip **subject F** of his Canadian citizenship.(36)

This very point is repeated, in Trudeau's name, in 1984, when the Solicitor General, Robert Kaplan, proposed that the possibility of proceeding with revocation in the case of proven war criminals be tested in the Courts, following Christopher Amerasinghe's opinion that Nazi war criminals are liable in law to revocation of their Canadian citizenship, and the indication by the then Justice Minister (MacGuigan) that he was open to considering a test case.(37) The Privy Council Office informed the Deputy Solicitor General that the Prime Minister had "personally indicated his interest" in what was being proposed, and wanted Cabinet to be given the opportunity to assess the political impact of a successful denaturalization.(38) Trudeau's concern was that a successful case leading to revocation could alarm large numbers of naturalized Canadians, who could be made to feel that their status in Canada was insecure as a consequence of the politics and history of the countries they had left behind.

The November 6th letter from Trudeau to Paul Martin appears to have settled the issue. The Under-Secretary of State for External Affairs wrote to Saul Hayes of the Canadian Jewish Congress to report that the issue of revocation had been examined, and that "The law officers of the Crown have now advised that there are no steps which the Government can take

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under Canadian law in respect of the allegations made against subject F".(39) The Canadian Jewish Congress persisted, but without changing the result.

The problem of war criminals in Canada, however, became a more rather than a less salient one, and an External Affairs memorandum on the subject prepared by Legal Division expressed unhappiness with the Trudeau/Justice opinion on the citizenship of subject F, hoping that Justice might be prepared to review their opinion, and noting that

> In purely legal terms it is arguable that the Government is free to commence revocation proceedings under the Citizenship Act notwithstanding the Attorney-General's opinion. It appears to us that the Government's decision not to do so is a matter of policy rather than of law.(40)

By 1969, then, the situation had evolved from one in which the extradition of alleged or convicted war criminals of Eastern European origin was excluded as a consequence of foreign and domestic policy considerations, to one in which recourse to other possible remedies, the revocation of citizenship in particular, were also excluded in significant measure as a result of policy considerations. This remained substantially the situation until the early 1980s.

The 1970s and early 1980s were, like the 1960s, a period when the concerns and priorities of governmental leaders bore on nation-building and the resolution of tensions based to a degree on conflicts relating to identity and ethnicity, to nationalism and loyalty. The focus of the period -- one marked by the Quiet Revolution in Quebec, Bilingualism and Biculturalism, the series of federal- provincial conferences, and the Centennial and Expo, followed by the FLQ and PQ crises of the 1970s and, finally, constitutional patriation -- was the

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reshaping of Canada's political and constitutional order and the national self-image. This agenda, and the political demands it generated, would have militated against action with regard to alleged war criminals, generally thought of as small fry, living in Canada's established ethnic communities.

There may of course have been other influences or considerations which brought about inaction until the 1980s. Personalities, however, do appear from the record to have played key roles: for example, Trudeau, and Martin Low, who chaired the 1980-1981 interdepartmental committee on the war criminals issue, in opposing action;(41) and Robert Kaplan, and, in their modest roles, RCMP Corporal Yetter and his colleagues, in laying the ground for action in the early 1980s.

There is a great deal of detail to the period covered in very brief compass in the present Chapter, which this report cannot begin to deal with in view of the constraints imposed by the Commission's deadline for reporting. For this reason there is little or no treatment here, for example, of the role of particular Ministers or officials, or of the actions taken or proposed by Robert Kaplan as Solicitor General; or of the responses to these, notably the transfer of lead responsibility for the war criminals issue to the Department of Justice; the creation of the interdepartmental committee under Martin Low to prepare a Memorandum to Cabinet; or the analysis and options set out for Ministers in the Memorandum and the consideration of the document and issue by Committees of the Cabinet in 1981. Nor is there specific treatment of the Rauca case, which in itself -- from the circumstances of his entry into Canada in 1950, the first request by West Germany for information as to his whereabouts in 1959, to lack of cooperation from a number of government departments, to his arrest only in 1982 and subsequent extradition hearing and extradition -- constitutes a profile of the career of the war criminals issue in Canada. Also, apart from the main constraint of time, greatly limiting what it was

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possible to do, the focus has been on developments to 1969 because the specific task of this report has been to examine government policy in matters of immigration rather than to provide an account of the war criminals policy record as a whole -- important as such an undertaking may be. Moreover, it was during the earlier period that the pattern and approach with regard to the war criminals issue was established.

While treatment in this report of the period after 1960 is an abbreviated one, it may be worth noting that though the outcome of the 1981 review of policy and the situation regarding war criminals led to a decision to continue the policy in place (that is, not to undertake action) but to take steps to prevent further war criminals from entering, this latter measure was not in fact effectively implemented. There were at least two instances in which persons who it would appear ought not to have been admitted to Canada, were in fact admitted after the 1981 decisions and follow-up measures to formulate a "profile" of potential applicants who might have been connected with war crimes.

Such a case in 1983 featured a number of the characteristics which had marked the earlier period: a failure to apply regulations, the disappearance of files, and the determining role of officials in key positions whose sympathies inclined them towards leniency, for one reason or another, with regard to former Nazis. Subject J', a member of the Hitler Youth as of 1934, enlisted in the Waffen-SS in March 1940, serving with the SS-Totenkopfverbande (SS-TV: Death's Head Unit) until 1943. In January 1983 subject J' applied for landed immigrant status, completing the appropriate Immigration forms but making no reference to military activities from 1939 to 1945. A check with the BDC by the RCMP Liaison Office in Bonn brought the applicant's wartime military record to light. In the course of an interview which followed, subject J' stated that he had been a

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member of the Hitler Youth in 1937 only for a month or two and denied "any service with SS units responsible for concentration camps, maintaining he never saw a camp during the course of his service".(42) The fact that he was not truthful about his period of membership in the Hitler Youth should certainly have raised doubts about his credibility with regard to the latter statement. Documents indicate that immigration officials were perhaps not aware of the subject's Nazi and SS background or of the significance of the SS-TV. A decision to clear subject J' was taken by the Senior NCO in charge of the Immigration Screening Desk without consulting his superiors and without notifying either CEIC or the Solicitor General of the prospective immigrant's Nazi and SS background, as he was required to do.(43) This same Senior NCO was discovered to have exercised "lack of judgment" in another instance: he had cleared for security another German applicant, for whom a BDC check showed service in 1942-1943 as "an officer with the SS-Race and Resettlement Office which was responsible for rounding up the Jewish population and sending them to concentration camps."(44) Prior to passing the applicant for Stage "B", the Immigration Department and the Solicitor General were again not consulted or informed. It is only after the second incident came to light that the senior NCO in question was transferred. It is noteworthy that this officer, described by another RCMP officer as "quite right wing, German (or of German stock) and who regards the war criminals issue as blown out of all proportion by the Jewish lobby", would have been assigned the task of security screening of prospective immigrants from Germany.(45) Current assessment by the RCMP and the Commission is that had Immigration officials been aware of the record of the two individuals in 1983, they could have and likely would have exercised discretion to deny him entry.

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The story of the 1960s stands in essential respects for government policy during the later period. Public concern about the war crimes issue intensified, however, during the 1970s, with the deepening interest of the second and third generation in the Holocaust. The creation of memorials and the institution of academic courses, the publication of books and creation of films dealing with the Holocaust, and the establishment of the Office of Special Investigations in Washington, led to a distinctly sharper focus on the war criminals issue on the part of both the Jewish and in many respects the broader Canadian community, so that it was an issue of some importance in at least some ridings during the 1979 federal election campaign. The commitment to see to it that action is taken with regard to war criminals who continue to evade justice in the Western democracies has become a central one both because it is seen as a moral imperative and because it remains the only way in which action with regard to the Holocaust, itself irretrievable, is possible, even as this possibility recedes with the advancing age of those responsible for or who participated in its perpetration.

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CHAPTER XII PARTICULAR CASES -- Part 1

Entry of German Scientists and Technicians to Canada, 1946 to 1951

Immediately after the war, the British and American governments embarked on an ambitious and highly organized project to recruit thousands of Germany's top scientists and technicians, in order to acquire their expertise, and, possibly more importantly, in order to deprive the Russians -- also engaged in recruitment of German scientists and technicians -- of such know-how. The project, originally code-named "Overcast", and renamed "Paperclip" in 1946, specifically sought out nuclear, rocketry, and other military expertise. "Operation Matchbox" referred to the overall relocation of German scientists and technicians out of Soviet reach.(1)

Canadian interest and participation in the project manifested itself in September 1946. After a fast moving sequence of exchanges amongst a few very senior Canadian civil servants and politicians, approval was granted for admission to Canada of a modest number of German scientists and technicians -- possibly fifteen -- on a temporary basis, with a recommendation that security screening be undertaken. The process had begun with a letter dated September 26, 1946 from C.J. Mackenzie, president of the National Research Board (later the National Research Council) -- which incidentally, had housed a Canadian defence intelligence unit during the war years (2) -- to C.D. Howe, Minister of Reconstruction and Supply. In that letter Mackenzie stated that External Affairs had been approached several times by the Committee in London in charge of arrangements for the employment in England and the United States of a number of specialized German scientists who were

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"unsympathetic to the Nazi philosophy". Mackenzie noted that in the past the NRB had been reluctant to recommend the admission of these scientists, because of 'negative information' provided by Canadian scientists investigating the matter in Germany. However, a cable received from the Canadian Military Mission in Berlin in May 1946 had led to a reconsideration of that position and by September of that year Mackenzie felt that in view of a number of individual cases brought to his attention, the NRB "would now favour the bringing to Canada of a few well-vetted scientists for specific work for which there are no Canadian specialists available." (3) Mackenzie recommended that only scientists personally known to Canadian scientists should be considered, and to begin with, he proposed only one individual. He had already discussed the matter with Norman Robertson, who had already mentioned it to St. Laurent and to the Prime Minister, and suggested that Howe bring the question before Cabinet for decision. (4) By October 2 Cabinet approved Mackenzie's proposals. (5)

Initially, the Cabinet, and the officials involved at External and Immigration, and at Trade and Commerce in particular, were enthusiastic about bringing German scientists and technicians to Canada. In a November 6 communication to A.L. Jolliffe, Director of Immigration Branch, G.D. Mallory, Director of Industrial Development Division at the Department of Trade and Commerce, presented the view that German scientists and technicians would contribute to establishment of new industries in Canada. (6) He reported too that Dr. Solandt, Director of Military Research, and recently returned from the U.K., had found that the British were "anxious to help Canada arrange to bring German technicians and scientists to this country".

Within two months of initiation of discussions on the subject, the expectation was no longer the admission of one particular German scientist, as presented by Mackenzie in

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September, or even fifteen, as the RCMP was led to understand(7) but rather that Canadian technical investigators visiting Germany "may swell these requirements to twenty-five or fifty", and that "if some scientists are brought in for educational purposes, the list might reach seventy-five or even one hundred". (8)

Jolliffe's reaction was that Canada must act quickly since several countries were actively competing in recruiting the German scientists. In a November 9 note to his Minister, Jolliffe concurred with Trade and Commerce's view that since "Britain, the United States and Russia are acquiring the top-notch men of these classes from Germany", that "the matter is of some urgency". (9)

Canadian government officials were readily persuaded about the benefits of the project and wasted no time in launching it. Within days of the exchanges between Immigration Branch and the Department of Trade and Commerce and the Clerk of the Privy Council, Cabinet agreed to extend the decision of October 2

> to permit the temporary admission to Canada of German scientists and technicians required for industrial and educational purposes, admission in each case to be recommended by the President of the National Research Council and the Director of Defence Research.(10)

Norman Robertson, the Canadian High Commissioner in London, spelled out in a telegram of November 27, 1946 the broader political setting -- the Cold War strategic context -- for Canada's action in admitting German scientists; he noted in particular Britain's pressure on Canada to take some of them. In addition to the practical motivation of making use of the knowledge of these experts, Robertson noted that the British feared that if the German scientists were not soon resettled in

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the West, that the Russians would recruit them. (11) External Affairs allied itself with the United Kingdom's concern about the Russians conscripting the scientists in their service, and supported the U.K.'s drive to find placements for the scientists in Canada.

Problems in admitting German scientists and technicians: It was plain, and appreciated from the start, that there would be problems in admitting the German scientists. As stated by Jolliffe to his Minister, these people were German citizens and therefore enemy aliens inadmissible to Canada under prevailing regulations. It was pointed out, however, that it was possible to arrange temporary entry under Minister's Permit, as provided for in Section 4 of the Immigration Act, or permanent admission by use of the Governor-in-Council's authority to waive regulations. Jolliffe's stated preference was for temporary entry so as to leave the options open for either returning the individual to Germany at the end of the permitted period or to grant permanent admission at that time. (12) The Minister's Permit route also ensured less publicity for the project, and hence less likelihood of adverse public reaction.

A second problem involved the requirement under Allied Control Council regulations that "a voluntary contract be concluded with any German whom it is desired to employ outside Germany" -- a procedure fraught with legal and political difficulties since it involved a direct voluntary contract between the Canadian government and persons of enemy alien nationality. Nonetheless, form contracts were drawn up in the Department of Trade and Commerce and approved by the Department of Justice, and then passed by the Interdepartmental Committee on German scientists set up under External Affairs in December 1946 with the recommendation that the Privy Council Committee on Scientific and Industrial Research, or, if necessary, the Cabinet

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proceed to approve the contract arrangements. The Privy Council Committee, chaired by C.D. Howe, accepted the recommendations in April 1947, and initiated implementation of the Cabinet's directive of November 12, 1946, to permit entry of German scientists and technicians to Canada.(13)

Security Screening: Another problematic issue was that of security screening. In the course of initial deliberations in Ottawa on the issue, security screening of the individuals was presented as a pre-condition for their admission. In a communication to A.D.P Heeney, Clerk of the Privy Council, Jolliffe stated that two conditions had to be met before admitting the German scientists: firstly, that

> it is not possible to obtain equal qualifications in Canada, and secondly, that there should be the most careful security screening before the individual cases are finally approved.(14)

It was soon accepted, however, that there would be virtually total reliance for security screening on British and American authorities, both of whom, in their primary interest to deny the Soviet Union access to the German scientists, were prepared to cover up incriminating information about possible war criminal background -- as discussed below.

As for reliance on British screening, G.D.Mallory of the Department of Trade and Commerce had been informed following Cabinet's initial approval of the project on October 2 that checking of the security status of the scientists and technicians was to be handled by the British Army of the Rhine, and that the role of Canadian Immigration Branch would be merely to "pass on to British Government Officials...the necessary instructions and information rather than have the Canadian officials do any processing or checking security" for these persons. (15) The

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Canadian High Commissioner in London had pointed out in November 1946 that the contract under which the scientists would work and security arrangements for them had to be approved by U.K. authorities. He had described the two panels established by the British Board of Trade to screen the scientists and technicians, panels which were to determine whether the persons in question had been active Nazis and to vet their capacity to make significant contributions in their fields. One of the panels -- the Darwin Panel -- was responsible for considering applications for scientists and technicians who would be directed to industry. The other panel, dependent on the Deputy Chiefs of Staff Committee, was for persons destined for military research.(16)

In a subsequent telegram, in which Robertson elaborated on the British arrangements for bringing German scientists to the U.K., describing them as "a masterpiece of bureaucratic ingenuity and complexity", he also referred to the additional necessity of reaching agreement with the United States: all applications for employment of German scientists had to be cleared through the Joint Staff Mission in Washington. While Robertson recommended approval of the arrangement requiring that Canada rely on the machinery which the U.K. and the U.S. had put in place, he felt that it would still be necessary to seek some assistance from the Canadian Military Mission in Berlin. However, in his recommendation of concrete steps to be adopted in the procedure to bring the scientists to Canada, the responsibility for locating a scientist in Germany and conducting a security check on him was to be left to the U.K. authorities -- through the British military in the case of scientists wanted for military purposes, and through the British Board of Trade and the British Military's 'T-Force' in the case of scientists wanted for Canadian industry.(17) It would then be up to The Canadian Military Mission in Berlin to negotiate a contract on behalf of

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the Canadian government with the individual, and apply to the Allied Control Commission for the scientist's release from Germany and transfer to the U.K., where he would become the responsibility of the Commissioner for European Emigration.(18)

Robertson's description of the two British security screening panels was communicated by the Director of Immigration Branch to S.T. Wood, Commissioner of the RCMP.(19) Wood consulted British officials in late November about their screening arrangements for the German scientists.(20) In January 1947, the RCMP communicated to Immigration Branch that in its assessment British security screening arrangements were acceptable, and that applications for visas for German scientists should be channelled through RCMP Staff Sergeant Hinton in London.(21) Once the RCMP had expressed its satisfaction with the screening provided by the British, security screening of the German scientists was no longer of concern to government officials at Immigration Branch or External, and least of all to Trade and Commerce officials, who were keen to overcome any delays in bringing the German scientists and technicians to Canada.

A May 1950 Canadian Visa Control document indicates that German scientists and technicians, seeking temporary visas, needed to pass a medical examination, but no security screening was required if approval from RCMP Headquarters was received:

> Approval of Branch HQ is required in each case and visa officers in Occupied Territory have only to grant a non-immigrant visa upon receipt of Headquarters authority, subject to health requirements, including X-ray and radiologist's report.(22)

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Cases of concealment by the United States authorities of Nazi and war criminal background of German scientists: With regard to the American role in security screening of the German scientists, the Canadian Ambassador in Washington made clear in December 1946 that there were problems connected with the employment of German scientists in the United States. According to his report, initial screening of the German scientists and technicians was minimal:

> Before the end of hostilities in North Western Europe, German scientists and technicians were picked out by the advancing troops and evacuated, more or less as prisoners of war, to the rear whence they were promptly dispatched to the United States after a very perfunctory security screening.(23)

No attempt had been made to clarify the status of these German scientists until March 1946 when an Interdepartmental Committee was set up, with representation from the Army, Navy, and State and Justice Departments. The Committee's report, submitted to the President, led to an Executive Order which provided that German scientists already in the U.S. would be screened afresh, and that if they did not satisfy the requirements of immigration regulations, they would not be granted visas and would be deported. There were also to be no further admissions of German scientists to the U.S. without proper visas issued by U.S. Consular Services abroad. As the Ambassador noted, however, this new order remained a dead letter because the military feared that it would cause delays which would allow scientists to be "spirited away to the Soviet zone". The military authorities therefore continued to "send German scientists to the United States without worrying overly about immigration formalities."(24) Screening on the Continent, according to the Ambassador's report, continued to be "very sketchy":

> As far as is known by the department, it consists merely in ascertaining that a given scientist is not listed as a notoriously offensive Nazi.(25)

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The Canadian Ambassador noted that the presence of the German scientists in the U.S. had become a "hot" political issue, with numerous protests from veteran and patriotic associations pouring into the State Department. It was generally expected, according to the Ambassador, that immigration authorities sensitive to Congressional opinion would be "unsparingly thorough in their screening of those German scientists already in the country", and that many of them would be refused a visa and deported "even over the strong protestations of the military authorities".(26)

This, however, is not what happened. A recent article in the Bulletin of the Atomic Scientists,(27) based on newly released documents, shows that U.S. officials concealed the histories of Nazi scientists, some of whom had been tried and acquitted at Nuremberg, in order to bring them to the United States to work on military and space projects. The author of the article, Linda Hunt, records that of the 765 scientists, engineers, technicians and other specialists hired by the United States between 1945 and 1955 under project Paperclip, under a policy which explicitly forbade utilization of war criminals or those active in Nazism, dozens were in fact alleged war criminals. These actions, according to Hunt, were motivated by the belief that "U.S. national security would be best served by keeping these Nazi specialists away from the Soviet Union". The documents disclose that some of these specialists may have participated in experiments on humans, brutal slave labour, and other crimes. A number of the cases recorded by Hunt involved individuals who had been arrested by the CIC as alleged war criminals or who were named in the Nuremberg trial records, in particular, those documenting the involvement of I.G. Farben. I.G. Farben operated factories during the war as part of the Auschwitz concentration camp complex in Poland where an estimated four million inmates died. These factories utilized

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> camp prisoners as slave labor; they were starved, beaten, hanged, and forced to work amidst the stench of burning flesh that poured from the crematoria at the Birkenau extermination center at Auschwitz. Those inmates judged unfit to work were shipped to Birkenau and gassed.(28)

According to Hunt, incriminating information about these scientists had been withheld and dossiers doctored, in particular by the Joint Intelligence Objectives Agency (JIOA), the agency under the Joint Chief of Staff in charge of Paperclip, in order to bypass possible State Department objections to granting them visas.

Hesitancy and secrecy in Canada: It was perhaps because of the irregularities involved in admitting the German scientists and because of considerable controversy surrounding their admission to the U.S. that some government officials in Ottawa developed cold feet when the list of individuals to be employed in Canada was actually circulated in the various departments. External Affairs, however, continued to strongly support the project. Lester Pearson, then USSEA, referred to the list of German scientists for whom the U.K. wished to find employment in Canada in a February 8, 1947 Top Secret memorandum to the Clerk of the Privy Council. Pearson pointed out that the RCMP had found screening arrangements by the British panels acceptable, that Trade and Commerce had already submitted form contracts covering the entry of German scientists and technicians to Canada to Justice for examination, and recommended that the Deputy Minister of Trade and Commerce obtain Privy Council approval for the contracts, screening and travel arrangements. Pearson communicated in a similar vein to the President of the National Research Council, the Director of Defence Research and the Director of Immigration.(29) In April 1947, External circulated the lists to O.M. Solandt, Director General of Defence Research at DND, to the National Research Council and to Trade

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and Commerce.(30) Solandt maintained the position he had already made known in February, that for security reasons, German scientists should not be utilized for Defence research. Mackenzie of the N.R.C., who was amongst the first to promote the idea of admitting German scientists, had expressed the view that the N.R.C. should accommodate only a very small number of German scientists and, "very specifically, on account of the specialized knowledge and experience which they can bring to our institution", and that priority in employment be given to young Canadian scientists now completing their studies after wartime service in Europe. His recommendation was that the various scientists be accommodated in other Government departments, universities and industry.(31)

Even Immigration Branch became cautious. In response to Pearson's urging of support of the project, Jolliffe now expressed doubt about the advisability of admitting a large number or even a stipulated quota of German scientists and technicians, though he felt that on receipt of a list of the available specialists that industry could be canvassed to accept individuals of particular value.(32) It may well be a reflection of this hesitancy that while the Canadian Military Mission in Berlin at that time was already receiving a considerable number of applications from German specialists seeking employment in Canada, no instructions had been received from Ottawa with regard to the handling of these applications until June. (33) Concern about admitting the scientists led the Commissioner of Immigration to suggest fingerprinting for the German scientists; he was informed however, by the Commissioner of the RCMP that "such action is not necessary under the circumstances. (34)

It is noteworthy that the draft memorandum to PCO from the interdepartmental committee dealing with the issue of the German scientists mentioned that the Secretary of State for External Affairs concurred with the recommendations advanced by

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the Minister of Trade and Commerce with regard to the contract arrangements, but reference to the concurrence of the President of the N.R.C. and the Director of Immigration was crossed out.(35)

It is noteworthy, too, that a ban was imposed on publicizing the arrangements, presumably in view of the political controversy engendered by the project in the U.S.. The German scientists and technicians were specifically prohibited from facilitating publicity about their service while under contract in Canada:

> The employee shall not without permission in writing of the Minister make or give any statement to the press or any other person or write any article or grant any interview to any person concerning his service or otherwise give or facilitate any publicity with respect hereto.(36)

The Department of Trade and Commerce was to take steps to inform Canadian industry, provincial government authorities, the Department of Labour and various Canadian universities that it was possible to obtain scientists and technicians meeting specific requirements and arranged that applications be addressed to the Department. Information about individual scientists, however, was to be guarded, and "no action would be taken to publicize names".(37)

At a Cabinet meeting on May 21, 1947 approval was given to the April recommendations forwarded by C.D. Howe, as chairman of the Committee on Scientific and Industrial Research, regarding Order-in-Council procedures for admission of German scientists and technicians, as well as proposals for admission of families of individuals admitted under these arrangements.

The Order-in-Council (P.C. 2047) passed on May 27, 1947, made known to the House of Commons the fact that German scientists and technicians would be brought into Canada, as well

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as the nature of the contract arrangements made with them. Written questions with regard to the German scientists and technicians were presented the House on June 23. The questions concerned the numbers of such individuals involved in the government's agreement, transportation costs and arrangements, and the length of their intended stay in Canada.(38) In its response, the government played down its estimate of the number of German scientists to approximately twelve to fifteen. There was no call for comment about security screening.(39)

Immigration Branch continued to resist the project. A PCO memorandum of 7 June noted that "the recommendations of the Immigration Branch, as submitted to the Deputy Minister are definitely negative to the Cabinet directive of May 21, 1947", and that "these (negative) recommendations are concurred in and will be submitted to Cabinet by that department".(40)

Howe overcame resistance to the project within Immigration Branch. Security screening of the German scientists was not an issue of concern to him. In a memorandum to Cabinet on the day prior to the Cabinet decision, Howe mentioned the "special arrangements for admission", the draft contracts, medical examination and transportation, but made no reference whatever to security screening, presumably because British screening was already deemed acceptable to the RCMP, as stated in the Order-in-Council passed on May 29, 1947 (P.C. 2047), providing for the entry to Canada under Minister's Permit of the German scientists. There was still, however, sensitivity at PCO that should the project be publicized, there might be "criticism that a special regime had been set up for German experts, as distinct from other enemy alien experts". It was therefore recommended that each case be dealt with individually and "submitted to Council in a separate Order" -- as conveyed in a top secret memorandum from the Deputy Minister of Mines and Resources to the Secretary to Cabinet. The Privy Council Committee approved the proposal.(41)

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Pressure to speed up American screening: When J.A. Glen, Minister of Mines and Resources, fell ill in the summer of 1947, Howe became Acting Minister and was in a position to bring about a reassessment of Immigration Branch's position with regard to the Order-in-Council to admit the German scientists. Howe's lack of concern about security screening for the German scientists was underlined by his dismay with the slowness of the admission of the German scientists, "apparently because of delays in Security investigations by the RCMP".(42) Howe in fact suggested in a memorandum to Cabinet that the Minister of Justice look into the matter to see what could be done to speed up the process. Cabinet agreed to Howe's suggestion and advised the Minister of Justice accordingly.(43)

There is a gap in the files as to what Justice proceeded to do. What is made clear is that some officials, eager to speed up the admission of problematic individuals, were prepared to take independent action and that this was frowned upon by some. J.H. Warren, External Affairs coordinator of the project, tried to ascertain from Jules Léger, the Canadian High Commissioner in London, on behalf of Trade and Commerce, the name and address of the persons in Washington responsible for clearing applications from the British Board of Trade, because

> Trade and Commerce have in mind putting a little pressure on through their Washington Office in order to expedite some of the applications which so far have not been approved.(44)

Léger advised that such a move would be unwise, and that Canadian requests for scientists should not attempt to bypass the Anglo-American scheme in place.

> Trade and Commerce might be asked not to interfere in Washington with the Joint Staff Mission except in very special cases when our efforts to secure a German have failed. It would serve no useful purpose, and might even

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> embarrass us. What should be avoided at all costs is that Trade and Commerce try to by-pass the whole scheme altogether by submitting directly to the Joint Staff Mission names given to them by their representatives in Germany.(45)

While External Affairs concurred with the High Commissioner's view, Trade and Commerce found the delays entailed by proceeding via Washington "intolerable", and sought to circumvent the requirement of awaiting a decision from the Bipartite Allocation Committee. There was also concern that the British and Americans were retaining the most valuable scientists themselves, leaving what was left for Canada.(46)

Four of the German scientists and technicians who sought admission to Canada in 1947-1948 were wartime employees of I.G. Farben, some of them organic chemists.(47) However, the Commission of Inquiry's findings indicate that the forty-one German scientists and technicians for whom Canadian landing records have been located did not include these four former I.G Farben employees. Despite the considerable secrecy surrounding the project, at least one of the individuals was denounced for his strong Nazi sympathies, being referred to as the "No. 1 Nazi" in the "dental trade" prior to the war.(48) According to the Commission's findings, this individual was admitted to Canada where de died some years later. What is certain -- given the British and American record of overlooking possible war criminal background of the German scientists for the sake of denying them to the Soviet Union -- is that the security screening done on behalf of Canada by British and American authorities was not reliable.

The irregularities involved in admitting the German scientists continued to cause discomfort among Immigration officials, to the extent that B.R. Hayden of Trade and Commerce wrote to C.E.S. Smith, Commissioner of Immigration, urging that Immigration Teams in Europe be advised that in bringing the German scientists to Canada,

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> the Canadian representative in Germany is not using unauthorized measures and not trying to smuggle anyone into Canada who has not already been approved by the Canadian government. Perhaps the transmission of this advice to the Immigration Trade Teams in Germany would prevent me to be received in their office like a potential trickster instead of a fellow Canadian who also has official duties to perform . The task of retaining a polite attitude during these visits in order to achieve my objective, is, I can assure you sometimes most exasperating.(49)

It may be noted, too, that at the same time as these specialists were sought out under the most irregular circumstances, some 40,000 displaced persons in Germany and Austria (many of them Jews) -- including scientists, professors, doctors, engineers and other specialists -- were classified as "hard-core", that is, who by reason of age, national professional restrictions or over qualification were prevented from proceeding to Canada since they did not fit into the bulk movements of unskilled or semi-skilled labour then being admitted. It was not until August 1949 that a quota of 500 such persons was approved by Cabinet to be included within the already allotted overall DP quota of 40,000.(50) Even then, the cumulative total for actually approved applications up to April 30, 1950 was for three such refugee specialists with three dependents.(51)

At the same time, in the course of 1949-1950, the German scientists and technicians already in Canada under Minister's Permits were requesting and being granted extensions of contracts and temporary visas, though not landed status unless they were within the permitted categories of German nationals, such as those permitted as "admissible close relatives".(52) After the lifting of the ban on German nationals in September 1950, the German scientists received landed immigrant status upon request.

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CHAPTER XII PARTICULAR CASES -- Part 2

Nazi Collaborators from France and the de Bernonville Case

The admission to Canada of Vichy French collaborators was perhaps, after the Meyer case, the most prominent domestic aspect of the war crimes issue during the immediate postwar period. Reactions to the attempts to legalize their status in this country pitted English against French Canada, and became part of the larger debate on immigration policy and the ethno-linguistic balance of Canadian society. Prime Minister Louis St. Laurent and his aides were personally involved in communicating with the alleged war criminals, their protectors, and those who would have had them expelled from the country. Parliamentarians, political and religious leaders, as well as the press, which gave extensive coverage to the subject, all took sides on this question.

The first to arrive in Canada in the summer of 1946 were: Jean Louis Huc (alias Jean Henry); Julien Gaudens Labedan (alias Armand Bernard); and Dr. André Charles Emmanuel Boussat (alias Alfred Bordes). All had been tried in absentia in France in June 1945 and found guilty of collaborating with the German occupying forces, Labedan receiving the death sentence for treason in July 1946. All were travelling on false French identity papers which had served as the basis for Canadian immigration visas. They were followed in September 1946 by Dr. Georges Benoit Montel (alias Gaston Ringeval), who entered from the United States with a U.S. visa on a false French passport, and in November of the same year also via the United States by Count Jacques de Bernonville, disguised as a Roman Catholic priest -- perhaps taking advantage of Canadian immigration guidelines which waived security screening for members of the clergy. According to de Bernonville's own account in February 1948, when he appealed the government's decision to reject his

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application for permanent admission, the only examination to which he was subjected when he arrived from the U.S. at Lacolle, Quebec on November 26, 1946 was "in the form of a question addressed to several passengers by an officer who asked if they were all tourists". De Bernonville stated to the Appeal Board that he had answered in the affirmative and that he did not have to produce a passport or answer any questions. (1)

In the course of 1947-1948 the irregular circumstances of entry to Canada of these individuals was made known by the RCMP to Immigration Branch, and their presence in Canada was publicly denounced by members of the resistance residing in Canada. (2) By this time, however, they had succeeded in establishing themselves amidst Quebec's religious and social elite and could count on its support. De Bernonville later declared that he had arrived in Canada with documents obtained by "friends...who knew that my only offence was to have been faithful and loyal". (3) That the five men had been loyal to the Vichy government of Marshal Philippe Pétain was beyond question; they themselves took every opportunity to emphasize this. The controversy thus centered on the widely divergent perceptions of Vichy and post-Liberation France which prevailed in French and English Canada, and on the Vichyites' surreptitious entry into the country.

Accounts of Canada-Vichy relations indicate that a primary consideration for the Canadian government in its very cautious policy with regard to lending support to the Free French was concern about the impact such support might have on domestic tensions. In particular, the government feared that support for the Free French might reinforce anti-Vichy sentiment in English Canada, which would then also be directed against Quebec, where conservative social and religious policies helped to sustain widespread sympathy for the Vichy government throughout the war years and later. (4)

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In August 1949, at the time of the de Bernonville affair and in connection with it, officials from Immigration Branch and Justice requested that External Affairs prepare a draft statement concerning relations between Canada and France from 1939 to 1945. An early draft stated that

> In 1939 France and Canada were allies in the war then existing with Germany. In 1940 Germany succeeded in over-running a part of France and the French Government withdrew before the advance of the occupation forces to unoccupied French territory where the Government known as the "Vichy Government" was set-up. Canada maintained relations with this Government until November, 1942, when relations were terminated by reason of the co-operation going on between the Vichy Government and Germany and upon the view that the Vichy Government could not be recognized as an independent government representing the French people but was merely the agent of Germany.(5)

The final version of the statement, however, omitted mention of breaking of relations in 1942 and of support for the Free French, skipping from 1939 right to 1945:

> In 1939 Canada and France joined as allies in a war against Germany. Early in 1945 France signed the "Declaration by United Nations" (to which Canada was already a signatory) to pursue the war to a conclusion without signing a separate peace. The United Nations, including Canada and France, continued as allies until the cessation of hostilities later in 1945. During part of the war France, as a state, was prevented from active participation by reason of the occupation of that country by the Germany army.(6)

Though there was no indication in the documents examined of the rationale behind these omissions, it appears reasonable to suppose that the purpose was not to antagonize prominent persons in Quebec who still maintained pro-Vichy sympathies.

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Dr. Montel had settled in quickly upon his arrival in Canada. He had obtained a French passport in his own name from the Consul General in Quebec City, and "made contacts with influential people in the Catholic clergy and in educational circles," with the intention of resuming his career as a surgeon. Having discarded the assumed identity of Gaston Ringeval, Dr. Montel left himself open to appraisals of his wartime activities and method of entering Canada. As a result of such an investigation, he was ordered deported at Montreal on February 27, 1947. The appeals process dragged on for another year, but brought no respite: the initial decision was upheld on February 13, 1948. In the meantime, however, Montel had made himself a fixture at Laval University. As a memorandum to the Prime Minister noted: "He has been teaching medicine and surgery in Quebec in a very useful way for something over a year and the authorities there would be anxious to retain his services."(7) Monsignor Ferdinand Vandry, Rector of Laval University, wrote to the Minister of Mines and Resources alleging that "Dr. Montel has been denounced by political enemies who are jealous that Laval University grants its protection to Dr. Montel..."(8) Other universities, clerics and political leaders, including Senator J.M. Dessureault, also sent letters of support.

The Prime Minister's Office was in a quandary. The fulsome praise for Montel which was expressed in letters from French Canada was contradicted by information from the RCMP, obtained in turn from British and French "confidential sources". RCMP reports submitted to Immigration Branch in January 1948 stated that Montel was "Not Cleared for Security", and that he had "collaborated in every respect with the Germans and was instrumental in denouncing his French compatriots".(9) These contradictory assessments were referred to General Georges Vanier, Canada's Ambassador in Paris, for clarification. Vanier relayed his findings to External Affairs: although Montel had been a member of Jacques Doriot's collaborationist Parti

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Populaire Français and the driving spirit behind Vichy propaganda in Haute Savoie, "it should be remembered that no instance of denunication can be ascribed to him".(10) With this information in hand, the government interpreted Montel's misdeeds as political offenses, and passed an Order-in-Council in September 1948 granting Montel, as well as Labedan, Boussat and Huc (whose cases appeared basically analogous) permanent status in Canada as "Political Refugees".(11)

De Bernonville was not included in this order-in-council. Immigration Branch's initial rejection on January 31, 1948 of de Bernonville's request for landed immigrant status was based on the following factors: that he did not come within the "admissible classes" according to immigration regulations; that he entered Canada deceitfully on an improper passport; and that he had tuberculosis and was physically defective (having marked deafness in both ears and a seriously defective right arm).(12) It was also already known at that time, although not confirmed, that de Bernonville had been condemned to death in absentia by a Court of Appeal in Toulouse on October 8, 1947. Following the recognition and denunciation of de Bernonville by a Frenchman living in the U.S. but visiting Montreal at the time of de Bernonville's appeal hearings, documents began to arrive from France via External Affairs, confirming the death sentence pronounced on de Bernonville and describing the charges and testimonies on which it was based.(13) The charges and evidence were powerful. The Minister of Mines and Resources dismissed de Bernonville's appeal, ostensibly on the same grounds as the first rejection was based, but also on account of his unfavourable wartime record.(14) The evidence pointed to pre-war affiliations with French fascist groups ("Action Française", and "les Cagoulards") and arrests in connection with violent activities of these groups, and, more significantly, to active and voluntary, high-level collaboration with the Nazis during the Vichy years. He was made Chargé de

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Mission for Jewish Affairs in Morocco in 1941; in 1942, as Secretary-General of the Phalange Africaine in Paris, he was in continuous contact with the SD and the Darnand organization.(15) His subsequent career, as detailed in French documents made available to the Canadian government as of February 1948, and summarized by External Affairs included the following activities:

> In 1943, returned secretly from North Africa and engaged in spying for Axis Powers. Was responsible for receiving sabotage and intelligence groups from the Waffen-SS, members of the P.P.F. and the Militia who were then sent to Morocco through Spain.
>
> Later appointed as director for the maintenance of order for the Lyon area. There is evidence that he took part in large-scale operations by the Militia against patriots, in the Spring of 1944, in the departments of Saone-et-Loire and Drôme. He personally directed some of those operations.
>
> On April 16th, 1944, 250 of de Bernonville's men attacked 90 men of the Vercors Maquis. De Bernonville personally conducted the mopping up operations and is said to have dealt with extreme violence with the populations of the surrounding villages. That particular operation lasted until April 24th.
>
> During that period, de Bernonville and his deputy AGOSTINI are said to have set fire to farm buildings and houses. Three patriots were "odiously" tortured. This last deed of de Bernonville was unknown when he was first prosecuted and, therefore, does not appear in the charge. These charges against de Bernonville are supported by several high officials and military leaders of the locality.
>
> Mass arrests were carried out and the warrant for the arrest of 40 patriots was signed by de Bernonville who often conducted the exmaination personally. Arrested men were subjected to torture: burns and blows so severe as to cause fractures and permanent injury. Many were

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> surrendered to the Germans who shot them on the spot. These tortures and executions are said to be substantiated by impeachable evidence. De Bernonville also arrested without cause, local leaders whom he held as hostages.(16)

An RCMP investigation of de Bernonville concluded that de Bernonville had engaged in "particularly despicable acts of collaboration during the occupation of his country", and even suspected that he may have had some part in the death of Jacques Benoit, a member of the Canadian Parachute Battalion killed in action on August 1944. (De Bernonville had assumed the identity of Jacques Benoit until December 1947 when he first requested a regularization of his status as a landed immigrant). A subsequent note from the RCMP to Immigration Branch expressed particular interest in the fact that

> de Bernonville joined the German Armed Forces voluntarily. The information in this document certainly seems to indicate a most active collaboration with the Nazis.(17)

Following the examination of the documents from France and the RCMP's report, Hugh Keenleyside, the Deputy Minister of Mines and Resources concluded that

> There are no extenuating circumstances in the case of this man, who is a traitor to his country and almost certainly the murderer of a Canadian citizen whose passport he used to gain entry to Canada.(18)

In Keenleyside's assessment, the Toulouse Court which condemned him to death in October 1947 was "a regularly established court and the conviction took place long after the hysteria of wartime had subsided".(19)

Supporters of de Bernonville were claiming that the October 1947 death sentence pronounced by the Court of Justice of Toulouse on de Bernonville was an act of revenge by French

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Communists. In response to these allegations, the Director of Immigration Branch (A.L. Jolliffe), in a memorandum summarizing the facts on the de Bernonville case for the Minister of Mines and Resources, stated that

> It is significant to note the conviction was less than a year ago by the competent French Court of the recognized French Government and it cannot be said that the conviction was the result of the alleged Communist government which he alleges had passed retroactive laws inflicting severe penalties for the acts performed by officers of the preceding government.(20)

Although the cases of the Nazi collaborators from France were handled as discreetly as possible by the government, the episode was blown open in October 1948 by the Canadian correspondent of Time magazine, who, it appears, was in search of a moderately anti-government story which would prove his political neutrality to the magazine's editors in New York. The story was picked up by the Canadian Press and distributed nationally. The Globe and Mail went further and contacted Senator Dessureault of Quebec, who claimed credit for keeping the men in Canada. This contradicted statements made by the new Minister of Mines and Resources, James MacKinnon, to the effect that "these were routine cases which had been handled in normal fashion after they had been investigated and cleared from the standpoint of health and security".(21) Although the Prime Minister's Office had hoped that the Canadian Legion would not intervene in the controversy, it did, affirming that "veterans will not stand for the settlement in our country of persons sought on charges of treasonable activities in France during the war -- especially when they are here under false papers".(22)

Further details, real and extrapolated, continued to leak out, making for "some not too pleasant developments in this French immigrant business".(23) On 18 October, Acting Prime

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Minister C.D. Howe met with senior Immigration and External Affairs officials to review the situation. Immigration Branch was embarrassed by the fact that its Minister, J.A. MacKinnon, had made it appear that the Branch had recommended the admission of the French émigrés, when in fact it had wanted to deport them. In order to minimize future damage, it was decided that "the whole matter would be considered closed and that no Cabinet Minister nor civil servant would make any new statement about it".(24) The story of the Order-in-Council was a liability in the eyes of English Canada, while Quebec took the admission of the group of Frenchmen for granted. "This is a most dangerous business...", wrote Guy Sylvestre, the Prime Minister's personal secretary, "and I hope that the pressmen will not go to the bottom of it. But I am afraid that they will do so".(25)

Immigration Branch had indeed sought to deport de Bernonville, who had not been included in the order-in-council admitting the other Frenchmen charged with collaboration. De Bernonville had submitted an application for immigrant status on behalf of himself and his family on December 29, 1947, which was rejected by both a Board of Inquiry and the Minister of Mines and Resources. However, the Board of Inquiry which heard his case on January 30, 1948 had consisted of one person, instead of the three required by the Branch's own regulations. Legally, the government was in an untenable position. Deputy Minister of Justice, F.P. Varcoe, recommended that Immigration Branch should try

> to reach some compromise settlement with the applicants, bringing about either a withdrawal of their application and of the writ of habeas corpus, or an adjournment of the proceedings for two or three months, (and that) they be authorized to state to the Court...that your Department has decided not to carry out the deportation orders issued against the applicants, and that such decision has been

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> reached because of the procedural irregularities which attended the conduct of the proceedings of the Board of Inquiry...(26)

This approach was suggested because Varcoe believed that the irregular constitution of the Board of Inquiry was "fatal" to the government's case. If the government were to go on, it would not only lose the case, but an unfavourable judgement might also be rendered on other issues raised by the case, such as political refugee status for de Bernonville.(27) Under the circumstances, Keenleyside agreed that a quiet settlement with de Bernonville, allowing him to leave the country voluntarily, would probably be the best solution.(28) However, the lawyers working for Immigration Branch, Gustave Adam, K.C. and Guy Favreau, did not succeed in obtaining such a settlement.(29) De Bernonville, buoyed by considerable support for his case in Quebec, and probably aware of the weakness in the government's position because of the irregularity in the constitution of the Appeal Board, was determined to fight on.

An out-of-court settlement, already not acceptable to de Bernonville, was now also out of the question, it would appear, for the Prime Minister. On 23 December, St. Laurent telephoned a senior official at the Department of Justice to discuss the matter:

> He was concerned lest we had made a deal with de Bernonville under which the latter and his family were allowed a certain time (a couple of months) within which to leave Canada. The Prime Minister is opposed to the making of any deal with the applicants and, should the judgement of the Superior court go against us, he wishes new steps taken immediately by the immigration authorities to force the de Bernonvilles to leave the country.(30)

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In accordance with the Prime Minister's instructions, the case was pursued vigorously, but to no avail. On February 21, 1949, Mr. Justice Cousineau of Quebec Superior Court not only quashed the deportation order, but also commented extensively (as Varcoe had foreseen) on the desirability of admitting de Bernonville as a political refugee, and denounced the "'nefarious bureaucratic plotters' who 'in the Department of Immigration want to establish a state within a state'..."(31)

By February 1949, political pressure in the House of Commons became an important consideration for the government. CCF MP Alistair Stewart (Winnipeg North) began to probe the French collaborators issue. On February 8, 1949, he asked Minister of Mines and Resources J.A. MacKinnon whether de Bernonville was still in Canada. The Minister answered that the Count was in Montreal, "out on bail bond under habeas corpus proceedings, pending a decision by the courts following the dismissal by me of his appeal from our deportation order." Stewart's supplementary question about de Bernonville's alleged involvement with the Gestapo elicited no response.(32)

Following Justice Cousineau's decision, Alistair Stewart once again took up the cudgels, and devoted his entire speech in the debate on the Speech from the Throne (22 February 1949) to attacking de Bernonville, exposing the alleged wartime activities of other French collaborators residing in Canada, and criticizing the Liberal government for issuing Order-in-Council 4233, which permitted all except de Bernonville to stay in Canada. The Conservatives were also berated for their leader's silence on the issue (George Drew had apparently responded to press questions about de Bernonville with a terse "No comment") and for backbencher Frederic Dorion's statement to the House in defence of de Bernonville (see below). Having detailed the circumstances of the Vichyites' entry into Canada and the strenuous efforts emanating from quarters in Quebec to keep them in the country, Stewart asked rhetorically:

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> How tremendously important and powerful they must be to be able to induce the government to upset the laws of Canada...and allow in those who on many grounds are not eligible to enter this country. They must be tremendously important people.(33)

Frederic Dorion (Conservative - Charlevoix-Saguenay) was one of the champions of de Bernonville's cause. Two days after Stewart's speech, he delivered a lengthy rebuttal, authorized by de Bernonville himself, presenting the case as part of the struggle "between the Communists on the one hand, and Christianity on the other". The Communists, he claimed, dominated both the maquis and the postwar French courts, and had created a bloodbath, especially in the Toulouse area, where de Bernonville had been tried. Dorion enumerated the numerous French military decorations which the Count had been awarded, up to and including the Croix de Guerre 1940, implying that such a man could never be a traitor to his country. In keeping with an attitude which commanded sympathy in Quebec, the legitimacy of the Vichy government which appointed de Bernonville commandant of Lyon was emphasized. Far from murdering Allied soldiers, de Bernonville, according to a sworn statement read by Dorion, helped Canadian POWs escape to Spain. Indeed, the Quebec MP professed not to see any justification for bringing up the matter at all: "I do not hesitate to state that if the French citizens referred to by the member for Winnipeg North were Communist Jews instead of French Catholics, we would not have heard about them in this house".(34)

De Bernonville's allies, exclusively from Quebec, were numerous and influential. By the time Alistair Stewart made his speech in the Commons, Louis St. Laurent had already received the first of many pleas for intercession on behalf of de Bernonville from branches of the Société St. Jean-Baptiste, Chevaliers de Colomb and the Société du Bon Parler Français.(35) Dr. Philippe

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Hamel, a prominent nationalist, wrote to complain about Hugh Keenleyside's excessive zeal, which might result in de Bernonville's deportation to France, where trials were allegedly a "parody of justice", and where Pétain was being persecuted just as Joan of Arc had been five centuries earlier. Hamel called upon the government to have pity on de Bernonville, not to apply the law literally in this case, and to grant him asylum.(36) A variety of other groups from English Canada, including the Canadian Legion, trade union locals, the Loyal Orange Lodge, and the United Jewish People's Order, wrote in demanding the expulsion of any and all collaborators.

The issue was an irritant in French-English relations, and as such was handled very gingerly by federal politicians. According to contemporary press reports, during the 1949 general elections, "The de Bernonville issue could have been, but was not, a red hot election issue. Both major parties steered clear of it, in fear of alienating a large section of the Quebec vote".(37)

Judge Cousineau's decision and the split in Canadian public opinion over the de Bernonville case placed the Immigration Branch in a difficult position. Keenleyside was convinced that even if a new Board of Inquiry set up strictly according to regulations were to decide to deport de Bernonville, he would probably again be able to obtain a writ of habeas corpus

> from Mr. Justice Cousineau or from some other member of the Bench who can be assumed to hold views, and to indulge sympathies, similar to those of Judge Cousineau. This will probably mean that when the case comes to be heard, the decision will again be given against the Government, no matter how valid our arguments may appear to the objective observer.(38)

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Although the government might win in the higher courts, the appeals process, it was felt, would drag on for years, thus prolonging the public controversy. Keenleyside suggested several ways of handling the de Bernonville case more expeditiously. The first option, deporting de Bernonville on a Saturday evening or Sunday morning when no judge would be available to stop the operation, was explicitly rejected by the Minister. Other suggested means of bolstering the government's case included the appointments of distinguished lawyers and judges to the Board of Inquiry in place of Immigration officers; a change of venue from Montreal to Quebec City or Halifax, because "in either of these cities, but particularly the latter,...it would be more difficult for Bernonville to be assured of the sympathetic assistance of a member of the judiciary"; and the hiring of more effective and competent legal counsel.(39) New grounds were also found for de Bernonville's deportation as changes in regulations governing immigration from France had rendered the previous charges invalid. It was only at this stage that the government focussed on establishing "that Bernonville is not admissible because he has been convicted of treason, which in this case also involves having 'assisted His Majesty's enemies in time of war'", according to the Immigration Act.(40)

Of Keenleyside's recommendations, only the last one was followed. Phillippe Brais, one of Quebec's leading lawyers, was retained to prepare anew the government's case. He was to be assisted by Gustave Adam, K.C. and Guy Favreau, the lawyers previously engaged by Immigration Branch for the case. Since immigration regulations at this time specified that persons who collaborated with the Nazis would be rejected only if moral turpitude could be proven, requests were sent to France for documents concerning de Bernonville's wartime activities. Although the French government did not choose to demand de Bernonville's extradition, transcripts of trial proceedings in

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the de Bernonville case (tried in absentia) were willingly supplied, in the hope that deportation from Canada would result in de Bernonville's return to France and French justice.(41) External Affairs contacted the Foreign Office to obtain a certificate "to the effect that during the whole of the period 1940-1944, France was His Majesty's ally in the war against Germany."(42) A positive answer would have strengthened arguments for deportation based on section 3(r) of the Immigration Act, which prohibited the entry of persons who had been found guilty of "high treason...or of any similar offence against any of His Majesty's allies". The Foreign Office did not make the task facing Canadian Immigration officials any easier with its arch diplomatic reply that,

> Although the United Kingdom may have been allied with France during the period which you mention, it does not necessarily follow that Canada was equally so allied. Canada and the United Kingdom are two separate Sovereign States internationally, and alliances entered into by one of them do not of themselves automatically extend to the other...It is therefore, for the Canadian Government to decide whether His Majesty was allied to France in respect of Canada.(43)

Though the fact of de Bernonville's conviction by a French court was to be the centrepiece of the government's strategy, it was felt that the evidence which led to that conviction was not a matter for review by the Canadian government:

> it has been agreed that the competence of the Board to order deportation must depend upon the validity of the conviction itself and that, to introduce evidence as to the actual commission of the offences for which the conviction was made would not only be irrelevant but might even have the effect of vitiating proceedings otherwise regular.(44)

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Thus, the French chargé d'affaires in Ottawa, Jean Basdevant, was called upon to provide -- in addition to background information about de Bernonville's wartime activities -- a legal opinion on the validity of French convictions par contumace (in absentia) in the British legal tradition. According to Basdevant, "il paraît possible de soutenir devant un tribunal canadien la validité d'une telle procédure conduite en France."(45)

The new complaint and arrest order were redrafted several times by Department of Justice lawyers working together with the lawyers hired by Immigration Branch. The charges against de Bernonville were:

a) treason against France, an ally of the Crown;
b) entering Canada by misrepresentation and by stealth;
c) violating the immigration regulations in force at the time of his entry.(46)

In connection with the reinstitution of deportation proceedings in February 1950, outside pressure, both public and private, began to mount. Petitions poured in from Quebec to the Prime Minister and the Minister of Mines and Resources. Senator Elie Beauregard, a Liberal, warned St. Laurent that reopening the case would be politically damaging in the upcoming Quebec by-elections, and would only play into the hands of opposition politicians. He recommended that the Board of Inquiry should put off its hearing for at least two months (until after the by-elections), and that the initiative for the inquiry be portrayed as having come from the French government, not Canada's Immigration Branch.(47) Several months later, Beauregard reported that a deal had been made in 1948 between the then Solicitor General, Joseph Jean, and supporters of Montreal Mayor Camillien Houde. According to de Bernonville's lawyer, Liberal organizer Bernard Bourdon,

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> The Honourable Joseph Jean has personally promised Monsieur de Rumilly that if Mayor Houde did not raise the de Bernonville issue in the course of the election, the matter would resolve itself after the election. [Translation -- A.R.](48)

This claim was supported by a sworn statement from Robert Rumilly, a noted Quebec historian. Bourdon stated that Jean had also personally told him: "You may assure him (Mayor Houde) that after the elections the matter will be settled". [Translation -- A.R.](49) If Bourdon's story is to be credited, the non-issue status of the de Bernonville case during the 1949 campaign was engineered by means of promises which appear to have directly contravened the Prime Minister's directive in December 1948 to the Department of Justice that no deals were to be countenanced.

Provincial and municipal politicians also intervened on behalf of de Bernonville. Onésime Gagnon, provincial treasurer in the Duplessis government, sent a telegram asserting: "I know the Count Jacques de Bernonville very well, and am convinced that the accusations directed at him in France are unfounded". [Translation -- A.R.](50) The mayor of Three-Rivers wrote that most of the town's citizens were scandalized by the government's handling of the de Bernonville case, and that the Count's deportation would be seen as barbaric.(51) A former classmate of Laval Fortier, the new Deputy Minister of Mines and Resources, wrote to Fortier on behalf of his friend de Bernonville requesting that the Minister (Harris) grant the right of shelter or sanctuary to "this great Frenchman". If this right were to be refused, he warned,

> this action would tarnish the reputation of Canada and would be the cause of discontent, particularly among the French Canadians, who would certainly demonstrate their feelings of French and Catholic solidarity on this occasion.(52)

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This view contrasted with those emanating from English Canada, such as that expressed by a United Church Minister from British Columbia

> You are also concerned with the retention of Count de Bernonville in this country, proven traitor to his country, the cause of anti-Nazism in the last war and to humanity, as the report of his action amply demonstrates. I wish to emphatically protest at the outrage upon the spirit of freedom, humanity and justice, perpetrated by those concerned in these decisions and to dissociate myself from any appearance of assent, as a citizen of this country, from these actions. This country has been permitted to become too often in times past, the refuge for notorious and unworthy characters seeking to avoid the hand of justice of their own people.(53)

As pressure from the French Canadian public mounted, Quebec ministers were sent examples of form letters which they were to use to answer letters from constituents about the case.(54) In the spring of 1951, St. Laurent even received a letter from a 9 year old schoolgirl who prayed for Jacques de Bernonville every day because she heard so much about him daily at school.(55)

An Immigration Branch note recording the representations on behalf of or against de Bernonville by December 1950, showed clearly that action on the de Bernonville case would have significant political repercussions. It included, for de Bernonville: 14 Members of Parliament, 8 lawyers, 11 doctors, 8 priests, 194 organizations (including clubs, societies, religious orders, cooperatives, trade unions and veterans organizations), 277 individuals, and 13 petitions with over 2000 signatures, including "many prominent professional and business people". Only 3 organizations and 12 individuals made representations against de Bernonville.(56)

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Individual Roman Catholic hierarchs and clergymen also lent support to de Bernonville. Alexandre Vachon, Archbishop of Ottawa, granted an audience to de Bernonville, who asked for help in arranging a meeting with the Prime Minister where he could personally present his case. Mgr. Vachon cautiously took up the cause with the Prime Minister: "moved by pity and inspired by compassion, I have consented to request of you that you take a special interest in him". [Translation -- A.R.](57) The Prime Minister's reply was uncharacteristically sympathetic to de Bernonville. Its conciliatory, almost apologetic tone is indicative of the deference which Catholic Church leaders could command. St. Laurent's response would seem to indicate a desire not to give up any political hostages. He would not accept to meet with de Bernonville, but at the same time remarked -- rather disingenuously, since he was certainly aware of the considerable documentation made available from France since February 1948 which corroborated very substantially de Bernonville's criminal activities during the war years --

> All kinds of serious accusations have been levelled against this gentleman, without any convincing proof to sustain them. We cannot however ignore them before making a serious effort to ascertain whether such proof exists. If I were to meet with the Count, it would be even more difficult to convince those who want to believe in his guilt that we are proceeding in a truly objective manner. [Translation -- A.R.](58)

The Archbishops of Montreal and Rimouski also appealed to St. Laurent on the Count's behalf, while Father Paul Mayrand of Drummondville echoed the ultramontane xenophobia of Frederic Dorion's parliamentary speech:

> If the Count had been a Jew, a Freemason, or a disciple of Thorez (the French Communist leader -- A.R.), we would never have heard about his illegal entry to Canada. [Translation -- A.R.](59)

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Despite the pressure from Québec, the deportation proceedings, once instituted, continued. The government was relying on the French conviction for treason to ensure success at the Board of Inquiry hearings. Other "evidence of de Bernonville's anti-allied sympathies" was held back for use in the public debate which would follow the Board's decision. At the inquiry stage "it would have no publicity value since the proceedings of the Board are in camera and, furthermore, it would destroy any element of surprise".(60) This evidence consisted of "photostatic copies of statements made in France by persons who were tortured and otherwise mistreated by de Bernonville because of their Maquis...activities" and documents concerning de Bernonville's leading role in the formation of the Corps des Volontaires Françaises, a German-sponsored security unit.(61)

Immediately after the Board of Inquiry had ordered de Bernonville's deportation on February 16, 1950, the Count launched an appeal to Walter Harris, the Minister responsible for the newly-created Department of Citizenship and Immigration. Although the Canadian Press news agency reported at the time that "Mr. Harris' decision is not expected for several days",(62) the Minister did not announce his decision until a full year later, on February 7, 1951. In the meantime, Harris had not only reviewed the files and legal opinions, but had also met personally with de Bernonville:

> [The Minister] called de Bernonville into his office and placed before him certain information connected with the Dijon conviction and unofficially gave de Bernonville an opportunity of attempting to convince him that it was false. De Bernonville apparently left the impression with the Minister that he could not really deny the truth of many of the allegations made against him.(63)

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Despite these small procedural favours, the Minister's decision was negative. De Bernonville was to be deported to France to face a new trial on charges of war crimes and collaboration.

Officially, the Canadian government was determined to deport de Bernonville. Unofficially, it was hoped in government circles that this would not be necessary, that he could be cajoled into seeking asylum in some other country. The attitude of External Affairs Minister Lester Pearson illustrates the dilemma which this dichotomy created:

> [Although the Minister] is glad to know there is a possibility that Count de Bernonville may avoid deportation by leaving Canada voluntarily, he is very anxious that no one in the service of the Canadian Government should take any action to facilitate Count de Bernonville's departure.(64)

This indication that the Count had already been on the receiving end of broad hints about the desirability of departure came one week before the recently publicized letter from Pierre Asselin, Louis St. Laurent's personal secretary, to de Bernonville (dated 19 March 1951), which is alleged to have "tipped off" de Bernonville and permitted him to escape French justice.(65)

Asselin's letter was, in fact, a reply to de Bernonville's written plea of 16 March 1951 asking the Prime Minister not to condemn him without having even seen him, and assuring St. Laurent of his innocence. The reply stated firmly that the deportation order was in conformity with Canadian law and that there was no reason for special treatment. Asselin then contradicted himself slightly by explaining the reason why a decision on the case had been postponed for so long: the government was waiting for the abolition of the tribunaux d'exceptions in France, so that people like de Bernonville could be assured of a fair trial before a regular court. Having said all this, Asselin added that there were other alternatives:

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> In any case, your return to France is not, according to Mr. St. Laurent, the only alternative to remaining permanently in Canada. He has been advised that there are many other countries to which you could retire in the event that your friends had not convinced you that they had enough clout to force the Canadian government to take the decision in your favour which you desire. [Translation -- A.R.](66)

Far from thanking Asselin for his advice, de Bernonville once again protested that he had been denied the opportunity to prove his innocence, and, couching his arguments in the language of Holy Week, reminded the Prime Minister that public justice had, in the past, been known to commit mistakes: "Here we are precisely in the week commemorating the preference for Barrabas over the Just One par excellence".[Translation -- A.R.] He rejected out of hand the idea of leaving voluntarily:

> Without a passport, withheld from me by French authorities, with the multiple war wounds which are wearing me out, how would I find a country to accept me, if Canada is rejecting me?... That is the reason why I am staying on in Canada. [Translation -- A.R.](67)

It appeared as if de Bernonville was prepared to wait to be vindicated once more by the Quebec courts.

Discretion however, being the better part of professed innocence, de Bernonville left for Brazil in August 1951, but not before writing yet another letter to the Prime Minister. He was leaving, he wrote, because devoted friends who wanted to end four years of instability in his life had found him a suitable job in a country which was willing to have him. Thus he would be unable to stay and await the outcome of his habeas corpus lawsuit against the Department of Citizenship and Immigration. He claimed that fear was not his motivation:

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> I have complete confidence in the independence of Canadian magistrates, who are an honour to their country; I am aware of my rights and I am not in the habit of fleeing from danger...
>
> Even though your government has shown so much persistence in its attempt to make me leave, I am writing this letter to you in complete Christian serenity, without bitterness and without anger, as befits an officer who has always -- both before and after 1940 -- carried out his duty with honour, and who has nothing for which he need reproach himself. God will judge us. [Translation -- A.R.](68)

In 1951, following his departure from Canada, and again in 1952 and in 1955, when rumours of deportation proceedngs against de Bernonville in Brazil reached Canadian officials, several "Lookout" notices were circulated lest the troublesome case be revived in Canada.(69) Notes from the Canadian Embassy in Brazil in March 1955 reported that Brazil's Supreme Court had rejected de Bernonville's plea for an habeas corpus in an attempt to stop deportation proceedings undertaken by the Brazilian authorities at the request of the French government -- not for political crimes but for 'crimes de droit commun'. It was further reported that shortly before the court brought down its judgment, de Bernonville, who was living in Sao Paulo under the name of Maurice Delegrize, disappeared without a trace. Subsequent notes reported that Brazil's Supreme Court changed its ruling and granted an habeas corpus to de Bernonville on the grounds that the documentation from France was not legally acceptable.(70)

De Bernonville was strangled in his home in Rio de Janeiro in 1972.

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CHAPTER XII -- PART 3

The Ukrainian 'Halychyna' (Galician) Waffen-SS Division

This account of the Galician Waffen-SS Division addresses those aspects of the Division's history which bear upon war crimes allegations against the Division and on Canadian government policy with regard to admission of members of the Division to Canada. Included within the purview of this section are the background and composition of the Division and the activities of the Division as a unit from 1943 to 1945; and the postwar experience of members of the Division in matters of screening and immigration to Canada.

Background and composition of the Division

It has not been possible, given the time constraints on this report, to examine all the sources of evidence or even those available in Canada in a comprehensive way. It is nonetheless possible and reasonable to conclude that though by 1943, when the Division was formed, the bulk of the Jews of the region had already been annihilated, there would have been a measure of continuity between the Ukrainian military/police formations which operated in the 1941-1942 environment and which cooperated with the Einsatzgruppen in Ukrainian territory and the Division established in the spring of 1943.

The Division was formed in May 1943 and surrendered to the British in May 1945. Attempts in April 1941 to form an SS unit from Ukrainian volunteers recruited in Poland were rejected by Himmler on racial grounds, Slavs being regarded in Nazi ideology as 'Untermenschen' or subhumans. The mounting need for manpower following the defeat at Stalingrad in late 1942 and the already compromised approach with regard to racial exclusiveness

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in the SS after the establishment of a Moslem Division ('Handschar') led to a revised approach towards recruitment of Ukrainians for the Waffen-SS in 1943. Otto Wächter, the German Governor of Galicia from 1941 to 1944, persuaded Himmler, after lengthy negotiation, to form an SS Division of Ukrainian volunteers, in order to induce closer collaboration between the Ukrainians and the Germans against the Soviet Union and to prevent Ukrainian youth from joining the growing nationalist underground movement.(1)

Wächter published a proclamation on April 28, 1943 announcing the intended establishment of the Division and circulated it widely after obtaining the support of Ukrainian leaders, which helped gain the confidence of the population. The Ukrainian Central Committee, which served as the sole legal representative of Ukrainian society to the German authorities, became involved in the plan, and on May 4, 1943, its president, Professor Volodymyr Kubiiovych, issued his own proclamation urging Ukrainians to volunteer for the Division. Both the Orthodox and Catholic Churches, including the respected Metropolitan Sheptyts'kyi (who in 1942 had condemned Nazi atrocities against Jews and, in particular, the involvement of Ukrainian police in the murders), also favoured the establishment of the Division. As a result of the Ukrainian leadership's support, the response to the call for volunteers was overwhelming. According to one account, the influx was so great that it astonished even the Germans who had to appeal to higher authority for instructions.(2) The quota set for the unit was overfilled many times, and tens of thousands of volunteers had to be rejected.(3) According to SS-Hauptamt reports, 80,000 men had volunteered; 50,000 were accepted; and 13,000 were called up by the summer of 1943.(4) The remainder who were accepted were gathered by the Order Police "in a further five infantry regiments, numbered...from 4 to 8", some of which were incorporated into the Division at later stages.(5)

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The overwhelmingly positive response to the call for volunteers occurred despite the deliberate decision on the part of Himmler to omit the designation 'Ukrainian' from the name of the Division along with other references or signs which might encourage Ukrainian nationalist aspirations. Nonetheless, Ukrainian nationalist groups by and large supported the Division. The Melnyk faction of the Organization of Ukrainian Nationalists (OUN) favoured establishment of the Division from the start.(6) While the Galician headquarters of the Bandera faction of the OUN initially opposed the establishment of the Division, overt opposition from the nationalist groups, including the Ukrainian Insurgent Army (UPA), ceased by the end of 1943.(7) That members joined the Division voluntarily is an established fact.

Members of the Division state that they volunteered "not because of love of the Germans but because of their hatred of the Russians and their Communist tyranny".(8) Nationalists, for their part, undoubtedly saw in the formation of the Division an opportunity to form an army, albeit under German auspices, which could later be used in the service of an independent Ukraine.

Whatever the motivation in April-May 1943 for collaboration with the Nazis, it remains that by this stage Ukrainians in Galicia had already experienced two years of the Nazi presence in their midst -- a presence which generated considerable suffering and dislocation for many Ukrainians, but also extensive cooperation by individuals from various social strata in the massive and successful campaign to murder the Jews of the region.(9)

From the very beginning of the occupation in June 1941, the Germans flooded the Ukrainian areas with anti-Jewish propaganda, a central theme of which was the "Jewish-Bolshevik

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menace". The Nazi equation of Jews and Bolsheviks was in fact already current in Galicia prior to the Nazi propaganda campaign in the region. The second general congress of the OUN-Bandera faction, meeting in Cracow in April 1941, adopted the following resolution:

> The Jews in the USSR constitute the most faithful support of the ruling Bolshevik regime, and the vanguard of Muscovite imperialism in the Ukraine. The Muscovite-Bolshevik government exploits the anti-Jewish sentiments of the Ukrainian masses to divert their attention from the true cause of their misfortune and to channel them in time of frustration into pogroms on Jews. The OUN combats the Jews as the prop of the Muscovite-Bolshevik regime and simultaneously it renders the masses conscious of the fact that the principal foe is Moscow.(10)

It has been pointed out that only the German-controlled Ukrainian press in Lvov carried the version of Kubiiovych's appeal in May 1943 for volunteers for the Galicia Division containing references to "Muscovite-Jewish Bolshevism" and the "Jewish-Bolshevik monster", whereas the Cracow newspaper which had close links with the Ukrainian Central Committee made no reference to Jews.(11) It remains that volunteers came forward in response to the call in both newspapers, and that the epithet had longstanding currency in the region.

There was, in fact, widespread collaboration by Ukrainians in the German campaign to eliminate Jews. In part, this was a reaction engineered by the Germans as a response to executions of Ukrainians carried out by the NKVD. In the very first weeks of the occupation, plunder and violence against Jews by bands of Ukrainians occurred in urban and rural regions, at times organized and directed by members of the local

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intelligentsia.(12) However, the principal and for Jews the most devastating collaboration came from organized sectors of Ukrainian society, such as municipal administrations taken over by pro-Nazi elements, and particularly from the Ukrainian semi-military and auxiliary police formations under German command, who were assigned the specific function of assisting the German police and the SS in the seizure and shootings of Jews.(13) There were also numerous instances of both individual Ukrainians and Ukrainian organizations sheltering Jews at considerable risk to themselves.(14)

It should be noted that while the focus of this section of the report is on the role of Ukrainian police and military formations, there is a large body of evidence which indicates that analogous developments led to the creation of Lithuanian and Latvian auxiliary police and military formations, which were similarly engaged in acts of mass murder of Jews. (15) That members of these groupings later joined the Baltic Waffen-SS has been established in historical accounts and in the careers of several particular cases discussed in Part 4 of this Chapter.(16)

Nazi-organized Ukrainian military and police formations, 1941-1942: Even prior to the invasion of the Soviet Union, the Nazis created military formations with Ukrainian recruits and POWs who had escaped from the Soviets. One historian of the Division and its antecedents notes that

> In order not openly to violate the Nazi-Soviet Pact of August 1939, these groups were disguised as Arbeitsdienst battalions. They received part of their training in the Carpathian Mountains, and the remainder in Germany. In such fashion the Nazis were able to produce thousands of well-trained men, most of whom they then dispersed throughout various industrial establishments in occupied Poland to act as guards. They retained only a handful of these trainees in regular military uniform.(17)

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Trained Ukrainian guards were also used in the anti-Jewish campaign. The presence of Ukrainian guards in the course of the deportations of Jews from the various regions of Poland and on duty at ghettos and concentration camps has been attested to by many survivors and documented by scholars. According to one scholar of the events in Nazi-occupied Ukraine (Philip Friedman) the functions of the Ukrainian police were extended soon after the occupation:

> They kept watch over the ghetto during the anti-Jewish campaigns, convoyed transports to the extermination camps, and directly participated in the extermination of the Jews.
>
> The Ukrainian auxiliary police was active in the non-Ukrainian areas as well. The Germans dispatched them to Warsaw and to other Polish and Lithuanian ghettos. They were also used as guards and to carry out the work of extermination, in various concentration camps: Sasow, Ostrow, Grochow, Poniatow, Plaszow, the Janowska Street Camp in Lwow, and the death camps of Sobibor, Treblinka, among others. Further, Ukrainian policemen were used to guard prisons that held Jews, such as the notorious Pawiak prison in Warsaw.(18)

The Ukrainian Auxiliary Police was in fact largely confined to Galicia, Ukrainian guards at concentration camps in other regions included, inter alia, Soviet POWs and others trained at Trawniki under SS supervision.

From the beginning of the Nazi campaign in Eastern Europe, the Germans organized military formations consisting of recruits from local populations, particularly in Ukraine and in the Baltic states. Individual army commanders formed battalions of black-uniformed auxiliary volunteers or "Hiwis" (Hilfsfreiwillige - "Eager to Help") from Soviet POWs, largely of Ukrainian origin, apparently without Hitler's knowledge.(19)

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'Nachtigall' and 'Roland' -- were formed in April 1941 with German officers but with an unofficial Ukrainian staff headed by the prominent OUN-B member, Roman Shukhevych. With the invasion of the Soviet Union on June 22, 1941, Nachtigall advanced with the Wehrmacht to the Galician capital, Lvov (Lviv), and Roland accompanied the German forces to southern Bessarabia. (20) The arrival of the German forces, accompanied by 'Nachtigall', to Lvov in July 1941 was followed by the murder in that same month of some 2,500 Jews residing in the city by members of the local Ukrainian population with the encouragement of the German army command. Reports of the Einsatzkommandos who entered the region of Bessarabia-Bukovina in July 1941 in the wake of the occupying troops record that half of the 320,000 Jews in the region were murdered by September 1, 1941.(21) The close cooperation between the Wehrmacht and the Einsatzgruppen has already been commented upon in this report in Chapter I, Part 1. It was not within the scope of the research carried out for this report to establish whether 'Roland and Nachtigall' had any direct involvement in these massacres. Though care has been taken for the purposes of this report not to rely on Soviet literature, it may simply be noted that the Soviet allegations against 'Roland' and 'Nachtigall' have been particularly severe.(22)

In 1960 the Public Prosecutor's Office in East Germany initiated a criminal investigation and proceedings against Theodor Oberlander, a Minister in the Adenauer Cabinet, accusing him of direct involvement in war crimes as Commander of the Nachtigall unit. The judgment of the East German Supreme Court was that Nachtigall, while quartered in Lvov, took part in the massacre of three thousand members of the Polish intelligentsia and hundreds of Jews from Lvov. With a view to clearing Oberlander's name, a second investigation and counter-trial was initiated in the same year by the Chief Public Prosecutor of the District Court in Bonn. According to some accounts, Oberlander was cleared largely on the basis of testimony of Ukrainians who

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had served under his wartime command.(23) The judgment of the West German Court was that Oberlander, as a liaison officer rather than commander, did not participate in the atrocities committed in Lvov, and that the Nachtigall unit "did not take part in acts of mass violence or in the killings" but rather was "under strict orders and instructions to show exactly the opposite behaviour". The West German judgment did concede, however, that "individual Ukrainian members of the unit -- against instructions and orders received -- may have taken part in some of the atrocities".(24)

Nachtigall and Roland were eventually withdrawn from the front lines, and united by the Germans into a single military formation -- Schutzmannschaft ('Schuma') battalion (Guard Battalion) No. 201.(25) In April 1942, the battalion was sent to fight the partisans in Byelorussia.(26) While Jewish participation in the partisan movement in Byelorussia and Lithuania was relatively small, it may be noted that 'anti-partisan operations' was often a Nazi euphemism for mass shootings of Jews.(27) Again, research for this report has not treated war crimes allegations against 'Schuma 201'.

The Germans subsequently imprisoned the officers of 'Nachtigall' and 'Roland' when they refused to continue fighting in German ranks on the grounds that promises to give them equal rights with German soldiers and to provide assistance to their families had not been kept.(28) The imprisoned officers of 'Nachtigall' and 'Roland' were released in May, 1943 and integrated into the Galician Division.(29)

According to German documents, the Ukrainian Constabulary (Schutzmannschaft) Battalion 204, stationed at the 'Heidelager' SS training grounds where the Galician Division completed its training, was also transferred to the Galician

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Division in January, 1944.(30) Further documented instances of integration of former members of 'Schutzmannschaften' or auxiliary police battalions into the Galician Division occurred following the battle at Brody in July 1944.(31) Only 3000 of the Division's 11,000 soldiers had managed to break out of the Soviet encirclement at Brody. The remainder were either killed or taken prisoner, and some of the survivors joined the Ukrainian Insurgent Army. The Division was then reconstituted with those who remained, with members of the independent SS-Police regiments formed from the overflow of recruits following the initial call for volunteers and with members from other reserve regiments, and with new recruits.(32)

According to a comprehensive memorandum on the Division prepared in May 1948 by G.R.B. Panchuk (see below), "Ukrainians who had previously been drafted to other German units were offered the opportunity to 'volunteer' for transfer from these German units to the Ukrainian Division".(33) These would have included individuals scattered throughout various German units, whatever their tasks, in the 1941 to 1943 period. The reconstitution of the Division after the battle of Brody, which added 12,000 men to the 3000 remaining from the earlier formation, provided a distinct opportunity for integration into the Division of persons with a war criminal background. With the advance of the Allies from the West after D-Day and of Soviet troops from the East (Majdanek death camp was liberated on July 24, 1944), the Germans would have sought to organize and place various displaced or disbanded semi-military police and camp guard units in other military formations. It seems sensible to assume that members of such units of Ukrainian origin, valued for the years of experience gained in German service, would have been directed to remaining military formations consisting of Ukrainians, such as the Division, then rebuilding its formations after the disastrous battle of Brody. The argument that most of

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the former members of the Division served with the Division for only a short period may therefore not remove but rather strengthen the probability of a war criminal element.

Apart from the documented instances of integration of earlier police formations into the Division discussed above, there are other elements of continuity between the Division and the Nazi-organized Ukrainian police formations. It may be noted, for example, that prior to Wächter's proclamation announcing the intended establishment of the Division, and prior to the intensive propaganda campaign for volunteers which accompanied it, the Nazi official Gottlob Berger did some 'market research' to test the waters and to determine the responsiveness of the population to the proposal. He announced that volunteers were needed for a Galician police regiment. The Bender/Taylor account of the Division's history states that

> the response was so great that Berger was able to record no less that 12,000 volunteers in a letter dated 20 March 1943 - a figure more befitting an entire division than a mere regiment. (34)

Expectations as to the type of service intended in the 1943 call for volunteers for a police regiment would not have been in any significant way different from that which applied for the earlier auxiliary police formations. In fact, the SS leaders who planned the formation of the Division considered it to be a police organization, but felt, for political and psychological reasons, that it was desirable to omit the word 'police' from its name.(35) The Bender/Taylor account attributes the disastrous defeat suffered by the Division at the battle of Brody to the fact that the initial training of the Division had been for police rather than for combat duties.(36)

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Former members of Ukrainian militia and local police formations which had been under SS control during the 1941 and 1942 murderous sweeps of the Einsatzgruppen and which were subsequently replaced by the more formally organized Ukrainian auxiliary police under German direction could then have found their way into the ranks of the Galician Division both before and perhaps even more so after the battle of Brody. Though such investigation was not feasible for this report, it may be possible to determine from German records the extent to which former members of locally organized auxiliary police and militia units which carried out executions of the Jewish population alongside the Einsatzgruppen, then joined the Ukrainian 'Schutzmannschaften' which were later integrated into the Division, or independently volunteered one or two years later for service in the Division.

The RCMP's 1985 study of the records of thirty-one former members of the Division residing in Canada (which were included in Simon Wiesenthal's list of 218 Ukrainian SS officers who may have emigrated to Canada) shows that at least eight were promoted to the rank of Untersturmfuhrer or 2nd Lieutenant in November 1944, and that two had reached the rank of 1st Lieutenant. This too suggests several years of military experience, likely prior to the establishment of the Division in April 1943, either in the Polish army, or with auxiliary police and militia units in the 1941 to 1943 period.

BDC checks on the 218 officers of the Division who, according to Wiesenthal, may have entered Canada indicate that at least three had worked as interpreters or in another capacity for the SD in the 1940 to 1942 period -- subjects P, Q, and A'. Several had been members of the 'Roland', 'Nachtigall' or 'Brandenberg units' organized by the Abwehr for propaganda and subversion activities on the Eastern front, units alleged to have

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been involved in the murder of civilians -- subjects Q, T, A' and B'. [As noted above, in the aim of clearing the name of Theodor Oberlander, Nachtigall as a unit was exonerated by a West German Court in 1960 from the commission of atrocities]. A number trained for police work in 1940 or served in the Auxiliary Police or other police and SS formations from 1941 to 1943 - subjects Q and S trained at the SS and Police School in Zakopane in 1940; Subject B' transferred in late 1942 from Nachtigall to engage in police work until November 1943; subject X held the rank of Hauptmann with the Auxiliary Police in Kiev from July 1941 to June 1943; subject Z also served with the Police from July 1941 to December 1943 (both subjects X and Z attained the SS rank of Hauptsturmfuehrer in the Division); subject R served with the Hilfspolizei; subject C' served as District Adjutant of the Ukrainian Auxiliary Police in Kolomya in 1941.(37)

Records of immigration to Canada have been found for subjects P, Q, R, S, and T. P was admitted in 1960 after having been refused in December 1955. Q entered Canada in 1957 from Argentina and T in 1968 from Australia. R and S were admitted in 1951.

The BDC checks undertaken by the RCMP and the Commission were limited to the 218 officers of the Division named by Wiesenthal, and, indeed, association with police and other SS formations in the 1940 to 1943 period has been established for only 12 of these officers. Other than for these officers, no checks have been made on Division members admitted to Canada. Even from this limited sample, it is clear that there was continuity between the 1941-1943 Ukrainian police/military formations and the Division.

Apart from Soviet and Polish allegations concerning war crimes committed by the Division -- allegations which to date have not been independently investigated in Soviet and Polish archives -- there is little evidence pointing to the commission

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of war crimes by the Division as a unit. By early 1944, when it had completed its training, the Nazi campaign against Jews in the Ukraine was largely completed. During its training period at the 'Heidelager' SS training camp, parts of the Division were engaged in actions against partisans with the dual purpose of gaining combat experience and lending a hand to the hard-pressed security forces. Further engagement of the Division in anti-partisan activities occurred from the fall of 1944 to March 1945, during its period of duty in Slovakia and again in Slovenia.(38) To assess the implications of such actions, one would need to consider who the 'partisans' were -- whether in addition to Soviet partisans in Slovakia and Tito's partisans in Slovenia, these included Jewish and other civilians who had escaped earlier massacres, and what preoccupied and engaged the German security forces at this time in these particular locations.

Petitions and representations in favour of the Galician Division, in particular those presented to Canadian immigration officials and politicians, played down the Nazi and SS features of the formation. Though members of the Division were able, as a result of such concessions as permission to have their own chaplains, to avoid to some extent Nazi ideological indoctrination, training of its officers took place in SS schools in Germany.(39) The oath of allegiance to Hitler was obligatory until the last month of the Division's career, when the Division was integrated into the newly formed Ukrainian National Army under General Shandruk. Until then, the oath of allegiance read:

> I swear by God this holy oath that in the struggle against Bolshevism I will give the C-in-C of the German Armed Forces, Adolf Hitler, absolute obedience, and as a fearless soldier if it be his will I will always be prepared to lay down my life for this oath.(40)

Emphasis was placed on the difference between the Allgemeine (General) SS which had begun in the 1920s as Hitler's bodyguard and grew into a powerful secret police in charge of the

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extermination of Jews, and the Waffen-SS which developed in the course of the war into a combat organization.(41) Objective accounts, such as that of John Armstrong, point to the diversified uses to which the Waffen-SS was put, including concentration camp duty (see p. 248 above) However, it has not been established that members of the Galician Waffen-SS were also used as concentration camp guards.

There have been repeated allegations, particularly in Polish literature, that members of the Galician Division participated in the quashing of the Warsaw Uprising, in punitive actions against civilian populations, and in performing sentry duties in some concentration camps. These allegations have been refuted in Veryha's account of the Division.(42) There has not been, however, independent and adequate research carried out in Polish archives on the subject.(43)

In summary: While the allegations regarding commission of war crimes by the Division as a unit may call for further exploration, substantive evidence to support these allegations has to date not come forward. A more pointed if difficult avenue of investigation would focus on the background of individual members of the Division prior to their joining the Division.

The Division, May 1945-1948

After being integrated into the Ukrainian National Army on April 25, 1945, some 8000 members of the Division surrendered to the British forces on May 8, 1945. Following two years of internment in Italy as 'Surrendered Enemy Personnel', the members of the Division were transferred to Britain. In Britain they were treated as POWs until 1948 when they were given civilian status and utilized as 'foreign labourers' in agriculture and industry.

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Problems in screening of Ukrainians generally: The Allies did not recognize Ukrainians as a separate national group until the summer of 1947. According to a British directive of 29 December 1945, persons coming from the Ukraine were to be classed as citizens of the country in which they had their residence on September 1, 1939, and under the terms of the Yalta Agreement all such persons who had lived on Soviet territory as of September 1, 1939 were to be returned to the USSR.(44) It was therefore common practice for Ukrainian DPs and others who fell into the 'Soviet citizens' category to misrepresent their background so as to escape repatriation to the Soviet Union. Ukrainian and Byelorussian DPs had a particularly effective means to disguise their background and to avoid being handed over to the Soviets. In accordance with the Treaty of Riga (1921), the Byelorussian and Ukrainian lands had been divided between the Soviet Union (or rather its two future constituent republics, the Byelorussian SSR and the Ukrainian SSR) in the East, and Poland in the West. By posing as Western Ukrainians from former Polish jurisdictions, with whom they shared a common language and culture, Eastern (Soviet) Ukrainians might escape forcible repatriation. The success of this subterfuge usually depended on a name change, the adoption of a new Western Ukrainian birthplace, and a crash course on pre-war life in Poland. As Lubomyr Luciuk, who studied this particular question, noted,

> Many Eastern Ukrainians were saved by Western Ukrainians who coached them in the regional geography, customs and norms of Western Ukraine, reportedly training those subject to screening so well that some were able to recite the prices of common food items in Western Ukrainian villages, draw street maps of the same, and name local personages, such as the village priest.(45)

Having passed the UNRRA and IRO screening commissions, many DPs retained their new identities while immigrating to Canada, and, indeed, to this day. The prevalence of this practice can be

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judged from the fact that while 2,731 Ukrainians arrived in Canada between April 1947 and February 1948, only 19 gave Ukraine as their country of last permanent residence.(46) Those who had naively done so earlier in the camps were now back in the USSR, far from the nearest Canadian immigration office.

In addition to reluctance to live under a Communist regime, service in the enemy forces and, in some cases, war criminal background, would have provided compelling reasons for misrepresenting one's past: so as not to be sent back to almost certain death in the Soviet Union; and so as not be ruled ineligible for assistance from the international refugee agencies, or rejected by immigration officials from lands of potential resettlement.

Postwar screening of members of the Division: The group of Ukrainian SEP who surrendered to the British in May 1945 and who were screened by British authorities in Rimini in February 1947 included less than half of the surviving former members of the Division. G.R.B. Panchuk, an RCAF intelligence officer of Ukrainian descent who played a central role in relief and resettlement work on behalf of Ukrainian DPs in Europe, stated in a January 1948 memorandum on the Division that 2000 to 3000 members had been repatriated; 2000 to 3000 passed for civilians and joined the DPs in the camps; and 2000 to 3000 were captured by the Americans and then released.(47) It would therefore have been possible for a large number of former members of the Division to make their way to Canada via channels other than surrendering to and being screened by British authorities.

Also included in the group were persons who were not Division members at all, but who attached themselves to the group after the war. In a substantive ten-page memorandum pleading for the civilianization of the former members of the Division,

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Panchuk mentioned that "about 2000 or so stragglers, camp followers and workers from labour camps, etc., attached themselves to the unit in order to get across to Italy". According to the same account between ten to fifty of the members of the Division who surrendered to the British were remnants of the first Division, some having served in the 1941 legion.(48) These two groups could well have included persons who had earlier served in German-organized auxiliary police, militia and camp guard units.

In a May 1948 memorandum Panchuk suggested an even larger number of members of the Division who did not end up in Rimini but rather joined the DP stream for resettlement under IRO auspices:

> a large number of soldiers from the Division itself did not go to Italy but stayed behind in Austria. Of these about 5000 went straight into civilian life and became DPs, having joined with their families or relatives or friends who had also evacuated westward as refugees, while about another 3,000 were taken by the Americans as POW, kept as POW from a minimum of 6 months to a maximum of 1 year and subsequently released as civilians. These latter also became DPs and went into DP camps. Of those who went across to Italy and were subsequently interned in the SEP cage at Rimini, about 1,000 to 1,500 left the camp during the 2 years in Italy. Most of these made their way across the Alps back to Austria or Germany; others "settled" in Italy.(49)

It was only under false pretenses that members of the Division would have become DPs since UNRRA and the IRO did not regard them as eligible for assistance on the grounds that they had served with the Nazis. If any of these persons also had a war criminal background, this too would have been covered up in the process of

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misrepresentation. Those who did succeed in obtaining DP status could have entered -- and at least fifteen did enter -- Canada either as close relatives of Canadian residents or under the bulk labour programs, before the issuing of the government directives ruling on their admissibility in 1950 and 1951.(50) These former members of the Division would have benefited from the virtual non-existence of adequate screening in those years. Those released by the Americans could have followed similar channels towards Canada.

As for the stragglers, civilians and former Todt Organization forced labourers who attached themselves to the Division after its surrender, it does appear odd that by 1947 such persons would not have sought to obtain DP status and assistance from the international refugee agencies, and opted instead to remain attached to a group not eligible for such assistance. It could be argued, though, that such persons in fear of repatriation, would have welcomed to be under British protection and in the company of fellow countrymen.

It has been stated that American and Soviet officials screened members of the Division following their surrender to the British. The record indicates little interest on the part of the Americans in apprehending alleged war criminals who might have been claimed as Soviet citizens. The Soviets' primary interest, on the other hand, was to repatriate as many 'Soviet citizens' as possible. Haldane Porter, a British official in charge of screening members of the Division on behalf of the Refugee Screening Commission, reported in early 1947 that an official Soviet Mission had screened members of the Division as of August 1945 when they were camped at Bellaria in Italy. According to Porter, the Soviet Mission's

> primary object (was) weeding out all the Ukrainians who were not Soviet citizens according to the Soviet definition...Three hundred and ninety-seven officers and men who had claimed not to be Soviet citizens, were screened by the Soviet Mission and 127 of them

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> were passed as not being Soviet citizens and were forthwith removed from the Ukrainian camps (most of them are now back in it). The remainder were kept in the camp.(51)

Though according to Porter, the Soviet officials' task included identifying "the stubborn Fascist minority" in the camp, their primary aim was to repatriate anyone they could claim as a Soviet citizen. Soviet attempts in late 1946 to seek out war criminals, who allegedly were hiding out amongst the refugees or who were still in military formations then in British custody, met with stiff opposition from British and American officials.(52)

Haldane Porter's report provides a more detailed account of screening of the Division undertaken by the British for the first time in early 1947. According to Porter, none of the 8,272 male Ukrainians had been previously screened by any British authority and no British records either on individuals or of a general nature were available at the time. The British officials in fact assumed or were told that the Division was a Wehrmacht formation rather than a Waffen-SS unit.(53)

Documents collected by a former member and historian of the Division, Wasyl Veryha, indicate that shortly after the surrender of the Division to the British, its senior ranking officer, Colonel Krat, had provided an account of the Division -- written in Ukrainian under the date 20 May 1945 and translated into German -- to the British Command in Italy(54) The account was explicit about the Waffen-SS designation of the Division until October 1944, but emphasized the difference between the Waffen-SS and the SS. Accounts of the Division produced over the following two years were more reticent with regard to the Waffen-SS connection, perhaps as a result of awareness of the implications for resettlement purposes of such background. British officials in 1947, such as Haldane Porter, were still either unclear or unaware about the Waffen-SS designation, and Foreign Office officials in correspondence to Canadian immigration officials still insisted as late as 1950 that the Division was a Wehrmacht formation.

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Because of the large number of persons involved, the British officials in 1947 decided that individual screening was impossible and that only a cross-section would be questioned, according to nominal rolls and a history of the Division prepared for the British by the Ukrainian camp leader, Major Jaskewycz. Porter emphasized the fact that

> all these nominal rolls and the short history of the Division were supplied entirely by the Ukrainians themselves and that we had no information here of any kind against which they could be checked, and virtually none of the men had any identifying documents of any use, such as German Army pay books, though one or two of them had pre-war Polish civilian identity cards.(55)

It is indeed surprising that the Division members could not produce identification papers which would have been issued to them by the Germans who had kept careful records regarding their status and promotions, as is now evident from the archives of the Berlin Documentation Centre. Given that they were presenting themselves as Wehrmacht rather than Waffen-SS personnel, it could well be that they deemed it wiser not to present their military identification documents.

Questioning of the randomly selected cross-section from the nominal rolls was done through Ukrainian-speaking interpreters, who were themselves inmates of the camp. Individual statements were then checked against each other and against information supplied by Major Jaskewycz about the Division and its various units. It is clear from Haldane Porter's account that very little information was provided to the British officials regarding the earlier history of the Division -- to the point that Porter expressed surprise that

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> some of them stated that they had volunteered for armed service with the Germans as early as July 1943, whereas the 1st Ukrainian Division does not appear to have been formed until the late summer of 1944. Nineteen men were therefore selected for further questioning, which disclosed that they had been enlisted in the summer of 1943 in the 1st Galician Division or the 14th Galician Grenadier Division. As it was not clear from the interrogations whether this was one and the same Division or two separate ones, I questioned the three senior officers in the Camp on this point, and established that it was called by the Germans the 14th Galician Waffen Grenadier Division and consisted of three Infantry and one Artillery Regiments.(56)

Whether or not the aim of the Ukrainian officers was to camouflage the SS designation of the unit, the British screening officials were apparently not deceived:

> One of the officers of the 14th Galician Waffen Grenadier Division has stated that it was originally called by the Germans a Waffen-SS Division but the SS was dropped from its title, on the Ukrainians protesting, and that it subsequently became an ordinary German Army Division. It seems, however, to have had some SS training, which would account for some of its officers having given their ranks as Untersturmfuhrer, which is a SS rank and not an ordinary German Army rank.(57)

Nonetheless, Porter concluded that there were "no serious discrepancies" which emerged from the interrogations, "nor any particularly suspicious individual" amongst those interrogated. He reported that

> The general impression which we have formed of all the men in the camp is favourable, as they strike us all as being decent, simple-minded sort of people.(58)

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Security clearance for the Division as a group was advanced despite clear misgivings about the thoroughness of the examination:

> The men may be all or in part lying and even their names may be false. No attempt at cross-examination was made except where some obscurity or glaring discrepancy was revealed during the course of the interrogation, the work in fact which the screeners have done has largely consisted of taking down through an interpreter the men's answers to a limited number of set questions.(59)

Porter recommended several further screening processes:

> i) To see if any of the men listed in the nominal rolls figure in UNWCC or CROWCASS lists or have been specifically accused by the Russian or other government of War Crimes.
>
> ii) To see if any of the units to which the men belong have particularly bad war records.
>
> iii) To see if the short history of the various units and of the Division as a whole, as ascertained by interrogation, corresponds to the known facts about them. It might be possible to locate some of the German officers of the Division and have them questioned. None are known to be in this area.(60)

There is no indication that these recommendations were in fact followed. In any event (as discussed in Chapter I Part 2 of this report), virtually no names of Baltic or Ukrainian war criminals made it onto UNWCC or CROWCASS lists. Moreover, Porter presented a number of mitigating considerations in assessing any action in response to the men's service with the Nazis. Firstly, in his view

> they do not qualify as Soviet citizens because their place of birth and/or habitual domicile on 1.9.39 were in Poland, and they therefore by our

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> definition escape all punishment by the Russians for their having assisted the enemy; and they are not presumably eligible now for punishment by the Polish authorities because that part of the country from which they came is no longer part of Poland.(61)

Secondly, though most of these Ukrainians clearly volunteered their services to the enemy, Porter empathized with what he perceived to be their motives in doing so:

> a) The hope of securing a genuinely independent Ukraine.
> b) Without knowing exactly what they were doing, e.g., because other Ukrainians whom they knew had already volunteered.
> c) As a preferable alternative to forced labour, etc., or to living in Soviet-controlled territory.
> d) To have a smack at the Russians, whom they always refer to as "Bolsheviks".(62)

Porter was therefore favourably disposed towards the men and observed that "they probably were not, and certainly do not now seem to be at heart pro-German". Given their "exemplary behaviour" since their surrender and "the long time that has elapsed from the end of the war", Porter's recommendation was that they all be immediately accorded DP status or removed from Italy lest they be handed over to the Soviet government by the Italian government under an impending treaty.(63)

These were the considerations behind and the nature of the sketchy screening carried out for less than half of the members of the Division, in the group which surrendered to the British. In July 1947, Panchuk reported that other Ukrainian POWs then in German camps were to be transferred to the Ukrainian camps in the U.K.(64) The question arises as to the background of persons other than former Division members who were permitted to attach themselves and their histories to the Halychyna group in the U.K.

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An undetermined number of former members of the Division entered Canada with government approval first accorded in June 1950 but delayed until January 1951 in response to allegations made by the Canadian Jewish Congress that this was an SS unit which included war criminals. The 1950 war crimes allegations against the Division were countered by the statement from the British Foreign Office, based on Haldane Porter's 1947 screening report, that

> While in Italy these men were screened by Soviet and British missions and neither then nor subsequently has any evidence been brought to light which would suggest that any of them fought against the Western Allies or engaged in crimes against humanity. The behaviour since they came to this country has been good and they have never indicated in any way that they are infected with any trace of Nazi ideology.(65)

The Foreign Office at this time, when there was much pressure to get the Division members out of the U.K., was hardly a reliable source of information in this regard. British officials also appear to have cooperated with Ukrainian representatives in camouflaging the POW background of Division members. In a letter dated June 7, 1950, Panchuk advised an ex-SEP not to mention "in your identity papers that you were a POW; this was agreed with the Home Office; nor that you served in the German army".(66) As late as September 1950, misinformation at the Foreign Office about the SS nature of the Division persisted:

> This was also a Wehrmacht unit, an attempt made by the Germans to make it into an SS Division having apparently been resisted by the Ukrainians themselves.(67)

In order to present them favourably to Canadian immigration officials, British officials emphasized the anti-Communist motivation of the Division members and the absence of specific war crimes charges against them at that time:

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> Although Communist propaganda has constantly attempted to depict these like so many other refugees, as "quislings" and "war criminals" it is interesting to note that no specific charges of war crimes have been made by the Soviet or any other Government against any member of this group.(68)

It was not before the 1960s in fact that Soviet-sponsored literature, apparently for current Soviet purposes, presented specific war crimes allegations both against the Division as a unit and against individual members of the group.(69)

It was on the basis of the sketchy screening carried out by the British that the federal cabinet sanctioned the immigration of former members of the Division to Canada. Though government officials and the RCMP considered in the latter half of 1950 the allegations put forward by the Canadian Jewish Congress, this coincided with the relaxation of restrictions on the admission of Volksdeutsche and German nationals and a growing number of Waffen-SS cases, in particular Baltic and Volksdeutsche (discussed in Chapters V and VIII of this report). Moreover, the CJC's allegations and list of names proved to be vague and faulty with respect to specific information regarding the Division, as discussed below. There is therefore little basis for current statements suggesting that the Canadian government admitted members of the Galician Division only "after carefully ascertaining that no war criminals were among those wishing to come to Canada", and "after many screenings and much vetting of the division's history and membership".(70) From documents examined, it would appear that screening of the group by Canadian officials did not in effect go beyond reliance on the 1947 British reports and the reiteration in 1950 by the British Foreign Office of the results of these reports.

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Lobbying for admission to Canada, 1947-1951

Lobbying for the admission of the Division to Canada was initiated by the Central Ukrainian Relief Bureau (CURB) in July 1947. CURB had been organized in September 1945 under the joint sponsorship of the Ukrainian Canadian Committee (UCC) and the United Ukrainian American Relief Committee (UUARC) at the initiative of a group of Canadian servicemen of Ukrainian origin, led by G.R.B. Panchuk.(71)

CURB lobbied the allied authorities, on behalf of Ukrainian DPs, for relief assistance, for improved conditions in the camps and for resettlement abroad, in particular in Canada. This lobbying was regarded as essential since the Allies did not recognize Ukrainians as a separate nationality and therefore did not provide separate camps or committees for them. The implementation of the 'close relatives' and 'bulk labour' immigration schemes greatly facilitated the admission of Ukrainian DPs, and required only occasional intervention on the part of Ukrainian organizations. The focus then changed to lobbying for the one remaining large group of potential Ukrainian immigrants - the former soldiers of the Galician Division.

According to the IRO Constitution, the Division members were not eligible for assistance as they were in the category of ex-enemy personnel.(72) CURB therefore considered seeking assistance in the resettlement of members of the Division from the Vatican to whom many ex-Nazis and Nazi collaborators had turned for help after the war.(73) In November 1946 representatives of CURB met with the Apostolic Delegate in London to request that the Pope intercede with the Italian Government on behalf of the Division

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> so that when the Allies do withdraw the members of the division be given an opportunity to immigrate to the various countries rather than be forcibly repatriated...it was proposed... should an agreement with the Italian government fail, (that) they be made citizens of the Vatican State until such time when they may be able to immigrate.(74)

In December 1946, Panchuk wrote that

> It is very important to note that the Vatican is helping mostly those who are ineligible for help by the International Organization [IRO?]...the Vatican IS NOT repeat IS NOT confining its help to Catholics, but they are helping many others regardless of their religion. The Vatican is getting a very large quota of visas to South American countries, and we should make every effort to obtain as many of these for our S.E.P. and ineligibles who are in Italy, Austria and Germany.(75)

It is not clear from the documents consulted whether the Vatican in fact assisted Division members to resettle elsewhere, though Panchuk stated in later correspondence with Canadian government officials that a number of Division members had resettled in the U.S. and in South America.(76)

As lobbying to gain IRO assistance for Division members was not successful, CURB became instrumental in arranging the transfer of the Division's 8000 men from Italy to Britain in May-June 1947, so as to avert the threat of repatriation in the wake of an Italo-Soviet peace treaty. Designated as "Surrendered Enemy Personnel" in Italy, the Division members were reclassified in the U.K. as Prisoners of War and were temporarily put to use as agricultural labourers, replacing released German POWs.

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Panchuk, who negotiated with the Directorate of Prisoners of War on behalf of members of the Division, interpreted a request for information about the men's wishes for their ultimate disposal as an indication of "a common feeling and belief of the British authorities and the undersigned that Canada could provide the quickest and best solution..." by letting the entire group migrate in bulk.(77) Given the fact that Canadian government policy with regard to Waffen-SS cases was developing from 1948 on along the lines of the "individual merit" of each case, the approach taken by Ukrainian representatives to request admission of the group as a group probably constituted a major obstacle in the government's consideration of the request. Politically, the admission of an SS-affiliated group as a group was bound to be -- and indeed proved to be -- controversial.

In his memorandum on the subject, Panchuk relegated the issue of SS membership to a matter of perceptions:

> commonly referred to as 'Division Halychyna' [Galician Division] of the German Wehrmacht. The Communists have chosen to insist on branding this Division as an 'SS Division'.(78)

Instead he emphasized the anti-Communist motivation of its members, as well as the coercive nature of German recruiting methods during the latter part of the war. As discussed above, the fact that only 13,000 of the 100,000 men who came forward were called up to duty in the Division in the summer of 1943 indicates that the men had volunteered for service. Panchuk argued that in addition to being anti-Communist, the men were strong Catholics, of good 'peasant stock' which would make them good agricultural and industrial labourers, and very young. In fact, a profile of the men prepared by Panchuk indicated that more than half would not have been youngsters during the war.(79) Panchuk also stated that several hundred had relatives in Canada willing to sponsor them while the rest were simply in need of a new home, and concluded by suggesting that

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> all those who have close relatives in Canada should be granted permission to immigrate immediately...[The] Canadian Government should take a special interest in this entire group...These men would make a most fitting contribution now and in the future towards strengthening the Canadian position both in its anti-Communist desires and intentions, and also from the economic and manpower point of view.(80)

Reaction to this initiative was mixed. M.P. Fred Zaplitny (Dauphin), who lobbied on behalf of the Division in Ottawa, had some misgivings about assisting in the admission of persons who had served with the Nazis.(81) Panchuk reassured him by presenting the positive features of the Division and arguing that they were in fact mistakenly classified as POWs. At the same time Panchuk was lobbying British officials for the civilianization of the Division members on the grounds that Canada will not admit POWs.(82)

Reaction was also mixed among government officials. Leslie Chance of External Affairs believed that the Division veterans were neither admissible under the regulations nor "particularly desirable". The UCC had independently inquired about the possibility of allowing into Canada approximately 8000 Ukrainian SEP, misrepresenting these as persons "who had previously served in labour battalions under the Nazis". Keenleyside's reply was that it was not likely that anything could be done for the present since "we want to give a preference to those who did not take an active part in the war against us".(83) G.G. Congdon of the Immigration Branch, on the other hand, summarized the positive points about the Division and concluded that, if they were to be admitted, the number of Division members would not be excessive in terms of Canada's Ukrainian population.(84)

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Panchuk further assured Canadian government officials that after thorough screening the British authorities had no security or other objections to the group and were anxious to give every possible assistance for their immigration and resettlement. He again stated that some of these men were close relatives or friends of Canadian citizens prepared to offer any necessary guarantees or assistance for them. As discussed above, British screening of the Division was hardly thorough, but the British government was indeed, as Panchuk had indicated, anxious to resettle the group.(85)

The Canadian government, however, was hesitant. The Cabinet Committee on Immigration Policy made the following recommendation in September 1947:

> that regarding persons of neutral or allied nationality now seeking admission, the fact of having served in the armed forces of His Majesty's enemies during the war shall debar them unless they can establish that such service was furnished under physical compulsion.(86)

An important consideration at External Affairs was "the international situation which may result if we should admit these persons to Canada" -- in other words, a possible Soviet reaction, and the possibility

> that a number of these persons may be listed by the USSR as war criminals and indeed be war criminals according to our own standards(87)

After considering Panchuk's memorandum, the Cabinet Committee recommended on November 7, 1947 that External Affairs and Immigration Branch make further inquiries. The government's response was that nothing could be done about the Division since other groups of DPs had priority. (88) A.L. Jolliffe, the

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Director of Immigration Branch submitted on January 23, 1948 to the Cabinet Committee on Immigration a memorandum from External Affairs regarding Ukrainians in Europe seeking to immigrate to Canada. Two groups were discussed in the memorandum:

> a) approximately 8,000 who were formerly in the German army and held in England and b) approximately 26,000 who were held on the Continent who were largely former forced labourers in Germany.(89)

The Committee agreed that the Ukrainians referred to in group (a) should not be granted permission to migrate to Canada because they had served in the German armed forces.

In February, 1948, the UCC tried another more direct approach in asking MP W.A. Tucker to take up the case of the Division with the Minister of Immigration.(90) In March 1948 Jolliffe informed Panchuk that the Department could do nothing because under existing regulations the Ukrainians in Britain were considered inadmissible to Canada.(91) A May 1948 memorandum prepared by Panchuk was then circulated amongst Canadian government officials, reiterating arguments in favour of the Division: that a major motivation for service with the Germans was the illusive prospect of an "independent Ukraine; that recruitment was 'voluntary' in name only; that an agreement had been procured from the Germans that the Division would be used only and exclusively on the Eastern Front against the Russians"; that "politically they were almost violently anti-Communist and opposed to all forms of autocratic government".(92) In his new capacity as president of the Association of Ukrainians in Great Britain (AUGB), Panchuk informed the Immigration Branch about the impending civilianization of Division personnel, and took the opportunity to enquire once more "as to whether these men will become eligible for immigration to Canada in consideration of these most recent developments."(93) The answer to these repeated entreaties was negative, and so it was to remain for the next two years. The UCC's persistence irked senior officials at the Immigration Branch. Hugh Keenleyside went as far as telling

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the Committee's president, Rev. Kushnir, that "he had better not take any more steps for at least three months".(94) In response to Fred Zaplitny's inquiries regarding admission of the Division, Keenleyside replied in June 1948

> ...that they (the government) are doing a great deal for the direct victims of Nazi tyranny and that as Canada cannot accept everyone who wishes to enter the country and as a line must be drawn somewhere, it is appropriate to draw the margin dividing those who suffered from the enemy from those who whether wholeheartedly or not collaborated with him.(95)

Indeed, the relevant Immigration file contains no correspondence from UCC Headquarters for the period June-November 1948. The slack was taken up by Fred Zaplitny and continuing memoranda from Panchuk in London. To some extent, these memoranda were becoming more detailed and less reticent about the Division's wartime history, admitting and explaining its connection with the Waffen-SS.(96)

Panchuk's case was strengthened when the civilianization of the Division was effected in 1948. It was pressure from the British government, anxious to have at least some of the civilianized Division men emigrate, which finally brought about a review in October 1948 of Canada's policy towards them. According to Panchuk, the Home Office was in fact prepared to issue Division members with travel documents and all other facilities "in order to assist in the emigration of those persons who have a place to go to and for whom all other arrangements are made".(97) However, previous decisions to refuse admission were again upheld by the Cabinet Committee on Immigration Policy.(98) This steadfastness is striking, given the fact that it had already become practice, though not yet stated government policy, to admit "persons who had served in the armed forces of the enemy, after security is satisfied".(99) The reason stated by

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the Director of Immigration Branch for not applying a more lenient approach in this instance was that the Division members were not in the category of persons who served with the enemy under physical compulsion.(100)

As the efforts to secure admission to Canada for Division veterans dragged on into the third year, the patience of their Canadian Ukrainian advocates began to wear thin. Upon receiving yet another refusal from Ottawa, Panchuk replied:

> We regret this decision, because we consider it from every point of view unreasonable and a grave injustice...This decision will cause a strong reaction within the very large Canadian community which is of Ukrainian origin and we trust and hope that the matter will receive further and more favourable consideration.(101)

This was followed up with a letter to the Prime Minister's Office complaining of the Immigration Branch's discrimination against Ukrainians and general lack of consideration, and warning again that the government's approach would affect the attitude of the entire Ukrainian community in Canada.(102) Panchuk received a reply on February 14, 1949 confirming the earlier decisions of the Canadian government not to admit the Ukrainians because of their service in the German army. It was explained that this decision was based on the principle that persons of allied or neutral nationality who had voluntarily served in enemy forces should be excluded.(103) A mass mailing from the Association of Ukrainians in Great Britain, urging support for the Division's entry into Canada, included among its addressees branches of the Communist-oriented Association of United Ukrainians in Canada. The AUUC National Executive Committee reacted by writing to James MacKinnon, the Minister of Mines and Resources, and later to the Prime Minister

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assuring them of their Association's approval of the "sound government policy and decision reached in regards to members of the Division Halychyna".(104)

The formation of NATO provided the UCC with another opportunity to draw an analogy between the actions of right-thinking Canadians and the soldiers of the Galician Division. The Division, it explained, was created in exceptional circumstances in Eastern Europe:

> Those circumstances were the same as the ones that now induced the Christian and Democratic world to unite and defend themselves against the dangers emanating from the same sources, viz. the USSR.(105)

Although their appeal received some publicity, the government's response was once again negative. Internal government memoranda discussed the likelihood of "very great popular opposition to admitting persons who served in the enemy forces, excepting under unusual circumstances".(106)These considerations culminated in a Cabinet Document dated August 16, 1949 in which the Minister of Mines and Resources recommended that entry to Division members be denied. On September 16, 1949 the Cabinet confirmed the previous decisions.(107)

Change in government policy with regard to admission of the Division members occurred in March 1950. After the transfer of Immigration matters from Mines and Resources to Citizenship and Immigration in January 1950, the task of resolving the issue of Ukrainian Waffen-SS members seeking admission to Canada had fallen to Colonel Laval Fortier, the new department's Deputy Minister. On March 23, 1950, he reviewed Canada's past decisions in this matter with a view to the impending decision to admit Volksdeutsche DPs who had become German nationals during the war. This decision, he wrote, "would inject a new factor". Five

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days later, Orders-in-Council PC 1606 and 1608 opened the door to Volksdeutsche German nationals. One week after that, on April 4, a memorandum to Cabinet was drafted which recommended "that Ukrainians who were in the United Kingdom as prisoners of war be admitted to Canada notwithstanding their service in the enemy forces..."(108) The explicit rationale given for the change in policy was the admission of Volksdeutsche displaced persons. The first draft even contained a conclusion which suggested that if the recommendation to admit the Galician Division were to be approved, "consideration is to be given to the admission of Volksdeutsche displaced persons immigrants who served in the enemy forces". While this passage was deleted from further drafts, an April 11, 1950 memorandum from the Acting Deputy Minister to the Minister (W.E. Harris) again linked the admission of the Ukrainians from the U.K. with the admission of Volksdeutsche who served in the enemy forces. Volksdeutsche would be admitted regardless of whether they had served voluntarily in the case of those who did not become German nationals, and regardless of German nationality in cases where they were close relatives of Canadian residents. The Acting Deputy Minister noted that a contradictory situation would arise on account of this policy with regard to allied nationals who served voluntarily in the enemy armed forces -- "some we will admit despite such service, other we will reject on account of such service".(109)

Although the fates of the Division and the two categories of Volksdeutsche hinged upon each other, there is no evidence of any coordination of lobbying on their behalf on the part of the UCC and the CCCRR.

One day after the memorandum to Cabinet regarding admission of the Ukrainians in the U.K. was considered, the Cabinet agreed to defer the decision to allow the Ukrainians into

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Canada because of possible links with a reported Ukrainian terrorist organization in Berlin during the war.(110) A report was submitted on May 26 dismissing any connection between the Division and Ukrainian nationalist groups in Canada or with any Ukrainian or terrorist organization which had collaborated with the Nazis during the war. Officials were satisfied that the Division members were

> "...strongly anti-Soviet and if admitted to Canada it is likely that they would be absorbed into the various politically passive Ukrainian nationalist organizations here who were regarded as loyal to Canada and opposed to Communism."(111)

Two months elapsed before Citizenship and Immigration's recommendation concerning the Division went to the Cabinet for a decision. On May 31, 1950, the Cabinet agreed that

> Ukrainians, presently residing in the United Kingdom, be admitted to Canada notwithstanding their services in the German army, provided they are otherwise admissible. These Ukrainians should be subject to special security screening ...(112)

While the appropriate directive was being drafted and dispatched to immigration offices in Canada and overseas, MP John Decore, raised the question of the Division's admission as immigrants in the House of Commons. Walter Harris, Minister of Citizenship and Immigration, used this question as an opportunity to announce the government's change of policy, pausing only to express the hope that the Division veterans' sons might turn out "just as he [Mr. Decore] has". With regard to screening of the members of the Division, Harris admitted that

> ...We have investigated not individuals but the group as a whole and we are quite prepared to accept them provided they come within the ordinary rules with respect to immigrants, that is they might be agricultural workers, settlers and the like.(113)

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The years of letter-writing and lobbying on behalf of the Galician Division appeared to be over. The UCC was advised of the government's positive decision by John Decore in a letter which also pointed out that "this decision was possible largely through the help of the Ukrainian Canadian Committee and its representations made to the Minister of Citizenship and Immigration when the KUK [UCC] Delegation came to Ottawa a few weeks ago".(114) The way, however, was not yet clear for the entry of the Ukrainian Waffen-SS members. On July 4, 1950, Samuel Bronfman, National President of the Canadian Jewish Congress, conveyed to Harris the dismay of his organization at the government's decision to admit into Canada SS volunteers -- persons who were members of a Nazi organization declared criminal at Nuremberg. Bronfman stated that the CJC had information in their files disclosing that the Division had enlisted as volunteers in the German SS and requested "a careful and complete investigation of the alleged Halychyna association with the SS and in general the whole matter of clearance of this group". Harris replied that the government would in fact not give approval to the whole group but would give careful consideration to each applicant after the "most rigid screening". He stated that he was prepared to delay the approval of Division applications for a reasonable time so that the CJC could have the opportunity to send any pertinent information.(115)

Instructions were sent to London on July 7, 1950 to hold any actions regarding the Ukrainians. Screening of applicants continued but no approvals were granted until further instructions were received.(116) Samuel Bronfman thanked the Honourable Walter Harris for this delaying order and added that the CJC would produce a brief for the Minister regarding the Ukrainians.(117)

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The UCC, which continued to believe it had succeeded in clearing the Division, was soon perturbed by reports from across the country that applications were not being processed. No reason was given. By early August, vague reports of a new directive from Ottawa had reached the UCC, and it was only on August 23 that a letter explaining the situation went out from Winnipeg to the members of the UCC Presidium. The UCC resolved to take up the matter with the CJC on a confidential basis, so as to draw out any specific accusations without arousing community opinion.(118) Several letters were exchanged by the UCC, the Israelite Press and CJC divisional offices in Winnipeg and the CJC National Executive in Montreal. In the end, the CJC did not take up the UCC's offer to send a representative of the Ukrainian community to examine the documentation which the CJC claimed supported the charges against the Division. Feeling vindicated, the UCC sent copies of this exchange of correspondence to the Department of Citizenship and Immigration in January 1951.(119)

Meanwhile, Canadian government officials received the dispatch (discussed above) from L.D. Wilgress, Canada's High Commissioner in London, containing a brief history of the Division which appears to have been based on Panchuk's memoranda. The High Commissioner's account states that these Ukrainians resisted formation as an SS unit, fought only once, and, in particular, that no specific charges of war crimes had been made against them.(120)

The order-in-Council passed in September 1950, which lifted the ban on admission of Germans as enemy aliens, also provided further momentum for softening of policy with regard to admission of former Ukrainian Waffen-SS members. Harris wrote to Bronfman stating that he was satisfied with the further

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investigations made on the background of the Division, and that he intended to give approval to applications on hand and to continue the screening process of any applications received in the future.(121) New directives were issued on September 25, 1950 to the London office to proceed with the applications with the provision that the applicants would be subject to full security screening.(122) As discussed below, the few documents located for this report regarding RCMP screening of former members of the Division do not indicate thorough security screening.

Story of the CJC List: In September 1950, Bronfman complained to Harris that the CJC was not able to provide information on individuals, only on the Division as a whole, and that the government's approach focussing on screening of individuals was in disregard of the CJC submission. Bronfman maintained that the Halychyna Division was truly an SS formation in name, principles and actions, and that membership in it was voluntary. In addition, he cited two instances in which Jewish DPs recognized and reported fellow passengers with SS background with the result that the latter were interviewed and then released by immigration officials.(123)

In November 1950, the CJC submitted to the Minister a list of ninety-four names of people who were considered undesirable, even though aware that these names were not necessarily connected with the Division:

> While statements made in this portfolio do not directly mention the Halychyna Division, they may be of some use to us in our representations to the Canadian Department of Immigration, since they mention names and the Department of Immigration appears to be taking the attitude that it is considering each case individually.(124)

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These names were checked against the names of applicants from the Division who wished to settle in Canada. The names however were in many cases only surnames or common Ukrainian names. Only three names were checked in some detail including the name of subject N' who was already in Canada at that time and who in fact had no military connection with the Division.(125)

Subject N', popularizer of Fascist and anti-semitic ideas, was indeed regarded in an RCMP report as "not a desirable character", but he was regarded as presenting "no security risk", and therefore officials saw no specific reason for rejection of his status as a landed immigrant.(126)

While government officials heeded the CJC's request and did check the names on the CJC list against applications from former members of the Division, the CJC list in fact did not relate to the Division as such and not all the information conveyed by the CJC was utilized in the government's investigations. Research at the CJC'S National Archives has revealed the origin of the list. In response to requests from the CJC's Research Director (Louis Rosenberg), the Director Investigative Division, of the American Jewish Committee (Joseph Kellman), forwarded on July 13, 1950 to the CJC two memoranda entitled "Ukraine" and "Poland" listing persons who allegedly collaborated or committed atrocities. There is no suggestion that these lists related in any way to the Division.(127) "Ukraine, Part I" is subtitled "based on official publications and documents", while "Ukraine, Part II" is subtitled "based on eye-witness accounts of victims". Insofar as 'name' and 'activities' are concerned "Ukraine, Part II" is identical to the stencilled list prepared for R.T. Baldwin (Commissioner of Immigration) by his secretary, on the basis of particulars furnished the Minister by the CJC. However, the 'sources' section of "Ukraine, Part II", which was based on "eye-witness

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accounts of victims" and which, according to a CJC internal memorandum, consisted "largely of reports and lists prepared by committees of Jewish refugees", was dropped by Baldwin's secretary. In the original version, each name included a detailed account of the sources for the information regarding the alleged crimes. This information would have provided an avenue for obtaining from witnesses added particulars, including more specific details about activities, physical appearance, first names, and, possibly, association with the Division.(128)

Three individuals on the list named only by surname were alleged to have played key roles in the organization and perpetration of massacres in the Ukrainian towns of Delatyn and Nadwirna, in Lawoczne, in Obertyn and in Kossow. Records of application from members of the Division carrying the same surnames were reported to Immigration Branch. Because of the absence on the list of given names for these individuals, no further inquiries were carried out.(129) One person whose full name was the same as one on the list -- Subject G applied for admission in November 1951. The RCMP wrote to the Director of Immigration stating that

> particulars on the list are not sufficient to definitely establish his identity. We would appreciate if you would advise whether or not you can obtain any additional particulars so that a decision may be given.(130)

The response from Immigration was:

> I am afraid that we are not in a position to add anything to the information originally furnished. As explained in our letter of November 9th, 1950, the list was sent to the Department by the Canadian Jewish Congress and, presumably, contained all the information available to the Congress.(131)

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In fact, not all the information provided by the CJC was consulted -- such as the 'sources' for eye-witness accounts in Ukraine, Part II; nor was the CJC approached again for further particulars, nor were any other further inquiries made before admission of the individuals in question. As an illustration with regard to Subject G, alleged to have participated in the murder of Jews in Synowodzko, Ukraine, the source of the information was a war criminal list compiled by a survivors' group, "The Representation of Polish Jews in Palestine", which may well have been in a position in 1950 to bring forward witnesses who could determine whether subject G was identical to the person on their list.

The Directive for deferment of action on applications from Division members was in fact cancelled on September 25, 1950, and applicants were admitted according to regular provisions, "notwithstanding their services in the German army", though in principle requiring full security screening. District Superintendents could not, by this Directive, approve applications in Canada until clearance was received from the RCMP. A revision introduced in the Directives in January 1951 permitted District Superintendents to approve applications independently of security screening and to forward them to the U.K., though in the U.K. the applicants would in principle not be granted a visa before being cleared for security.(132) It would be reasonable to assume that an application already approved in Canada would present a stronger case for final approval in the U.K. Moreover, as discussed in earlier sections of this report, there was little substance and little motivation in Canadian security screening procedures for Nazi collaborators in the early 1950s (see chapter VIII above). By June 1953, Immigration Branch issued instructions to cancel the January 1951 Directive regarding the processing of Ukrainians in the U.K. because it was "obsolete".(133) Presumably, this entailed cancellation of any security checks on persons in this category.

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In Summary: Despite persistent lobbying from Ukrainian organizations and MPs, and despite urging from the British government that Canada admit the former Surrendered Enemy Personnel of Ukrainian origin, civilianized since 1948, the Canadian government held for two years to its decision refusing their admission. The likely reasons for this steadfastness were: 'ethnic preference' or discrimination against Ukrainians generally, given that approval was given for the admission of the Baltic Waffen-SS as early as 1948; the inescapable conclusion by government officials that the Ukrainian SEPs had been volunteers rather than conscripts, and the need to maintain at least for the sake of appearances, that this distinction was a determining one for Canadian policy; and the approach made to the government on behalf of the group as a group, making it difficult to pursue policy precedents for similar other groups based on the merits of individual cases. With the relaxation of policy with regard to Volksdeutsche, Germans and Waffen-SS generally, the government, with some hesitation, also approved the admission of Ukrainian Waffen-SS.

As discussed above, it is likely that at least some persons who had served with Nazi-sponsored Ukrainian police/militia units used in killing actions in 1941-1942 found their way into the ranks of the Division either before or after the Battle of Brody. Assurances from the British Foreign Office in 1950 notwithstanding, screening of the group by British officials was at best sketchy. Spurred by the Canadian Jewish Congress to strengthen security screening of members of the group not yet admitted to Canada, the government responded, though half-heartedly, and withdrew from further screening as soon as it was regarded as politic to do so -- in keeping with overall government policy minimizing the importance of security screening for Nazi collaborators.

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Chapter XII, Part 4

Presence in Canada of other Nazi collaborators from Central and Eastern Europe and their links with Western intelligence agencies and the Vatican

This section discusses the presence in Canada of a group of prominent political figures in Nazi Slovakia, and of members of a number of pro-Nazi groups directly involved in the deportation and massacre of Jews in their countries -- the Roumanian Iron Guard, the Royal Hungarian Gendarmerie, Latvian SD units under Victor Arajs, and other Eastern European Nazi collaborators. There is a developing body of evidence establishing links between these groups and Allied intelligence services after the war. However, apart from the particular case of one prominent Slovak leader supported by the Vatican, it has not been possible, on the basis of the fragmentary documentation examined within the scope and constraints of this inquiry, to determine whether persons belonging to these groups were assisted in their resettlement in Canada by Western intelligence agencies or by the Vatican.

Allegations that Western intelligence agencies actively assisted Eastern European Nazi collaborators to resettle in the United States, Canada, Australia and South America have been made by a number of writers, notably by John Loftus, a former prosecutor with the Office of Special Investigations in Washington. These allegations are discussed further in Part 5 of this chapter.

For most of the cases discussed in this section, it has not been possible to establish the specific circumstances of entry, other than for time and point of entry to Canada, place of departure in Europe, the source of funds for transatlantic passage, or destination in Canada. The broad policy framework which permitted the entry of Nazi collaborators (described in

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chapter VIII, pp. 256-260 of this report) indicates that as of 1951 only major and, more importantly, controversial cases warranted attention or discussion by Canadian authorities; that much importance was attached to whether representations on behalf of the applicant were made by Canadian residents; and that the Deputy Minister of Citizenship and Immigration rather than screening officials had the final word in deciding on admission in such cases. Entry of Nazi collaborators was further facilitated by the lifting of the enemy alien ban for nationals of Hungary and Roumania in 1947; by leniency and at times bypassing of guidelines with regard to service in the Nazi forces -- particularly for Balts and Volksdeutsche from Eastern Europe who had served in SS and Waffen-SS units (see pages 201-202 and 235-237); and by both the absence of information and the lack of motivation, as a result of Cold War considerations, in probing the background of Eastern European collaborators.

Presence of prominent Slovak Nazi collaborators in Canada

The presence in Canada of a substantial group of former Slovak politicians who had held prominent positions in the government of Nazi Slovakia has raised questions regarding the circumstances of their entry to Canada and the possibility that they were resettled in Canada by Allied intelligence agencies with which some of these people clearly had connections.(1)

The record shows that in the early postwar years Canadian officials were aware that members of this group had been Nazi collaborators, and opposed their admission to Canada as well as their requests for Canadian governmental support. From the summer of 1945 through the late 1940s, Canadian government officials and politicians received pleas from representatives of the Slovak community on behalf of Slovak nationalists, for intervention against the Czech regime which had requested the

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extradition from the Allied zones of occupation of several of their number on the grounds that they had committed war crimes and treason. External Affairs' position in July 1945 was that the Canadian government could not lend support to persons who had collaborated with the Nazis -- as stated by the Undersecretary of State for External Affairs, Norman Robertson, to the Prime Minister:

> No doubt, a number of sincere and simple-minded nationalists had supported the Tiso regime in good faith, but they could not expect the Allied governments to have too much sympathy for them in their present predicament.(2)

A further plea, signed by Stephen Roman, Chairman of the Canadian Slovak League, protested the arrest of those he himself characterized as "collaborationists and quislings" and requested in strong terms that Slovaks not be turned over to the Czech government.(3) External Affairs officials, however, assessed the group as "inflammatory" and recommended that the pleas on behalf of the Slovak collaborators be ignored.(4)

In October 1945, External Affairs advised that Canada bar Slovaks with passports from what the Department referred to as a "puppet regime established by Hitler". In 1946 the Director of Immigration again warned against letting in what he called "the notorious adherents of the Tiso regime". In late 1946-early 1947, Slovak spokesmen intensified their protests as a result of the death sentence pronounced by the Czech regime on former Premier Jozef Tiso and several other members of his government.(5)

External Affairs officials again advised that the group represented in these petitions was inflammatory and that the petitions should not be acknowledged. This position was maintained despite assessment in the Department that a major segment of the 29,000 Slovaks in Canada had probably been in sympathy with the Tiso regime.(6) It was noted by Canadian

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officials that similar pleas on behalf of Tiso and other Slovak Nazi collaborators were then being addressed by the Slovak Action Committee to the State Department in Washington, and were similarly negatively assessed.(7)

Immigration to Canada: However, whereas the U.S. government appears to have maintained through the late 1940s its stance not to support or admit Slovak nationalists who had collaborated with the Nazis, the Canadian government soon revised its position. Continued pressure from Slovaks in Canada and the respect at that time for militant anti-Communists persuaded the Canadian government to allow some 1,500 Slovaks, including a number of persons who had held prominent positions in the government of Nazi Slovakia, to enter Canada between 1948 to 1951.

Apart from high-ranking Slovak political leaders and officials, some 10,000 Slovaks had fled to the Western zones of Germany and Austria in 1945. Of these, one-half were repatriated to Czechoslovakia, leaving a hard core of 5,000 refugees. Their country's wartime alliance with Germany made Slovaks ineligible for assistance from UNRRA and, for a time, its successor, the IRO. This policy changed in late 1947, largely, it seems, as a result of lobbying by subject M (whose career is described below) at IRO Headquarters in Geneva.(8)

Canada's bulk labour immigration scheme, administered through the IRO, provided the primary route for postwar Slovak immigration to Canada. This is borne out by an exchange of letters between Jan Hurny, president of the Montreal branch of the First Catholic Slovak Union, a community fraternal organization, and C.E.S. Smith, Director of Immigration. In answer to Hurney's suggestion that Canada sponsor 377 Slovak

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political refugees, Smith responded that as they did not have close reltaives in Canada and as most were in IRO camps, they ought to apply for immigration under the bulk labour scheme.(9)

Several intellectuals who had been prominent in wartime Slovak life, including subject M, were able to secure teaching positions at Canadian Catholic universities such as the University of Ottawa and l'Université de Montréal. Another church-related institution favouring the Slovaks was the Catholic Immigrant Aid Society. In June 1950, the Society's Abbé G.-E. Brosseau wrote Deputy Minister of Citizenship and Immigration Laval Fortier, suggesting that little credence should be lent to Czech charges of "Germanism or Nazi collaboration...even when sworn to, especially if such declarations are made by a Czech informer against an aspiring immigrant of Slovak nationality." The abbé recommended instead that "such cases be studied in view of information furnished by the Slovak Social Committee of Salzburg..." (Salzburg was then the main centre of pro-Tiso Slovak émigré life in Europe).(10) There are no indications in the files examined by the Commission whether this intervention affected government thinking. However, subject M in his account of Slovaks in Canada notes approvingly that "Canada accepted hundreds of Slovak refugees without taking seriously the denunciations of their political adversaries".(11)

Intervention by the Vatican: The most prominent Slovak leader to make his home in Canada after the war was Karol Sidor, the organizer and first Commander-in-Chief of the Hlinka Guard -- the paramilitary arm of the Hlinka People's Party, established to take action "against opposition to the Party and to disseminate propaganda among the population."(12) Sidor also served briefly as Premier and Minister of the Interior of the Nazi Slovak State. However, his refusal to proclaim Slovak 'independence' under Nazi tutelage led the German Nazi leadership to force him

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out of office in 1940, following which he was appointed ambassador of Nazi Slovakia to the Vatican, a position he held throughout the war years.

The Vatican in January 1946 petitioned the U.S. Secretary of State to the effect that some 35 Slovak refugees "who fled to Western Austria to escape the fury of the Communists...be transferred from a concentration camp at Salzburg and be given safe asylum in some other country".(13) It was pointed out in the petition that Karol Sidor had attested that these people were never Nazis nor persecutors of Jews. In fact, the group included well-known political leaders of Nazi Slovakia, where anti-Jewish restrictions were introduced in the first months of "independence" after March 1939, and were greatly intensified after the Salzburg conference of July 28, 1940, culminating in a major wave of deportations in 1942, when 60,000 Jews were deported to the Auschwitz and Lublin death camps.

Sidor was admitted to Canada only after the direct intervention of Pope Pius XII with the Prime Minister, Louis St. Laurent. On August 2, 1949, the Apostolic Delegate to Canada wrote to Louis St. Laurent, "submitting...a case recommended by His Holiness the Pope", on behalf of Carlo Sidor (Karol Sidor), which the Vatican believed to be very

> urgent since, considering the delicacy of his situation, it is not opportune for Mr. Sidor to protract his residence in the Vatican any longer; while, on the other hand, he cannot settle down anywhere in Europe without undergoing serious inconveniences and vexations.(14)

The reasons why Sidor could not settle anywhere in Europe were not specified, but alluded to in a manner that made it clear that it was Sidor's Nazi associations which made his resettlement in Europe difficult. The Prime Minister then intervened directly with Deputy Minister Hugh Keenleyside, directing that the

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obstacles to admitting Sidor be overcome and that processing of the case be expedited, as a delay was embarrassing for him because of his promise to the Apostolic Delegate.(15)

Keenleyside, clearly uneasy, emphasized the difficulty of obtaining security clearance for Sidor because of his past activities and writings. After pressure was applied by Immigration Branch, Sidor was reluctantly cleared for security by the RCMP. "It is only the fact that Mr. Sidor has been approved by the Apostolic Delegate that has resulted in a favourable decision at this time", Keenleyside noted.(16) After security clearance was obtained, Keenleyside pointed out that

> the case will be submitted to Council immediately for the waiving of the regulations which would otherwise make his admission impossible.(17)

Sidor entered Canada in February 1950, and until his death in 1953 was the recognized leader of the Slovak emigré community in Canada, which included, in addition to subject M, other prominent Nazi collaborators, such as: Karol Murin, former political secretary to Premier Tiso; Matus Cermak, Slovakia's ambassador to Nazi Germany and first commander of the Hlinka youth; and Konstantin Culen, Propaganda Minister in 1939-1940 (later editor of the newspaper "The Canadian Slovak").

Collaboration with the Nazis and postwar links with Allied intelligence services: Subject L, against whom the UNWCC had established in 1946 a prima facie case charging him with "being responsible for the decrees authorizing the establishment of concentration camps in Slovakia", was sentenced to death -- in absentia because Allied authorities could not find him, despite repeated Czechoslovak requests, listing on UNWCC lists, and U.S. government authorization for his being surrendered to Czechoslovak authorities upon capture.(18) Declassified documents from the Central Intelligence Corps and the Federal Bureau of Investigations indicate that subject L hid out at the

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Vatican, managed to avoid capture in Rome, where he had set up the Slovak Action Committee -- a political lobby group which agitated for the re-establishment of an independent Slovak Republic, and later emigrated to Argentina from where he continued to direct the affairs of the Committee.(19) Apparently, he was assisted in emigrating to Argentina by Kim Philby and Eva Peron, and then worked directly for British intelligence which shared information obtained from subject L with the State Department.(20) Subject L, who until his death in 1974 was a key figure in the direction of Slovak nationalist/anti-Communist organizations -- a significant part of which was and is centred in Canada -- became a U.S. resident. The General Accounting Office report issued in June 1985, which corroborated allegations that American intelligence agencies used Nazi collaborators after the war in order to further anti-Communist objectives in Europe and then assisted some to immigrate to the U.S. (discussed in part 5 of this chapter), recorded the following on the career of subject L:

> a former East European collaborator who held several cabinet positions including Minister of Interior, was a wanted war criminal, and was admitted as an immigrant to the United States in the late 1950s. The government allowed his immigration despite full knowledge of his background and despite having rejected his entry on two prior occasions. In 1946 the United Nations War Crimes Commission found merit in the charges against this individual and listed him among its wanted war criminals. In 1947 a pre-Communist East European country's court found him guilty in absentia and condemned him to death.
>
> Upon learning of his U.S. entry, a C.I.A. official contacted the Department of State to inquire how this individual could have gained U.S. admission in light of his background. A Department official replied that this individual's visa application had engendered considerable discussion. However, regardless of

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> his background and the opinion of some in the Department of State that this admission was not in the public interest, the visa officer and the consulate found nothing substantial upon which to base a visa refusal.(21)

The Slovak emigré community was divided, until 1961, at least, into two factions: the Slovak National Council Abroad under the leadership of Sidor (until his death in 1953), and the Slovak Action Committee (later the Slovak Liberation Committee) headed by subject L. The Slovak National Council Abroad was established in 1948 at the Vatican. According to an account by subject M, the lobbying efforts of well-connected post-February 1948 Czech exiles resulted in the withdrawal of American support for the Council and unwillingness to accept the Council's leaders as immigrants to the U.S.(22) In 1949-1950, however, the Council's leading members moved to Montreal where they established the headquarters for their organization. With a view to uniting Slovak emigrés under his leadership, subject L visited Canada on a three-month visa in December 1950 en route from the U.K. to Argentina. Officials at External Affairs were made aware of subject L's war criminal record in a lengthy telegram from the Canadian High Commission in London, relaying information from the British Foreign Office. The Foreign Office letter stated that subject L was on a list of war criminals wanted by the Czechoslovak government, and that

> because of his record and of the consternation which his admission to the United Kingdom was bound to cause amongst the Czechoslovak emigration here, we have much regretted the fact that he was granted a visa in Buenos Aires as a result of an administrative error. This visa expires on the 12th December, and we have taken steps to ensure that it will not be extended and that no further United Kingdom visa will be granted to him.(23)

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The RCMP was alerted to subject L's background after his arrival, but he was not deported. The Undersecretary of State for External Affairs (A.D.P. Heeney) advised the Director of Immigration on the very day of subject L's arrival in Montreal that

> While this Department (External Affairs) holds no strong views on **subject L's** temporary admission to Canada on a visit, we should like you to inform us should **subject L** apply for an extension of his visa. There is a possibility he has not yet left the United Kingdom. In that case you may wish to invalidate his visa. If this is the case please let us know in order that suitable instructions may be sent to the High Commission in London.(24)

Yet, he was to visit Canada again, openly and on a number of occasions, over the next two decades, without hindrance. The purpose of his visits was to meet with former colleagues in the government of the Nazi-supported Slovak state, persons now residing in Canada, and to address Slovak associations in Canada -- in particular, the Slovak National Council Abroad and the Canadian Slovak League, and in the early 1970s, the Slovak World Congress headquartered in Toronto.

It is noteworthy that the lawyer who wrote on behalf of the Canadian Slovak League refusing this Commission of Inquiry access to the League's papers deposited with the National Archives in Ottawa, is pictured in 1971, in a Bulletin of the Slovak World Congress, in consultation with subject L.(25) The Slovak World Congress, founded in 1970 by Stephen Roman, has been under the direction and vice-chairmanship of subject M. Slovak nationalism is the primary theme permeating the Congress Bulletins; an added colouring, harking back to the World War II period, is perhaps indicated in the commemoration in the 1980 issue of the Bulletin of the centenary of the birth of Dr. Vojtech Tuka (Prime Minister of Slovakia during the major wave of deportations of Slovak Jews to the death camps in 1942, and later Minister of External Affairs). Included in the Bulletin's eulogy of Tuka was the euphemistic statement that he had been "for a

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very close cooperation with Berlin...and for a radical solution of the Jewish Question".(26) Tuka was hanged in August 1946 for treason and war crimes. The Canadian Slovak organizations described above have openly maintained continuity with the regime in place in Nazi-sponsored 'Independent Slovakia'. In the version of history of wartime Slovakia presented by their spokesmen, as stated by subject M,

> In the eyes of the Slovak people, President Dr. J. Tiso and members of the Slovak government were condemned and executed not as war criminals, but as symbols of Slovak independence".(27)

Subject M, in Canada since November 1949, had been a prominent figure in Slovakia in 1939 and 1940. As Commander of the "Academic Hlinka Guard", which catered to university students and radical young nationalist intellectuals, and then as Secretary-General of the Hlinka Party from March 1939 to July 1940, subject M would have played a prominent role in establishing in Slovakia the political and legal regime of discrimination and dispossession of Jews, a regime which set the stage for later deportations and mass murder. Subject M himself does not stand accused of direct involvement in these latter crimes which occurred when he was out of the country. (According to his own account, he was forced by political opponents and the Nazi German leadership to resign from his position as Secretary-General of the Hlinka Party in July 1940; from June 1941 to the end of the war he served with the Slovak diplomatic missions in Rome and in Switzerland.) However, documents from the period do implicate his office directly, while he was Secretary-General of the Hlinka Party, in the promotion of concrete action with regard to the seizure of Jewish businesses and property. It was during subject M's tenure that seminars were conducted by the government on the confiscation of businesses and property owned by Jews and that a series of government decrees set out to define Jews for purposes of discrimination and limited their participation in the political, social and economic life of the country.

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Throughout this period and after the war as well, Subject M was in frequent contact with subject L. Subject M's own links with Allied intelligence are recorded as early as January 1944 in a report from Bratislava on the reshuffle of Slovak diplomats, which states that subject M, while representing Slovakia in Berne, "is doing intelligence work for the Allies and acts as a go-between for mail going to England and the USA from Slovakia".(28)

In 1946-1947 subject M represented the Slovak League of America at the IRO, and played an important role in assisting in the resettlement of Slovak refugees in Italy, Austria and Germany. He applied for admission to Canada while in Rome and arrived in Halifax in November 1949. There is no indication in the documents examined that British or American intelligence agencies assisted in his immigration to Canada, though it is most likely that Canadian security screening officers would have relied on British and American sources for clearing a prospective immigrant of Eastern European background.

The documentation examined for this report does not suggest involvement of Western intelligence agencies in the resettlement of Slovak Nazi collaborators in Canada. The patterns of internal rivalry between the two main factions of the Slovak emigré community in the early postwar years, would have made coordinated cooperation unlikely, and there was ample opportunity after 1948 for entry to Canada with the regular immigration stream so that assistance from intelligence agencies would not have been necessary.

It remains that after being rejected for immigration to the U.S. in the late 1940s, a number of leading political figures from Nazi Slovakia settled in Canada where they established the headquarters of Slovak emigré organizations.

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The Roumanian Iron Guard

Background: The Roumanian Legion of the Order of the Archangel Michael, also known as the Iron Guard, was a pro-fascist, ultra-nationalistic and anti-semitic movement and party, active in pre-war and wartime Roumania. Founded by university students in the late 1920s, the movement gained wider support in the 1930s. The Iron Guard instigated anti-semitism in its newspapers, held conferences and student rallies that were often accompanied by anti-Jewish riots in which synagogues and Jewish newspapers and shops were destroyed. A prominent figure in the group was Viorel Trifa, the leader of Bucharest's student movement, who delivered speeches about the advent of the New Order and the need for action against 'the Jewish evil'. In 1938 Roumanian King Carol II suppressed the movement, and the founder/leader of the movement, Corneliu Codreanu, was arrested and murdered in prison. Horia Sima, who replaced him as leader, joined with Army General Marshal Ion Antonescu in a successful coup ousting King Carol II, and in September 1940 the Antonescu Sima coalition proclaimed a "National Legionnaires State" which immediately enacted legislation to eliminate the Jews of Roumania from economic, political and cultural life. From June to September 1940, Iron Guard members carried out mass slaughters of Jews in Moldavia.

Following the German occupation, the Iron Guard had established close links with the SD -- the foreign intelligence branch of the Nazi SS, in particular with Otto von Bolschwing, the chief of the SD in Bucharest. (Bolschwing later worked for the Gehlen organization until 1949, at which time he was recruited by American intelligence services, for whom he worked until 1954 when he came to the United States). Hitler, however, suppported Antonescu, a committed enemy of the Iron Guard, to head the Roumanian government. It is alleged that British

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intelligence backed extremist splinter groups in Roumania, such as the Iron Guard in order to drive a wedge between Axis allies.(29) In January 1941, Sima and Trifa, with the help of other Iron Guard members organized an abortive coup against Antonescu, which was accompanied by rioting and massacres in the Jewish quarters of Bucharest and in the countryside. The Iron Guard rebels occupied the Prefect's office and some police stations in Bucharest where atrocities were committed. Antonescu quashed the rebellion; Sima and other leaders fled the country under the protection of the SD.

Following the outbreak of war against the Soviet Union, the German forces and Antonescu's police, joined by Iron Guard elements, committed further atrocities against Jews, particularly in Jassy in June 1941 and in other parts of Moldavia, claiming some 10,000 lives. A number of Iron Guardists, including Trifa were convicted in absentia by the Roumanian government for "armed resurrection" and/or "rebellion against authorities".

Trifa and other Iron Guard legionnaires were kept in 'protective custody' by the Germans in Berlin (where Trifa had the leisure of enjoying nearby health spas), and then in a special section of Dachau concentration camp until August 1944. Trifa then became secretary of the patriarch of the Roumanian church in Vienna where he also maintained contact with Sima's government-in-exile. After the collapse of Germany and Austria in May 1945, Trifa was arrested briefly by the Russians. He then settled in Italy where he took on a teaching position at a missionary college and joined the 'Forul Legionnaire', a group led by another Legion leader (Constantin Papanace) headquartered in Rome and financed by the Vatican.

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Despite a January 1950 U.S. army report listing his activities with the Iron Guard, Trifa was admitted to the U.S. in July 1950 under the provisions of the Displaced Persons Act, signing an affidavit that he had never advocated the persecution of anybody because of race, religion or national origin. Though he had never taken Holy Orders, Trifa was made Bishop Valerian Trifa in 1952 and became a prominent figure of the Roumanian Orthodox Church in America. This development was made known to Dr. Charles Kremer, a New York dentist of Jewish Roumanian origin, who for the next twenty years pursued the case of Trifa, badgering attorney generals and Immigration officials until, finally, in 1982 deportation orders were issued against Trifa. After some difficulty in finding a country which would accept him, Trifa settled in Portugal in 1984. Horia Sima, for his part, has been living in Madrid from where he has been disseminating Legionnaire literature and maintaining contact with Iron Guard members in the United States and Canada.

There have been allegations about the presence of some fifteen former Iron Guard members in Canada, residing in Toronto, Hamilton and Windsor. Information about at least seven of these individuals was contained in recently declassified documents from the early 1950s, released by the United States Displaced Persons Commission and by the Federal Bureau of Investigation under the U.S. Freedom of Information Act.(30)

A Counter Intelligence Corps document, dated 16 January 1950, gives an account of the Iron Guard Legionnaire movement, mentioning that the Allied authorities jailed many Legionnaires in Germany for anti-Allied activity and German collaboration, but liberated them soon after. Of the different groups, the document singles out the one headed by Horia Sima as the best organized, the most numerous and the most powerful. The document states that many Legionnaires had found employment with the western

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powers in Europe, especially with their information services, and that Horia Sima headed an "enviable information centre" at his Legion headquarters in Paris.(31)

A May 18, 1953 FBI document on the career of Viorel Trifa states that Trifa was at that time Honorary President of an organization in Canada believed to be called "Iron Guard Party of Roumania". The document refers to some 14 displaced persons, who formerly served under Trifa in the Iron Guard movement, who attend regular meetings in the parish of the Roumanian Orthodox Church in Toronto.(32) A later FBI document, dated April 6, 1954, refers to an informant (whose name is whited out) who advises that Trifa was attempting to infiltrate Roumanian Orthodox Church parishes with priests who were former members of the Iron Guard.(33)

At least four of the Iron Guardists said to have resided or to be residing in Canada were priests -- subjects H, I, K and O. The career of one of these three, subject H, is recorded in an FBI document dated April 6, 1954. Subject H, according to this document, had been living in Hamilton and Montreal and was about to take on a position as pastor of a Roumanian Orthodox Church in St. Paul, Minnesota. The 1954 document quotes an informant, whose name is whited out, as saying that subject H was a sub-lieutenant under Trifa who participated in the January 1941 rebellion at Bucharest which culminated in the slaughter of 6,000 Jews; and that he later became an official in the Roumanian government in exile in Vienna.(34)

Another priest, subject I, was affiliated with the St. George Roumanian Orthodox Church in Willowdale before he died in an automobile accident in November 1983. He had been known in the Toronto Jewish community as a distributor of anti-Semitic and neo-Nazi literature. Documents released by the United States

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Displaced Persons Commission dating from 1950 and 1951 confirm subject I's membership in the Iron Guard, his work as an interpreter for the French Military Government in Austria from 1946 to 1950, and his rejection for admission to the United States before finding his way to Canada.(35)

The most publicized Iron Guard case in Canada concerns a Windsor resident, subject J, who was at the Bucharest police station during the June 1941 revolt and massacres, and who was sentenced in absentia, together with Trifa and several other Iron Guardists who settled in Canada, for taking part in the revolt.(36) He too was kept in "protective custody" while the Nazis maintained relations with the Antonescu government as an ally against the Russians. After Roumania switched allegiance to the Russians in August 1944, the Nazis released the Iron Guardists. Like Trifa, subject J then joined the Iron Guardists who had established a government-in-exile in Vienna, and in February 1945 he joined a Division of Roumanian nationalists who fought against the Russians. In 1949, subject J, who had been living in France along with other Iron Guardists, travelled to Argentina. In 1952 -- the same year that Trifa was named Bishop of the Roumanian Orthodox Episcopate of America -- subject J arrived in Canada as a landed immigrant under the sponsorship of a priest of the Roumanian Orthodox Episcopate Church in Windsor who was also a former Iron Guardist -- subject K. According to the May 18, 1953 FBI document, subject K too was accused of committing atrocities in Roumania in 1941, and of being a leading organizer of the Iron Guard in Canada.(37)

It would appear, then, that Trifa was using the Roumanian Orthodox Church to keep the Iron Guard movement alive in parishes throughout the United States and Canada, whether through the appointment of priests or otherwise. According to a 1972 Official Church publication,

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> the Episcopate inaugurated a program of theological training in this country and of recruiting parish priests from among Roumanian Orthodox priests who left Roumania after World War II due to the communist takeover in Romania. Most of the priests who took refuge in Europe or on the American continent were given a chance to serve under the jurisdiction of the Episcopate.(38)

At least seventeen of the forty six priests listed in the publication are said to have been linked to the Iron Guard.(39)

> Subject J has been referred to as
>
> perhaps the most important man in the worldwide resurrection of the Iron Guard. As treasurer of the American legionnaires, he collects the contributions from the American nests and personally delivers these monies to Sima in Spain.(40)

Testimony before the Commission also indicates that subject J has served as a focal point for the dissemination in North America of contemporary Iron Guard literature, which still propogates fascist and anti-semitic ideas.

According to a 1983 feature in the Windsor Star, an Iron Guard member in Detroit (now deceased) who had left the group described Iron Guard meetings which took place, often in churches, in the United States and Canada: members repeat the oath of allegiance to Sima and exchange Nazi-like salutes; masses are held in memory of fallen legionnaires and altars are adorned with Legion flags; anti-Semitic literature is distributed, and money is collected for Sima. According to the article, the Legion's newsletter, Tara Si Exilul, published by Iron Guard leaders in Spain, describes meetings at various U.S. venues, including Detroit's St. Nicolas Roumanian Orthodox Church.(41)

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Immigration of Iron Guardists to Canada: As of 1947, the enemy alien ban was lifted for Roumanian nationals. Therefore, there would not have been any particular restriction on the admission of the Iron Guardists, most likely processed in the same way as other Roumanians. Those Iron Guardists who came in as priests most likely had security screening waived for them altogether (see page 194 above).

In the U.S., fascist and pro-Nazi groups such as the Iron Guard were listed as 'organizations inimical to the United States' and members of such organizations were, in principle, deemed to be undesirable as immigrants. According to Canadian immigration regulations, however, individuals belonging to such groups when their background was known would have qualified as 'collaborators', for whom immigration was restricted only on the grounds of 'moral turpitude', a factor most unlikely to be elicited in the course of an interview with the individual or in standardized questioning on immigration forms. (See discussion on guidelines and practice with regard to admission of Nazi collaborators at pages 256-262 above).

In connection with one of the principal themes explored in this chapter -- the postwar links between British, American and French intelligence agencies, and former Nazis and Nazi collaborators -- it is noteworthy that the recently released FBI and other American documents indicate that Iron Guard members worked for the information services of western powers after the war, and that United States intelligence services had knowledge of the Iron Guard background of those members living in Canada, some of whom had been rejected for entry into the United States. However, given Canada's lenient policy with regard to admission of Nazi collaborators in the early 1950s and afterwards, when most of these Iron Guardists entered Canada, it would not have been necessary for them to receive special assistance from western intelligence agencies for their resettlement in Canada.

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Members of the Royal Hungarian Gendarmerie and the Hungarian Arrow Cross in Canada

The Arrow Cross Party was the most extreme of the Hungarian Fascist movements in the 1930s. Headed by Ferenc Szalasi after 1938, the Party followed Nazi patterns, promising social reforms in the fascist vein and a 'radical solution of the Jewish question'. The Party remained a marginal grouping throughout the war years, but when Admiral Horty announced Hungary's withdrawal from the war in October 1944, the Arrow Cross seized power with military help from the Germans. Until February 1945 when it capitulated to the Soviets, the Arrow Cross government enforced a regime of terror and, in close collaboration with Eichmann and Veesenmayer, precipitated the deportation of Hungary's Jews to the death camps. Three-quarters of the Jewish population (some 565,000 people) perished, almost all of them in the war's final year, and in full view of the world.

The Royal Hungarian Gendarmerie, in existence since the 19th century, became the tool for the enforcement of anti-Jewish laws throughout Hungary from 1939 to 1945. In January-February 1942, the Gendarmerie, under orders from the Hungarian Royal Army, killed over three thousand Jews and Serbians in what came to be known as the Danube River Massacre. The key officers responsible for the massacre were subsequently punished by the Horthy government. As of October 1944, with the Arrow Cross in power, the Gendarmerie was made responsible for the rounding up of Jews from the countryside, for guarding them in ghettos and camps, for confiscation of their property, and for supervising their deportation by cattle trains to the death camps.

There have been allegations about the presence in Canada of individuals who had actively supported or were members of these groups. The individuals in question came to Canada

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prior to, with, or following the 1956-1957 wave of Hungarian refugees admitted to Canada (discussed in Chapter VI above). The cases described below illustrate the process by which prominent Nazi collaborators were able to gain entry to Canada and to remain in Canada, often despite knowledge of their background by Canadian officials.

Two former members of the Arrow Cross Party, subjects D' and E', who held prominent administrative positions with the Szalasi regime, came to Canada in 1951. Within two years of their admission (and possibly earlier) their Nazi background was known to RCMP security screening officials.

In December 1953 Inspector Kelly, in charge of Security Visa Control in London, informed RCMP Headquarters that according to a British source a request for a U.K. visa was refused to subject D', then resident in Canada, on the grounds that he was

> a member of the Arrow Cross Movement, the Hungarian Nazi Party which collaborated with the Germans, and, according to a report of 1950 still fosters the most violent Nazi ideals. He was appointed Lord Lieutenant of Sopron during Ferenc Szalasi's short-lived Arrow Cross dictatorship in 1944, and after the collapse of German resistance fled with the retreating German army in Austria, where, in fear of extradition as a war criminal, he enlisted among the European Volunteer Workers in order to find safety in England.(42)

The source further stated that the Arrow Cross Movement in Britain was so small-scale that in order to survive

> its followers have had to join other less unpopular right-wing groups such as the Association of Hungarian Warriors, now called the Comradeship of Hungarian veterans. **Subject D'** and some 30 of his followers did join this

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> group, but in view of their bad record the leaders of the Comradeship asked them in 1950 to withdraw from the organization as they did not wish it to become discredited in official circles because of such Nazi members.
>
> As the highest-ranking ex-official of the old Arrow Cross Movement **subject D'** should have been the rallying point for Hungarian Nazis in this country but he preferred to keep in the background and allow one of his faithful henchmen to do most of his propaganda work.(43)

The Canadian Visa Control in London could find no record of the subject's emigration to Canada in November 1951, and therefore sought information from RCMP Headquarters "so that we may check the investigation that should have been made here."

In 1958 an Interdepartmental Committee approved subject D' for citizenship, stamping its approval on the very document citing the information regarding the applicant's background which had been addressed to Kelly in December 1953. The comment accompanying the approval was that the applicant and his wife had not come "to adverse notice since their arrival in Canada".(44)

In the second case, subject E' who was sponsored by the IRO, passed stage B and left for Canada in October 1951 with a French travel document and with a letter of introduction to the Superintendent Région Est, Montreal. In April 1952 France's Sureté Nationale began to make inquiries about whether Subject E' had come to Canada after receiving information that he was alleged to "have been a Nazi functionary who had taken a false identity". After making further inquiries, the Sureté Nationale was reported "unable to find trace of any suspicious activity on his part".(45) However, in January 1961 the RCMP received information through the Canadian Jewish Congress that a number of Hungarian Jewish immigrants in Toronto had identified subject E' as

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> a former military governor of Miskolc in Hungary during the Nazi Regime. He is alleged to have been responsible for the deportation of some 600,000 Hungarian Jews to Germany, in conjunction with the extermination program of Adolf Eichmann. It is reported that he was tried in absentia by an Hungarian court after the war and was sentenced to death.(46)

Government officials expected that the case would soon be publicly exposed, "possibly at an opportune moment in connection with the trial of Eichmann scheduled for March 1961".(47) In response to inquiries regarding the identity and background of subject E', the Chief Visa Control Officer in Paris cabled Ottawa with information received from a French source, largely confirming the CJC's allegations. The information indicated that subject E' had retreated with the Germans from Hungary in January 1945, that he had obtained a visa at Fribourg, Germany with which he entered France in May 1947, where he stayed until leaving for Canada in October 1951. According to the information received from France, the Sureté Nationale in 1949 distributed 'lookouts' at the request of the Hungarian government which sought the arrest and extradition of subject E' as a war criminal, as an active member of the "Croix-Flèches" at Miskolc, Hungary, "responsible for arrests, tortures and execution of many patriots in Hungary during the last war", who was able to escape to France "due to false identity".(48) As a result of this information and the expectation that Hungarian Jews in Canada would soon publicize the case, the RCMP conducted further investigations and an extensive interview with Subject E'. Further information was then received from the RCMP post in Germany that subject E'

> was arrested by U.S. Forces in Germany in July 1945 as the suspected "Kreisleiter" (a leading Nazi functionary in a country) in the Miskolc area. He denied the charge claiming that he had worked for Hungarian government in a factory. He held a card or some type of documentation

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> apparently substantiating his claim. He was released by the U.S. Forces in November 1946.(49)

According to a statement made by subject E' to the RCMP, he had been taken in 1945 by the American CIC to a camp at Moosburg where he remained for ten months. During this period he claims never to have been interviewed by the CIC about his background. It was only after he had been transferred to Darmstadt, where he stayed for eight months, that he was interrogated:

> It was obvious that they had investigated my background...Approximately three months following this interrogation an American major informed me that as I was not a Nazi I was to be freed. I was sent by the Americans to Freissing where I was given employment by the American Army for a period of six months.(50)

The approach of the Americans with regard to Nazi collaborators at this time is indicated in a description by subject E' of the last hearing he had received at Darmstadt:

> Only one American officer received me and he had only one question. Would I consent to fight the Russians.(51)

He was then asked if he would be willing to be employed by the American Military Mission as a civilian. According to subject E', French authorities then protected him against possible extradition to Hungary:

> When I arrived in France the French Military Commander told me to change my name as the Russians would consider me a war criminal and ask for my deportation. I therefore took my mother's maiden name...I have never changed my birth date. I used this name so that the French police could write back to Hungary that they never heard of me.(52)

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The RCMP interview with subject E', included a 23-page statement outlining his career from 1926 to 1951, which according to the RCMP implicated him "more deeply in the Hungarian Nazi movement and confirms to a large extent charges made against him": that he had worked with the Hungarian Secret Police throughout the 1930s, that he was a member of the Arrow Cross/Hungarista Movement until 1939 and then served as a Secret Police agent in a munitions factory investigating Communist activities; that in the spring of 1943 he was appointed by the government to evacuate the north-east district of Hungary; that he rejoined the Hungarista Party, Miskolc branch in September 1943 and became leader of the Hungarista Party at Miskolc after the German occupation of Hungary in March 1944; that in October 1944, when Szalasi became Prime Minister and the Hungarista Party was in power, he took over the administration of government at Miskolc and was in charge of evacuation of Nothern Hungary. The autobiographical account prepared by subject E' for the RCMP in 1961 also showed that after ten years residence in Canada he had remained obsessively and unrepentantly anti-semitic.

On the basis of the inquiries and autobiographical statements, the RCMP had little doubt that subject E' "collaborated with the Germans and must have participated in the Jewish program".(53)

In the RCMP's view

> The only means by which we can now pursue this matter further would be to obtain through the Canadian Jewish Congress the names of certain Hungarian Jewish immigrants of Toronto who reportedly have knowledge of **Subject E'**. (54)

However, given RCMP policy in 1961, instructions received were against any such action.(55) Subject E' died in Canada in 1973.

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A third former member of the Arrow Cross who came to Canada via Argentina in 1955 -- subject F' -- had been the publisher of an anti-semitic daily in Hungary from 1941 to 1943, and subsequently, the owner/editor of a pro-Nazi periodical. He continued publishing work in Canada, apparently in a similar vein. Budapest municipal court files indicate that he was indicted as a war criminal in July 1945 and sentenced to three years in prison by the National Council of Peoples Courts in August 1947.

Research regarding the presence in Canada of members of the Royal Hungarian Gendarmerie included the examination of one archival collection of papers of a recently deceased individual, subject G', who had held a senior rank in the Royal Hungarian Gendarmerie.(56) A request for access to the collection of a second prominent former Hungarian Gendarme -- subject H' -- received no response. Reference to subject H' in the papers of subject G' indicate that he was a leading organizer of veteran Hungarian gendarmes in Canada. It was later discovered that subject H', a captain in the Gendarmerie who emigrated to Canada in 1951, died in 1985 leaving a collection of photographs and artifacts, including pistols which belonged to members of the Royal Hungarian Gendarmerie. The collection was exhibited in 1986 at the Hungarian Canadian Cultural Centre in Toronto, arousing strong protests, from the Jewish community, as to the appropriateness of a public exhibit celebrating a group noted for its role in persecution, brutality and genocide.(57)

Subject G', who had joined the Gendarmerie in 1935 and also attained the rank of 'captain', entered Canada in 1963. Invitations to veterans conferences contained in his papers reveal the presence of some twenty former Gendarmes in Canada who held regular meetings in Calgary, Toronto, Montreal and in the U.S. with fellow Gendarmes who had settled there. The collection

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also includes a diary kept while in prison in the immediate postwar years which describes the "cruel interrogations" by some woman official regarding his alleged actions against Jews during the war, the necessity of staying alert so that he does not alter the facts of his statements when awakened at 2:00 a.m., and his pleasure at having "outfoxed" the interrogators. The collection also contains some anti-semitic notes regarding Jewish Hungarian refugees in Canada seeking to join Canadian Hungarian cultural organizations.

One case of a member of the Hungarian Royal Gendarmerie investigated by the RCMP concerned subject N', commandant of the ghetto in Szeged, accused on strong grounds of direct involvement in the deportation of the inhabitants of Szeged to Aushchwitz. German authorities informed the RCMP that since this person was not a German citizen nor a German official, they had no cause to investigate. Hungarian authorities informed the RCMP through External Affairs that:

> this person was tried in absentia on January 28, 1948, and was sentenced to five years forced labour, plus total confiscation of goods and property as well as suspension of civic rights for ten years. In 1975, a review tribunal declared that the sentence had lost its validity and was no longer implementable. Therefore, this person could not now be jailed. The Hungarian authorities have no further interest in this individual.(58)

This Hungarian gendarme entered Canada in May 1951 as a landed immigrant from Bremerhaven, Germany, with his passage paid by the IRO.

Allegations from survivor groups in the 1970s led to media coverage of the case, which in turn led to a legal suit against the television network which aired a program making the allegations against subject N. The plaintiff discontinued his action against the television network in September 1986 on the

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grounds of ill health, but the judge ordered that he pay all costs incurred, including costs for interviewing and videotaping some 16 witnesses from abroad.

Repercussions of the presence in Canada of persons committed to fascist and anti-semitic ideas have taken the form of anti-semitic writings in some Canadian ethnic publications. In July 1959, the editor of a Hungarian language weekly in New York, which declared itself anti-communist and anti-fascist, wrote to Prime Minister Diefenbaker about "the re-establishment of the 'Hungarian Legion', a murderous Hungarian Nazi Fascist gang in Canada", which printed a Hungarian monthly in Montreal carrying "anti-democratic and anti-semitic propaganda".(59) More recently, the Solicitor General and the Commission have received excerpts of anti-semitic articles published in Canadian Hungarian, Roumanian and Lithuanian newspapers.

Alleged war criminals of Lithuanian, Latvian and Estonian descent:

Note: The Commission of Inquiry has been refused access to Lithuanian Canadian archival collections held at the Public Archives in Ottawa.

Apart from the irregular immigration of the Estonian and other Baltic 'boat people' (described in Chapter VI above), and the minimal screening conducted for groups of Latvians who came to Canada from South America in the mid-1950s (discussed in Chapter VI and X of this report), war criminals and Nazi collaborators of Lithuanian, Latvian and Estonian descent had considerable facility in entering Canada with the general postwar DP immigration stream. A recorded incident in September 1947 (described at pages 201-202 above) indicates that SS tattoo marks were not a bar for Balts entering Canada under the bulk labour scheme. Members of Baltic Waffen-SS units were formally admissible as of 1948 if they had joined after December 1943 and screening guidelines advised officers to disregard SS-tattoos in

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such cases (see Chapter VIII. above). This guideline did not prevent some Balts who had enlisted prior to December 1943 from entering Canada as early as 1949 (subject M' for example).

An examination of the landing records of a sample of 26 alleged war criminals of Latvian, Lithuanian and Estonian descent -- subjects A^3 to Z^3 -- indicates that 25 had entered Canada between 1947 and 1953, mostly under IRO auspices, and one came from Argentina in 1956.(60) The possibility of war criminal background for these persons does not appear to have been an issue for Canadian officials. As stated by subject I^3, who was a member of a Lithuanian police battalion involved in major killing actions in the summer/fall 1941 in the area of Kaunas, and in the fall/winter of 1941 -1942 in the areas of Minsk, Borisov and Slutsk in Byelorussia: Canadian officials did not ask about service in police units, but rather about skills and occupation. Another person of Latvian descent -- subject V^3 -- was rejected by U.S. immigration officials in 1950 on account of information alleging that he had been "mobilized into the Latvian Legion in February 1940", that he had been "responsible for the murder of Jewish inmates of a concentration camp located at Tosno, Latvia", and that he had served with the SD in Latvia in 1941.(61) While it was stated that there was no evidence then available to either prove or disprove the allegations, "due to inaccessibility of records and geographic area of applicant's former residence", he was still rejected for immigration to the U.S. in July 1950, but was able to leave an IRO resettlement centre at Ludwigsburg in September 1951 en route to Canada. It is noteworthy, too, that subject V^3 served as an "Assistant Movements Officer" for the IRO at the Fellbach DP camp in Germany between 1948 and 1951, with responsibility for assisting in the processing of other DPs for resettlement, even while he was on a rejection list for immigration to the U.S. on account of alleged war crimes.(62)

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Six of the Latvians in the sample examined have been alleged on strong evidence -- at times by their own admission, though disclaiming personal participation in killings -- to have been members of the "Arajs" execution squads. Victor Arajs, a Latvian with legal training and police experience, was appointed by the Germans as the organizer and commander of the Latvian SD units in July 1941, a post which he held until the end of the war. While German units took part in the massive "cleanup" of the Riga ghetto and in the extermination of Jews brought in from Germany, the Latvian SD units operated in all major towns and in the countryside, beginning with the July 1941 mass shootings in the Bikernieki forest on the outskirts of Riga. When the majority of the 'undesirable elements' in Latvia -- Jews, Gypsies, 'communists' and anyone opposed to the Nazis -- were eliminated, the Latvian SD units under Arajs were sent on missions outside Latvia -- to Lithuania, Poland, the Ukraine and Byelorussia.

German documents corroborate the role of the Latvian SD units. A draft report of Einsatzgruppe A for the winter of 1941-1942 listed a toll of 70,000 Jews killed in Latvia.(63) Einsatzkommando 2 of Einsatzgruppe A which operated in Latvia was augmented throughout this period by the Latvian Auxiliary Security Police, which consisted of the SD units under Arajs.

Arajs was sentenced to life imprisonment for war crimes by a West German court in December 1979.(64) In the course of the trial proceedings, evidence came forward with regard to the actions of the Latvian SD units and the role of individual members of the units.

Most of the information and testimony regarding the six Latvians in Canada alleged to have been members of the Arajs units emanated from Soviet sources.(65) After the Arajs trial in

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West Germany in the late 1970s, checks with German records have established service with the SD in the 1941 to 1942 period for at least two subjects -- J^3 and S^3 -- alleged to have been members of the Arajs units. Another -- subject Z^3 -- admitted that he was present as an armed guard at sites where executions had taken place, but claimed not to have personally participated in the shootings. Had Canadian screening officers carried out proper checks with German records, the wartime service with SD units of some of these individuals would have come to light and according to guidelines at the time they would have been inadmissible to Canada.

There is a strong possibility that persons who were processed and admitted to Canada as former members of the Latvian Legions (Waffen-SS) -- with regard to whom there was considerable leniency -- could have been members of the SD units which participated in mass killings prior to their enlistment in the Latvian Legion. They would have joined the Legions individually, or may have been incorporated as a group into Schutsmannschaften which were then integrated into the Legions, or were integrated directly as SD groupings with Arajs into the Legions.

According to authoritative historical accounts, various Latvian Schutzmannschaften were integrated into the 15th and 19th Latvian (Waffen-SS) Legions.(66) In at least one case examined - subject J^3 -- an individual who had been a member between July 1941 and January 1943 of the Latvian Selbschutz, associated with the SD, then served with the 278th Latvian Schutsmannschaft Battalion until July 1943, and then with the 15th Latvian Waffen-SS Division, being promoted to First Lieutenant in October 1944.

It has been claimed by members of Latvian resistance groups that the Arajs units,

> including concentration camp guard units and special units, were transferred to Germany, where one battalion, with Arajs as its

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> commander, was made part of the 15th Division. The other elements of the Arajs group joined Latvian combat units directly or through additionally formed battalions. After the war they were made prisoners of war just like the innocent, forcibly drafted legionnaires.(67)

The former Inspector General of the Latvian Legion -- subject X3 -- testified at an OSI inquiry that he had met Arajs himself in a POW camp after the war. The argument has been put forward that the only route to the POW camp where subject X3 found himself at the end of the war was through the surrender of the Latvian Legion, and that therefore, at some point, the Arajs group must have been incorporated into the Latvian Legion. Subject X3 in fact denied incorporation of Arajs men as a group, but stated that persons from Arajs group may have joined the Legion on an individual basis.(68)

According to Latvians who state that theirs was a resistance to both the Nazi and Communist occupations of their homeland, a large number of former members of the Latvian SD units managed to immigrate to the U.S. and Canada.(69) After merging with the populations of the POW and DP camps, it was in fact easier for Arajs men to emigrate to North America than for ordinary members of the Latvian Legion, since they did not bear the SS tattoo marks. In particular, it is claimed, these war criminals have succeeded in merging with the large number of former members of the Latvian Legion who for the most part had been conscripted, in an association called "Daugavas Vanagi" ("the Hawks of the Daugava"), headquartered in Munster, West Germany, with branches in the U.S. and Canada.

According to members of the Latvian resistance groups, it is these former members of the Arajs SD units who have recently engineered the American Latvian community's campaign against the OSI -- a campaign which in their view is contrary to the community's interests.

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Other Nazi Collaborators in Canada

Byelorussian: A July 1956 Citizenship Branch factsheet describing the Byelorussian community in Canada stated that among the approximately 4000 Byelorussians who came to Canada after the war were some followers of Radislav Ostrowsky.(70) Ostrowsky, who was the highest-ranking Byelorussian Nazi collaborator, worked with British intelligence after the war and then immigrated to the U.S. where he lived until his death in 1979.(71)

Research regarding the entry of Byelorussian Nazi collaborators to Canada was limited by the fact that it has not been possible to obtain access to any Byelorussian Canadian archival collections. However, RCMP documents indicate that in 1962 it was brought to the attention of the Force that a Soviet trial of concentration camp guards in Byelorussia had named two Byelorussians resident in Canada as active participants in the execution of civilians during the war. According to the Soviet press account of testimony presented at the trial, one of these individuals, subject P'

> helped form a "Byelorussian National Defence Force", consisting of hired thugs to be used against the civilian population and partisans, and "who knew all about the atrocities, and actually incited them"...(72)

It was also alleged that subject P' "in 1951-1952 had recruited agents for the American espionage service amongst Byelorussian emigrés in Western Europe."(73) In investigating another individual, the RCMP was led to make inquiries about subject P', in the course of which it was ascertained that

> he is an anti-communist and active in Byelorussian Nationalist circles. It was suggested that he had collaborated with the Germans during the Second World War and that he considered this part of his life a closed book.

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> The implication was that he would be unlikely to supply any useful information on anyone who might fall into the same category.(74)

In the course of an interview with subject P', the RCMP investigator in fact found that subject P' was "either unable or unwilling to supply information" on another subject alleged to have collaborated with the Nazis, but noted again his membership in a Byelorussian anti-Communist group.(75)

Ustashi: The Ustashi were members of the extremist Croatian nationalist movement who under Nazi sponsorship established the "Independent State of Croatia" in April 1941, with Ante Pavelic as chief of state and prime minister. In the years which followed, the Ustashi collaborated with the Nazis in the liquidation and deportation of hundreds of thousands of Serbs, Jews, Gypsies and political opponents, gaining a reputation even in German Nazi circles for sadism.

As a result of links with the Vatican and the Cold War environment, Ustashi war criminals had particular facility in evading retribution after the war. Recently declassified CIC documents indicate that American intelligence was aware in the late 1940s of the Vatican's role in hiding and facilitating the escape and resettlement of Ustashi, the most prominent of whom was Pavelic himself, but that Pavelic's Vatican contacts were so high that it was feared that any apprehension of him would "deal a staggering blow to the Roman Catholic Church."(76)

In addition to assistance from Croats at the Vatican, the Ustashi evasion of justice was greatly facilitated by the fact that the Allies were reluctant, for Cold War reasons, to hand them over to the Communist Yugoslav regime. After Yugoslavia had petitioned for the extradition of some 18,000

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Ustashi, the British Undersecretary of State for Foreign Affairs announced in 1948 that his government would assist in the cases of only nineteen, "who rendered such signal service to the enemy that it would be difficult if not impossible for us to justify a refusal to consider surrendering them."(77) Included among these was Pavelic and Andrija Artukovic, the Minister of Interior under Pavelic who had direct responsibility for the Croatian government's genocide policies. As for the others wanted for war crimes, the view expressed was that: "We propose to take no further action and we will not now accept any fresh requests for surrender. We feel that it is time for this matter to be brought to an end."(78)

The career of Artukovic illustrates the indifference of the Allies in apprehending Ustashi. Released after being captured by the British in Austria in 1945, Artukovic entered the U.S. in 1948 under an assumed name. When his identity was disclosed, extradition and deportation proceedings were instituted against him, in the course of which his wartime role in bringing about the death of hundreds of thousands of people was exposed. Incredibly, after seven years of proceedings, and the reversal by the Supreme Court of several court decisions which had characterized orders for mass murder as "political" crimes, Artukovic was neither extradited nor deported. He was finally deported to Yugoslavia in 1986, following proceedings inititiated against him by the OSI. The determining factor in favour of Artukovic was prevailing opinion in the 1950s against extradition to a Communist country and in favour of encouraging anti-Communists.

Though it is known that many Ustashi found safe haven in Argentina, Australia and the U.S., it has not been possible from the records examined for this report to determine the number

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of Ustashi who may have been included among the 15,000 Yugoslav immigrants who entered Canada between 1946 and 1955.(79) In line with the approach adopted by Britain and the U.S., the Canadian government ignored extradition requests from Yugoslavia in the early 1950s for at least three alleged war criminals.(80) While denunciations of Croatian nationalists in Canada on the grounds that they had committed war crimes were received by External Affairs and the Prime Minister's Office in the 1950s, it was not until the 1960s, when Croatian extremists calling themselves Ustashi gained notoriety through acts of terrorism, that there was expressed concern about the possible immigration to Canada of Ustashi.

Aftermath: As in the United States and Britain, a determining consideration shaping policy and attitudes particularly in the 1950s, with regard to Nazi collaborators from countries which after the war were ruled by Communist regimes was the passion with which these persons professed anti-Communist sentiment.

The former Nazi collaborators who have established in Canada the veterans organizations or branches (described above) appear to have retained a toned-down version of the fascist and racist elements which characterized their ideologies and actions during the war years. Occasionally, these elements are manifest in the foreign-language publications put out by these organizations. In the Canadian atmosphere, however, their presentation is generally one of singleminded anti-Communism.

The RCMP's interest in the 1970s in maintaining files on alleged war criminals was, in this context, also one which turned on the issue of Communism: the concern was that a Communist regime in possession of incriminating information on an alleged war criminal might make use of this to pressure the individual into service against the West.(81)

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Recent investigations have brought to light the fact that former Nazis and Nazi collaborators have regrouped and rebuilt their networks and kept alive their ideologies, at times linking with terrorist organizations in South-East Asia or with Latin American death squads, while participating in umbrella anti-Communist organizations such as the World Anti-Communist League (WACL) and the Anti-Bolshevic Bloc of Nations (ABN).(82) Some have succeeded in rising to positions of prominence within the emigré communities in their adopted countries, and have been in the forefront of the dissemination of revisionist histories of the war years in their countries of origin, and in campaigns to influence current public opinion against resuscitation of the war-criminals issue.

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CHAPTER XII: Part 5

Role of American and British Intelligence Agencies in the Resettlement of former Nazis and Nazi collaborators: Canadian aspects

Following considerable attention by the American media in 1982 to allegations that British and American intelligence agencies had assisted in the resettlement of former Nazis and Nazi collaborators in the United States and elsewhere after having utilized their services, and that special government programs were in place for this purpose, inquiries were initiated, in response to requests from the Solicitor General of Canada, into the possibility that the Canadian government was similarly involved in such programs.(1) In response, the RCMP Security Service reported that

> a review of files maintained by the Security Service and Federal Policing Branch failed to turn up any evidence suggesting that former Nazi government officials were allowed to enter Canada under some type of special arrangement similar to that undertaken by the United States at the end of World War II.(2)

Revelations in early 1983 about the direct involvement of the American government in the escape from justice and the resettlement in South America of Klaus Barbie led to further inquiries from the Solicitor General to the Commissioner of the RCMP as to whether any war criminals were settled in Canada with the knowledge, support or cooperation of the Canadian government. (3) After looking into the matter further, the RCMP's Federal Policing Branch stated in an April 1983 brief that as a result of heavy reliance by Canadian visa control officers on checks with Allied intelligence agencies, it would have been a relatively simple matter for these intelligence agencies to assist alleged/suspected war criminals to come to Canada in exchange for past services:

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> The person could have applied to immigrate to Canada under his real or assumed name with the appropriate documentation being arranged by the intelligence agency. When our Visa Control Officer subsequently requested a check through the intelligence agency, he would have been informed only that there was no adverse record concerning this person or no record of suspected/alleged war crimes at all. The prospective immigrant would then be passed the security screening and subsequently issued a visa to immigrate to Canada.(4)

The RCMP's conclusion, however, in June 1983 -- a conclusion which in the event needed to be corrected (see below) -- was that "there was no known effort on the part of Canadian officials to recruit or assist in the resettlement of persons known to be suspected war criminals", and that policies and directives in effect after the war were designed "to ensure that suspected war criminals would not be permitted to enter the country."(5)

Canadian government involvement in matters of this nature would likely have been monitored by the security and intelligence division of the Department of External Affairs which occupied a senior position on any boards or committees dealing with security/intelligence issues relating to defectors and relocation of foreign agents. If there was Canadian knowledge of a British or American role in the resettlement of former Nazi and Nazi collaborators in Canada, it should then have rested within the Defence Liaison division of External Affairs ("DL-2" after 1950, headed by G.de T. Glazebrook from 1948 to 1954, G.G. Crean from 1954 to 1957, Hamilton Southam from 1957 to 1959, and John Starnes form 1959 to 1962).

The Commission's request for information on this matter from External Affairs, whose current intelligence division houses the DL-2 archives, has brought forward testimony and documentation corroborating an account, already documented by the RCMP in 1983, regarding the role of American intelligence in the

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early 1950s in pushing Eastern Europeans with false identities through the immigration stream to Canada. The particular episode is discussed below (at pages 454-461). Another case documented by the RCMP, involving an alleged war criminal from Yugoslavia, shows both the involvement of American intelligence and knowledge and concealment by Canadian officials of incriminating information regarding the individual's background (discussed below at pages 464-469). However, there has been little in the documentation made available hitherto relating to the possible involvement of British intelligence in the resettlement of former Nazis and Nazi collaborators in Canada. It should be noted that internal RCMP memoranda, at the time when Corporal Yetter of the Federal Policing Branch was investigating the allegations regarding the role of American and British intelligence, refer to the disappearance in the early 1970s of files relating to the subject of Nazi war criminals and to the reconstitution of a 'false docket' on the subject.(6)

There are both practical and policy problems involved in following up the story of the role of Western intelligence agencies in the resettlement of Nazis who were rendering or had rendered service. It is a role which the American government has been reluctant to discuss, as demonstrated in the gradual piecing together of the story, following immense pressure from the public and Congress, in the 1978 and June 1985 reports by the General Accounting Office (discussed below) and in the 1983 report on the U.S. government's links with Klaus Barbie. According to John Loftus, a former prosecutor with the Office of Special Investigations in Washington, large numbers of American documents relating to the subject remain classified. Given the likelihood that British activities would have been marked by Communist infiltration of the British intelligence network (Kim Philby appears to have played a role in the recruitment of former Nazis), the British would regard the

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story and related details as sensitive. John Loftus alleges that American, British and Canadian intelligence had entered an agreement that any disclosures on the subject must first be cleared with Britain.

The author of this report was specifically discouraged by Commission Counsel from researching these allegations further on the grounds that the task was an impossible one, and not properly the work of the Commission. The documentation available which bears on this question was indeed sparse, and the time available to collect and analyze material on more immediate issues was very limited. Nonetheless, aspects of the allegations do appear to have some foundation, and the issue calls for further research.

That British and American intelligence services recruited and utilized persons from various anti-Communist groups, including from fascist, Nazi-inspired groups, in order to further their interests in the conflict with the Soviet Union is an established fact, widely written about in the open literature and solidly confirmed by governmental and other documentation.(7) The Vatican and the British in particular had strong intelligence links with these groups in the years prior to the war; links were reforged in the postwar period as soon as Nazism ceased to be a threat. Recently declassified U.S. Army Counter-Intelligence Corps documents provide further corroborative detail of the role played by intelligence agencies and by the Vatican in arranging safe passage for alleged war criminals following the war.(8) The focus of this segment of the report is on the narrower question of whether British and American intelligence agencies assisted in the resettlement in Canada of such persons who had rendered them services, and if so, whether this was done by means of a

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systematic program, with the knowledge and cooperation of Canadian authorities, or whether by means of deception they succeeded in infiltrating such persons into Canada through conventional immigration channels, without the participation or indeed awareness of Canadian authorities.

A relationship of trust and a sense of common cause would have made Canada vulnerable to possible abuse by American and British government agencies. As early as December 1945, F.T. Baldwin, the Canadian Commissioner of Immigration agreed to an American request to changes in the procedure of dealing with enemy alien visa seekers from the U.S. The changes adopted in order to expedite such cases permitted district offices of the American Immigration and Naturalization Service to bypass the Canadian embassy in Washington and to deal directly with Immigration Branch in Ottawa. In Baldwin's view, the Immigration Branch would be "satisfied that if they are granted pre-examination by the United States authorities they would be clear from a security point of view". Baldwin noted further that the Immigration Branch had "not reported any of these cases to the RCMP and they would not be interested".(9) Two years later an MP wrote to the Director of Immigration about a controversy in the press

> ...in connection with the practice of admitting to the United States persons of political affiliations contrary to our concept of Democracy, and others with criminal records. Apparently these people have gotten into the United States on a special permit for the duration of the war and now that the war is over they are given a preliminary examination in the United States and have been sent to Canada on permits which will enable them to re-enter the United States. While in Canada they make application for a permanent visa.

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> Some of these people are admitted members of the Nazi party and others, I am informed, have criminal records. The two above-named have been mentioned in the newspapers as being undesirable from the political point of view.(10)

Alluding to a conflict between the U.S. State Department and the U.S. Consulate in Windsor with regard to this matter, a Canadian immigration inspector stated that

> in the past, our officers have apparently not questioned very thoroughly with a view to establishing whether he (the prospective immigrant) had a criminal record, as it would seem that in cases where the United States Immigration authorities were prepared to admit such individuals to the United States, they would also be admissible to Canada, as those regulations relating to persons who might be considered as coming within the prohibited classifications are much the same in both countries.(11)

Perturbed more by the controversy generated by the matter than by the substance of it, the inspector stated that

> until columns presently appearing in the press cease, it would be well for this Service to strictly enforce the letter of the law, and you will note that in this instance I have recommended dismissal of appeal.(12)

In the late 1950s, the Director of Immigration decided on similar grounds that no security screening was needed for U.S. citizens wishing to emigrate to Canada, the justification being that if an individual was a threat to Canada, he would more than likely be considered a threat to the United States.(13)

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Apart from immigration directly from the U.S., the reliance of Canadian authorities on British and American intelligence sources for checks in Europe on prospective immigrants to Canada in the decades following the war provided a distinct opportunity for abuse of this reliance in instances where British and American intelligence agencies were also assisting in the resettlement of persons who had rendered them services -- persons who needed such assistance because most likely they would have been ruled undesirable under Canadian immigration guidelines. This particular flaw in the immigration screening system was recognized in the 1981 report on "Freedom and Security under the Law" produced by the Commission of Inquiry Concerning Certain Activities of the RCMP:

> There is a danger in the immigration screening process of placing too great and uncritical reliance on foreign agency information. The information received must always be carefully analysed in the context of the political circumstances of the country providing it. No foreign agency should be considered a 'reliable source' in the sense that its reports can be accepted uncritically...
>
> WE RECOMMEND THAT the security intelligence agency cross-check immigration screening information received. The security intelligence agency should assess the information on potential immigrants received from a foreign intelligence agency in the light of the political concerns and interests of the country of the providing agency.(14)

Public disclosures in the U.S. regarding role played by American intelligence

A June 1985 report by the U.S. General Accounting Office concluded that with the onset of the Cold War U.S. intelligence units knowingly employed alleged Nazis and Axis collaborators in order to obtain information about Soviet intentions and

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capabilities. Though the GAO did not find evidence of programs specifically geared to helping former Nazis and Nazi collaborators to immigrate to the United States, it did find evidence that intelligence agencies aided such persons to immigrate.(15) The report cites two recorded instances in which the individuals were subsequently protected from investigation, thus correcting the conclusion reached in the 1978 GAO report that there was no evidence to support the charge that the American government was hiding information and protecting former Nazis and Nazi collaborators from being investigated. The 1978 GAO investigation did, however, establish that the FBI, the CIA, the State Department and the Defense Department all had had contacts with alleged war criminals after the war, and, in particular, that the CIA had sought payment for about twenty-two ex-Nazis living in the U.S. after the war.

A special 1983 Department of Justice report on Klaus Barbie acknowledged direct responsibility by the U.S. government in assisting in the resettlement of a prominent Nazi war criminal. The report confirmed that U.S. Army Counter Intelligence Corps officers had employed Barbie, protected him from extradition to France where he was wanted for war crimes, and organized his escape to South America. The report, in explanation of such action, noted that there is often a need for information that necessitates dealing with criminals, former enemies, and other undesirable persons.(16)

According to the GAO's analysis, U.S. intelligence found itself at the end of the war without an intelligence network targeted against its former ally, the Soviet Union, and therefore turned to European anti-Communist resources to fill gaps in its information. These resources included former Nazis (including Gestapo and SS members) and members of East European Fascist organizations. The GAO found, however, some instances where the use of persons with incriminating wartime past was rejected lest knowledge of their employment be an embarrassment to the United States.

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The GAO investigation identified several programs to aid the resettlement of U.S. employed foreign agents, none of which was specifically established to aid Nazis or Axis collaborators as such. These programs resettled aliens in various countries, including the U.S. and Canada. Former American intelligence officers told the GAO that although the aliens employed could have been Nazis or other Fascists, it was generally agreed that alleged war criminals would not be employed. On the other hand, these officers did not know of any guidance prohibiting the use of such aliens, and the GAO could not find any formal guidance to that effect.

The findings in the Department of Justice's 1983 report on Klaus Barbie and testimony provided to the GAO by former U.S. intelligence officers, as well as the GAO's review of intelligence files, confirm that former Nazis, including Gestapo, SS, and members of East European Fascist organizations, were employed by U.S. intelligence and were subsequently assisted in resettlement. One former U.S. intelligence officer explained that morality was not a consideration, that his superiors were only concerned with results, not the ways and means by which results were accomplished.(17)

The author of the GAO report, John Tipton, told the author of this report that he had come across intelligence material bearing on Canada in U.S. archives, but that access to the material would not be possible without a formal application from the Government of Canada.

Irregularities in resettlement of defectors and former agents by American intelligence agencies

Following the RCMP's report to the Solicitor General to the effect that searches of the files had failed to turn up evidence of intelligence cooperation which would have involved

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the entry of former Nazis into Canada, the RCMP had to revisit the issue and correct its report. The Top Secret July 1983 report by Cpl. Yetter noted the discovery in 1954 by Canadian officials of the existence of an active and organized program run by the Research and Resettlement Branch of the U.S. Army (USAREUR), a cover organization for the C.I.A. and other American intelligence agencies engaged in the resettlement of persons who had rendered them services. The role of Canadian authorities, in particular the RCMP and External Affairs, was also described before the Deschênes Commission at an in camera hearing in May 1985.(18)

According to former RCMP Deputy Commissioner, W.H. Kelly, USAREUR activities involving Canada came to his own attention when, as Officer in Charge of Visa Control for Europe, stationed in London, he was informed in early 1954 by the Canadian immigration office in Karlsruhe, Germany, about a number of suspicious applications for security screening, all neatly typed and emanating from an address in the American zone of occupation. Kelly was subsequently contacted by , a U.S. intelligence official , who, without referring to the irregularities discovered at the Karlsruhe office, requested that Canadian security screening personnel accept upon recommendation by U.S. authorities certain immigrants to Canada without checking their background -- a request to which Kelly did not accede.

Documents from the RCMP and External Affairs relating to this episode show that Canadian visa control officers in Stockholm in 1953, who reported on the matter to External Affairs in Ottawa. There was, however, no

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follow-up until a year later when the irregularities discovered at Karlsruhe were brought to the attention of Kelly in London. Kelly reported to Ottawa in March 1954 that persons had been presented for admission to Canada in 1953 by USAREUR, and that Sgt. Sincennes in charge of Canada's security screening at the Karlsruhe office, had been accepting them and clearing them on security grounds for immigration to Canada through normal channels.(19) When Canadian officials took the position that the Americans should admit these individuals to the United States, of USAREUR confided that USAREUR's aim was to resettle in other countries of safety defectors from Communism and former agents who had worked for the Americans, some of whom, had "criminal records of which a number arose from cases involving moral turpitude" -- the category in which Nazi collaborators were included.(20) According to Kelly's letter,

that the U.S. would not to take these individuals because

> the law of the country would not permit it, although there is now provision for them to take approximately 100 a year **(The "100 Persons Act")**,(21)

On this Kelly commented that "it is quite clear that there is no desire to fill this quota if they can be disposed of elsewhere". gave Kelly persons who had already gone to Canada with the assistance of USAREUR. Kelly then requested Sgt. Seppala, who succeeded Sgt. Sincennes at Karlsruhe, to make checks on these persons. In Kelly's estimation nearly cases would have been 'rejectable' on security grounds.(22)

One of the cases examined caused some consternation: an individual who was placed before Canadian officials in early 1953 by a who worked with the C.I.C. was rejected.

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That episode was not brought to Kelly's attention by Sgt. Sincennes (who died soon afterwards), "as it should have been" at the time when it occurred.(23) The involvement of the C.I.C. was a cause of concern since the C.I.C. was regarded as "our best and only dependable source of information in the U.S. zone of Germany and Berlin".(24) According to Kelly's testimony before the Commission it was not in fact possible to make checks on the background, war service record or collaboration with the Nazis for persons of Eastern European origin, "apart from what was presented by the Americans, whether it was true or false".(25) It was therefore deemed important in dealing with the problem of USAREUR's actions not to jeapordize relations with the CIC.

While Kelly certainly was opposed to complying with the Americans' wish to have persons accepted for admission to Canada on an improper basis, it would appear from the documents examined that the Karlsruhe office under Sgt. Sincennes in 1952-1953 did in fact comply with American/USAREUR wishes, and did so without consultation with the London Visa Control office.(26) In June 1954, Kelly reported to RCMP Headquarters that

> No relative files exist at London because the cases were not referred to London at the time they were handled (as they should have been, of course,) and this office was totally unaware that the cases were being accepted from the Americans and were being cleared with complete disregard of the instructions to the contrary.(27)

Kelly's doubts as to the reliability of information provided by the Americans were confirmed by one case, in which he felt reasonably sure that he had

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> the whole story of the U.S.A. authorities' efforts to send this man to Canada and of the methods, duplicity and subterfuge that entered into those efforts.(28)

Kelly requested that the true names and backgrounds of such people be disclosed to Canadian officials. There were doubts, however, about the accuracy of the information provided. When further requests were made to the Americans for documentation, they replied that the files had been destroyed -- a fact doubted by Corporal Yetter in his 1983 report on the grounds that "any Intelligence Agency would want to keep accurate records on such people in the event their services may be required at some future date".(29)

Apart from passing responsibility for the matter to External Affairs, the RCMP also sought to obtain information through External Affairs about the persons in question. Officials at External Affairs expressed distaste for the whole affair, and Lester Pearson in particular felt that the Americans should take such people to the U.S., rather than unload them on others.(30) G. de T. Glazebrook at the Canadian Embassy in Washington, who as former head of Defence Liaison had experience with American intelligence services, was instructed to take the matter up with the head of the C.I.A., Allan Dulles -- who assured the Canadians of full cooperation and offered to make all the information sought available. External Affairs eventually did receive from the United States what was said to be all the relevant information in U.S. hands regarding those who entered Canada under USAREUR auspices.

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Nonetheless, suspicions about the authenticity and completeness of the information received lingered. A September 1954 memorandum from the Commissioner of the RCMP to the Under-Secretary of State, G.G. Crean, commented that

> The agent class of immigrant falls into two categories: those which have a desirable background which would normally make them acceptable for Canadian Immigration and those who would not be acceptable due to a questionable history.

(31)

The memorandum reported that apart from persons discussed with the Americans, there were applicants sponsored or advanced by USAREUR but rejected by the RCMP, mainly on security grounds. In the RCMP's view, this offered

> some indication of the number of agents being handled by this organization and we are not convinced that the figures which have been given to us in the first instance are in fact correct.(32)

Moreover, the RCMP was convinced that the Americans had been attempting to pass persons through the Canadian immigration screen not only in West Germany, but also in other countries, and that "in some cases they have been completely successful".(33) Another memorandum from the RCMP, dated September 8, 1955, referred to four cases in which false documentation had in fact been detected. In testimony before the Deschênes Commission, Kelly stated that "if we can draw any conclusion from those four we probably have to reach the conclusion that maybe we had more than four".(34)

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The Karlsruhe office in the years prior to 1954 under Sgt. Sincennes did accept to clear for security persons presented by USAREUR, and even if checks on these people were conducted, the only source of information consulted was the CIC, which was in fact working with USAREUR in the resettlement of former agents. Sincennes cleared such persons without referring the matter to the London headquarters for Canadian Security/Visa Control for Europe. It was only after Sincennes' death that his successor, Sgt. Seppala, brought the matter to Kelly's attention in London. The RCMP for its part was convinced in 1954 that larger numbers than those actually detected had been pushed through the Canadian immigration stream
arranged by USAREUR. There would not appear to be particular reason to assume, given that the modus operandi of the U.S. authorities involved in this regard was deception, that once discovered they would have felt compelled to reveal more than was absolutely unavoidable.

With regard to degree of awareness and cooperation from Canadian officials in the matter of resettlement of Nazi collaborators in Canada, it would appear reasonable to conclude that at least Sgt. Sincennes would have been aware, and that he did cooperate. Kelly was obviously not aware nor well disposed to such cooperation.

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With regard to the possibility that persons acknowledged to have been admitted to Canada at the instigation of USAREUR were Nazi collaborators, one should note Kelly's comment at the time, that most of the people being pushed through by USAREUR were unlikely to have been able to pass Stage 'B' security screening, and to Kelly that some of the persons who were being put forward by USAREUR for resettlement had a criminal record, some on grounds of moral turpitude. The question also arises as to why the Americans did not want to admit these people to the U.S. despite the one hundred places reserved for such purposes by the 100 Persons Act.(35) Kelly's comment, that they preferred not to use up these places if they could find another country to take these individuals is plausible. It would appear then that large numbers of former agents were being resettled by the Americans, and it was perhaps the less desirable ones, for whatever reason, whom they would have wished to resettle in another country, such as Canada.

Possible Role of British Intelligence and the 'Defectors Program'

It has not been possible, due to lack of time and inaccessibility to documentation, to explore the alleged role of British intelligence in the resettlement of former Nazis and Nazi collaborators. One should note, however, the longstanding pre-war links between British intelligence and various nationalistic Eastern European groups who during the war collaborated with the Nazis particularly against the Soviet Union but also in other aspects of the Nazi campaign. It would be reasonable to assume -- as stated in a number of accounts based on substantive documentation -- that British intelligence services resumed their links with such former agents after the war, and then played an important role in their resettlement.(36)

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The ad hoc, informal arrangement which Canada had with British authorities with respect to the "Defectors Program" for the resettlement of persons approved by the Canadian government was briefly mentioned in testimony before the Commission. This was an arrangement in place from 1947

> which had developed out of our very close relationship in the intelligence and security field with the British during the war...whereby under very specific and controlled conditions they could suggest defectors for placement in Canada.(37)

G.G. Crean, Undersecretary of State for External Affairs, recalled in November 1954 that from time to time Canada also took in "British ex-agents" who were not in fact defectors as originally understood.(38)

A May 1962 External Affairs memorandum prepared by an "Interdepartmental Committee on Defectors" (active from December 1952 to April 1962) described the procedure in handling cases of defectors who had an "intelligence interest" and who could not be handled satisfactorily by usual immigration procedures. According to the definition provided in the memorandum, applicants would qualify as defectors if assessed by the Joint Intelligence Bureau to have intelligence value, or "if a friendly intelligence service has requested that Canada cooperate by admitting the person concerned".(39) While the 1962 document suggests that only a small number of defectors were admitted in this program and that procedures were highly controlled, it remains, given Canada's record with regard to admission of former Nazis and Nazi collaborators, that this arrangement may also have provided a channel for resettlement in Canada with British assistance of former Nazis and Nazi collaborators who had rendered services to British intelligence.

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Canada, in many instances, entrusted the screening of postwar immigrants to British authorities -- as appears to have been the case for the Ukrainian Surrendered Enemy Personnel, and for Yugoslav, Slovak and other DPs who found themselves in British custody at the war's end. Even where screening was carried out by Canadian officials, there was heavy reliance on checks with British and American intelligence agencies, as discussed above. In June 1955 Canadian security screening officials in Austria requested that MI5 and MI6 accept all Canadian cases for checks through their records. Canadian 'green forms' were to be submitted to the First Secretary at the British Embassy in Vienna who was also head of the British Visa Section.(40) There is no indication in the documents describing the requested service from MI5 and MI6 that independent checks by Canadian officials were also required.

Given that Britain used former Nazis and Nazi collaborators for intelligence purposes, and given the central role British intelligence played in making checks for Canadian screening officers on prospective immigrants to Canada -- in some cases taking charge of the entire screening procedure on behalf of Canadian authorities -- there was certainly scope for the British to help provide resettlement opportunities in Canada for former Nazis and Nazi collaborators. It may be assumed, too, that given Canada's special relationship with Britain, British officials carried weight and influence with Canadian authorities, particularly in matters relating to an alliance against the threat of Communism. It is most improbable, however, that either the British or Canadian government would willingly disclose, even after forty years, information bearing out such allegations.

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After the experience with USAREUR in the early 1950s, Canadian officials were much more cautious in cooperating with the U.S. in the admission of defectors, insisting that each case first be presented by the CIA to the Department of External Affairs for examination and approval.(41) It was accepted, however, that security screening guidelines could be stretched in the case of defectors and persons sponsored by an American or British intelligence agency:

> Insofar as resettlement cases are concerned naturally some latitude is allowed when considering the proposed immigrant's security status. In these cases much reliance has to be placed upon the opinion expressed by the sponsoring agency. Obviously, the real purpose of resettlement arrangements would be defeated if the accepting country were to insist upon an unblemished past history. A person with such a history would not likely have been in the position to have rendered much service to the sponsoring agency. Thus, each case requires special consideration making it impossible to lay down any particularly binding qualifications insofar as security clearances are concerned.(42)

It was proposed in this regard that a distinction be made between "difficult, delicate and pressing" defector cases for which the special Defector Committee could offer real assistance in expediting the immigration process, and other cases sponsored by the intelligence agencies where the reason for sponsorship is "based heavily upon the wish of the defector to come to Canada" and where the sponsoring organization is "not under the necessity of disposing of him quickly". It is noteworthy that for the latter cases the Director for Security and Intelligence proposed to bypass security screening by:

> providing a security clearance to the Canadian Immigration Department who would thereafter treat the case in the same manner as that of any ordinary applicant for immigration to Canada. In other words, we would simply clear away the

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> security barrier for him, but he would have to meet all other normal immigration requirements. This clearance would, however, be of major importance to him since many normal applicants are rejected on security grounds.(43)

Correspondence in April 1953 stated that the Interdepartmental Committee on Defectors would require assurances in any case involving a German defector or ex-agent that "the subject's past political connections, particularly with the Nazi Party, will not be of such a nature that disclosure here might prove embarrassing.(44) Nonetheless, one case of an alleged Nazi war criminal investigated by the RCMP concerned an Estonian who entered Canada as a defector in 1957. BDC checks on the individual indicated that from July 1941 to March 1942 he had served in an Ostland police battalion, and that he later joined the Waffen-SS. He was among the POWs returned from the Soviet Union to Germany in 1956.(45)

A Particular Case

The July 1983 RCMP report documents extensively the case of subject U (also subject V and several other aliases), who appears to fall within the category of Nazis/collaborators utilized by American intelligence agencies immediately following World War II, and assisted by these agencies to resettle in Canada, with knowledge on the part of Canadian authorities about the individual's alleged war criminal background and his links with the intelligence agency which sponsored him.

V entered Canada in August 1948 on board the S.S. Saturnia from Genoa, Italy, under a general labour scheme, with travel documents issued at Linz, Austria in July 1948 and passage paid for by the IRO.(46) RCMP records show that V acted as an agent for RCMP Security Service between December 1948 and March

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1951 among Yugoslav Communist elements in Toronto. On July 11, 1951, the Globe and Mail exposed Yugoslavia's request that U/V (different spellings) be extradited for war crimes, and stated that the RCMP firmly denied a report that U/V was being used as a counterespionage agent by the RCMP.(47) U/V in fact ceased his formal connection with the RCMP in 1951, following an article in an ethnic newspaper which stated that "in the spring of 1942 one V was imprisoned in a concentration camp and beaten before he was shot and that prior to his death he told associates that U. had beaten him."(48)

An extradition request regarding U. was received by the Department of Justice sometime in the early 1950s from Yugoslavia which has a valid extradition treaty with Canada.(49) The Department of Justice concluded in 1952 that there was sufficient information in the material provided by the Yugoslav government to take action against U.(50) Correspondence from the Commissioner of the RCMP to the Minister of Justice dated March 3, 1951, shows that there was some knowledge from V's own statement, about elements of his background which paralleled allegations about a person named U:

> According to his (V's) story, he was for 12 years, a member of the anti-Communist section of Belgrade Political Police (until 1945)...The Communist press, of course, states that this person's true name is U. that, known as 'Radon', he was responsible for brutalities while second in command of a Nazi prisoner of war camp at Banjica near Belgrade during the war. While at this camp, according to the Communists, U was one of those responsible for making selection lists of those prisoners to be shot, sent to gas chambers or to concentration camps in Germany. It was as a result of this work that he was sentenced to death in absentia by a Military Tribunal in Yugoslavia in 1947. We have no confirmation of these statements...(51)

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However, after consulting with a British source -- interestingly enough, Kim Philby, whom Loftus alleges was the British intelligence officer responsible for resettling former Nazis in Canada and in other countries -- the Security Service stated in 1951-52 that they did not feel that U and V were the same person.(52)

The issue was revived in the 1960s following an interview which U/V had in June 1961 at the F.B.I. field office in Washington, D.C.(53) During the interview he stated that his correct name was U that

> in 1946, he was assigned the name **V** by the United States Army Counter intelligence Corps (C.I.C.) authorities in Austria. He identified this group as being the 480th Detachment, C.I.C. They provided him with false documentation which included a passport which he exhibited to the interviewing agents.(54)

As background, he stated that he had worked as an employee of the political section of the police force in Belgrade, Yugoslavia, from 1932 to approximately 1945. With the retreat of the German occupation troops before the advancing Soviet armies, he fled to Vienna and then to Rome where he supplied information to the C.I.C. Detachment in Italy. The 1961 F.B.I. report states that U entered the United States at Detroit, Michigan, on May 28, 1961, with a Canadian passport number 4-878118 in the name of V and date of birth of February 3, 1911 at Celebic, Montenegro, Yugoslavia. An RCMP memo to file dated July 5, 1961, shows Canadian passport number 91778-59 issued to V born in Belgrade, Yugoslavia, May 6, 1912.

A further revelation in 1961 was that the Security Service had deliberately withheld information concerning U/V in 1951 which would have confirmed the impression at the Department

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of Citizenship and Immigration that U and V were the same person. An internal RCMP memorandum, dated June 29, 1961, refers to the "misleading letter of 1951" which stated that the

> subject was not identical to a person named by the British. This may be quite true, but the fact is that we knew at the time that he was identical to U in whom the Yugoslav government was interested and we failed to state so.(55)

In 1962, the Deputy Minister of Immigration also commented on the surprising lack of interest in investigating the allegations against U/V before granting him Canadian citizenship:

> I'm not too certain that we were on very solid ground in the case of U/V Reliance is placed on a single R.C.M.P. statement, based on a photograph, that it is probably a case of mistaken identity. It is really too bad, in view of all the alleged information on the file (true or false) that we didn't go into this business a lot more thoroughly before granting citizenship. As it is now, the man is, I assume in the U.S.A. (unless he has returned to Canada), and will continue to keep his Canadian citizenship until he remains outside of Canada for at least 10 years.
>
> I can't escape the conclusion that there is probably something to this story: nor can I believe that we would have been quite so unconcerned about really getting to the bottom of the whole business, if the man had been a subversive of the "left" rather than on the "right" side of the political spectrum.(56)

The RCMP's July 1983 report indicates that a 1964 Security Service report showed that a source who knew V from Yugoslavia, knew his real name was U and that V/U had been a member of the Belgrade Police Department.(57) During the late 1930s, according to that source, he became a member of the "Lotich" (Serbian Nazi

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Party) and when the Germans occupied Yugoslavia he became commander of the Banjica Prison Camp for political prisoners in Belgrade.

Correspondence dated April 7, 1967 from the Department of External Affairs D.L. 2 Division states that information given to the Canadian ambassador in Yugoslavia indicated that U (different spelling) was a former Nazi Collaborator, who became commandant of one of the Concentration Camps in Croatia and was associated in the deaths of some 700,000 persons.(58)

A 1979 RCMP telex on file shows information from a Security Service source that V's correct name was U. and that during World War II, he managed the Nazi concentration camp called Branjica in Yugoslavia.(59)

According to the 1983 RCMP report, U/alias V had been interviewed as recently as 1979 concerning matters of interest to the Security Service. The report points out that

> there is nothing on file to indicate that Security Service or any other Canadian Agency was aware of **V's** correct identity prior to his arrival in Canada, using false documentation. This appears to be a case similar to that of Klaus Barbie where an American intelligence agency (C.I.C.) provided a person with false documentation to aid in their entry to another country. This supports the information previously stated that American intelligence agencies may have provided certain persons with false documentation to facilitate their entry into Canada without the knowledge or participation of the RCMP Visa Control Officers ...It is quite possible, then, that others in circumstances similar to that of **U/V** were assisted with false documentation by American intelligence agencies to enter Canada without the knowledge of Canadian authorities.(60)

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There are, however, elements in the RCMP's account which raise further questions. How did U/V come to possess within a six-week period in 1961 two passports containing differing information regarding date and place of birth? May one assume awareness by Canadian officials in 1951 -- when weighty war crimes allegations were made against subject U/V, or at least in 1961 -- as suggested by the 1961-1962 documents discussed above, of the fact that he had entered Canada in 1948 with false documentation and that he was an alleged war criminal? U/V, almost immediately upon arrival, began to act on behalf of the RCMP against Communist elements in Canada. This suggests the possibility that his past record for such services to the Americans and his false identity would also have been known by Canadian authorities at that time.

Pursuit of this and other such cases was not the purpose of this report, the aim of which is to establish whether there was, among other possible avenues of entry, an intelligence operations-related context which could have led to war criminals entering Canada in the years following World War II. Questions do remain, however, about such cases as U/V -- the extent of Canadian authorities awareness of his true background and of his role with American intelligence and its possible significance, given his possession of several Canadian passports, his work for the RCMP, and the deliberate withholding of information about him by the RCMP in 1951. With regard to the broader issue -- the role of British and American intelligence -- consideration should be given to how the subject, inevitably a sensitive one, might be responsibly examined in any follow-up to the work of the Commission.

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CONCLUSIONS

Immigration policy: Despite the Allies' declared policy to bring to justice those involved, whether as organizers or participants, in the dispossession, enslavement and murder of millions of civilians during World War II, and notwithstanding the various postwar trials conducted by the Allies and by a number of countries in Europe, the vast majority of the perpetrators of crimes evaded justice. A number of factors contributed to this result. The policies of the Allies during the war with regard to the war crimes issue was ambivalent. The apprehension and prosecution of war criminals was not considered a matter of particular priority during the war years or in the critical immediate postwar period. Lack of resources, coordination, and, in effect, interest on the part of the Allies permitted many criminals to avoid identification and apprehension in the unsettled conditions and movement of population at the war's conclusion. The domination of postwar policy by Cold War imperatives, moreover, further reduced the Western Allies' will and motivation to take action, whether in relation to denazification in the rebuilding of West Germany; in relation to Austria; or in dealing with war criminals of Eastern European origin who had taken shelter in the West. As a result, many of those involved in the perpetration of the crimes described and documented in the Nuremberg and other postwar trials were able to join the postwar stream of European immigration to new lands of settlement, including Canada.

Substantive documentation and testimony has established beyond any doubt that, in addition to the actions of German and Austrian nationals as officials of the Reich, there was large-scale participation in the perpetration of crimes and in the carrying out of the Nazi program of genocide by native bureaucracies, military formations and individuals in the various territories occupied by Nazis. Indeed, it is doubtful that the

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Nazis would have been able to carry out their program without such participation. During the period from 1946 to 1967 some 620,000 immigrants from European countries where participation in war crimes was extensive were admitted to Canada (see Annex 2 to this report). In view of the large numbers of people involved in the perpetration of war crimes who merged with the DP and general immigration stream; in view of the inadequacy of the screening performed by international agencies and Canadian officials during the postwar years; and in view of the Canadian government's policy of ethnic preference in immigration, and of concentration, insofar as security screening and policy were concerned, on weeding out Communists, it would be rash to assume that significant numbers of war criminals and Nazi collaborators did not enter Canada.

The 1981 Interdepartmental Committee on War Criminals exercise, chaired by Martin Low, posited that there was no basis to assume there is a comparatively large number of war criminals in Canada.(1) The RCMP challenged this judgment at the time, noting that

> we do not know how many war criminals are residing in Canada, their numbers may be large or small...It is reasonable to assume, given the situation in Europe following World War II regarding lost, destroyed, stolen and seized identity papers, that certain persons undoubtedly came to Canada under assumed identities. The fact we do not have certain war criminal's names listed on our landing records does not preclude the possibility of certain of their numbers living in Canada under assumed identities.(2)

Assumed identities may well be a principal stumbling block in investigating the presence of war criminals in Canada. The findings of the present report, however, point to the ease with

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which war criminals could have entered -- and in a number of documented cases did in fact enter -- Canada after 1947. In addition to circumstances in which it would have been a simple matter for war criminals with assumed identities to deceive screening officers, the screening system in place did not provide for serious checks on war criminals coming in under their real identities either.

The archival record examined for this report shows that in the decade following the war, when the search by Nazi war criminals for resettlement opportunities outside Europe was at its peak, there was ample opportunity for war criminals and Nazi collaborators to enter into Canada. Between 1947 and 1950, as the numbers of immigrants applying for admission to Canada greatly increased and as government policy shifted towards opening Canada's doors to European immigration in response both to a growing need for manpower and to pressure from sectors of the Canadian population, the screening system in place was inadequate to cope with the volume and types of applicants coming forward.

The inclination of policy and practice with regard to a background of collaboration with the Nazis and possible involvement in war crimes was toward leniency rather than rigour. Screening was frequently waived for agriculturalists and other group movements. By 1948, the 'enemy aliens' ban was lifted for immigrants from Hungary, Roumania and Austria. Waivers of security screening were extended to individuals at the discretion of the Minister responsible for immigration by orders-in-council, or to special categories of persons, such as clergy, allowing additional possibilities for bypassing security rejection criteria. Special dispensation, particularly for those who were of preferred ethnic background, was provided in the regulations for persons guilty mainly of collaboration with the Nazis. The basis for such special dispensation was further broadened after 1951.

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Where screening was not waived, it was in significant measure ineffectual. Understaffed screening posts, manned by persons with the most rudimentary training and knowledge with respect to wartime events in the lands from which the prospective immigrants came, were overwhelmed by the large numbers of persons displaced by the war. These people were coming forward with the most meagre documentation, not infrequently falsified for various reasons, at times with the help of officials from the international agencies. Much of the processing and screening of the refugees/displaced persons was carried out by international agencies (UNRRA and the IRO) whose mandate was to repatriate or resettle as large a number of persons as possible in as short a time as possible. These agencies in turn handed much of the administrative work in the processing of refugees to members of the various ethnic groups who could communicate with the refugees/DPs, and who, in some cases, were alleged to be themselves implicated in war crimes or collaboration with the Nazis.

Canadian security screening officers in Germany, finding that there was little background information on DPs relating to their lives before their arrival in the camps, checked only "suspicious characters" for a Nazi criminal background. The operating assumption that most DPs had already been screened for Nazis and collaborators also lessened the sense of need for further screening, such as checks with the Berlin Documentation Centre -- a task which was in any case regarded as too burdensome.

Aware of these problems and deficiencies, screening officers relied almost entirely on oral interviews with applicants and on personal impressions regarding their integrity; on security clearance of their Canadian sponsors which usually focussed on Communistic leanings; and on checks with British and

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American intelligence sources, who, as is increasingly becoming known, were also engaged in the resettlement of former Nazis and Nazi collaborators who had rendered services to them against the Soviet threat.

In addition to the considerable scope for discretion allowed the security screening officer, there was a surprising absence of basic precautions in the screening process for keeping Nazi war criminals out: there was no requirement for fingerprinting; application forms did not include written questions relating to wartime military service until 1953, after guidelines with regard to membership in Nazi organizations had already been significantly liberalized; and official lists of war criminals, such as those compiled by the United Nations War Crimes Commission, were not consulted. Once an immigrant landed in Canada and was discovered to be a security risk, the prospect of deportation was most remote.

The Rauca and Mengele cases serve as illustrations of the ineffectiveness of postwar screening. Rauca, a member of the Gestapo and the only alleged war criminal against whom Canada took extradition action, was in American detention camps between 1945 and 1948. The OSI was unable to find any records relating to Rauca's internment or investigation.(3) It now appears that Joseph Mengele, among the most notorious of Nazi war criminals, was held under his own name in two American detention camps for some eight weeks in 1945.(4) His name was on several lists of war criminals -- lists which presumably did not get to detention camp officials. Canada, for its part, maintained throughout the 1945 to 1950s period a consistent and apparently deliberate practice not to send established lists of suspected war criminals to its officers responsible for security screening in the field.

The predominant concern of screening policy and practice in the postwar decade was, in fact, not to identify and bar Nazis or Nazi collaborators, but, rather, to weed out

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possible Communist infiltrators and spies, now seen as the primary security threat. Throughout the 1950s there was a progressive relaxation of security screening guidelines to permit legal entry for former members of Nazi organizations and for Nazi collaborators -- the groups most likely to have included persons who had been involved in war crimes. The two determining factors which shaped Canadian government policy with regard to admission of certain groups and relaxation of criteria with regard to Nazi background were the strongly held and explicitly stated ethnic preferences of government officials -- which shaped policy with regard to Balts and Volksdeutsche, for example; and political considerations -- as in the case of the French collaborators, or in cases backed by strong ethnic constituencies. At the same time, the government remained concerned about the public's sensitivities with regard to admission of groups involved in wartime collaboration with the enemy or in war crimes, and tended to camouflage decisions and policies likely to generate opposition and controversy -- such as its 1950 decision to admit the Ukrainian Waffen-SS or its 1955 decision to admit virtually all but major and embarrassing Nazis.

An examination of rejection guidelines for immigration security screening in the decade following the war shows a shift from a total ban, immediately after the war, on the admission of enemy aliens and those who assisted the Nazi cause, to the gradual removal by late 1955 of blanket rejection for all but former Gestapo members, concentration camp guards, and persons considered 'major offenders' under Allied Control Council Directive No. 38. Actual practice in application of these guidelines, however, tells a somewhat different story: that in the earlier period until 1950 when rejection guidelines were more stringent, war criminals and Nazi collaborators would have had little difficulty in bypassing an ineffective and inadequate screening system; and that in the later period, as the screening

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system improved, concern focussed single-mindedly on the possible infiltration of Communists, while restrictions on members of Nazi organizations and Nazi collaborators were lifted piecemeal until they were virtually non-existent. The operative criteria was whether an individual presented a "current security risk", interpreted in terms of Communistic sympathies. Even with regard to the few remaining categories of blanket rejection after October 1955 -- applying to former Gestapo members, concentration camp guards and 'major offenders' -- the application of guidelines was problematic. The category of 'major offenders' was emptied of its original meaning, allowing for considerable ambiguity in guidelines using the term. With regard to the other two categories of blanket rejection, in the absence of rigorous checking against records, the formal regulations would not have served in practice to keep out those who continued to be specified as inadmissible, since it is most unlikely that any immigrant wishing to come to Canada would have admitted to a past as a member of the Gestapo or as a concentration camp guard.

The cases of Helmut Rauca, and of a number of other persons alleged on strong grounds to have been war criminals, as documented by the RCMP and by this Commission of Inquiry, illustrate how an undetermined number of war criminals would have entered Canada, for there was nothing exceptional in their circumstances of entry. Rauca, a former member of the Gestapo technically inadmissible according to immigration screening guidelines, entered Canada in 1950 under the sponsorship of the Canadian Council of Churches for the Resettlement of Refugees after having been cleared for security and issued a visa at Karlsruhe.(5) Other alleged war criminals entered Canada in the 1948 to 1952 period under the auspices of the IRO, under specialized immigration schemes for bringing in displaced persons, as close relatives of Canadian residents, or in the later period under broader categories of admissibility.

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After examining the record, one must reject as unfounded recollections and conclusions reached by former immigration and security screening officers regarding the strictness and thoroughness of postwar immigration screening procedures. In a recent interview the Chief Security Officer at Karlsruhe from the summer of 1948 to July 1951 described the screening routine of checks with British and American sources, personal interviews concerning involvement in the war and the Nazi Party, and checks for blood group tattoos or for other signs indicating membership in the SS or Waffen-SS. His assessment was that

> no person who held a responsible position in the Nazi Party, the SS, SD, Gestapo, or Waffen-SS would have been cleared...Anyone found to have former connections with any of the above-mentioned groups...would be rejected and, therefore, no visa could have been issued to them.(6)

Research for this report indicates that there were instances where Canadian officials decided to overlook SS tattoo marks for individuals coming in under the bulk labour scheme; that there were in fact directives issued to screening officers to ignore SS tattoo marks for Baltic Waffen-SS cases as early as 1948; that membership in the Nazi Party was removed from the rejection criteria in November 1950; and that there was considerable leniency, particularly after 1951, in admission of members of other Waffen-SS groupings (e.g. Volksdeutsche), particularly if they could persuade security screening officers that they were forcibly conscripted, and in some cases even when they had clearly volunteered for service (e.g. Ukrainian Waffen-SS).

Another security screening officer who served in Germany and in neighbouring countries from April 1951 until 1958 stated in a recent interview that

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> the security procedure did not change (for) Displaced Persons and German Nationals between 1948 and 1958...that former members of the Nazi Party, Communist Party, S.S., S.D., S.A., Gestapo or Waffen S.S., were rejected...that he was not aware of anyone who had been connected with any of these organizations being granted a Visa.(7)

In fact, the findings of this report indicate a consistent and indeed dramatic evolution of policy with regard to admission of Displaced Persons and German Nationals between 1948 and 1959. Members of the Nazi Party and the Waffen-SS were admissible by 1950-1951, and members of the SS, SD and SA were admissible as of October 1955. An examination of a number of particular cases indicates that practice and implementation of policy allowed for further stretching or bypassing of guidelines.

A determining factor in Allied war crimes policy -- now being increasingly and substantively documented -- was the utilization, against the Soviet Union, of former Nazis and Nazi collaborators by American, British and French intelligence agencies and by the Vatican, and the assistance in resettlement subsequently given to such persons. Inclusion in the various lists of war criminals was apparently no deterrent in these resettlement activities. The lists were seldom consulted, and -- as shown in the findings of the June 1985 report on the issue by the United States General Accounting Office and in recent revelations with regard to Klaus Barbie and with regard to the admission of German scientists and technicians to the U.S. -- there were a number of recorded instances where Allied authorities knowingly disregarded allegations about and convictions for war crimes.

The records examined for this report indicate that there were instances in which American intelligence officers withheld information from and misled Canadian authorities as to the true background of prospective immigrants to Canada, persons

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who had rendered postwar service to U.S. intelligence and who would have been inadmissible on grounds of 'moral turpitude' -- the category for undesirable Nazi collaborators. There was no evidence in the limited material available and examined for this report (beyond that of Canadian involvement in the resettlement of German scientists and technicians who, in principle, were to be screened for Nazi background), of direct and willing Canadian participation in programs to resettle former Nazis, whether independently, or as part of Canada's collective security arrangements. Though the subject is undoubtedly a sensitive one, it calls for further research.

War crimes policy: Overall Canadian governmental policy in dealing with alleged Nazi war criminals once they were in Canada was shaped initially by the wartime and immediate postwar focus on crimes committed against Canadian military personnel, and then by foreign policy and domestic and political considerations in the following three decades.

Canada's approach to the war crimes issue in the 1940s reflected both the inclination to take Britain's cue, and a concern, at the same time, to avoid broader entanglements. Interest was strictly limited to war crimes against Canadian military personnel. Canada was therefore reluctant to join the United Nations War Crimes Commission, deferring its decision to join for over two years, and conducted a consistent policy of disengagement from the broader war crimes issue during and after the war. Consistent with this approach, Canada was not a signatory to the Nuremberg Agreement in 1945. (However, Canada did adopt, one year later, the principles of international law recognized by the Charter and Judgment of the Nuremberg Tribunal.) The archival record indicates a reluctance on the part of the Allies and Canada to continue with war crimes trials altogether almost immediately after the war, for reasons having to do with what were then conceived to be the imperatives of the Cold War; domestic priorities; and as a result of disinterest. As early as December 1945, the Canadian government decided to

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wind up by May 1946 its investigation of crimes committed against Canadian military personnel. There was no interest in taking any action with regard to persons alleged to have committed crimes against non-Canadians.

The policy of inaction with regard to alleged war criminals settled in Canada was in large measure shaped by the fact that the issue arose out of extradition requests from Communist governments, requests which provoked strong reactions from Canada's ethnic communities. The government's responses to these requests set the tone and basis for inaction through the 1960s and 1970s. It was not until the Rauca case, which involved a West German request, and the much heightened public interest in the issue of Nazi war criminals in the late 1970s that the earlier policy basis came to be re-examined.

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NOTES

The following abbreviations have been used in the notes below:

AO	Archives of Ontario
CEIC	Canada Employment and Immigration Commission
CGIM	Canadian Government Immigration Mission
C & I	Department of Citizenship and Immigration
CSIS	Canadian Security and Intelligence Service
DEA	Department of External Affairs
DND	Department of National Defence
DOJ	Department of Justice
IR	Immigration Branch records
M & R	Mines and Resources
PAC	Public Archives Canada
PAM	Public Archives of Manitoba
PCO	Privy Council Office
RFLPC	Review of Foreign Language Press in Canada
SSEA	Secretary of State for External Affairs
Sol.Gen.	Solicitor General's Office
USSEA	Undersecretary of State for External Affairs
WCTF	RCMP War Crimes Task Force
*	Asterisk refers to documents selected and catalogued for the commission's use by the Departments of Justice (DOJ) and External Affairs (DEA)

Commission refers to Commission of Inquiry on War Criminals in Canada, headed by Justice Jules Deschênes

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CHAPTER I, Part 1

1. Of the very extensive open literature on the subject of collaboration and extent of participation by Germans and by natives of Nazi-occupied countries in carrying out the Nazi policy of genocide, the most comprehensive account in the English language is Raul Hilberg's recently revised 3 volume study, The Destruction of the European Jews, (Holmes and Meier, New York, 1985). Further information concerning events in particular countries and localities may be found in the Encyclopaedia Judaica (Keter Publishing, Jerusalem, 1972), and Martin Gilbert's Atlas of the Holocaust (McMillan Publishing, London, 1982). Excerpts from these three sources are available in a historical handbook prepared by the author of this report for use by the Deschênes Commission.

2. Captured German documents have been deposited with the Berlin Documentation Centre, the National Archives in Washington and other archives in Germany. Unknown quantities of Nazi documents fell into Soviet hands.

3. Recently released archival material from the Zentrale Stelle der Landesjustizverwaltungen at Ludwigsburg documents the participation of the Wehrmacht in accomplishing the task of extermination of Jewish communities in Nazi-occupied territories of the USSR, particularly between July 1941 and August 1942. These documents show that there existed a close co-operation between the German army and the agencies which organized the extermination of the Jews. The Einsatzgruppen received supplies from military sources and were assisted by regular army units in liquidating Jewish communities. The army often asked the SD to eliminate Jews in the territories under its control, or itself took a direct part in such operations -- as is recorded in a report of the Einsatzgruppen for the period between October 16, 1941 and January 31, 1942: "up to January 1942, about 19,000 partisans and criminals, primarily Jews, were killed by the Wehrmacht." (Decennial Book, 1973-1982, Encyclopedia Judaica).

4. Only three battalions of German police numbering two thousand to three thousand men, were sent to implement the policies of Nazi Germany in all of France. Isolated and distrusted, unable to communicate easily with the local population, German officials relied heavily on assistance from the French bureaucracy. In

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Hungary, the deportation of 400,000 Jews in 1944-1945 required the presence of only 150 to 200 S.S. men. Edmund Veesenmayer, the German Plenipotentiary in Budapest, testified at his post-war trial, that the plan to deport and exterminate the Jews of Hungary met with the complete approval of Hungarian authorities: "The Hungarian government issued orders and laws about it (the 'Jewish Plan'), and the entire execution lay only with the Hungarians themselves". Adolf Eichmann in his statement before his execution characterized the attitude of non-German officials thus: "In general, I found that there were fewer problems with local authorities the further east you went... Eager to strike against the parasite, the Roumanians astonishingly enough liquidated thousands and thousands of their own Jews... Slovak officials offered their Jews to us like someone throwing away sour beer". Even in Bohemia and Moravia, lands with a strong liberal tradition, 350,000 Czech bureaucrats performed their duties under the supervision of fewer than 2000 Germans, with the result that 89% of the 90,000 Jews in the protectorate perished during the war. In Poland (where the extermination program was on the largest scale), in the final stages of the liquidation of the ghettos, only several thousand members of the German security forces were present, supported by some ten thousand German police -- who were also responsible for requisitioning harvests. (Theodore S. Hamerow, "The Hidden Holocaust", Commentary, March 1985, pp. 37-40).

5. Hilberg, vol. I, pp. 273-390. Estensive collaboration in 'crimes against humanity' by members of various native populations in the lands of Nazi occupation was brought to American public attention by a study by Abraham Duker read into the Record of the U.S. Congress in 1948, in conjunction with the debate on the Displaced Persons Act of that year. Duker's study drew on evidence from Nazi archives and from material presented at the Nuremberg trials to indicate that large numbers of Lithuanians, Latvians, Estonians, White Ruthenians, Ukrainians, Poles, Hungarians, Croats and Slovaks had voluntarily joined the Nazis and loyally and devotedly served them during the period of occupation, and that their co-operation was indispensable to the Nazis in the extermination of the Jews, the hunting down of partisans, and the recruitment of forced labour -- tasks which the very small number of Germans with their unfamiliarity of the areas and the languages needed for communication with the local population could not have accomplished without the active aid of local collaborationists. (Congressional Record, Proceedings and Debates of the 80th Congress, Second Session, August 1948).

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6. David Littlejohn, The Patriotic Traitors, 1972; Michael Marrus and Robert Paxton, Vichy France and the Jews, 1981; Henry L. Mason, The Purge of the Dutch Quislings, 1952.

7. Adalbert Ruckerl, The Investigation of Nazi Crimes, 1945-1978 (Transl., Shoe String Press, Hamden, Conn, 1980).

8. Within days of the German invasion of the Soviet Union, on June 22, 1941, massacres were carried out by members of local populations in areas which the advancing Wehrmacht occupied: German documents record the participation of Lithuanians in the massacre of 3,800 Jews in Kovno; of Ukrainians in the massacre of 7,000 Jews in Lvov; and of Roumanians in the massacre of 7,000 Jews in Jassy, for example. In their correspondence, the Germans expressed pleasure at the zeal of local anti-semites but found their techniques primitive and inefficient. According to a German bulletin, "there would be nothing to say against numerous executions of Jews, if it were not that the technical preparation and the method of execution are defective". Indigenous auxiliary units (Selbstchutz) in Lithuania, Latvia and Estonia assisted Einsatzguppe A in shooting actions. Ukrainian militia (Miliz) operated in the areas of Einsatzgruppen C and D. (Hamerow, pp. 32-36, Hilberg, pp. 312-314).

9. See Hamerow's account; Hilberg, Chapter Eight.

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CHAPTER I , PART 2

Note: The principal sources for documents consulted for this chapter are DEA file 5908-40C (6 parts), "Canadian Action re: Punishment of War Crimes", DEA file 4060-40C (10 parts), "United Nations War Crimes Commission -- Establishment and Activities"; DND file HQS 8959-9, v. 1-4 (UNWCC) and v. 5 (CWCAC, Correspondence and Ministry. PAC references are indicated for some of the External Affairs files).

1. British Foreign Office f. 371 26540/11998, cited in Tom Bower, Blind Eye to Murder (Granada Publ., London 1981), p. 44.

2. "Punishment of War Crimes -- Short Historical Notes", PAC, RG 25, Acc. 83-84/259, Box 220, f. 4060-40C, pt. 1, p. 11, 6 February 1943; ibid, 20 November 1942.

The UN declaration, signed by the three main Allies and the governments of eight occupied countries, was issued on December 17, 1942. It pointed specifically to the German government's "intention to exterminate the Jewish people in Europe", and it condemned "in the strongest possible terms this bestial policy of cold-blooded extermination." It affirmed that "the necessary practical measures" would be taken to insure that those responsible for the crimes would be brought to retribution and committed the United States, Britain, and the Soviet Union for the first time to postwar prosecution of those responsible for crimes against the European Jews. (Text in New York Times, 18 December 1942, cited in David S. Wyman, The Abandonment of the Jews, 1984, pp. 75, 255-6.

The Canadian government specifically announced in a press release that it associated itself with the December 17, 1942 declaration of retribution for the genocide of the Jewish people. Canada also joined seventeen other nations in issuing a declaration on January 5, 1943 with regard to retribution for misdeeds in the field of property in the occupied territories. This latter declaration read:

> "The Governments of...hereby issue a formal warning to all concerned, and in particular to persons in neutral countries that they intend to do their utmost to defeat the

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> methods of dispossession practiced by the governments with which they are at war against the countries and peoples who have been so wantonly assaulted and despoiled. Accordingly, the Governments making this declaration and the French National Committee reserve all their rights to declare invalid any transfers of, or dealings with, property rights and interests of any description whatsoever which are, or have been situated in the territories which have come under the occupation or control, direct or indirect, of the governments with which they are at war, or which belong or have belonged, to persons (including juridical persons) resident in such territories. This warning applies whether such transfers or dealings have taken the form of open looting or plunder, or of transactions apparently legal in form, even when they purport to be voluntarily effected.(DEA, f. 5908-40C, attachments to letter from Mackenzie King to A.G. Slaght, 3 November 1943).

3. RCMP, WCTF 131-134.

4. RCMP, WCTF 090-117, Allied Control Authority Coordinating Committee, Directive No. 38, "Arrest and Punishment of War Criminals, Nazis and Militarists and the Internment, Control and Surveillance of Potentially Dangerous Germans", 14 October 1946 (National Archives, Suitland, Maryland).

5. Martin Gilbert, Auschwitz and the Allies, (Holt, Rinehart and Winston, New York 1981); Walter Lacqueur, The Terrible Secret: An Investigation into the Suppression of Information about Hitler's Final Solution (Penguin, New York 1982); Bernard Wasserstein, Britain and the Jews of Europe, 1939-1945 (Oxford University Press, 1979); David S. Wyman, The Abandonment of the Jews: America and the Holocaust, 1941-1945 (Random House, New York 1984).

6. Cf. Wasserstein, pp. 134-221.

7. Commission exhibit P-5, St. James Declaration, January 1942.

8. PAC, RG 25, Acc. 83-84/259, Box 220, f. 4060-40C, pt. 1, 6 February 1943.

9. Ibid.

10. Discussed below at pp. 24-25 of this report.

11. "Punishment of War Crimes", memorandum by Marcel Cadieux, based on memorandum by Paul Tremblay, DEA, f. 2626-40C, p. 18A, 15 April 1943.

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12. Ibid., p. 16.

13. Ibid.

14. Ibid., p. 10.

15. Ibid., p. 30.

16. Ibid.

17. DEA, f. 4896-40, p. 13, 6 February 1943.

18. DEA, f. 4060-40, 26 July 1943.

19. Ibid.

20. Commission exhibit P-6; The Times, 3 November 1943.

21. Cf. Wasserstein, supra.

22. Bower, p. 73.

23. Wyman, p. 257.

24. Ibid., p. 258.

25. DEA, f. 5908-40C, Mackenzie King to Arthur G. Slaght, 3 November 1943.

26. DEA, f. 5908-40C, R.E. Curran to John Read, p. 8, 20 January 1944.

27. Ibid., J.E. Read to the Deputy, 29 January 1944.

28. Ibid., P.A.B. to J.E. Read, 6 March 1944.

29. Ibid., Arthur G. Slaght to Mackenzie King, 15 March 1944.

30. From the documents examined, it is not clear why these officials suddenly changed their stance with regard to membership in the UNWCC.

31. Ibid., Vincent Massey to J.E. Read, 2 November 1944.

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32. Ibid., J.E. Read to USSEA, Norman Robertson, 13 November 1944.

33. Ibid., Norman Robertson to Deputy Minister, DND, 15 November 1944; Norman Robertson to Vincent Massey, 16 November 1944.

34. Ibid., J.E. Read to A.G. Slaght, 14 December 1944.

35. Ibid., J.E. Read to A.G. Slaght, 27 December 1944.

36. Ibid., High Commissioner for Canada, London to J.E. Read, 12 January 1945.

37. PAC, RG 25, Acc. 84-85/19, Box 169, f. 5908-40C, v. 3, "First Annual Report of the War Crimes Advisory Committee Covering Period December 10, 1943 to December 31, 1944."

38. Ibid., A.G. Slaght to Mackenzie King, 7 February 1945.

39. Ibid., J.E. Read to Mackenzie King, 8 February 1945.

40. Ibid., J.E. Read to Norman Robertson, 16 January 1945.

41. Bower, p. 86; Wyman, p. 257.

42. Bower, p.120; Wyman, p. 259.

43. Cited in Bower, p. 121.

44. PAC, RG 25, Acc. 84-85/19, Box 169, f. 5908-40C, v. 3, Memorandum on A.G. Slaght/E.R. Hopkins meeting, 8 March 1945; E.R. Hopkins notes on discussions with Mr. Slaght re: War Crimes, 12 March 1945.

45. Ibid.

46. Ibid., v. 5, E.R. Hopkins' "Report to Heads of Divisions, DEA, on the Canadian Interest in War Crimes", 5 June 1945.

47. A top secret memo attached to Hopkins' 5 June 1945 report recorded a conversation with "X" in which he attributes to that anonymous individual the observation that "the matter of war crimes was one very closely associated with Intelligence, that this sort of thing had been the business

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of Intelligence for some time, and that there was a large and organized staff which could be made available to cooperate with whatever primary agency might be established to this end". It would be of interest to examine the possibility of a link between this intense interest by Canadian Intelligence in the war crimes issue with allegations that Western Intelligence agencies were recruiting and then resettling former Nazis and collaborators in the year immediately following the war.

48. Bower, p. 99.

49. American initiatives to organize for prosecution and punishment of war crimes were relatively vigorous in comparison to those of the British -- twelve investigation teams were set-up by the American army in Germany in contrast to the single British team at Belsen. These initiatives, however, were beset by problems. The War Crimes Agency was overtaken by another war crimes program, based on the establishment of an international tribunal which would prosecute not only Nazi leaders but also figures representing each of the Nazi organizations, the Party, the SS, the Gestapo. A consequence of the collapse of the war crimes agency was that three months after the much-publicized massacre of American POWs in Malmédy, France, no concerted effort was being made to track down the SS men responsible. The report of the Court of Inquiry on the massacre was simply filed away. Furthermore, State Department officials rejected suggestions that silence about war crimes, originally imposed for fear of reprisals, should be lifted, and even ordered that copies of the War Crimes Commission's list not be sent to the Department's own visa control section because they had a "Top Secret" classification. (Bower, p. 126).

50. A December 1946 memorandum on CROWCASS acknowledged the initial error of CROWCASS to publish the names of 'Security Suspects' in the 'Wanted List', which led to confusion for those seeking information with regard to war criminals, since a security suspect is "merely one whose past status, employment or associations classify him as one who may possibly become an active or passive sympathizer with any subversive effort to disturb the security of the post-war peace". (Commission exhibit P-9, December 1946, p. 3).

51. Bower, pp. 127-132.

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52. Bower, p. 197. "The half-hearted British attempt to organize a war crimes policy on behalf of the two Western Allies and occupied Europe was a hopeless failure. Allied armies stood on the threshold of the Reich itself. Already enormous numbers of potential witnesses and vast amounts of evidence were in Anglo-American hands. Not only had no effective policy been decided upon by which the pledges of justice and retribution were to be redeemed, but, much worse, the long-drawn-out fiasco had actually prevented any preparations being made to carry out the practical tasks of gathering evidence, tracking down wanted men, interrogating witnesses and suspects, establishing courts - in short, doing all those tasks without which, as Simon had clearly foreseen two years previously, no policy could be effective." (Bower p. 97).

53. Neal Ascherson, "The Film Britain Hid from Germany", The Observer, 8 September 1985.

54. Gary Evans: John Grierson and the National Film Board: The Politics of Wartime Propaganda, (University of Toronto Press, Toronto 1984), pp. 180-181.

55. Judgment of the International Military Tribunal for the Trial of German Major War Criminals, Nuremberg, 30 September - 1 October 1946, p. 1.

56. PAC, RG 25, Acc. 84-85/19, Box 170, f. 5908-40, v. 4, A.G. Slaght to E.R. Hopkins, 23 June 1945.

57. Ibid.

58. Ibid., Vincent Massey to Mackenzie King, 3 Aug 1945.

59. Ibid., John Read to Norman Robertson, 29 Aug 1945.

60. Ibid., House of Commons Debates, "War Criminals: Trial Procedure - Establishment of Canadian Courts", 13 September 1945.

61. U.N. General Assembly Resolution 95(I), 11 December 1946.

62. Hilberg, pp. 1077-1079.

63. Cited in Bower, p. 226.

64. Cited in Bower, p. 241.

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65. Ibid., p. 245.

66. Ibid., p. 247.

67. Ibid., p. 248.

68. Ibid., p. 253.

69. See Chapter XII (Part 1) of this report regarding resettlement of German scientists by Allied governments.

70. Bower, pp. 73, 248, 251, 254, 256, 258.

71. PAC, RG 25, Acc. 84-85/19, Box 170, f. 5908-40, v. 4, J.E. Read to Louis St. Laurent (Minister of Justice), 12 July 1945.

72. Ibid., J.E. Read to Mackenzie King, 12 June 1945.

73. Ibid., v. 3, memorandum by Lt.-Col. Bruce Macdonald, 8 May 1945.

74. Ibid., v. 5, Hopkins' Report, 5 June 1945.

75. Ibid., v. 4, Minutes of Extraordinary Meeting of War Crimes Advisory Committee, 25 June 1945.

76. Ibid., Charles Stein (Department of Justice) to Secretary, CWCAC, 29 June 1945.

77. Ibid., A.G. Slaght to E.R. Hopkins, 30 June 1945.

78. Ibid.

79. Ibid., J.E. Read to Deputy Minister of Justice, 7 August 1945; DEA, Acc. 2441, f. 4060-40C, proposed Order-in-Council, 21 August 1945.

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80. PAC, RG 25, Acc. 84-5/19, Box 170, f. 5908-40, v. 4, E.R. Hopkins, note for the Deputy, 10 July 1945.

81. PAC, MG 26, J4, v. 419, King Cabinet Conclusions, f. April-October 1945, Privy Council Meeting of 29 August 1945.

82. PAC, RG 25, Acc. 84-85/19, Box 170, f. 5908-C-40, v. 1, B.J.S. Macdonald to CWCAC, 10 August 1945.

83. Ibid., v. 4, Note for the Prime Minister, 21 August 1945; "Report of No. 1 Canadian War Crimes Investigation Unit, 23 September 1945.

84. Pleas for clemency on behalf of Meyer and Neitz began in April 1947, and persisted through the early 1950s. Canadian officials, however, remained steadfast and refused to reduce or remit Neitz' sentence despite considerable pressure from the U.K., from German public opinion, including personal intercession on his behalf by Chancellor Adenauer, and a recommendation sent to Ottawa by the Canadian ambassador in Germany. The Canadian Cabinet, however, did decide to release Ossenbach by an Order-in-Council in September 1951 -- though recommending "precaution...to ensure no publicity regarding that action".

Charles Ritchie, then in External's European Division, proposed in a memorandum to the Minister, that the matter of war criminals having been reduced to "problems of releases and grants of clemency", and more concerned with international politics and relations with other governments than with straight defence issues should be handled by External Affairs rather than by the Department of National Defence.

Ritchie was referring to the decisions which Cabinet would have to make with regard to the treatment of Meyer and Neitz, since there had been of late considerable agitation in Germany favouring their outright release, with a personal intervention by Chancellor Adenauer requesting remission of Neitz' sentence before the general elections the following September. Also the United Kingdom government was "not happy" to have these two criminals in their custody, and was making its feeling known that the Canadian government should make the same effort to provide "no less favourable treatment to its two prisoners than that which is extended to other war criminals in the British zone".

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By 1953, the steadfastness for maintaining Canadian jurisdiction for Meyer and Neitz also dissolved, with the establishment of a Mixed Clemency Board on which Canadian representation appeared superfluous, "since -- in any event -- a recommendation of the mixed consultative board won't be binding on the Canadian government, it is questioned whether there will be any harm in allowing a purely German-United Kingdom consultative body to examine these two cases along with those other inmates of Werl Prison." [DEA, f. 5908-40, memorandum to Cabinet, 12 August 1953.]

85. PAC, RG 24, v. 2906, f. (DND) HQS 8959-9-5, 21 December 1945.

86. Ibid., 24 December 1945.

87. Commission Exhibit P-11, DND HQ (ref), Lt. Col. B.J.S. Macdonald "Report of No. 1 Canadian War Crimes Investigation Unit on Miscellaneous War Crimes against Members of Canadian Armed Forces in the European Theatre of Operations, September 9, 1939 to May 8, 1945" Parts I and II, 30 March 1946.

88. DEA, f. 5908-40C, 14 February 1946.

89. DND, HQ, S. 8959-9 (JAG/A).

90. DEA, f. 5908-40C, High Commissioner London to USSEA, 11 April 1946.

91. Ibid., JAG to Minister of National Defence for Air, 12 April 1946.

92. Ibid., E.R. Hopkins to Deputy, 17 April 1946.

93. Ibid., Memorandum for SSEA, 17 April 1946; A.D.P. Heeney to N.A. Robertson, 7 May 1946; Memorandum for the Acting SSEA, 21 May 1946.

94. Ibid., E.R. Hopkins to Acting Deputy, 14 May 1946.

95. DEA, f. 4060-40C, SSEA to Acting High Commissioner, London, 9 September 1946.

96. Ibid., Maurice Pope Canadian Military Mission-Berlin to SSEA, 23 July 1946; Acting Commissioner, London to Acting SSEA, 16 August 1946; RCMP f. Commissioner RCMP to USSEA, 1 October 1946; PAC, RG25 Acc. 84-85/19, Box 12, f. 8008-A-40C, 1 and 12 November, and 12 December 1946, 8 and 10 January 1947 (Correspondence, G.C. Magann, L.B. Pearson and Commissioner, RCMP).

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97. PAC, RG76, v. 617, f. 916207 pt. 10 (reel 10457), Memorandum: "Political Adherents to Tiso Regime in Slovakia -- Admission to Canada", 27 June 1946.

98. Ibid.

99. DEA, f. 5908-40C, High Commissioner London to SSEA, 23 December 1946.

100. Ibid., Deputy Minister, DND to USSEA L.B. Pearson (same as Commission Exhibit P-99), 2 June 1947.

101. DEA, f. 4060-40C, Stansfield, Legal Division, 2 December 1947.

102. Ibid., E.R. Hopkins for SSEA to Acting High Commissioner London, 18 September 1947.

103. Ibid., N.A. Robertson (High Commissioner, London) to SSEA, 14 January 1948.

104. Bower, pp. 248, 260.

105. Cited in Bower, pp. 270-271.

106. Ibid., p. 271.

107. Ibid., pp. 291-2.

108. Commission exhibit P-100, Outward telegram from Commonwealth Relations Office, re: "Trials of Suspected German War Criminals", 13 July 1948 and 13 August 1948; DEA, f. 4896-40, telegram from SSEA to Secretary of State for Commonwealth Relations, 22 July 1948.

109. DEA, f. 5908-40, Acting High Commissioner (London) to SSEA, 27 September 1948.

110. Ibid.

111. Ibid.

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CHAPTER II

1. Studies consulted with regard to World War II refugees and displaced persons include: Gerald E. Dirks, Canada's Refugee Policy (McGill-Queen's University Press, Montreal 1977); Leonard Dinnerstein, America and the Survivors of the Holocaust (Columbia University Press, New York 1982); Michael M. Marrus, The Unwanted: European Refugees in the Twentieth Century (Oxford University Press, 1985); Malcolm J. Proudfoot, European Refugees: 1939-1952 (Faber & Faber, London 1952); Jacques Vernant, The Refugee in the Post War World (London: Yale University Press, New Haven 1953).

2. Dirks, p. 100.

3. DEA, f. 5127-EA-40, N.A. Robertson to R.G. Riddell, 15 July 1944.

4. See Nikolai Tolstoy, Victims of Yalta (Hodden & Stroughton, London/Toronto 1977).

5. See Marrus, pp. 317-324 and Dinnerstein pp. 10-22.

6. Dinnerstein, pp. 16-17.

7. Ibid., pp. 13-17.

8. Cited in Marrus, p. 320 n.41.

9. Dinnerstein, p. 109.

10. Ibid., p. 22.

11. Dirks, p. 106.

12. Ibid., p. 109.

13. Ibid., p. 117.

14. IRO Constitution, appended to IRO Manual for Eligibility Officers (RCMP archives WCTF 3505-3708), p. 149-151.

15. Dirks, p. 107.

16. Ibid., p. 111.

17. DEA, f. 5127-EA-40, External Affairs to Canadian High Commission, London, 14 January 1946.

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18. Dirks, p. 268: (from L.W. Holborn, The IRO, A Specialized Agency of the United Nations (Oxford University Press, 1956), p. 197.

19. PAC, RG76, v. 870, f. 555-19-637, "Displaced Persons in Europe", p. 13.

20. Ibid.

21. Ibid.

22. Proudfoot, pp. 425, 427 (Source: IRO Office of Statistics and Operational Reports, Tables IV and V, pp. 12-14).

23. Dinnerstein, p. 20.

24. Ira Hirschmann, The Embers Still Burn (New York: Simon and Schuster, New York 1949), p. 227.

25. Washington Post, 31 December 1945, cited in Allan A. Ryan, Jr., Quiet Neighbours (Harcourt Bruce Jovanovich, New York 1984), p. 14.

26. Congressional Record, Proceedings and Debates of the 80th Congress, Second Session, "Many Among DPs in European Camps are Collaborationists", August 1948.

27. Submission by Joseph Riwash to the Deschênes Commission, 8 July 1985.

28. PAC, MG30 C184, Ethel Ostry, UNRRA Diary, p. 165.

29. Ibid., p. 167.

30. Ibid., p. 187-188.

31. Ibid., p. 188.

32. Hugh L. Keenleyside, personal papers, correspondence, Ada Siegel to H.L. Keenleyside, 4 June 1948.

33. Ibid., H.L. Keenleyside to Ada Siegel, 10 June 1948.

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34. Proudfoot, pp. 245-6.

35. DEA, f. 5127-40C, "Note Concerning Screening Procedure in UNRRA D.P. Camps", 14 February 1947; Proceedings, Standing Committee on Immigration and Labour, 30 April 1947, pp. 105-6.

36. Of note is the experience of the Canadian Christian Council for the Resettlement of Regugees, described in this report.

37. See note 5 above.

38. PAC, RG76, v. 870, f. 555-19-637, "Displaced Persons in Europe: Report of the Committee on the Judiciary", 2 March 1948, p. 27.

39. Ibid.

40. Proudfoot, p. 277. See discussion in Chapter I Part 2 of this report.

41. IRO Manual for Eligibility Officers, supra., pp. 31-35.

42. Ibid., p. 31.

43. Ibid., p. 32.

44. Ibid.

45. Ibid.

46. Ibid., p. 8(i), case 21.

47. Ibid., p. 32.

48. Ibid., p. 33.

49. Ibid.

50. Ibid., p. 7(i), case 15. See chapter XII Part 4 of this report for discussion of screening of Balts.

51. Cited in Ryan, p. 20, n. 53: Edward M. Glazek, Hearings before the Subcommittee on Amendments to the Displaced Persons Act. Committee on the Judiciary, United States Senate, 81st Cong., 1st and 2d Sess. ("McCarran hearings") 3 February 1950, p. 493.

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50. DEA files (unreferenced), Memorandum from Mr. Day to G.G. Crean, 13 April 1948.

53. IRO Manual for Eligibility Officers, p. 54.

54. Ibid., p. 55.

55. Ibid., p. 56.

56. Ibid., p. 51.

57. Ibid. p. 7.

58. PAC, RG 76, v. 870, f. 556-19-67.

59. Ibid.

60. PAC, RG 26, v. 72, f. 2. Appended to minutes of Cabinet Committee on Immigration, 10 August 1948.

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CHAPTER III

1. Studies consulted for general background to Canadian immigration and refugee policy in the postwar period include: Gerald E. Dirks, Canada's Refugee Policy: Indifference or Opportunism (McGill-Queen's University Press, Montreal 1977); Freda Hawkins, Canada and Immigration Public Policy and Public Concern (McGill-Queen's University Press, Montreal 1972); and D.C. Corbett, Canada's Immigration Policy (University of Toronto Press, Toronto 1957).

2. PAC, PCO, Memorandum re: Immigration, 5 September 1945.

3. See Lita-Rose Betcherman, The Swastika and the Maple Leaf: Fascist Movements in Canada in the Early Thirties (Fitchenny and Whiteside, Toronto 1975), pp. 85-98; Davie Rome, Clouds in the Thirties, on anti-Semitism in Canada, 1929-1939, 13 vols. (Canadian Jewish Congress, Montreal 1977-1981).

4. Betcherman, p. 62.

5. Ibid., p. 66.

6. Robert H. Keyserlingk, "The Search for Nazi Subversives", The Canadian Historical Review, LXVI, 2, 1985, p. 221.

7. Irving Abella and Harold Troper, None is Too Many, Lester and Orpen Dennys Ltd., Toronto, 1982.

8. Ibid., p.vi.

9. Ibid., p. 281.

10. Ibid., p. 8.

11. Ibid., p. 282.

12. Ibid., p. 279.

13. Ibid., p. 111.

14. See Ben Lappin, The Redeemed Children: The Story of the Rescue of War Orphans by the Jewish Community of Canada, (Univ. of Toronto Press, Toronto 1963).

15. DEA, f. 50207-40 (*2517), Security Panel Document S-151, 25 February 1953; PAC, RG76, v. 801, f. 547-5-550, G.R. Benoit to Chief Administration Division, 13 January 1954.

16. RG 25, Acc. 84-85/226, Box 9 of 12, file 5127-A-40, Pt. 2, S.T. Wood (Commissioner of the RCMP) to USSEA, 25 November 1944, 17 January 1945, and 30 June 1945.

17. Ibid.

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18. Ibid., S.T. Wood to USSEA, 17 January 1945.

19. Ibid., att. to letter from S.T. Wood to USSEA, 17 January 1945.

20. Ibid., S.T. Wood to USSEA, 25 January 1945.

21. Abella/Troper, p. 231-232.

22. Ibid.

23. Ibid.

24. Ibid., p. 232-3.

25. PAC, Review of the Foreign Language Press in Canada, June-December 1946, Die Mennonitsche Rundschau.

26. Ibid., June-December 1946.

27. Ibid., February 1946, Ukrainishe Zhyttia, Ukrainske Slovo.

28. Ibid., January-February 1946, Svoboda.

29. Ibid., Novyi Shliakh.

30. Ibid., February 1946, Ukrainskyi Robitriyk.

31. David Croll (Spadina), Canada, House of Commons Debates (henceforth -- Debates), 27 August 1946, 4 March 1947; John Bracken (Neepawa), Debates, 3 February 1947; Alistair Stewart, Debates, 19 October 1945, 4 February 1947; G.H. Castleden (Yorkton), Debates, 28 April 1947.

32. Thomas Kidd (Kingston), Debates, 27 August 1946; H.W. Herridge (Kootenay West), Debates, 25 March and 28 August 1946; Benoit Michaud (Restigouche-Madawaska), Debates, 28 August 1946; John Blackmore (Lethbridge), Debates, 28 August 1946; T.L. Church (Broadview), Debates, 28 April 1947.

33. Debates, 1946, p. 532.

34. Anthony Hlynka (Vegreville), Debates, 24 September and 18 December 1945, 25 March 1946; Walter Tucker (Rosthern), Debates, 4 December 1945, 12 February and 11 March 1947; Frederick Zaplitny (Dauphin), Debates, 11 September 1945, 28 August 1946, 11 March 1947.

35. Debates, 4 February 1947.

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36. Debates, 11 February 1947.

37. Debates, 4 March 1947.

38. Ibid.

39. Debates, 11 March 1947.

40. Dirks, pp. 131-132, Canada Senate Debates (1946), p. 106.

41. Proceedings of the Senate Committee on Immigration and Labour (henceforth -- Proceedings) 24 July 1946, pp. 192-3.

42. Ibid.

43. Proceedings, 23 April 1946.

44. Proceedings, 24 April 1947, Ian Mackay.

45. Proceedings, 30 April 1947, Keenan Report.

46. Ibid.

47. Ibid.

48. Ibid.

49. Ibid.

50. Proceedings, 18 June 1947.

51. Proceedings, 12 June 1947, Hugh Keenleyside; see pp. 154 ff. below.

52. Proceedings, 1948, p. 71.

53. Ibid., pp. 186-196.

54. Ibid., p. 6.

55. Proceedings, 5 June 1947, Association of United Ukrainians in Canada.

56. IR, f. 673931, Pope to Secretary of State for External Affairs, 11 March 1946.

57. Ibid., S. Morley Scott, "The Admission of European Refugees to Canada", 10 March 1946.

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58. Ibid., Memorandum from Col. S.M. Scott re: movement of displaced persons to Canada, 4 November 1946, appended to letter from Pope to SSEA, 8 November 1946.

59. Ibid., Massey to SSEA, 5 April 1946.

60. PAC, RG 2/18, v. 65, Cab. Doc. No. 305, Memorandum to Cabinet from SSEA Louis St. Laurent, October 1946.

61. Hawkins, p. 90.

62. Preliminary Report of Interdepartmental Committee on Immigration Policy to the Cabinet Committee on Immigration, 4 April 1946.

63. PAC, RG 2/18, v. 65, Memorandum to Cabinet from A.D.P. Heeney, Cab. Doc. No. 201, May 1946.

64. Abella/Troper, p. 244.

65. CSIS, IP 140-35, pt. 1, 7 April 1952.

66. Documents on Canadian External Relations, v. 12, p. 203, PCO/W-35-2, 9 May 1946.

67. PAC, King Papers, MG26 J4, v. 420, f. November-December 1946.

68. Ibid.

69. Ibid; Documents on Canadian External Relations, v. 12, 1946, p.206, PCO/W-35-2, 9 December 1946.

70. Dirks, p. 142.

71. Robillard testimony, Commission transcripts, v. 11, 1264-5.

72. Debates, 22 August 1946.

73. Debates, 28 April 1947.

74. Proceedings, 25 June 1946, Mr. Dutkiewicz.

75. Ibid., 25 June 1946 and 18 June 1947.

76. Milton Friedman. "The Nazis Come In", The Nation, 174 (1 March 1952): 200-201.

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77. Abella/Troper, p. 218; Debates, 4 February 1947.

78. Dirks, pp. 138-140.

79. IMP, Memorandum to Cabinet, 24 February 1947.

80. PAC, RG76, v. 777, f. 536-52, pt. 1, p. 3.

81. Ibid., p. 6.

82. PAC, RG2/18, v. 66, Memorandum to Cabinet from J.A. Glen, 27 March 1947.

83. Debates, v. 3, 1947, pp. 2644-2647.

84. PAC, RG 2/18, v. 66, Memorandum to Cabinet, 8 August 1947.

85. Dirks, pp. 157-159; PAC, RG 2/18, v. 16, Cab. Doc. No. 747, 15 September 1948.

86. Hawkins, p. 91.

87. Dirks, p. 158.

88. PAC, RG 2, 518, v. 82, f. 1-50-m (v. 1) 1946-1947.

89. Ibid., f. Memorandum for the Cabinet Committee on Immigration Policy, 10 April 1948.

90. H. Keenleyside, Debates, 2 September 1948.

91. PAC, RG 2/18, v. 66, Memorandum to Cabinet from C.D. Howe, 2 January 1947.

92. Ibid., Memorandum to Cabinet from C.D. Howe, 18 September 1947.

93. Ibid., Memorandum to Cabinet from Hugh Keenleyside, Cab. Doc. No. 490.

94. Globe and Mail (Toronto), 28 May 1947.

95. Ibid., 31 May 1947.

96. Dirks, p. 156.

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97. DEA, f. 9414-40, R.G. Riddell to L.B. Pearson, 21 January 1947.

98. PAC, RG25, Acc. 84-85/019, Box 305, f. 9414-40, cited in a letter from C.H. Payne, DM, Dept. of National War Services to L.B. Pearson (USSEA), 8 January 1947.

99. DEA, f. 9414-40, Governor-General Viscount Alexander to SSEA Louis St. Laurent, 13 December 1946.

100. PAC, Canadian Lutheran World Relief, MG28 V120, vol. 24, f. 17.

101. See W.J.H. Sturhahn, They Came from East and West: A History of German Immigration to Canada (North American Baptist Immigration and Colonization Society, Winnipeg 1976); Dirks pp. 160-164.

102. Dirks, pp. 161-163.

103. Sturhahn, p. 158.

104. Robillard testimony, Commission transcripts, v. 11, pp. 1270-1.

105. Sturhahn, pp. 74-75.

106. Ibid., p. 75.

107. PAC, RG26, v. 104, f. 3-24-1, pt. 1, Jolliffe in response to CCCRR brief, 22 November 1947.

108. Ibid.

109. Dirks, p. 161.

110. PAC, RG26, v. 104, f. 3-24-1, pt. 1, 22 November 1947.

111. Ibid., CCCRR brief to J.A. Glen, 14 January 1948.

112. Ibid.

113. Ibid., Memorandum for the Cabinet from J.A. Glen, 23 February 1948.

114. Ibid., 4 March 1948.

115. Ibid., 26 August 1948.

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116. Dirks, p. 163.

117. PAC, RG26, v. 72, vol. 2, App. A to brief submitted by Canadian Lutheran World Relief Organization, 11 January 1949.

118. Ibid.

119. Ibid.

120. Ibid.

121. Cited in Dirks, p. 163.

122. See Chapter 8 of this report; section on "Policy and screening guidelines with regard to admissibility of the Baltic Waffen-SS".

123. Karl Aun, The Political Refugees: A History of the Estonians in Canada (McClelland and Stewart in association with Multiculturalism Directorate--Department of the Secretary of State, Toronto 1985); Milda Danys, D.P. Lithuanian Immigration to Canada after the Second World War (The Multicultural History Society of Ontario, Toronto 1986).

124. Dirks, p. 164.

125. Ibid.

126. PAC, RG 2/18, v. 66, Memorandum to Cabinet from J.A. MacKinnon, Minister of Mines and Resources, 15 September 1948.

127. Memoirs of Hugh L. Keenleyside (McClelland and Stewart, Toronto 1981), v.2, pp. 300-301.

128. Debates, 28 April 1947, v.III, pp. 2463-4.

129. Debates, 2 May 1947, p. 2709, T.A. Kidd (Kingston City) and H.O. White (Middlessex East).

130. Ibid., pp. 2696-2741, E.D. Fulton (Kamloops).

131. Ibid., p. 2703, W.A. Tucker, Rosthern.

132. Ibid., 11 July 1947, pp. 5431-5.

133. Ibid., p. 5454-5, Herridge.

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134. Debates, 13 June 1950, p. 3587, MP Hodgston.

135. Debates, 15 June 1950, p..3673, MP Gagnon.

136. Review of Foreign Language Press in Canda (hereinafter: RFLPC), Keneder Adler, 20-26 February 1949.

137. RFLPC, Der Nordwestern, 27 February and 5 March 1949.

138. Debates, 24 February 1949, pp. 881-7.

139. RFLPC, Novyi Shliakh, 13-19 March 1949.

140. Ibid., 2-8 January 1949, Ukrainske Zhyttia.

141. Ibid., Liandies Balsas, 15-21 May, 1949.

142. Western Jewish News, 2 June, 1949.

143. PAM, Peter Taraska papers, MG14 B92, f. 30, 1949.

144. PAC, Pickersgill papers, MG32 B34, v. 37, H.L. Keenleyside to the Minister of Mines & Resources, 25 November 1948.

145. Proceedings, 1949, pp. 53-65.

146. RFLPC, May 1949.

147. Wochenblatt, Toronto, 18 October 1951; Der Tag, New York, 18 August 1951.

148. The Gazette, 8 November 1951.

149. PAC, Pickersgill Papers, MG32 B34, v. 37, f. 502, L.A. Couture to Minister of Citizenship and Immigration, 5 September 1956.

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CHAPTER IV

1. Immigration Act, 1952, R.S.C., chapter 145, s.4.

2. "There are an extremely large number of Europeans who are anxious to immigrate to America and especially to Canada. The experience of the last two wars has driven countless numbers to this desire. Many of these, thousands of them, would be good and desirable citizens, but there are also many thousands who would be most undesirable. We are advised, and have reason to believe, that several hundred thousand Nazi and Fascist collaborators in Europe find it difficult to place themselves amid hostile compatriots and are anxious to go abroad and to come to Canada. This type of person is hardly desirable". [DEA, f. 233; RCMP f. C.311-26-14, H.A.R. Gagnon (Assistant Commissioner RCMP) to Laurent Beaudry (Assistant USSEA), 16 May 1946].

3. Documents on Canadian External Relations, Department of External Affairs, v.12, 1946, p. 354.

4. For details refer to: Commission of Inquiry Concerning Certain Activities of the RCMP, Second Report, v. 2, Freedom and Security under the Law, August 1981, Part VII, Ch. 1, p. 781.

5. PAC, MG30 E15 (Beaudry papers), v. 6, f. 114, 14 February 1946.

6. Commission exhibit P-76, Security Panel Meeting, 24 June 1946.

7. Ibid., 8 July 1946.

8. DEA, 233, Memorandum for Hume Wrong, 24 July 1946.

9. RCMP f. C. 311-42-2-3 (WCTF 165), Supt. L.H. Nicholson to A.L. Jolliffe, 25 July 1946.

10. PAC, RG2, 518, v. 82, 5 August 1946.

11. Ibid.

12. Commission exhibit P-76, Security Panel meeting, 19 August 1946.

13. RCMP f. C311-42-2-3, (WCTF 161) S.T. Wood to Louis St. Laurent, 9 October 1946.

14. CSIS, IP 135-21 (f. C311-42-2-3), Director of Immigration Branch to Commissioner RCMP, 14 December 1946.

15. CSIS, IP 135-20, v. 1, Insp. Parsons to D.C.I., 23 January 1947.

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16. Commission exhibit P-76, Security Panel Meeting, 30 January 1947.

17. Ibid.

18. PAC, King Papers, MG26 J4, v. 420, f. January-March 1947; RG 2/18, v. 65, Memorandum to Cabinet, 4 February 1947.

19. Ibid.

20. Annex A to Security Panel Document SP 24 (S-100-D), 30 March 1948, p. 3.

21. Ibid.

22. PAC, RG2, 518, v. 103, f. 5-100-1 (vol. 2), Minutes of Meetings, 7 February 1947.

23. CSIS, Visa Control IP-135-2, Sgt./Mjr. J. Murray to RCMP H.Q. 26 February 1947.

24. Ibid., 7 and 12 March 1947.

25. Ibid., 11 April 1947.

26. Ibid., 26 March 1947.

27. Proceedings, Standing Committee on Immigration and Labour, 30 April 1947.

28. PAC, RG 2/18, v. 66, Memorandum to Cabinet from J.A. Mackinnon, Minister of Mines and Resources, chairman of Cabinet Committee on Immigration Policy, 15 September 1948.

29. Commission exhibit, P-35, item O, Briefing Paper: "Immigration from Germany" (1963). For a fuller discussion of immigration to Canada of German nationals and former members of Nazi organizations, see chapters V, VIII and X of this report.

30. DEA, Circular Document No. B.4, SSEA Leslie Chance to heads of Canadian Missions Abroad, 8 January 1948.

31. Commission exhibit P-35, item 12, Immigration Branch Circular No. 42A, 12 March 1948.

32. According to a number of recent studies on Austria in the 1930s and 1940s, Nazism was more deeply rooted and more widespread there than in Germany. See, for example, Bruce F. Pauley, A History of Austrian National Socialism (Univ. of North Carolina Press 1986). Acquittals and exoneration after the war of persons charged with involvement in war crimes was also far more extensive in Austria than in Germany.

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33. PAC, RG 2/18 v. 66, Memorandum to Cabinet, 8 August 1947.

34. Dirks, p. 158.

35. Commission exhibit P-35, item 6, Immigration Branch Instructions re: Procedure in Handling Alien Immigration, 29 March-30 May 1947.

36. Ibid.

37. Ibid.

38. In view of the large numbers of applicants and the long delays in receiving responses on checks from M15, screening officer Sgt. Murray urged that a Canadian official be stationed in Berlin to conduct BDC checks on lists of applicants for immigration to Canada. This suggestion was not taken up, indicating that the matter did not have high priority for Canadian authorities (CSIS, IP 135-2, 11 April 1947).

39. Security Panel Document, S-100-M, 30 March 1948.

40. Ibid.

41. Ibid.

42. CSIS, Visa Control Germany, IP 140-35, pt. 1, 16 April 1947.

43. Ibid.

44. Commission exhibit P-76, Security Panel meeting, 2 April 1948.

45. CSIS, Visa Control IP 135-2, 7 and 12 March 1947.

46. CSIS, IP 135-21, 3 May 1948.

47. See Chapter XII (parts 2 and 4) of this report.

48. CSIS, IP 135-12, Assistant Commissioner L.H. Nicholson to Officer-in-Charge Special Branch, 22 July 1948.

49. See Annex 3 to this report; George O'Leary testimony, Commission transcripts, v. 6, pp. 756-7.

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50. Albert L. Greening testimony, Commission transcripts, v. VIII, p. 1010; Robert Hayward testimony, Commission transcripts, v. II, p. 199. In view of the possibility that Nazis and Fascist collaborators, subversives and criminals would want to immigrate to Canada, the RCMP urged, as early as May 1946, that fingerprinting be required so as to permit checks with available records abroad. This was already an adopted American practice, and it was felt that "this control for immigrants (was needed) more so now that we have access to European criminal records". The suggestion was not taken up by Canadian authorities. (DEA 233--RCMP f. C.311-26-14, H.A.R. Gagnon (Assistant Commissioner RCMP and Director Criminal Investigation) to Laurent Beaudry (Assistant USSEA), 16 May 1946.

51. W.H. Kelly testimony, Commission transcripts, v. VII, pp. 913-4; Albert A. Greening testimony, Commission transcripts, v. VIII, p. 1003; Robert Hayward testimony, Commission transcripts, v. II, p. 199.

52. PAC, RG 2/18, v. 189, f. S-100-1 (vol. 2) 1950-51, "Screening of Applicants for Admission to Canada", 20 November 1948; Commission exhibit P-35, item 16, Immigration Branch documents, 7 February and 21 March 1949.

53. DEA, f. 232-AK-40 (DEA, * 1601), Cabinet Directive, Circular No. 14, 28 October 1949.

54. CSIS, IP 135 - 22, 29 March 1949; Commission exhibit P-76, Security Panel meeting, 5 April 1949.

55. Ibid.

56. Ibid.

57. Ibid.

58. PAC, RG 76, v. 651, f. B29300, pt. 3, Cpl. W.J. Lawrence to RCMP HQ, 16 September 1947.

59. Ibid.

60. Cabinet Directive, Circular No. 14, 29 October 1949.

61. Commission exhibit P-76, Security Panel Meeting, 27 April 1950.

62. CSIS, IP 135-21, 17 December 1949.

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CHAPTER V

1. PAC, Canadian Lutheran World Relief, MG28 V120, vol. 24, f. 17, CCCRR brief to Walter Harris, 2 February 1950.

2. PAC RG26, v. 104, f. 3-24-1, pt.1, 20 December 1949.

3. Ibid., T.O.F. Herzer to Walter Harris, 2 February 1950.

5. Commission exhibit P-76 (f. S-100-M), Minutes of Security Panel Meeting, 5 April 1949.

6. RG2/18, v. 166, f. I-50-10, Memorandum for the Prime Minister from N.A. Roberston (Clerk of P.C.O.), 7 April 1949.

7. Ibid.

8. Ibid.

9. PAC, St. Laurent Papers, MG26 L56, f. 1-20-35, 7 april 1949.

10. See Chapter XII (parts 1 and 2) of this report with regard to admission of German scientists and technicians and French Nazi collaborators by orders-in-council.

11. Sturhahn, p. 75.

12. Ibid., pp. 76-77.

13. Ibid., p. 103.

14. PAC, RG2/18, v. 166, f. I-50-10, 30 April 1949.

15. Ibid., 14 April 1949.

16. Ibid., Memorandum to File, 25 April 1949.

17. Ibid., Memorandum to Cabinet, 30 April 1949.

18. Ibid., R.G. Robertson to N.A. Robertson, Clerk of P.C.O., 10 September 1949.

19. Ibid.

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20. PAC, RG26, v. 72, vol. 2, I.R.O.-Geneva to Hector Allard (Chief of I.R.O. office in Ottawa), 3 October 1949; Commission exhibit P-35, # 19, 23 July and 17 August 1949.

21. Ibid., 8 November 1949.

22. Commission exhibit P-35, # 19, 25 and 31 August 1949.

23. PAC, RG26, v. 104, f. 3-24-1, pt. 1, CCCRR to Walter Harris, 2 February 1950.

24. DEA, f. 9408-40, T.O.F. Herzer to Colonel Laval Fortier, 23 September 1950 (att. to letter of 17 October 1950).

25. CSIS, Visa Control Germany, IP-140-35, Immigration Branch, Official Circular No. 72, 20 May 1950.

26. Ibid., Immigration Branch Official Circular No. 68, 20 January 1950.

27. RCMP, WCTF 089, Memorandum to Cabinet (Cab. Doc. 203-50, n.d.- 1950?).

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CHAPTER VI

1. Order-in-Council, P.C. 2856, 9 June 1950.

2. Immigration Act 1952, R.S.C., Chapter 325, s. 61.

3. Ibid., Chapter 145, s. 4.

4. Ibid., s. 19; PAC, RG 2/18, vol. 138, Memorandum to Cabinet from Walter E. Harris, Minister of C&I, 8 May 1951.

5. Commission of Inquiry Concerning Certain Activities of the Royal Canadian Mounted Police, Second Report, (August 1981) v. 2, p. 814.

6. PAC, Pickersgill Papers, MG31, E46, f. 29, Ambassador Escott Reid to SSEA, 8 September 1960.

7. PAC, RG76, v. 822, f. 552-1-551, pt. 2, "Immigration from Germany", 6 December 1957.

8. Ibid., pt. 1, 1 January 1961.

9. PAC, RG76, v. 650, f. 8727, pts. 1 and 2, Canadian Council of Churches.

10. PAC, RG26, v. 110, f. "Reports by G.P.A. Reid, and V.J. Kaye", 14 November - 14 December 1955.

11. PAC, RG26, v. 127, f. 3-33-13.

12. PAC, RG76, v. 828, f. 552-1-622, #23, to Acting Director of Immigration, 15 November 1950 and 28 September 1951.

13. PAC, RG26, v.109, f.3-33-20, pt. 1, V. Kalins (Latvian National Federation in Canada) to C.E.S. Smith (Director Immigration Branch), 31 December 1952.

14. Ibid., C.E.S. Smith to V. Kalins, 12 January 1953.

15. PAC, RG76, v. 818, f. 552-1-509, #18; ibid., f. 547-5-622, "Instructions to various embassies in South America for admission of immigrants", 16 December 1953.

16. PAC, Pickersgill Papers, MG32 B34, Box 47, f.1-2-5328, V. Kalins to C&I Liaison Officer, Toronto, 22 October 1954.

17. Ibid., J.W. Pickersgill to V. Kalins, 6 October 1955; RG26, v.129, f.3-33-23, Laval Fortier to Director of Immigration, 29 September 1955.

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18. Ibid., f.3-33-20, pt. 1, Laval Fortier to Director of Immigration, 3 October 1955.

19. PAC, RG76, v.818, f.552-1-509, #18, 22 November 1956.

20. Ibid., f.547-5-622, P.T. Baldwin (Acting Director Immigration Branch) to USSEA, 16 December 1953; v.828, f.552-1-622, 18 October 1954; v.818, f.552-1-509, #18, Despatch from Canadian Embassy, Buenos Aires to SSEA, 4 May 1956.

21. PAC, RG26, v.129, f.333-23, Director Immigration Branch to Deputy Minister, 29 June 1956.

22. PAC, RG76, v.818, f.547-5-622, 16 December 1953.

23. Ibid., f.552-1-509, #18, 4 May 1956.

24. PAC, RG26, v.109, f.3-33-20, V. Kalins to C.E.S. Smith (Acting Deputy Minister, C&I), February 1957; see file on Waffen-SS in the papers of the Canadian Lutheran World Relief: PAC, MG28 V120, vol. 24 f.17.

25. N.F. Dreisziger, Struggle and Hope: The Hungarian Canadian Experience (McClelland and Stewart Ltd., Toronto, 1982), pp. 203-206.

26. Dirks, p. 203.

27. Sturhahn, pp. 181-2.

28. Dirks, p. 200.

29. Ibid.; CNR Papers, PAC, v. 8319, f. 3136-2, J. Cody to passenger agents, 7 December 1956.

30. Robillard testimony, Commission transcript, v. 11, p. 1289.

31. Dirks p. 211: Interview with J.W. Pickersgill, 14 August 1969.

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CHAPTER VII

1. Commission exhibit P-76, Annex A to Minutes of Security Panel Meeting (f. S-100-M), Laval Fortier to Norman Robertson, 7 September 1950.

2. Ibid., Minutes of Security Panel Meeting, 27 october 1950.

3. Ibid.

4. Ibid.

5. Ibid.

6. CSIS, Visa Control General, v.2, IP 135-1, W.E. Harris to the Hon. Stuart S. Garson, 13 February 1951.

7. Ibid., Supt. G.B. McClellan to Major J.A. Wright, London, 6 March 1951.

8. Ibid., Supt. G.B. McClellan to Commissioner RCMP, Memorandum re: "Visa Control - General", (n.d., between April and September 1951).

9. Ibid.

10. Ibid.

11. Ibid.

12. Ibid.

13. Ibid.

14. Freda Hawkins, Canada and Immigration, p. 282.

15. Ibid.

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CHAPTER VIII

1. CSIS, Visa Control Germany, IP 140-35, pt. 1, Major J.A. Wright to J.D. McFarlane, 20 January 1948.

2. Ibid., J.A. Wright to London RCMP office, 23 February 1948.

3. Ibid., J.L. Jolliffe to S.T. Wood (Commissioner RCMP), 14 April 1948.

4. Ibid., 23 April 1948.

5. CSIS, IP 140-35, pt.1, 23 February 1948.

6. Ibid., citing letter from G.R.B. Panchuk to Mr. Cotsworth.

7. PAC, RG76, v. 656, f. B53802, pt. 1, Memorandum to Cabinet (undated -- December 1948?) See Chapter XII (Part 3) of this report.

8. CSIS, IP 135-12, Sgt. R. Norfolk to Major J.A. Wright, 3 December 1949.

9. CSIS, IP 140-35, Immigration Branch Official Circular No. 72, 20 May 1950.

10. PAC, RG25, Acc 84-85/19, Box 305, f. 9408-40, v.2, 18 September 1950.

11. Ibid., p. 3.

12. Ibid., p. 5.

13. Ibid., p. 7.

14. Ibid., p. 7.

15. W.J.H. Sturhahn, They Came from East and West, North American Baptist Immigration and Colonization Society, Winnipeg, 1976, pp. 55-58.

16. CSIS, IP 140-35 pt. 1, Laval Fortier to S.T. Wood (Commissioner RCMP), 20 September 1950; DEA, f. 9408-40, Laval Fortier to A.DP Heeney, 25 September 1950.

17. PAC, RG 26, v. 104, f. 3-24-1, pt.1, P.W. Bird (CGIM) to Immigration Branch, 26 September 1950, p. 3.

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18. Ibid.

19. Ibid., p. 4.

20. PAC, RG25, Acc. 84-85/19, Box 305, f. 9408-40, v.2, Memorandum for Consular Division form European Division, 7 October 1950.

21. Ibid., G. de T. Glazebrook to Consular Division, 17 October 1950.

22. Ibid.

23. Ibid., 25 October 1950.

24. Allied Control Council No. 38 [see note 4 to Chapter I: Part 2 above], pp. 3-4, and Appendix A, Part I, pp. 1-6.

25. CSIS, IP 140-35, pt. 1, Insp. R.A.S. MacNeil to Supt. McClellan, 8 November 1950.

26. RCMP, WCTF 163, S.T. Wood to Major J.A. Wright, 30 November 1950.

27. RCMP, WCTF 164, Inspector R.A.S. MacNeil to Major J.A. Wright, 4 December 1950.

28. PAC, RG76, v.856, f. 553-3, C.F. Klassen to T.O.F. Herzer, 25 November 1950.

29. Ibid., Laval Fortier to S.T. Wood and to A.D.P. Heeney, 15 January 1951; W.E. Harris to Laval Fortier, 9 March 1951.

30. Ibid., T.O.F. Herzer to C.F. Klassen, 12 February 1951.

31. Trial of the Major War Criminals Before the International Military Tribune, Vol. XXII, 27 August 1946 - 1 October 1946, 517, 514.

32. John A. Armstrong, Ukrainian Nationalism (Columbia Univ. Press, New York 1963), p. xxxii.

33. PAC, RG26, v.104, f. 3-24-1, pt. 1, CCCRR brief for W.E. Harris, 17 April 1951.

34. PAC, RG76, v.856, f. 555-3, A.D.P. Heeney to P.T. Baldwin, 30 May 1951.

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35. Ibid., C.E.S. Smith to L.H. Nicholson, 14 June 1951; Nicholson to Smith, 18 June 1951.

36. Commission exhibit P-35, #24, 17 and 18 May 1951.

37. Ibid., W. H. Hickman, Security Section to P.T. Baldwin (Chief Admission Division, C&I), 17 May 1951.

38. Ibid., P.T. Baldwin, Memorandum to File, 19 May 1951.

39. PAC, RG26, v. 104 f. 3-24-1, pt. I, Laval Fortier to C.E.S. Smith, 9 July 1951; MG28 V120, vol. 24, W.H. Harris to T.O.F. Herzer, 11 July 1951; ibid., T.O.F. Herzer to G. Berkefeld, 18 and 19 July 1951.

40. Ibid.; Security Panel Document SP119, 30 April 1952.

41. PAC, RG76, v. 856, f. 553-3, E.J. Bye (Security Officer) to G.A. Sincennes (Chief Security Officer, Karlsruhe), 18 December 1951.

42. CSIS, IP 140-35, G.A. Sincennes to Commissioner L.H. Nicholson, 29 April 1952.

43. Ibid.

44. Commission exhibit P-35, #27 (SF-S-1, pt. 2), 12 May 1952.

45. DEA, f. 50207-H-40, Security panel Document SP-119, 30 April 1952.

46. Commission exhibit P-35, #27, Laval Fortier to Director of Immigration, 30 May 1952.

47. PAC, RG76, v.856, f. 555-3, T.O.F. Herzer (CCCRR) to Laval Fortier, 29 January 1953.

48. "Brief Concerning Members of the 14th SS Freiwilligen Division Galizien", Cpl. Jim O'Neil, RCMP Federal Policing Branch, 13 May 1985.

49. Commission exhibit P-35, #24, W.H. Hickman (Security Sector) to P.T. Baldwin (Chief Admission Divisions C&I), 17 May 1951.

50. Ibid., #25, Laval Fortier to Secretary of Security Panel, 23 May 1951.

51. G. de T. Glazebrook (Defence Liaison 2) to R.G. Robertson (PCO), 29 November 1951, (no source reference).

52. Ibid.

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53. Ibid.

54. CSIS, IP 135-12, Laval Fortier to Commissioner L.H. Nicholson, 29 November 1951.

55. Ibid., Supt. McClellan to Laval Fortier, 11 December 1951.

56. CSIS, IP 135-22, Supt. G.B. McClellan to N.A. Robertson, 24 January 1952; Commission exhibit P-76, #27, 4 March 1952.

57. Ibid., Insp. K.W.N. Hall to Visa Control London, 26 December 1951; Commission exhibit P-35, #27, 4 March 1952.

58. Commission exhibit P-76, Security Panel Meeting, 15 May 1952.

59. DEA, f. 50207-H-40, Security panel Document SP 119, 30 April 1952.

60. Ibid.

61. Ibid.

62. Commission exhibit P-76, Security Panel Meeting, 15 May 1952; DEA, European Division to Defence Liaison (2) Division, 14 May 1952.

63. CSIS, IP 140-35, Insp. Kelly to RCMP Headquarters, 20 August 1952.

64. PAC, RG76, 83-84/347, Box 4, f. SF-S-23, v.2, Security Panel (1956-1961), Memorandum to Cabinet Committee on Immigration from Laval Fortier, 9 November 1959.

65. A case brought to the government's attention by a question in the House in June 1952 concerned a Yugoslav, claimed by the Yugoslav government to be a major war criminal, who came to Canada on a speech tour during which he publicly boasted "that he had killed 10 to 20,000 Yugoslav partisan fighters during the war". When the Yugoslav ambassador strongly protested in 1953 the possible re-entry of the individual in question to Canada, External Affaires officials reported "that consideration would be given to his representations, but no commitment was made". (PAC, MG32 B34, v.49, f.5938, SSEA (L.B. Pearson) to Minister of C&I (W.E. Harris), 8 September 1953.

66. PAC, RG76, v. 856, f. 555-3, Immigration Branch memorandum, 14 July 1961.

67. PAC, RG2/18, v.232, f. S-100-1-D (1952), Security panel Document SP-135, 15 September 1952.

68. Commission case files.

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CHAPTER IX

1. Commission exhibit P-76, Security Panel meeting, 28 March 1952; DEA, f. 50207-H-40 (DEA *2884), Security Panel Document SP-118, 27 March 1952.

2. Commission exhibit P-35, #27, Laval Fortier to Norman Robertson, 19 March 1952.

3. CSIS, Visa Control Germany IP 140-35, pt. 1, A.J. Andrew (Head of Canadian Mission Bonn) to SSEA, 15 August 1951.

4. Ibid.

5. Ibid.

6. CSIS, IP 135-22, Supt. G.B. McClellan to N.A. Robertson (PCO), 24 January 1952.

7. Commission exhibit P-35, #29, C&I Memorandum, 27 November 1952.

8. CSIS, IP 140-35 pt. 1, Insp. G.H. Ashley to Insp. W.H. Kelly, 12 December 1952.

9. See discussion on evolution of policy with regard to admission of former Waffen-SS members in chapter VIII of this report.

10. CSIS, IP 140-35, v. 2, Insp. W.H. Kelly (RCMP Liaison Officer, London) to RCMP HQ, Ottawa, 21 January 1953. (Same as Commission exhibit P-40.)

11. Ibid.

12. Ibid.

13. Ibid.

14. CSIS, Visa Control General, IP 135-1, v. 2, W.H. Kelly to RCMP HQ, 12 September 1952.

15. CSIS, IP 140-35, pt. 1, Insp. G.H. Ashley to Insp. W.H. Kelly, 10 September 1952.

16. CSIS, IP 135-12, P.W. Bird (Chief, CGIM, Karlsruhe) to O-i-C, Hanover, 2 November 1951; G.A. Sincennes to O-i-C Security Visa Control, London, 27 February 1952.

17. Ibid., Insp. W.H. Kelly to RCMP HQ, 13 March 1952.

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18. Ibid., Insp. G.H. Ashley to W.H. Kelly, 29 September 1952.

19. PAC, RG76, v. 821, f. 552-1-551, pt. 1, J.R. Robillard to G. Swope (Chief DP Population Division, U.S. High Commission for Germany), 23 May 1953.

20. Commission exhibit P-35, #31, C.E.S. Smith to P.M. Dwyer, 16 June 1953.

21. Ibid., P.M. Dwyer to C.E.S. Smith, 22 June 1953.

22. Ibid.

23. Ibid.

24. PAC, RG2/18, v. 232, f. S100-1-D, Security Panel document SP-112, 4 March 1952; Annex 'A' to SP-112, Insp. K.W.N. Hall to Security Panel, 2 February 1952.

25. Commission exhibit P-76, Security Panel meeting, 11 March 1952.

26. DEA, f. 232-AK-40 (DEA *1569), C.E.S. Smith (head of Canadian delegation to PICMME) to Hon. T.C. Davis (Canadian Ambassador Bonn), 22 February 1952; Canadian Ambassador Bonn to SSEA, 6 March 1952.

27. RCMP, f. , G.A. Sincennes to O-i-C Visa Control London, 22 March and 9 May 1952; Insp. W.H. Kelly to O-i-C Special Branch, Ottawa, 28 September 1953.

28. Robillard testimony, Commission transcripts, v. 11, pp. 1290-1291; CSIS, Visa Control Germany, Sgt. Seppala, Karlsruhe to O-i-C Security Screening, Visa Control London, 22 Novmeber 1954; G.R. Benoît to Inspector G. Ashley, 21 December 1955.

29. CSIS, IP,140-35, pt. 3, W.H. Kelly to O-i-C Special Branch, 16 December 1954.

30. Kelly testimony, Commission transcripts, v. 7, p. 934.

31. Commission exhibit P-35, item N, "Secruity Examination of Immigrants", 1 April 1963.

32. Robillard testimony, Commission transcripts, v. 11, pp. 1340, 1281-2.

33. Greening testimony, Commission transcripts, v.8, p. 1078.

34. O'Leary testimony, Commission transcripts, v.6, pp. 756-7. See Annex 3 to this report.

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CHAPTER X

1. CSIS, Visa Control Germany, IP 140-351, pt. 3, J.R. Robillard to Chief Operations Division, Ottawa, 17 November 1954. Same as Commission exhibit P-56.

2. Ibid., para. 6.

3. Ibid.

4. Ibid., para 7.

5. PAC, MG 32 B34, v. 56, f. 7422, L.H. Nicholson (Commissioner of RCMP) to Hon. Stuart S. Garson, 7 April 1955.

6. CSIS, IP 140-35, Sgt. Seppala (CSO/Germany) to O-i-C Security Screening, Visa Control, London, 16 December 1954.

7. Ibid.

8. Ibid.

9. Ibid., Insp. W.H. Kelly to O-i-C Special Branch, 16 December 1954, p. 3.

10. Ibid., p.2.

11. Ibid., p.5.

12. Ibid., p. 11.

13. Ibid.

14. Ibid., Insp. Grayson to Officer in Charge, Special Branch, 28 December 1954; Insp. Ashley to O-i-C Special Branch, 9 March 1955.

15. Ibid., Insp. W.H. Kelly to O-i-C Special Branch, 16 December 1954, p. 8.

16. PAC, Pickersgill Papers, MG 32 B34, v. 56, f. 7422, Commissioner L.H. Nicholson to Hon. Stuart S. Garson, 7 April 1955.

17. CSIS, IP 140-35, pt. 3, 25 January 1955.

18. Ibid., f. 9186, Minutes of meeting at CGIM, Karlsruhe, 4 February 1955.

19. Ibid., Insp. Ashley to O-i-C Special Branch, 9 March 1955.

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20. CSIS, IP 135-12, Insp. Grayson to O-i-C Special Branch, 21 April 1955.

21. Ibid.

22. CSIS, IP 140-35, v. 4, Insp. Ashley to P.M. Dwyer (PCO), 28 April 1955.

23. Commission exhibit P-35, item A (SF-S-1, pt. 3), J.R. Robillard to C.S.A. Ritchie, 22 April 1955.

24. Ibid., C.S.A. Ritchie to Laval Fortier, 20 May 1955.

25. Ibid., C.E.S. Smith to Laval Fortier, 30 May 1955.

26. DEA, f. 50207-6-40, J. George to Defence Liaison, 13 June 1955.

27. PAC, MG 32 B34, v. 36, Laval Fortier to J.W. Pickersgill, 6 June 1955.

28. Commission exhibit P-35, item A, J.R. Robillard to C.S.A. Ritchie, 7 June 1955.

29. Commission exhibit P-76, D.F. Wall to Security Sub-Panel, 13 June 1955.

30. Ibid.

31. CSIS, Security Regulations - Stage B, G.G. Crean (Defence Liaison) to European Division, 14 July 1955.

32. CSIS, IP 140-34, v. 4, Canadian Embassy Bonn to USSEA, 26 August 1955.

33. Ibid.

34. CSIS, IP 140-35, v. 4, Minutes of the 13th Meeting of the Security Sub-Panel, 18 October 1955.

35. PAC, RG26, v. 104, f. 3-24-1, pt. 1, C.E.S. Smith to Laval Fortier, 15 November 1955.

36. Ibid., Laval Fortier to Minister (Pickersgill), 16 November 1955.

37. Ibid.

38. CSIS, Security Regulations - Stage B, Minutes of C&I Meeting on Security, 6 December 1954.

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39. PAC, Canadian Lutheran World Relief, MG28 V120, v. 24, f. 17, Rev. C.L. Monk to Rev. S.F.M. Friedrichsen, 21 April 1955.

40. Ibid., CCCRR memorandum on Waffen-SS, att. to letter from T.O.F. Herzer to G.M. Berkefeld, 3 June 1955.

41. PAC, RG76, v.856, F.555-3, CCCRR brief to government, 16 November 1955.

42. CSIS, IP 140-35, v.4, Insp. Grayson to O-i-C Special Branch, 11 November 1955.

43. DEA, f. 50207-G-40, USSEA to Canadian Embassy Bonn, 21 November 1955.

44. Commission exhibit P-35, item D (f. SF-S-1 pt. 3), Laval Fortier to L.H. Nicholson, 9 December 1955.

45. CSIS, IP 140-35 (vol. 4), L.H. Nicholson to Laval Fortier, 19 December 1955; IP 135-12, Insp. Grayson to RCMP H.Q., 15 February 1956.

46. PAC, RG76, v.801, F.547-5-551, pt. 1, Memorandum to Security Panel from Minister, C&I, 21 June 1955.

47. Ibid., Chief CGIM Karlsruhe to Chief Operations Division, 9 September 1955.

48. See note 53 below.

49. Commission exhibit P-35, item J, Director of Immigration to Deputy Minister, C&I, 18 April 1956.

50. Commission exhibit P-76, Security Sub-Panel Minutes (f. S-100-1(c)-M), 21 December 1955.

51. Commission exhibit P-35, item F, USSEA (per R.M. Macdonnell) to Laval Fortier, 29 December 1955.

52. Ibid., item G(2), C.E.S. Smith to the Minister (Pickersgill), 2 February 1956; ibid., item J, C.E.S. Smith to Laval Fortier, 18 April 1956.

53. PAC, Pickersgill Papers, MG32 B34, v. 46, f. 4742; v. 50, f. 6163 and 6180; v. 57, f. 7434; v. 58, f. 7561, 7562 and 7576.

54. Ibid., v. 49, f. 5568, Director of Immigration to Deputy Minister, 14 January 1954.

55. Ibid., Hon. W.E. Harris to Senator W.D. Euler, 26 March 1956.

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56. Ibid., v. 50, f. 6191.

57. Ibid., v. 39, f. 1483.

58. Ibid., v. 52, f. 6761.

59. Ibid., v. 49, f. 5678.

60. Commission exhibit P-35, item I, A/Chief, Operations Division to Posts Abroad, 21 March 1956.

61. See discussion on volunteer v. conscript distinction with regard to policy for admission of Waffen-SS members in Chapter VIII of this report.

62. Commission exhibit P-76, Meeting of the Security Panel, 6 July 1959.

63. CSIS, IP 140-35, v.5, Insp. L.S. Grayson to Director of Security and Intelligence, RCMP HQ, 15 February 1957.

64. "The Investigation of Alleged War Criminals", Cpl. W.F. Yetter, RCMP, Federal Policing Branch, 7 June 1984, case #9.

65. CSIS, IP 140-35, vol. 5, 6 April 1956.

66. CSIS, IP 135-21, Insp. G.H. Ashley to O-i-C Special Branch, 11 September 1956.

67. Ibid., Insp. L.S. Grayson to O-i-C Special Branch, 10 September 1956.

68. CSIS, IP 135-21, Insp. L.S. Grayson to O-i-C Special Branch, 10 September 1956.

69. PAC, RG26, v. 129, f. 3-33-26, Memorandum to the Director of Immigration, 28 March 1957.

70. Ibid., Laval Fortier to the Acting Minister, 3 July 1957.

71. CSIS, IP 135-21, Insp. W. Milligan to Director of Security and Intelligence, 9 August 1957.

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72. White paper on Immigration 1964, Section 95, "Security Screening", p.36; Second Report of Commission of Inquiry Concerning Certain Activities of the RCMP, Freedom and Security Under the Law (August 1981), v.2, p. 817.

73. Commission exhibit P-35, item P, Criteria for Rejection of Independent Applicants on Security Grounds, Annex "I" to Immigration Manual 1960s-1970s [IR, f. SF-S-1P (pt. 6)].

74. Freedom and Security Under the Law, p. 815.

75. Ibid.

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CHAPTER XI

1. DEA, f. 4079-B-40, Canadian Legation Prague to USSEA, 27 March 1958.

2. DEA, f. 12216-8-40-L, European Division to Legal Division, 10 March 1960.

3. DOJ, *7-6, N.A. Robertson to E.A. Driedger, 6 March 1961.

4. DEA, f. 12909-40 (DOJ, *7-3), "West German Reaction to the Eichmann Trial", Canadian Ambassador Bonn to SSEA, 30 May 1961.

5. DOJ, *7-1, T.D. MacDonald to L.A.D. Stephens, 27 June 1961.

6. It now appears that Menke, who disappeared after the OPP report to the RCMP, was an SS and SD officer in his own right.

7. RCMP, f. , 13 April 1962.

8. DEA, f. 12216-8-40 (*1460) Deputy Minister (DOJ) to N.A. Robertson (USSEA), 27 April 1962.

9. DEA, f. 102-DLP-40, J.A. Donald to Mr. Cornett (Consular Division) 25 May 1962; DEA 10935-B-40 (*1532), Consular Division to European Division, 1 June 1962.

10. Ibid.

11. DEA, f. 10935-B-40, N.A. Robertson to E.A. Driedger, 11 September 1962.

12. RCMP, f. P-30-1070-5, 24 September 1962.

13. RCMP, f. P-400-21-8, L. Bingham (Ass't Commissioner and Director of Criminal Investigation) to Donald S. Macdonald (M.P. and Parliamentary Secretary to the Minister of Justice) 23 April 1965.

14. DEA, f. 81-7-1-2-USSR (*1035), Canadian Embassy Moscow to USSEA, 22 October 1964.

15. Ibid.

16. RCMP, f. (WCTF 2596), C/M J.F.D. Keir to C/M L.J. Bennett, 4 June 1964.

17. Ibid.

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18. DOJ, Hon. Jean Marchand to the Parliamentary Secretary to the Minister of National Revenue (Jim Walker, M.P.), 16 August 1964.

19. Ibid.

20. See note 10 above. DEA, f. 81-7-1-2-USSR (*1053), Legal Division to European Division, 6 November 1964.

21. Ibid.

22. Ibid., (DEA, *1032), C.M. Isbister (Deputy Minister C&I) to USSEA, 12 November 1964.

23. Ibid., (DEA, *1031), M. Cadieux memorandum to SSEA, 16 November 1964.

24. Ibid., (DEA, *1052), M. Cadieux to SSEA, 26 November 1964.

25. Ibid., Aide-memoire, 6 January 1965.

26. DEA, *686, M.H. Wershof for Mr. Smith, 9 March 1965.

27. DEA, f. 81-7-1-2-USSR (*1037), Canadian Embassy Moscow to External Affaires Ottawa, 10 June 1965.

28. Subject F, "regardless of anything else he may or may not have been doing, was in a state of armed revolt against the Soviet Union". Alleged actions, "war crimes" for the USSR, "may equally well be considered to have been acts of civil war...and can be considered to be political offences and therefore not extraditable". (Legal Division to European Division, 27 August 1965.)

29. Ibid., Legal Division to European Division, 21 September 1965.

30. Ibid. (1414), memorandum to file, 10 January 1966.

31. Ibid.

32. Ibid., USSEA to SSEA, 1 February 1966.

33. Ibid., European Division (Dorothy Armstrong), memorandum to file, 5 May 1967.

34. Ibid., (*1305), Hon. Pierre E. Trudeau to Hon. Judy LaMarsh, 27 July 1967.

35. Ibid., Hon. Pierre E. Trudeau to Hon. Paul Martin, 6 November 1967.

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36. Ibid.

37. DOJ, Sol. Gen. f. TO-135097, Memorandum from Chirstopher A. Amerasinghe to D.H. Christie and D.J.A. Rutherford, 27 May 1983. (Amerasinghe had been the Crown prosecutor in the Rauca case, and revocation of citizenship had been a main focus of his enquiry into Rauca). Letter from the Minister of Justice and Attorney General to the Solicitor General, 8 December 1983.

38. Sol. Gen., f. 6665-2 P4083-N, Memorandum to file, from Owen Davey, 28 March 1984.

39. DEA, f. 81-7-1-2-USSR, USSEA to Saul Hayes (CJC), 21 December 1967.

40. Ibid., Legal Division memorandum.

41. For Trudeau's stance see pages 321-325 of this report. Memoranda on the subject of war criminals at the Department of Justice prepared by Martin Low are consistently negative with respect to the possibility of any legal action with regard to war criminals and with regard to offering encouragement to or cooperating with groups or individuals interested in bringing war criminals to justice. While himself conceding that his argumentation and conclusion might appear "uncooperative and perhaps inflexibly narrow", Low insisted that under the Canadian Human Rights Act the government cannot disclose to Simon Wiesenthal whether a particular individual had been admitted to Canada (DOJ, * 58-99, Martin Low to Deputy Minister, 29 September 1980.)

42. Illustrative cases have been drawn from Commission files.

43. A letter dated 25 November 1983 to the Solicitor General from the Commissioner of the RCMP indicated that the policy in cases of suspected war criminals would be to consult with Federal Policing prior to giving advice to CEIC or the Liaison Officer/Visa Officer.

44. Commission case file for subject 'J'.

45. Ibid., letter of 21 August 1985.

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CHAPTER XII, Part 1

1. According to Jules Léger, Canadian High Commissioner in London, the term 'Matchbox' referred to "Germans who, one way or another, have found their way from the Soviet to the British and American zones of Germany". PAC, RG25, Acc. 84-85/295, f. 9294-R40, pt. 1, (Jules Léger to SSEA, 1 August 1947).

2. Stevie Cameron, "Forming Canada's Intelligence Service Wasn't Easy", The Ottawa Citizen, 15 March 1986, p. B-1.

3. PAC, RG76, v. 649, f. B6737, pt. 1 (reel C10588), C.J. Mackenzie to L.B. Pearson, 11 October 1946.

4. Ibid., C.J. Mackenzie to C.D. Howe, 26 September 1946.

5. PAC, RG2/18, v. 102, f. N-100-1, 1946-47, 2 October 1946.

6. PAC, RG76, v. 649, f. B6737, pt. 1 (reel C10588), 6 November 1946.

7. CSIS, Visa Control, IP 135-22, S.T. Wood to Sir Percy Silitoe, 28 November 1946.

8. PAC, RG76, v. 649, f. B6737, pt. 1 (reel C10588), 6 November 1946.

9. PAC, RG2/18, v. 102, f. R-100-1, 1946-47, 9 November 1946.

10. Ibid.

11. Ibid., 27 November 1946.

12. Ibid.

13. Ibid., Memorandum to the Privy Council Committee on Scientific and Industrial Research, 21 April 1947; Minutes of meeting of Committee on German Scientists, 24 April 1947.

14. PAC, RG76, v. 649, f. B6737, pt. 1 (reel C10588), A.L. Jolliffe to A.D.P. Heeney, 9 November 1946.

15. Ibid., Beavers Dental Burs to G.D. Mallory, Department of Trade and Commerce, 20 October 1946.

16. Ibid., N.A. Robertson to SSEA, 9 November 1946.

17. PAC, RG2/18, v. 102, f. R-100-1, pt. 1946-1947, N.A. Robertson to SSEA, 27 November 1946.

18. See description of operation 'Project Paperclip' and the 'T Forces' in Tom Bower, Blind Eye to Murder, chapter 6.

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19. PAC, RG76, v. 649, f. B-6737, pt. 1 (reel C10588), A.L. Jolliffe to S.T. Wood, 16 November 1946.

20. CSIS, IP 135-22, S.T. Wood to Sir Percy Silitoe, 28 November 1946.

21. PAC, RG76, v. 649, f. B6737, pt. 1, Parsons to Jolliffe, 6 January 1947.

22. CSIS, IP 140-75, Visa Control Germany, 20 May 1950.

23. DEA, Cypher-TK, WA-4412, Canadian Ambassador Washington to SSEA, 16 December 1946.

24. Ibid.

25. Ibid.

26. Ibid.

27. Linda Hunt, article in Bulletin of the Atomic Scientists, April 1985, pp. 16-22.

28. Hunt, p. 23.

29. PAC, RG2/18, v. 102, f. R-100-1, pt. 1946-47, L.B. Pearson (USSEA) to Clerk of the Privy Council, 8 February 1947.

30. PAC, RG25, acc.84-85/019, f. 942-R-40, pt. 1, 18 April 1947.

31. Ibid., C.J. Mackenzie to L.B. Pearson, 15 Feburary 1947.

32. Ibid., A.L. Jolliffe to USSEA, 15 February 1947.

33. Ibid., Maurice Pope to SSEA, 28 February 1947.

34. PAC, RG76, v. 649, f. B6737, pt. 1 (reel C10588), 30 April 1947.

35. PAC, RG76, v. 649, f. B6737, pt. 2 (reel C10588), copy of contract, 1948.

36. PAC, RG2/18, v. 102, f. R-100-1, 1946-47, 21 April 1947.

37. Ibid., A.D.P. Heeney (Secretary to Cabinet) to J.A. MacKinnon (Minister of Trade and Commerce), 22 May 1947.

38. Journals of the House of Commons Session 1947, vol. LXXXVIII, 23 June 1947, pp. 557-8; Debates of the House of Commons, v.5, 23 June 1947.

39. PAC, RG14, v.509, SP No. 67m (microfilm T-3530).

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40. PAC, RG2/18, v. 102, f. R-100-1, pt. 1946-47, A.B. Stannard to A.D.P. Heeney, 7 June 1947.

41. Ibid., H.L. Keenleyside to A.D.P. Heeney, 13 June 1947; ibid., v. 66, A.D.P. Heeney, Memorandum to Cabinet, 7 July 1947.

42. Ibid., Cabinet Document, 7 July 1947.

43. PAC, RG76, v. 649, f. B6737, pt. 1 (reel C10588), A.D.P. Heeney to C.D. Howe, 11 July 1947.

44. PAC, RG 25, acc.84-85/295, f. 9294-R40, pt. 1, J.H. Warren to Douglas LePan, 6 October 1947.

45. Ibid., Jules Léger to J.H. Warren, 21 October 1947.

46. Ibid., Canadian High Commissioner to Leslie Chance, 28 December 1947.

47. PAC, RG76, v. 649, f. B6737, pt. 1 (reel C10588), information provided in testimonials attached to cablegram from Norman Robertson, 12 March 1947.

48. Ibid., C.E.S. Smith to RCMP, 19 January 1948.

49. Ibid., B.R. Hayden to C.E.S. Smith, 23 June 1948.

50. PAC, RG26, v. 100, f. 3-18-1, pt. 2, A.L. Jolliffe to Cabinet Committee on Immigration Policy, IMP Doc. No. 42, 1 April 1949.

51. Ibid., v. 72, No. 12, 16 May 1950.

52. PAC, RG76, v. 649, f. B6737, pt. 2 (reel C10588), Director of Immigration Branch to Deputy Minister, 2 December 1949.

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CHAPTER XII, Part 2

1. IR, B6927, f. 139512, Immigration Inspector-in-Charge to Atlantic District Superintendent, Ottawa, 4 February 1948.

2. "Brief Concerning Entry into Canada of Suspected War Criminals Following World War II", prepared by Cpl. W.F. Yetter, Federal Policing Branch, RCMP, 20 July 1983, pp. 19-22.

3. PAC, MG26 L, v. 13, f. 74, Jacques de Bernonville to Louis St. Laurent, 29 December 1947.

4. J.F. Hilliker, "The Canadian Government and the Free French: Perceptions and Constraints 1940-1944," The International History Review, II, 1 January 1980.

5. DOJ, *10-35, 10 August 1949.

6. DOJ, *11-146. L.B. Pearson (SSEA) to H.B. Demers (Member of Board of Inquiry, M&R), 31 August 1949.

7. PAC, MG26 L, v. 13, f. 74, "Memorandum re: Dr. Georges-Benoit Montel", 9 March 1948.

8. Ibid., Msgr. Ferdinand Vandry to J.A. Glen, 23 February 1948.

9. Ibid., "Memorandum...", 9 March 1948.

10. Ibid., Georges Vanier to Louis St. Laurent, 22 April 1948.

11. P.C. 4233, 22 September 1948.

12. IR, Report on testimony of Jacques Duge de Bernonville before an Immigration Board of Inquiry in Montreal, 30 January 1948.

13. IR, Précis of papers relating to Duge de Bernonville, referred by legal adviser, External Affairs, 26 February 1948.

14. IR, B-69727, Director Immigration Branch to Deputy Minister, 8 June 1948; Commissioner of Immigration to P.T. Baldwin, 22 June 1948.

15. IR, Précis..., 26 February 1948; DEA, f. 228-AG(s), E.R. Hopkins (Acting USSEA) to Deputy Minister, M&R, 18 September 1948.

16. Précis..., 26 February 1948.

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17. RCMP, f. Report on de Bernonvile, Supt. G.B. McClellan to Commissioner of Immigration, 3 August 1948.

18. IR, B69727, H.L. Keenleyside (Deputy Minister, M&R) to the Minister, 1 September 1948.

19. Ibid.

20. IR, B69727, A.L. Joliffe to Minister of M&R, 10 September 1948.

21. PAC, MG26 L, v. 43, f. D-12-d 1948; Guy Sylvestre to J.W. Pickersgill, 16 October 1948.

22. Ibid.

23. Ibid., Guy Sylvestre to J.W. Pickersgill, 18 October 1948.

24. Ibid.

25. Ibid., Guy Sylvestre to J.W. Pickersgill, 16 October, 1948.

26. DOJ, f. 154,708, F.D. Varcoe to C.E.S. Smith, 12 October 1948.

27. Ibid.

28. IR, B69727, H.L. Keenleyside to C.E.S. Smith, 19 October 1948.

29. Ibid., C.E.S. Smith to H.L. Keenleyside, 28 October 1948.

30. DOJ, f. 154,708, Memorandum for the file, 28 December 1948.

31. DOJ, f. 154,708, H.L. Keenleyside to J.A. MacKinnon, 28 February 1949.

32. Debates of the House of Commons, v.1, 1949, 8 February 1949, pp.325-6.

33. Ibid., 22 February 1949, pp. 791-4.

34. Ibid., 24 February 1949, pp. 881-7.

35. PAC, MG26 L, v. 43, f. D-12-d, 1948-1949: 9 and 12 September 1948.

36. Ibid., Dr. Phillippe Hamel to Louis St. Laurent, 21 September 1948.

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37. "House Again May Hear de Bernonville's Case", Winnipeg Free Press, 19 August 1949.

38. DOJ, *10-130, H.L. Keenleyside, Memorandum for the Minister, M&R, 28 February 1949.

39. Ibid.

40. Ibid.

41. DOJ, *11-123, F.P. Brais to J.J. Robinette, 16 November 1949; PAC, MG26 L, v. 43, f. D-12-d, 1948-1949: E.R. Hopkins to J.W. Pickersgill, 26 February 1949; ibid., Hopkins to Director of Immigration, 5 March 1949.

42. PAC, RG25, A12, v. 2122, f. AR 1179/1, SSEA to High Commissioner London, 21 July 1949.

43. Ibid., John Russell (Foreign Office) to S.F. Rae (High Commission London), 15 August 1949.

44. DOJ, *10-79, f. 154708, memorandum re: Jacques de Bernonville, 17 June 1949.

45. DOJ, * 10-28, f. 154708, Jean Basdevant to Minister of Justice, 11 August 1949.

46. DOJ, * 10-45, f. 154708, F.P. Brais to Minister of Justice, 5 August 1949; DOJ, *10-9, Gustave Adam to Minister of Justice, 24 August 1949.

47. PAC, MG26 L, v. 115, f. I-20-f, 1949-1951; Jules Léger, "Memoire pour le premier ministre", 1 September 1949.

48. Ibid., Elie Beauregard to St. Laurent, 15 May 1950.

49. Ibid.

50. Ibid., IMM., Onésime Gagnon to St. Laurent, 24 February 1950.

51. Ibid., J.A. Mongrain to St. Laurent, 25 February 1950.

52. IR, B-69727, cited in memorandum from C.E.S. Smith to W.E. Harris, 29 March 1950.

53. Ibid.

54. PAC, MG26 L, v. 115, f. I-20-f, IMM, Correspondence with Members of parliament; Pierre Asselin to Edouard Rinfret and Hugues Lpointe, 21 March 1951.

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55. Ibid., Denise Archambault to St. Laurent, 4 March 1951.

56. IR, "Representations of Record on behalf of or against Jacques de Bernonville", 13 December 1950.

57. PAC, MG26 L, v. 115, f. I-20-F, 1949-1951: Alexandre Vachon to St. Laurent, 17 August 1949.

58. Ibid., St. Laurent to Vachon, 22 August 1949.

59. Ibid., IMM, Paul Mayrand to St. Laurent, 22 February 1950.

60. DOJ, *11-74, f. 154708, MacDonald to Varcoe, 4 January 1950.

61. Ibid.

62. DOJ, f. 154708; "de Bernonville More Likely in Quebec", Montreal Gazette, 20 February 1950.

63. DOJ, *11-12, f. 154708; W.R.J. to Minister, 8 March 1951.

64. PAC, MG 31 E6, v. 2, f. 14, D.V. LePan to USSEA, 12 March 1951.

65. The allegations are contained in a newspaper article by David Vienneau, "King cabinet approved order to let alleged Nazis stay in Canada", The Toronto Star, 21 March 1985.

66. PAC, MG26 L, v. 115, f. I-20-F, 1950-1951, IMM, Asselin to de Bernonville, 19 March 1951.

67. Ibid., de Bernonville to St. Laurent, 21 March 1951.

68. Ibid., de Bernonville to St. Laurent, 15 August 1951.

69. IR, Laval Fortier to Director of Immigration, 30 July 1952; ibid., f. B69727, District Superintendent Vancouver to All Ports, Pacific District, 20 May 1955.

70. DEA, despatches from Canadian Embassy in Rio de Janeiro to USSEA: No. 118 - 8 March 1955; No. 538 - 30 September 1955; No. 263 - 27 June 1956; No. 207 - 25 October 1956.

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CHAPTER XII, Part 3

1. Accounts of the Galician Waffen-SS Division consulted include:

Armstrong, John A., Ukrainian Nationalism. 2nd rev. ed. (New York, 1963).

Bender, Roger James & Taylor, Hugh Page, Uniforms, Organization and History of the Waffen-SS (U.S.A., 1975).

Dmytryshyn, Basyl, "The Nazis and SS Volunteer Division Galicia", American Slavic and East European Review XV, no. 1, New York, 1956.

Heike, Wolf-Dietrich, Sie wollten die Freiheit: Die Geschichte der Ukrainischen Division, 1943-1945 (Dorheim, n.d., 1973?) Major Heike, who had served as Chief of Staff of the Division, completed this account in 1947 while in a POW camp in the U.K. It should be noted that Heike was prone to playing down his own association with the SS. Listed in German documents as an 'SS-Sturmbannführer', Heike contends throughout his history of the Division that he never held SS rank, that he was in fact a Wehrmacht Major. (See Bender/Taylor, p. 50, n. 114). All references to Heike below are to the Ukrainian version: Ukrainska dyviziia 'Halychyna': istoriia formuvannia i boiovykh dii u 1943-1945 rokakh (translated by Roman Kolisnyk, Toronto 1970).

Momryk, Myron, "Ukrainian Displaced Persons and the Canadian Government, 1946-1952" (unpublished paper).

Stein, George H., The Waffen-SS: Hitler's Elite Guard at War, 1939-1945 (Ithaca, N.Y. 1966).

Veryha, Vasyl, Ukrainian Division "Galicia" - a history in a nutshell (Toronto 1981).

Yurkevich, Myroslav, "Galician Ukrainians in German Military Formations and in the German Administration", in Ukraine during World War II, edited by Yury Boshyk (Edmonton 1986).

2. Dmytryshyn, p. 6 (Krieger to Berger, Cracow, 11 May 1943).

3. Armstrong, p. 174.

4. Heike, p.24.

5. Bender/Taylor, p. 30.

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6. Armstrong, p. 171.

7. Armstrong, p. 171; Yurkevich p. 77.

8. Veryha, p. 184.

9. See Chapter I, Part 1 of this report; also, Philip Friedman, "Ukrainian-Jewish Relations during the Nazi Occupation", in Roads to Extinction: Essays on the Holocaust (New York and Philadelphia 1980), pp. 179-187.

10. Friedman, p. 180 n. 12.

11. Boshyk, p. 185 n. 1; Yurkevich p. 85 n. 54.

12. Friedman, pp. 184, 244-249; Raul Hilberg, The Destruction of the European Jews (1985), v.1, pp. 309-312; Martin Gilbert, The Holocaust: A History of the Jews of Europe during the Second World War (New York 1985), pp. 196-199, 202-205.

13. Friedman, pp. 185, 249, 262-263, 276-278; Hilberg, pp. 309, 312-314. For an account of Ukrainian auxiliary police formations, see Hans-Joachim Neufeldt, Jürgen Huck, and Georg Tessin, Zur Geschichte der Ordnungspolizei, 1936-1945 (Koblenz 1957), 3:17, 51, 55, 64-5; Boshyk, p. 54 n. 25.

14. Friedman, p. 206 n. 71.

15. Hilberg, pp. 309 ff.

16. See note 66 to Chapter XII part 4 below.

17. Dmytryshyn, p. 2.

18. Friedman, pp. 186, 201 n. 46 and n. 47.

19. G. Reitlinger, The SS: Alibi of a Nation, p. 200.

20. Yurkevich, pp. 71, 83 n. 17.

21. Encyclopaedia Judaica, entries for 'Rumania', 'Bukovina', 'Bessarabia', section on Holocaust period.

22. Lest We Forget, (Progress Books, Toronto 1976), Their True Face, (Kiev 1979); Valery Styrkul, We Accuse (Kiev 1984), and The SS Were Wolves, (Lviv 1982).

23. Scott Anderson and Jon Lee Anderson, Inside the League (Dodd, Mead & Co., New York 1986), pp. 44-45.

24. Hermann Raschhofer, Political Assassination: The Legal Background of the Oberlander and Stashinsky Cases (Tübingen 1974), pp. 27, 57.

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25. Yurkevich, p. 72. The "Schutzmannschaften" (abbreviated: "Schuma") were auxiliary police raised by the Germans in the conquered eastern territories. According to the Bender/Taylor account: "The Ukrainian (i.e. including Galician) Schuma battalions raised in the General Government were numbered in the 200+ series and wore a circular yellow and blue cockade on their caps bearing a trident". (Bender/Taylor, p. 40 n.90).

26. Ibid.

27. Hilberg, p. 303.

28. Yurkevich, p. 72; Friedman, p. 181, p. 195 n. 14.

29. Yurkevich, p. 77.

30. Account provided by the Zentrale Stelle der Landesjustizverwaltungen in Ludwigsburg, "Die Waffen-SS: einen Auszug uber die SS-Division Galizien".

31. Bender/Taylor, pp. 39-40.

32. Bender/Talyor, pp. 39. Heike notes the inclusion of the Volhyn self-Defence Legion in the Division in February 1945.

33. PAC, RG76, v. 656, f. B53802, pt. 1, Memorandum re: Ukrainian "Divisia Halychyna", 31 May 1948, p. 4.

34. Bender/Taylor, p. 18; ibid, n. 31: Polizei-Schützen-Regiment "Galizien", reported by Ukrainian sources to have been called "Ukrainian Police Regiment"

35. Dmytryshyn, p. 4; Bender/Taylor, p. 16. According to the Bender/Taylor account, Himmler ordered a change in approach -- that the new division be a "front division of the Waffen-SS" formed from Greek Catholic Ukrainians from Galicia, while Greek Orthodox Ukrainians form the Lublin area were to be directed to the independent SS-Police regiments then being formed. (Bender/Taylor, p. 16 n. 29).

36. Bender/Taylor, p. 39.

37. Commission, case files.

38. According to Heike, the Division trainees were formed into "Kampfgruppe Beyersdorff' in February 1944 in reponse to a request from Höhere SS und Polizeiführer in Krakow, for the purpose of anti-partisan activity in Northwest Galicia. This grouping operated in the following areas: Chesaniv, Liubachiv, Tarnohorod, Bilohrai, Zamostia. (Heike, pp. 42-45). In early October 1944, the Division moved to Zilina (Slovakia) for anti-partisan warfare where regiments took

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part in assaults on Slovak partisans near Banska Bystrica (Heike, pp. 128). In February 1945, the Division took part in further anti-partisan operations in the area of Mozirje - Ljubro - Solvava (Heike, pp. 165-167).

39. Armstrong, p. 186. Himmler, when visiting the Division after it had completed its training in May 1944, stressed the fact that 250 Galicians belonging to the Division had been chosen to attend the SS Junkerschule for officers.

40. Bender/Taylor, p. 28.

41. Yurkevich, p. 75.

42. Veryha, pp. 191-2.

43. Ryszard Torzecki, a Polish historian who has done archival research on the Division, supports Veryha's argument that members of the Division did not participate in the suppression of the Warsaw Ghetto Uprising. He indicates, however, that other aspects of Veryha's arguments call for further research. [Ryszard Torzecki, Dzieje Najnowsze, Rocznik XIII, 1981 (published by the 'Polska Akademia Nauk --Instytut Historii', Warsaw - Cracow - Lodz 1982).

44. PAC, RG76, v. 856, f. 554-33, United Ukrainian Relief Committee report, p. 26.

45. Luciuk, Searching for a Place (Doctoral Thesis, University of Alberta, 1984), p. 276.

46. Proceedings, Senate Standing Committee on Immigration and Labour, 1948.

47. AO, Panchuk Collection, Box 27, 22 January 1948.

48. PAC, RG76, v. 656, f. B.53802, pt. 1, Memorandum by G.R.B. Panchuk re: Ukrainian 'Divisia Halychyna', 31 May 1948, p. 7.

49. Ibid.

50. "Brief Concerning Members of the 14th SS Freiwilligen Division Galizien", Corporal Jim O'Neil, RCMP Federal Policing Branch, 13 May 1985.

51. Report on the Screening of the First Ukrainian Division, 21 February 1947: Document included in Boshyk, Ukraine during World War II, p. 236.

52. A resolution put forward by the Yugoslav government at a UNESCO meeting in 1946 demanded that representatives of the countries of origin of war refugees be called upon to seek out war criminals hiding among them. The proposal met with

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stiff opposition from the American and British delegates, to the point that the British delegate (Col. Boswick) denied that there were any military formations in the British zone masquerading as war refugees. The Ukrainian (SSR) delegate then proceeded to give precise data concerning the "SS Halychyna Division". [Glos Ludu (Warsaw), 26 December 1946, in Vsevolod B. Budnyj (ed.), Rimini 1945-1947, New York 1979, pp. 164-5.]

53. Porter's report, Boshyk, p. 234.

54. Wasyl Veryha, Pid Sontsem Italii (Toronto 1984), pp. 195-205.

55. Porter's report, Boshyk, p. 234.

56. Ibid., p. 235.

57. Ibid.

58. Ibid.

59. Ibid., p. 237

60. Ibid.

61. Ibid., p. 238.

62. Ibid., p. 239.

63. Ibid., p. 239-240.

64. PAC, RG76, v. 656, f. B53802, Appendix A to Memorandum re: "The Immigration of Ukrainian Surrendered Enemy Personnel from Great Britain to Canada, 4 August 1947.

65. Ibid., L.D. Wilgress (Canadian High Commissioner London) to SSEA, 5 September 1950.

66. AO, Panchuk Collection, Box 27, 7 June 1950.

67. PAC, RG76, v. 656, f. B53802, 1-2, L.D. Wilgress to SSEA, 5 September 1950.

68. Ibid.

69. See footnote 22 above. Wasyl Veryha in Ukrainian Division Galicia (Toronto 1981) refutes the various allegations against the Division.

70. Roman Serbyn, "Alleged War Criminals, the Canadian Media, and the Ukrainian Community", in Boshyk, Ukraine during World War II, p. 129.

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71. Lubomyr Y. Luciuk (ed.), Heroes of Their Day: The Reminiscences of Bohdan Panchuk, Multicultural History Society of Ontario, Toronto 1983, p. 79.

72. AO, Panchuk Collection, Box 27, 7 June 1950.

73. For the Vatican's role in the resettlement of former Nazis and Nazi collaborators see below, Chapter XII Part 4, note 76.

74. AO, Panchuk Collection, Box 27, re: interview with Apostolic Delegate in London, A.J. Yaremovich's "Report on Interview with Apostolic Delegate", 14 November 1946.

75. Ibid., Box 22, G.R.B. Panchuk to UCRF/UUARC, 12 December 1946.

76. PAC, RG76, v. 656, f. B53802, pt. 1, Panchuk to Guy Sylvestre, 19 January 1949.

77. In exploring the possibility of a group admission of Division members to the U.S., Panchuk conveyed to American officials information that he had received that Canada was "seriously considering taking three or four thousand of these men or more", and that the U.S. should do the same. The response was that the U.S. did not accept POWs, that U.S. immigration policy was conditioned by the quota system, and that there would be no en bloc admissions of immigrants. [AO, Panchuk Collection, Box 27, Panchuk to General Marshall, Washington, D.C., 16 September 1947 and U.S. Consul-London to Panchuk, 16 October 1947.]

78. PAC, RG76, v.656, f. 53802, pt. 1, Panchuk memorandum to Immigration and External Affairs, 4 August 1947.

79. Ibid., G.R.B. Panchuk memorandum, 31 May 1948, p. 5.

80. Ibid., G.R.B. Panchuk to Departments of Immigration and External Affairs, 4 August 1947.

81. AO, Panchuk Collection, Box 22, F. Zaplitny to G.R.B. Panchuk, 30 September 1947; Panchuk to Zaplitny, 18 October 1947.

82. Ibid., Panchuk to Thérèse Adams, 18 October 1947.

83. PAC, RG76, v. 656, f. 53802, Leslie Chance to Acting Director of Immigration, 8 September 1947; H.L. Keenleyside to A.L. Jolliffe, 10 October 1947.

84. Ibid., G.G. Congdon to Director of Immigration, 7 October 1947.

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85. Ibid., G.R.B. Panchuk memorandum, 31 May 1948. According to Panchuk, the British government was prepared to immediately document and permit the emigration of "all those who have any possibilities of immigrating to any country in South America or to any country in Europe or elsewhere and who can give assurance that transportation is available and produces authorisations for visas..." [AO, Panchuk Collection, Box 27, Memorandum from the Association of Ukrainians in Great Britain, 8 April 1948.]

86. PAC, RG2 518, v. 82, f. 1-50-m (vol.1) 1946-1949, 8 October 1947.

87. DEA, memorandum for the Acting USSEA, 16 October 1947.

88. Ibid., Cabinet Committee Minutes, 7 November 1947; PAC, RG76, v. 656, f. B53802, pt.1, H.L. Keenleyside to Father Kushnir, 23 October, 1947.

89. PAC, RG2, 518, v. 82, f. 1-50-d (1946-1949), IMP Doc. No. 20, 23 January 1948.

90. PAC, RG76, v. 656, f. B56277, UCC to W.A. Tucker, M.P., 18 February 1948.

91. Ibid., f. B53802, pt. 1, A.L. Jolliffe to G.R.B. Panchuk, 25 March 1948.

92. Ibid., G.R.B. Panchuk memorandum, 31 May 1948, p.4.

93. Ibid., G.R.B. Panchuk to A.L. Jolliffe, 9 April 1948.

94. Ibid., A.L. Jolliffe to H.L. Keenleyside, 2 June 1948.

95. Ibid., H.L. Keenleyside to F. Zaplitny, 30 June 1948.

96. Ibid., G.R.B. Panchuk to A.L. Jolliffe, 31 August 1948.

97. DEA, G.R.B. Panchuk to Minister of Justice, 23 November 1948.

98. PAC, RG76, v. 656, f. B53802, pt. 1, Memorandum to Cabinet Committee, 28 October 1948.

99. Ibid., A.W. Boulter (Commissioner Overseas Services) to Associate Commissioner, 19 November 1948.

100. Ibid., Director of Immigration Branch to Deputy Minister, 23 November 1948.

101. Ibid., Panchuk to Laval Fortier, 11 January 1949.

102. Ibid., Panchuk to Guy Sylvestre, 19 January 1949.

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103. Ibid., Guy Sylvestre to G.R.B. Panchuk, 14 February 1949.

104. Ibid., AUUC to MacKinnon, 1 March 1949; AUUC to Louis St. Laurent, 4 May 1949.

105. Ibid., UCC to St. Laurent, 21 April 1949.

106. PAC, RG2, 518, v. 96, Memorandum for Acting SSEA, April 1949.

107. PAC, RG76, v. 656, f. B53802, Cabinet Document, 16 August 1949.

108. Ibid., pt. 2, 23 March 1950; Memorandum to Cabinet, 4 April 1950.

109. IR 675985, Acting Deputy Minister (C&I) to Minister, 11 April 1950.

110. PAC, RG2, 516, v. 19, PCO - Cabinet Decisions, 5 April 1950.

111. Ibid., Cabinet Decisions, 5 April 1950 (cited in M. Momryk's unpublished paper, supra).

112. Ibid., Cabinet Decisions, 31 May 1950.

113. Debates of the House of Commons, 1950, vol. IV, p. 3696, 15 June 1950.

114. AO, Panchuk Collection, Box 27, John Decore to Rev. Kushnir, 6 June 1950.

115. PAC, RG76, v. 656, f. B53802, Samuel Bronfman telegram to the Hon. Walter Harris, 4 July 1950; response from Harris to Bronfman, 5 July 1950.

116. Ibid., G.R. Benoit to Superintendents, 7 July 1950.

117. Ibid., letter from Samuel Bronfman, 12 July 1950.

118. AO, Panchuk Collection, Box 27, Kokhan to Presidium, 23 August 1950.

119. PAC, RG76, v. 656, f. B53802, pt. 2, UCC to C&I, 22 January 1951.

120. Ibid., L.D. Wilgress (High Commissioner-London) to SSEA, 5 September 1950.

121. Ibid., Hon. Walter Harris to Samuel Bronfman, 15 September 1950.

122. Ibid., Instructions, 25 September 1950.

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123. Ibid., Samuel Bronfman to Hon. Walter Harris, 25 September 1950.

124. Ibid., P.T. Baldwin (Acting Director Immigration Branch) to Assistant Commissioner, 7 November 1950; National Archives, Canadian Jewish Congress, CA 418, Louis Rosenberg to Saul Hayes, 23 October 1950.

125. Ibid., corresondence between Acting District Superintendents (Toronto, Winnipeg) and P.T. Baldwin (Commissioner of Immigration), 16, 17 and 29 November and 2 December 1950.

126. Ibid., C.E. Smith (Director of Immigration Branch) to Deputy Minister, 6 December 1950.

127. CJC National Archives, CA 418, file d, Joseph Kellman to Louis Rosenberg, 13 July 1950.

128. It has now been established that "Ukraine, Parts I and II" are part of an approximately 1000-page account, entitled Nazi Collaborators Study, prepared in 1949 under the direction of Dr. Samuel Gringauz for the American Jewish Committee with a view to forwarding it to U.S. Immigration and the F.B.I. The full study includes headings for Czechoslovakia, Estonia, Latvia, Lithuania, Poland, Russia, Ukraine, Volksdeutsche, White Russia and Yugoslavia. [Discussions with Helen Ritter, AJC, Records Department and Fruma Mohrer, YIVO; YIVO's copy is under RG 347.8 (IRS-O)].

129. PAC, RG76, v. 656, f. B53802, pt.2, pp. 3, 6, and 8 of list, 8 November 1950; ibid., Immigration Branch intradepartmental correspondence, 16 November, 2 and 6 December 1950.

130. Ibid., Insp. K.W.N. Hall to Director of Immigration, 24 November 1951.

131. Ibid., F.B. Cotsworth (Immigration) to Insp. K.W.N. Hall, 29 December 1951.

132. Ibid., Directive No. 26 (Revised), 18 January 1951.

133. Ibid., Immigration Branch Instructions, 18 June 1953.

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CHAPTER XII, Part 4

1. This chapter's account of collaboration with the Nazis in wartime Slovakia is based on the following: Raul Hilberg, The Destruction of the European Jews (Holmes and Meier, New York 1985), pp. 718-742; Yeshayahu Jelinek, The Parish Republic: Hlinka's Slovak People's Party, 1939-1945 (Boulder, Colo.: East European Quarterly, 1976); Joseph M. Kirschbaum, Slovakia: Nation at the Crossroads of Central Europe (Robert Speller & Sons, New York 1960) and Slovakia in the 19th and 20th Centuries (Slovak World Congress, Toronto 1973); Jozef Lettrich, History of Modern Slovakia (2nd ed., Toronto, Slovak Research and Studies Centre, 1985); and documents submitted to the Commission of Inquiry.

2. PAC, RG26 G2, Acc.84-85/19, Box 208, f. 7899-40, Norman Robertson to MacKenzie King, 17 July 1945.

3. Ibid., telegram from Steven Roman to Mackenzie King, 11 August 1945.

4. Ibid., R.E. Reid to H. Wrong, 20 August 1945.

5. Within two months of VE day, the Czechoslovak Embassy in Washington addressed a request for the surrender of Josef Tiso, certain other members of his government, and any other persons "who escaped to Germany, after having taken part in the activities of the Bratislava regime, as politicians, members of the Government, officials or other agents [and] may have fallen into the hands of Allied authorities". [Vladimir Hurban, Czechoslovak Ambassador to Joseph C. Grew, Acting U.S. Secretary of State, June 18, 1945]. After a four month delay caused by British hesitation, Acting Secretary of State Dean Acheson informed the Czechoslovak Ambassador that he was approving the surrender of Father Tiso and 13 others, who were repatriated to Slovakia to stand trial from December 1946 to April 15, 1947. Death sentences were announced in the cases of Father Tiso and subject L. Despite appeals for clemency from the Vatican and other Slovaks, the former sentence was carried out on April 18. Subject L was tried in absentia because he could not be located.

6. PAC, RG25, Acc.84-85/019, Box 305, f. 9413-40 G.L. Magann to L.B. Pearson, January 1947.

7. Ibid., Box 208, f. 7899-40: Canadian Slovak League, 14 July 1945; F. Durcansky to Mackenzie King, 10 September 1946; F. Durcansky to Louis St. Laurent, 23 September 1947; Slovak Action Committee to Dean Acheson (Assistant Secretary of State), 28 February 1947.

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8. Joseph Kirschbaum, Slovaks in Canada (Canadian Ethnic Press Association, Toronto 1976), p. 158.

9. PAC, RG76, v. 617, f. 916207, pt. 11; C.E.S. Smith to Jan Hurny, 25 March 1949.

10. Ibid., G.E. Brousseau to Laval Fortier, 7 June 1950.

11. Kirschbaum, Slovaks in Canada, p. 164.

12. Jelinek, p. 20.

13. National Archives Washington, f. 860F.00/1-2346, Franklin C. Gowen (Assistant to the Personal Representative of the President of the U.S. to the Holy See), 19 and 23 January 1946.

14. PAC, St. Laurent papers, MG26 L, v. 114, f. I-20-3-S, Apostolic Delegate to the Hon. Louis St. Laurent, 2 August 1949.

15. Louis St. Laurent was led to inquire on account of this case into Canadian immigration procedures, about which he was critical: "If a case like that of Mr. Sidor cannot be settled in less than over two months...I would presume that there are cases which can drag on endlessly. I am worried lest, in the process, we might be losing good prospective immigrants and be left with those who, for one reason or the other, would not necessarily be best fitted for this country". [Ibid., Louis St. Laurent to Hugh Keenleyside, 24 October 1949].

16. Ibid., H.L. Keenleyside to the Hon. Louis St. Laurent, 26 October 1949.

17. Ibid.

18. National Archives, Washington, f. 860F.00/2-1946, Dean Acheson to Vladimir Hurban, 4 March 1946.

19. Kirschbaum, Slovaks in Canada, p. 217.

20. RG26 G2, Acc.84-85/19, Box 208, f. 7899-40, telegram from Canadian High Commission London to SSEA, 13 December 1950.

21. Report by the Comptroller General of the United States, "Nazis and Axis Collaborators Were Used To Further U.S. Anti-Communist Objectives in Europe--Some Immigrated To The United States", 28 June 1985, p. 39.

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22. Kirschbaum, Slovaks in Canada, pp. 213-214; Frantisek Braxator, "Slovaks Abroad and their Relationship to Czecho-Slovakia", in Joseph Kirschbaum (ed.), Slovakia in the 19th and 20th Centuries, p. 345.

23. PAC, RG25, Acc.84-85/19, Box 208, f.7899-40, telegram from Canadian High Commission London to SSEA, 13 December 1950.

24. PAC, RG26 G2, Acc.84-85/19, Box 208, f. 7899-40, USSEA to Director of Immigration, 15 December 1950.

25. PAC, MG28 V61 Special Issue No. 14, 1971.

26. Ibid., No. 42, 1980.

27. J. Kirschbaum, Slovaks in Canada, p. 157 n. 11. Another Slovak organization founded in 1953 by "the veterans of the Slovak army living in the countries of the Free World" had its most "vociferous group" in Canada. The organization "required from its members the swearing of an oath promising obedience to the President and government of the Slovak Republic **(i.e. Tiso, Tuka, etc.,)**". [Ibid., pp. 219-220.]

28. RCMP Policy Files, v. 1, pp. 160-163, f. 83FP-5848 (WCTF pp. 4287-8), 11 January 1944.

29. This account of the Roumanian Iron Guard is based on the following: Trifa trial proceedings and depositions and other documents submitted to the Commission as exhibit C-23; Allan A. Ryan, Quiet Neighbours (Harcourt Brace Jovanovich, New York 1984), ch. 7; Rochelle G. Saidel, The Outraged Conscience (State University of New York Press, Albany 1984), pp. 31-67; Charles Higham, American Swastika (Doubleday, New York 1985), pp. 220-237; Scott Anderson and Jon Lee Anderson, Inside the League (New York 1986). The claim that British intelligence backed the Iron Guard during the war is made in American Swastika and Inside the League.

30. Commission exhibit C-23.

31. Ibid., 16 January 1950.

32. Ibid., 18 May 1953.

33. Ibid., 6 April 1954.

34. Ibid.

35. Ibid.

36. Ibid.

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37. Ibid., 18 May 1953.

38. Cited in Anderson and Anderson, Inside the League, p. 32.

39. Ibid., p. 32.

40. Howard Blum, Wanted! The Search for Nazis in America (1977), p. 134.

41. The Saturday Windsor Star, Special Report: The War that won't go away, by Lynda Powles, 12 February 1983.

42. CSIS/RCMP, f. L3-16/2-29, Insp. W.H. Kelly to RCMP H.Q., 16 December 1953.

43. Ibid.

44. CSIS, f. [redacted] stamp of approval for citizenship, 8 July 1958.

45. CSIS, f. [redacted] P.J. Vaucher, Visa Control Paris, to Security Section Visa Control, Canada House, London, 30 May 1952.

46. Ibid., Insp. D.E. McLaren to RCMP, Toronto, 20 January 1961.

47. Ibid.

48. Ibid., Insp. J.E.M. Barrette (for Director of Security and Intelligence) to RCMP, Toronto, 9 February 1961; A.L. Greening to Director, Security and Intelligence, 6 March 1961.

49. Ibid., 27 February 1961.

50. Ibid., statement of subject E, 29 March 1961.

51. Ibid., p. 12 of statement.

52. Ibid.

53. Ibid.

54. Ibid.

55. Ibid.

56. PAC, MG31 H120.

57. "Exhibition of pro Nazi artifacts upsets many Toronto Hungarians", Globe and Mail, 30 April 1986.

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58. "The Investigation of Alleged War Criminals," Cpl. W.F. Yetter, 7 June 1984, A, Case #13.

59. PAC, Diefenbaker Papers, MG26 M, v. 36, Dr. Zoltan Klar (Editor-in-Chief of Az Ember) to the Hon. John Diefenbaker, 30 July 1959.

60. Commission case files.

61. Ibid., CIC document, case , 26 July 1950.

62. For reasons not made clear in the documentation available, Canadian Immigration carried out checks on this individual with a U.S. investigative agency in September 1955. (RCMP f. , 83FP 5276, 22 September 1955; OSI to Assistant RCMP Liaison Officer, Washington, 25 June 1981.

63. Hilberg, p. 490.

64. Hilberg, p. 294 n. 13.

65. Daugavas Vanagi (Latvian State Publishing House, Riga 1963); Political Refugees--Without the Mask (Latvian State Publishing House, Riga).

66. H.J. Neufeldt, J. Huck, G. Tessin, Zur Geschichte der Ordnungspolizei, 1936-1945 (Koblenz 1957); Latviesu Karavirs Otra Pasaules Kara Laika ("Latvian Soldiers during the Second World War"), 8 vol. (v. 1--Sweden 1970, v. 8--Lincoln, Nebraska 1982); consultation with OSI historian, Steven Rogers.

67. Eriks Parups, The Bitter Truth, (Commission files), p. 11.

68. Commission case files.

69. Eriks Parups, Our Problem (Commission files).

70. IR, f. 030175-030176, Citizenship Branch, "Byelorussian (White Russian) Group in Canada", July 1956. For Ostrowsky's wartime carreer see John Loftus, The Belarus Secret (Knopf Publ. 1982).

71. According to John Loftus, virtually the entire leadership of the Byelorussian pro-Nazi regime eventually immigrated to the U.S. A further claim made by Loftus is that U.S. intelligence agencies recruited and oversaw the immigration of several of these Byelorussian pro-Nazi leaders.

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72. The Canadian Jewish Weekly, paraphrasing The Moscow weekly journal, New Times (14 Aporil 1962), "Soviet Trial of War Criminals Reveals Former Nazi Camp Guards Now Living in Canada", 16 May 1962.

73. Ibid.

74. RCMP, f. [redacted] 'O' Division, f. [redacted] 29 June 1962.

75. Ibid.

76. CIC memorandum, 12 September 1947 (obtained from John Loftus). Assistance to the Ustashi came in particular from a refugee relief agency operating out of the Catholic Institute of St. Jerome at the Vatican, run by Father Draganovich who provided forged documents and arranged for immigration to South America.

Vincent La Vista, a U.S. State Department investigator, stated in a Top Secret report (now declassified) in May 1947 that the Vatican's justification for its participation in the illegal traffic of documents and resettlement activities was "simply the propagation of the Faith. It is the Vatican's desire to assist any person, regardless of nationality or political beliefs, as long as that person can prove himself to be a Catholic...The Vatican further justifies its participation by its desire to infiltrate, not only European countries but Latin-American countries as well, with people of all political beliefs as long as they are anti-Communist and pro-Catholic Church...further investigation indicated that in those Latin American countries where the Church is a controlling or dominating factor, the Vatican has brought pressure to bear which has resulted in the foreign missions of those countries taking an attitude almost favoring the entry into their country of former Nazi and former Fascists or other political groups, so long as they are anti-Communist. That, in fact, is the practice in effect in the Latin American Consulates and Missions in Rome at the present time". (National Archives, Washington, FW 800, 0128/5-1547, Vincent La Vista to Herbert J. Cummings, 15 May 1947.)

77. Cited in Ryan, Quiet Neighbours, p. 152.

78. Cited in Anderson and Anderson, Inside the League, p. 40.

79. See Annex 2 to the report. Loftus claims regarding Ustashi war criminals in Australia have been the subject of press attention in 1986, and have contributed toward the establishment of a Commission of Inquiry on Nazi War Criminals in Australia.

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80. DEA, f. 42-BR-40, European Division to USSEA, 17 and 27 September 1952.

81. RCMP, f. , Cpl. B.A. McDonald to Sgt. M. Grierson, 6 March 1981. Also in RCMP Policy Files, Walker to officer-in-charge "B" operations, re: Mr. Gordon's Study, 12 June 1980: "You may recall your interest in whether or not some of the alleged Nazi war criminals might have been utilized by the R.I.S. **(Russian Intelligence Service)**, either under threat of exposure or by cloaking their pro-Soviet intelligence activities by continuing their pro-Nazi reputation.

82. Anderson and Anderson, Inside the League; interview with John Loftus, July 1985.

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CHAPTER XII, Part 5

1. RCMP, f. J.B. Giroux (Director General Security Service) to O.A. Davey (Director Security Policy - Sol. Gen.), 22 June 1982.

2. "Brief Concerning Entry into Canada of Suspected War Criminals Following World War II", prepared by Cpl. W.F. Yetter, Federal Policing Branch, 20 July 1983, p. 1.

3. RCMP, WCTF 3828-9, Hon. Bob Kaplan to RCMP Commissioner R.H. Simmonds, 30 March 1983.

4. RCMP, WCTF 3841, Brief in response to Minister's letter of 30 March 1983, prepared by Cpl. W.F. Yetter, 20 April 1983.

5. Yetter's "Brief...", 20 July 1983, p. 2.

6. "I was disturbed to find that Volumes 1 to 6 of the main file covering accusations of previous Nazi activities) have been destroyed. That action makes total retrieval almost impossible. I would be interested to know how the decision for destruction was reached for it is an action similar to the destruction of police files on Nazis in South America." (RCMP file , Policy files, Vol. 4, p. 119, L.D. Gordon to Insp. W.G. Walker, 6 May 1980.)

   Also Cpl. Yetter's transit slip to file, 9 June 1982: "Main operational file 72HQ-790-284 was missing in 1980 when I came to H.Q. It has not been located - in 1980 I had a false docket file made up and it presently consists of 2 volumes. No reference to any type of assistance **(i.e. from intelligence agencies)** referred to above. (Policy files P-400-21-8, p. 62).

7. John Loftus, The Belarus Secret (Knofp Publ. 1982); Tom Bower, Blind Eye to Murder (Granada Publ. London 1983) and Klaus Barbie, Butcher of Lyons (London 1984). For governmental documentation: "Study of Intelligence and Counterintelligence Activities on the Eastern Front and in Adjacent Areas during World War II" (Records of CIA at National Archives in Washington); Reports by the Comptroller General of the United States (General Accounting Office): "Widespread Conspiracy to Obstruct Probes of Alleged Nazi War Criminals Not Supported By Available Evidence -- Controversy May Continue" (May 1978); "Nazis and Axis Collaborators Were Used To Further U.S. Anti-Communist Objectives In Europe - Some Immigrated To The United States" (June 1985); Allan A. Ryan, Jr., Klaus Barbie and

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the United States Government,: A Report to the Attorney-General (August 1983).

Of note in this regard is the role played by Reinhard Gehlen, head of the German Fremde Heere Ost (Foreign Armies East), who was overseer of the collaborating forces in Eastern Europe and the Soviet Union during the war. At the end of the war, Gehlen had a vast network of agents stretching from Bulgaria to Lithuania. In 1947, Gehlen was flown to Washington, D.C., where he explained this network to the Americans and put it at their disposal. Recently declassified CIC documents obtained by John Loftus describe the "Intermarium" organization and the role of British intelligence and the Vatican in the resettlement of Eastern European Nazi collaborators (see note 8 below).

8. According to John Loftus, a former investigator with the OSI, the Western allies and the Vatican participated in a European espionage network called 'Intermarium', which enlisted Nazis and Nazi collaborators in the newly engaged Cold War. 'Intermarium' (which means between the seas in Latin), is referred to in recently declassified CIC documents, though few particulars are offered in these documents about the organization. Other CIC reports recently declassified and obtained by Loftus indicate that St. Jerome's College, a Vatican-controlled seminary for priests, provided sanctuary after the war to some of the top members of the Ustasha Party which had controlled Croatia during the war. The documents indicate that Rev. Krunoslav Draganovic, a Croatian priest who was secretary of the college and who headed the Croatian segment of a Holy See aid agency, was directly involved in aiding Ustachi members, including convicted war criminals, to obtain falsified identification papers and to escape to South America. According to the 1983 U.S. Justice Department report on Klaus Barbie, the same Draganovich was paid by the U.S. to get Barbie out of Europe. For further discussion of the role of the Vatican in assisting in the sheltering and resettlement of Nazis and Nazi collaborators, see note 76 to Part 4 of this chapter.

9. PAC, RG76, v. 347, f. 372502, pt. 4, P.T. Baldwin to C.E.S. Smith, 17 December 1945.

10. Ibid., Don F. Brown, M.P. to A.L. Jolliffe, 7 October 1947.

11. Ibid., O.G. Adams, Inspector-in-Charge to Eastern District Superintendent, Ottawa, 30 October 1947.

12. Ibid.

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13. PAC, RG26, v. 131, f. 3-33-36, pt. 2, item 3, Director of Immigration to Acting Deputy Minister, undated (other items date from 1959-1960).

14. Freedom and Security under the Law, Commission of Inquiry Concerning Certain Activities of the RCMP, August 1981, Second Report, v. 2, pp.824-5.

15. Report by the Comptroller General of the United States, June 1985, supra., pp. 19-26.

16. The links between the United States government and Klaus Barbie (nicknamed "the Butcher of Lyons") are documented in the report prepared by Allan A. Ryan, Jr., for the U.S. Department of Justice, Klaus Barbie and the United States Government (August 1983). Critiques of Ryan's report focussing on incompleteness and toning down of the U.S. government's role were made by Charles Allen, Jr.: "Special Analysis Report on Barbie: How Complete is it?", JTA Daily News Bulletin, v. LXI, No. 161, 24 August 1983 (published by Jewish Telegrpahic Agency, New York); Flora Lewis, "Why Barbie Report Is Inadequate", New York Times, 30 August 1983.

17. Ibid., p. 20.

18. Cpl. Yetter's "Brief...", 20 July 1983, pp. 8-10, 16-18; Commission transcripts, v. IC4, 14 May 1985, W.H. Kelly and Eldon Black; Commission exhibits C-34, C-35 and C-36.

19. Commission exhibit C-34, W.H. Kelly to RCMP Headquarters, 4 March 1954.

20. Ibid., para. 12.

21. Ibid., para. 13.

22. Ibid., para 18.

23. Ibid.

24. Ibid.

25. Commission transcripts, 14 May 1985, p. 24.

26. Commission exhibit C-34, 31 March 1984, paras. 8 and 9.

27. Ibid., para. 2.

28. Ibid., 25 June 1954, para 4.

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20. Cpl. Yetter' "Brief...", 20 July 1983, p. 6.

30. Commission transcripts, v. IC4, 14 May 1985, p. 37.

31. CSIS, IP 310-4-79, Commissioner RCMP to G.G. Crean (USSEA), 1 September 1954.

32. Ibid.

33. Ibid.

34. Commission transcripts, v. IC4, p. 61.

35. Of note is the much publicized case of Mykola Lebed, an alleged war criminal of Ukrainian background who came to the U.S. under the 100 Persons Act.

36. See note 7 above.

37. Commission transcripts, IC4, 14 May 1985, pp. 41, 57.

38. CSIS, IP 310-4-79, G.G. Crean (USSEA) to Supt. J.R. Lemieux, 30 November 1954.

39. DEA, DL-2 archives, memorandum prepared for the JIC (Joint Intelligence Committee), 2 May 1962.

40. CSIS, IP 140-4, Security Officer-in-Charge, Linz, Austria to Officer-in-Charge, Security Section, Visa Control, London, 7 June 1955.

41. CSIS, IP 310-4-79, 19 March 1957.

42. Ibid., Director of Security and Intelligence to G.H. Southam (USSEA), 18 April 1958.

43. Ibid., Director of Security and Intelligence to USSEA, 20 June 1958.

44. Document included in Cpl. Yetter's "Brief...", 20 July 1983, v. III, pt. D, p. 280.

45. Ibid., v. I, p. 18 and v. III, pp. 280-285.

46. Ibid., v. II, C, p. 180.

47. Ibid., v. III, C, p. 193: Insp. L.R. Parent to Supt. M.T. Laberge, 31 January 1961.

48. Ibid., p. 216.

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49. Ibid., v. II, C, pp. 208-9.

50. Ibid., v. III, C, 268.2, 268.3.

51. Ibid., v. III, C, pp. 258-9, S.T. Wood to the Hon. Stuart S. Garson (Minister of Justice), 3 March 1951.

52. Ibid., v. III, C, pp. 260-265.

53. Ibid., v. III, C, p. 198.

54. Ibid.

55. Ibid., Vol. III, C, p. 195.

56. IR, f. 18706-60, S.F.G-24, memorandum from James S. Cross (Executive Assistant to the Deputy Minister) to Registrar of Canadian Citizenship, 27 April 1962.

57. Cpl. Yetter's "Brief...", 20 July 1983, v. III, C, p.190.

58. Ibid., v. III, C, p. 187.

59. Ibid., v. III, C, 183 plus att.

60. Ibid., pp. 12, 15.

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CONCLUSIONS

1. Commission exhibit P-77, Discussion Paper, "Alleged War Criminals in Canada", March 1981.

2. RCMP. f. P-400-21-8, Insp. G. Timko (Federal Policing Branch) to Martin Low (Department of Justice), 24 March 1981.

3. "Albert Helmut Rauca and War Criminals Generally", report by Cpl. W.F. Yetter (Federal Policing Branch), 7 February 1983, v. 1, p. 13.

4. Gerald Posner and John Ware, Mengele: The Complete Story (McGraw Hill, New York/Toronto 1986), Chapter 3.

5. Cpl. Yetter, "Albert Helmut Rauca...", p. 11.

6. Ibid., p. 5.

7. Ibid., p. 6.

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GLOSSARY

BDC	Berlin Documentation Centre
CCCRR	Canadian Christian Council for the Resettlement of Refugees
CIC	Counter-Intelligence Corps, United States Army
CJC	Canadian Jewish Congress
CROWCASS	Central Registry of War Criminals and Security Suspects
CWCAC	Canadian War Crimes Advisory Committee
CWCIU	Canadian War Crimes Investigation Unit
DP	Displaced Person
IGCR	Inter-Governmental Committee for Refugees
IRO	International Refugee Organization
PCIRO	Provisional Committee for the International Refugee Organization
SHAEF	Supreme Headquarters Allied Expeditionary Force
UCC	Ukrainian Canadian Committee
UNRRA	United Nations Relief and Rehabilitation Administration
UNWCC	United Nations War Crimes Commission

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ANNEX 1: Ministers and principal officials responsible for immigration, citizenship, security, and war crimes policy, 1940s to the present

23 October 1935 - 15 November 1948 Liberal

Prime Minister
The Rt. Hon. William Lyon Mackenzie King

Secretary of State for External Affairs

Rt. Hon. William Lyon Mackenzie King	4 Sept/46-9 Sept/48
Rt. Hon. Louis Stephen St. Laurent	10 Sept/48-15 Nov/48

Minister of Justice and Attorney General

Rt. Hon. Louis Stephen St. Laurent	10 Dec/41-9 Dec/46
Rt. Hon. James Cormier Ilsley	10 Dec/46-30 June/48
St. Laurent, Acting Minister	1 July/48-9 Sept/48
St. Laurent	10 Sept/48-15 Nov/48

Minister of Mines and Resources
(Immigration and Colonization abolished, Mines and Resources created 23 June 1936, in force December 1, 1936)

Hon. Thomas Alexander Crerar	1 Dec/36-17 Apr/45
Hon. James Allison Glen	18 Apr/45-10 June/48
Hon. James Angus MacKinnon	11 June/48-15 Nov/48

Solicitor General of Canada

Vacant	23 Oct/35-17 Apr/45
Hon. Joseph Jean	18 Apr/45-15 Nov/48

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15 November 1948 - 21 June 1957 Liberal

Prime Minister
Rt. Hon. Louis Stephen St. Laurent

Minister of Mines and Resources (Immigration Branch)

Hon. James Angus MacKinnon	15 Nov/48-31 Mar/49
Hon. Colin William George Gibson	1 Apr/49-17 Jan/50

(Citizenship and Immigration replaces Mines and Resources, 18 January 1950)

Minister of Citizenship and Immigration

Hon. Walter Edward Harris	18 Jan/50-30 June/54
Hon. John Whitney Pickersgill	1 July/54-21 June/57

Secretary of State for External Affairs

Hon. Lester Bowles Pearson	15 Nov/48-21 June/57

Minister of Justice and Attorney General

Hon. Stuart Sinclair Garson	15 Nov/48-21 June/57

(Functions of Solicitor General transferred to Justice 7 Aug/50-14 Oct/52)

Solicitor General of Canada

Hon. Joseph Jean	15 Nov/48-23 Aug/49
Vacant	24 August 1949
Hon. Hugues Lapointe	25 Aug/49-6 Aug/50
Hon. Stuart Sinclair Garson	7 Aug/50-14 Oct/52
Hon. Ralph Osborne Camprey	15 Oct/52-11 Jan/54
Hon. William Ross Macdonald	12 Jan/54-21 June/57

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21 June 1957 - 22 April 1963 Progressive Conservative

Prime Minister

Rt. Hon. John George Diefenbaker	

Minister of Citizenship and Immigration

Hon. Edmund Davie Fulton, Acting Min.	21 June/57-11 May/58
Hon. Ellen Louks Fairclough	12 May/58-8 Aug/62
Hon. Richard Albert Bell	9 Aug/62-22 Apr/63

Secretary of State for External Affairs

Rt. Hon. John George Diefenbaker	21 June/57-12 Sept/57
Hon. Sidney Earle Smith	13 Sept/57-17 Mar/59
Vacant	18 March 1959
Diefenbaker, Acting	19 Mar/59-3-June/59
Hon. Howard Charles Green	4 June/59-22 Apr/63

Minister of Justice and Attorney General

Hon. Edmund Davie Fulton	21 June/57-8 Aug/62
Hon. Donald Methuen Fleming	9 Aug/62-22 Apr/63

Solicitor General of Canada

Hon. Léon Balcer	21 June/57-10 Oct/60
Hon. William Joseph Browne	11 Oct/60-9 Aug/62
Vacant	10 Aug/62-22 Apr/63

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22 April 1963 - 20 April 1968 Liberal

Prime Minister

Rt. Hon. Lester Bowles Pearson	

Minister of Citizenship and Immigration

Hon. Guy Favreau	22 Apr/63-2 Feb/64
Hon. René Tremblay	3 Feb/64-14 Feb/65
Hon. John Robert Nicholson	15 Feb/65-17 Dec/65
Hon. Jean Marchand	18 Dec/65-30 Sept/66

Minister of Manpower and Immigration
(created 1 October 1966)

Hon. Jean Marchand	1 Oct/66-20 Apr/68

Secretary of State for External Affairs

Hon. Paul Martin	22 Apr/63-20 Apr/68

Minister of Justice and Attorney General

Hon. Lionel Chevrier	22 Apr/63-2 Feb/64
Hon. Guy Favreau	3 Feb/64-29 June/65
Hon. George James McIlraith, (Act. Min)	30 June/65-6 July/65
Hon. Louis Joseph Lucien Carden	7 July/65-3 Apr/67
Hon. Pierre Elliot Trudeau	4 Apr/67-20 Apr/68

Solicitor General of Canada

Hon. John Watson MacNaught	22 Apr/63-6 July/65
Hon. Laurence Pennell	7 July/65-19 Apr/68

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20 April 1968 - 3 June 1979 Liberal

Prime Minister
Rt. Hon. Pierre Elliot Trudeau

Secretary of State for External Affairs	
Hon. Mitchell William Sharp	20 Apr/68-7 Aug/74
Hon. Allan Joseph MacEachen	8 Aug/74-13 Sept/76
Hon. Donald Campbell Jamieson	14 Sept/76-3 June/79

Minister of Justice and Attorney General	
Rt. Hon. Pierre Elliot Trudeau	20 Apr/68-5 July368
Hon. John Napier Turner	6 July/68-27 Jan/72
Hon. Otto Emil Lang	28 Jan/72-25 Sept/75
Hon. Stanley Ronald Basford	26 Sept/75-2 Aug/78
Hon. Otto Emil Lang, Acting	3 Aug/78-23 Nov/78
Hon. Otto Emil Lang	9 Aug/78-23 Nov/78
Hon. Marc Lalonde	24 Nov/78-3 June/79

Minister of Manpower and Immigration	
Hon. John Marchand	20 Apr/68-5 July/68
Hon. Allan Joseph MacEachen	6 July/68-23 Sept/70
Hon. Otto Emil Lang	24 Sept/70-27 Jan/72
Hon. Bryce Stuart Mackasey	28 Jan/72-26 Nov/72
Hon. Robert Knight Andras	27 Nov/72-13 Sept/76
Hon. Jack Sydney George Cullen	14 Sept/76-14 Aug/77

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Minister of Employment and Immigration
(created 15 August 1977)

Hon. Jack Sydney George Cullen	15 Aug/77-3 June/79

Solicitor General of Canada

Hon. John Napier Turner	20 Apr/68-5 July/68
Hon. George James McIlraith	6 July/68-21 Dec/70
Hon. Jean-Pierre Goyer	22 Dec/70-26 Nov/72
Hon. William Warren Allmand	27 Nov/72-13 Sept/76
Hon. Francis Fox	14 Sept/76-27 Jan/78
Hon. Stanley Ronald Basford, Acting Minister	28 Jan/68-1 Feb/78
Hon. Jean-Jacques Blais	2 Feb/78-3 June/79

4 June 1979 - 2 March 1980 Progressive Conservative

Prime Minister
Rt. Hon. Charles Joseph Clark

Minister of Employment and Immigration

Hon. Ronald George Atkey	4 June/79-2 Mar/80

Secretary of State for External Affairs

Hon. Flora Isabel MacDonald	4 June/79-2 Mar/80

Minister of Justice and Attorney General

Hon. Jacques Flynn, Senator	4 June/79-2 Mar/80

Solicitor General of Canada

Hon. Allan Frederick Laurence	4 June/79-2 Mar/80

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3 March 1980 - 17 September 1984 Liberal

Prime Minister	
Rt. Hon. Pierre Elliot Trudeau	3 Mar/80-30 June/84
Prime Minister	
Rt. Hon. John Napier Turner	30 June/84-17 Sept/84
Minister of Employment and Immigration	
Hon. Lloyd Axworthy	3 Mar/80-11 Aug/83
Hon. John Roberts	12 Aug/83-17 Sept/84
Secretary of State for External Affairs	
Hon. Mark MacGuigan	3 Mar/80-9 Sept/82
Hon. Allan Joseph MacEachen	10 Sept/82-17 Sept/84
Minister of Justice and Attorney General	
Hon. Joseph Jacques Jean Chrétien	3 Mar/80-9 Sept/82
Hon. Mark MacGuigan	10 Sept/82-17 Sept/84
Solicitor General of Canada	
Hon. Robert Philip Kaplan	10 Sept/82-17 Sept/84

17 September 1984 - Progressive Conservative

Prime Minister	
Rt. Hon. Martin Brian Mulroney	

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Secretary of State for External Affairs Rt. Hon. Charles Joseph Clark	17 September 1984
Minister of Employment and Immigration Hon. Flora Isabel MacDonald	17 September 1984
Minister of Justice and Attorney General Hon. John Carnell Crosbie	17 September 1984
Solicitor General of Canada Hon. Elmer MacIntosh Mackay	17 September 1984

NOTE: The RCMP came under the ministerial responsibility of the Department of Justice from 1942 to 1963 and the Solicitor General's Office after 1964.

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DEPUTY MINISTERS & OTHER SENIOR OFFICIALS RESPONSIBLE FOR IMMIGRATION

1954-1986

1. DEPUTY MINISTERS (1936-1986)

Department of Mines and Reources (1936-1949)

1936-1945	C. Camsell
1946	C.W. Jackson
1947-1949	H.L. Keenleyside

Department of Citizenship and Immigration (1949-1966)

1950-1959	L. Fortier
1960-1963	G.E. Davidson
Jan.-Oct./1963	H.M. Jones (Acting)
Nov. 4/1963-Dec. 23/1965	C.M. Isbister
Jan. 1/1966-July 19/1968	T. Kent

Department of Manpower and Immigration (1966-1977)

July 22/1968-Apr. 7/1972	L.E. Couillard
Apr. 10/1972-May 14/1973	J. Desroches
May 15/1973-May/1977	A.E. Gotlieb

Employment and Immigration Canada (1977-1986)

June 2/1977-Aug. 31/1979	J.L. Manion
Oct. 1/1979-Dec. 30/1981	J.D. Love
Apr./1983-Present	G. Lussier

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2. OTHER SENIOR OFFICIALS RESPONSIBLE FOR IMMIGRATION (1936-1986)

Directors of Immigration Branch - Department of Mines and Resources (1936-1949)

1936-1943	F.C. Blair
Jan. 17/1944-Feb. 1/1950	A.L. Jolliffe

Directors of Immigration Branch - Department of Citizenship and Immigration (1950-1966)

Feb. 11/1950-1958	C.E.S. Smith
June 16/1958-Dec. 22/1962	W.R. Baskerville
1961	E.P. Beasley (Acting)
1962/3-1963/4	D.A. Reid (Acting)
Mar. 12/1964-1966	R.B. Curry

Assistant Deputy Ministers - Immigration Branch - Department of Manpower and Immigration (1966-1977)

1966-Feb. 2/1970	R.B. Curry
1970-1973	R.M. Adams
1973-1975	J.W. Edmonds

Executive Directors - Immigration Branch - Employment and Immigration Canada (1977-1986)

1976-1979	R.M. Tait
1979-Aug./1985	C.J. Best
Sept./1985-Present	J.B. Bissett

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Department of Mines and Resources (1936-1949)
Created by S.C. 1936 Ch. 33
Assented to on June 23, 1936 and proclaimed in force on December 1, 1936

Department of Citizenship and Immigration (1949-1966)
Created by S.C. 1949 (2nd Session) Ch. 16
Assented to in December 1949 and proclaimed in force on January 18, 1950

Department of Manpower and Immigration (1966-1977)
Created by S.C. 1966-1967, Ch. 25
Assented to on June 16, 1966 and proclaimed in force on October 1, 1966

Employment and Immigration Canada (1977-Present)
Office's name changed by S.C. 1976-77, Ch. 54
Assented to on August 5, 1977 and in force on August 15, 1977.

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Under Secretary of State for External Affairs

Norman Robertson	1941-1946
Lester B. Pearson	1946-1948
A.D.P. Heeney	1949-1952
Dana Wilgress	1952-1953
Hume Wrong	1953-1954
Jules Leger	1954-1958
Norman Robertson	1958-1964
Marcel Cadieux	1964-1970
A.E. Ritchie	1970-1974
Basil Robinson	1974-1977
Alan Gotlieb	1977-1981
Gordon Osbaldeston	1982
Marcel Massé	1982-1985

Deputy Ministers of Justice

Federick Percy Yarcoe	1 Oct./41 - 30 Apr./57
Wilbert Roy Jackett	1 May/57 - 30 June/60
Elmer A. Driedger	1 July/60 - 28 Feb./67
Donald Spencer Maxwell	1 March/67 -28 Feb./73
Donald S. Thorson	1 March/73 - 5 June/77
Roger Tassé	18 July/77 -1 Sept./85

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ANNEX 2: Immigration to Canada, 1945 to 1970, from countries where participation in war crimes during World War II was extensive

Country of Former Residence	1946-1955	1956-1967
Bulgaria	649	136
Czechoslovakia	10,860	672
Estonia	10,431	82
France	29,041	53,836
Germany, Fed. Rep.	145,198	144,060
Hungary	10,433	42,301
Latvia	10,783	73
Lithuania	9,898	35
Poland	80,529	21,847
Romania	6,049	986
U.S.S.R.	12,063	1,149
Yugoslavia	14,988	12,827
T O T A L	340,922	279,714

* Figures for this Table come from Table 12 of Freda Hawkins, Canada and Immigration, McGill-Queen's University Press, Montreal and London 1972

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ANNEX 3: Immigration application forms: information regarding wartime employment/military service

Immigration application forms did not request until 1953 written particulars regarding wartime military service, though an application form in use following August 21, 1950 did request details not specifically of military service, but of employment for the preceding ten-year period, which on the face of it would have covered military service back to 1940. The question with regard to employment in the previous ten-year period continued on application forms until 1953.

IMM O.S.8 forms in April 1953 required information with regard to "name of employer or firm or military division and POW service" from 1938 onwards. A revised October 1954 version deleted those two years. Former addresses and record of employment since 1939 were required in O.S.8 forms from 1956 and 1960. In 1961 forms required a record of residence and employment for the previous ten-year period, though with a special provision for residents of Germany for information from 1939 onwards.

IMM O.S.8 forms from 1956 and 1960 also contained the questions: "Have you or any of your dependents ever been... convicted of a criminal offence, refused admission or deported from Canada? If yes, give details." 1981 immigration application forms have retained these questions.(1) These questions would certainly have had a bearing on individuals convicted of war crimes charges, though, to be sure, policy and screening guidelines in the early 1950s deemed admissible Nazi collaborators who, following conviction, had served their terms.(2)

It should be noted that as of 1961, no questions regarding wartime history were addressed to non-German applicants. Moreover, even for applicants from Germany and for others in the 1954 to 1960 period, only vital statistics relating

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to military history were transmitted to Canada. No provision was made for transmission of individual military service records.(3)

From the records consulted in the time available for this report, I have been unable to discover what led to these various revisions or, more importantly, what policy basis there may have been for them. I have been unable, as well, to find an explanation for the absence of a question prior to 1953 with regard to an applicant's military service when this would have been so important a question in the light of the provisions of the official rejection guidelines. It is indeed curious that the question should begin to appear on forms only after the guidelines had been very significantly liberalized.

After October 1955, guidelines provided that only former members of the Gestapo and concentration camp guards were inadmissible. It is hardly likely that prospective immigrants would have admitted to such a background. The crucial issue, then, after October 1955 would have been seriousness and effectiveness of screening for such a background against available German and other archival records. The findings of this report do not provide assurances on this account.

1. Sample immigration application forms are attached.

2. See pages 260-261 of this report.

3. Sabourin testimony, Commission transcripts, V. 10, p. 1232; Robillard testimony, v. 11, p. 1288.

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COPY

IMM. 1058 (1953)

-3-

Imm. 0

APPLICATION FOR ADMISSION TO CANADA
ANTRAG AUF EINWANDERUNG NACH KANADA

Please attach passport size photograph

Bitte heften Sie eine Fotografie in Paßbildgröße an

● PLEASE WRITE IN BLOCK LETTERS
BITTE SCHREIBEN SIE IN DRUCKSCHRIFT

1. [redacted] [redacted]
(Surname — *Nachname*) (Given names — *Vornamen*)

2. Present address ..... 3. Telephone No. .....
Jetzige Adresse *Telefon Nr.*

4. Address(es) in countries of former residence / *Adresse(n) in Ländern, in denen Sie vorher Ihren Wohnsitz hatten.*

5. State the place and date of entry to present country of residence if not born therein.
Geben Sie Ort und Datum Ihres Eintrittes in das Land Ihres gegenwärtigen Wohnsitzes an, wenn Sie nicht dort geboren sind.

6. Country, date and place of birth
Land, Datum und Ort Ihrer Geburt

7. Citizenship / *Staatsangehörigkeit* 8. Ethnic origin / *Völkische Abstammung*

9. Religion 10. Sex 11. (a) Height (b) Weight
Religion *Geschlecht* *Größe* *Gewicht*

12. Describe any physical disability
Wenn körperbehindert, bitte nähere Beschreibung

13. Married, single, widowed, divorced or separated 14. Maiden name of wife
Verheiratet, ledig, verwitwet, geschieden oder getrennt *Mädchenname Ihrer Frau*

15. Place and date of marriage
Ort und Datum Ihrer Verheiratung

16. Present occupation 17. Proposed occupation in Canada
Jetzige Beschäftigung *Beabsichtigte Beschäftigung in Kanada*

18. Previous occupations
Frühere Beschäftigungen

19. Name and address of friends or relatives in Canada who are able and willing to assist you on arrival.
Name und Adresse von Freunden oder Verwandten in Kanada, die in der Lage und bereit sind, Sie bei Ihrer Ankunft zu unterstützen

20. Give below the information requested in respect of your family and dependents. (Mark X in front of the name of any who will accompany you to Canada.)
Geben Sie die unten gewünschten Einzelheiten in Bezug auf Ihre Familie und nächsten Angehörigen. (Kennzeichnen Sie diejenigen, die Sie nach Kanada begleiten werden, mit einem X vor dem Namen.

Surname *Nachname*	Given names *Vornamen*	Relationship *Verwandtschaftsgrad*	Date of birth *Geburtsdatum*	Place of birth *Geburtsort*	Occupation if any *Beschäftigung, wenn zutreffend*

21. Give the name, address, and relationship of your nearest relative who will be remaining in your country of birth, citizenship, or permanent residence.
Führen Sie den Namen, die Adresse und den Verwandtschaftsgrad Ihres nächsten Verwandten an, der in dem Land Ihrer Geburt, Staatsangehörigkeit oder ständigen Wohnsitz, zurückbleibt.
[redacted]

22. Will you pay your own passage to Canada?
Werden Sie Ihre Überfahrt nach Kanada selbst bezahlen?

23. If accompanied by your family, will you also pay their passage?
Wenn Sie von Ihrer Familie begleitet werden, werden Sie auch deren Überfahrt bezahlen?

24. How much money will you have on arrival in Canada?
Wieviel Geld werden Sie bei Ihrer Ankunft in Kanada haben?

25. If your application is approved, how soon thereafter will you leave for Canada?
Wenn Ihrem Antrag stattgegeben wird, wie bald danach werden Sie nach Kanada abreisen?

(German Rev. 4-53) (OVER — *BITTE WENDEN*)

Apr 53 - 1

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NAME (Block letters) [redacted]
(Name in Druckschrift)

Please complete this questionnaire in duplicate including military service, i. e. Division No. and POW service. Answer questions fully in block letters.

Bitte füllen Sie diesen Fragebogen vollständig in doppelter Ausführung aus, einschließlich Angabe Ihrer Militärzeit d. h. Angabe Ihrer Divisionsnummer und Kriegsgefangenenzeit.)

YEAR	NAME OF EMPLOYER OR FIRM OR MILITARY DIVISION AND POW SERVICE *(Name des Arbeitgebers oder Firma oder Division und Kriegsgefangenenzeit)*	OCCUPATION *(Beruf)*	HOME ADDRESS (in full) *(Volle Adresse)*
1938			
1939			
1940	"	"	"
1941	"	"	"
1942	"	"	"
1943	"	"	"
1944	"	"	"
1945	"	"	"
1946	"	"	"
1947	"	"	"
1948	"	"	"
1949	"	"	"
1950		Domestic	
1951	[redacted]	"	"
1952	"	"	"
1953	"	"	"
1954		"	

Full dates and addresses of residence in other countries. —
(Volle Daten und Adressen von Aufenthalten in anderen Ländern: —)

DATES *(Daten)* FROM *(von)*	TO *(bis)*	FULL ADDRESSES — *Volle Adressen*
		[redacted]

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CONFIDENTIAL Our File .....

APPLICATION FOR ADMISSION TO CANADA

To ..... From ..... Date .....

1. Surname ..... Given Names .....
2. Present Address .....
3. Address(es) in countries of former residence .....
4. State place and date of entry to Western Germany, if not born therein
5. Country, Date and Place of birth .....
6. Citizenship 7. Ethnic origin 8. Religion 9. Sex
10. Marital status 11. Maiden name of wife .....
12. Place and date of marriage
13. Present occupation
14. Herewith is the information concerning wife and dependents.

Surname	Given names	Relationship	Date of birth	Place of birth	Occupation if any

15. Other information: SPONSORED - UNSPONSORED AP - UNSPONSORED SP

16. Reply:

1000597

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-6- Q9

IMM. O.S. 8
OCT. 1954

Imm. O. S. 8

Please attach passport size photograph

Bitte heften Sie eine Fotografie in Paßbildgröße an

APPLICATION FOR ADMISSION TO CANADA

ANTRAG AUF EINWANDERUNG NACH KANADA

PLEASE WRITE IN BLOCK LETTERS
BITTE SCHREIBEN SIE IN DRUCKSCHRIFT

1. ..... (Surname — *Nachname*) ..... (Given names — *Vornamen*)
2. Present address ..... *Jetzige Adresse* 3. Telephone No. ..... *Telefon Nr.*
4. Address(es) in countries of former residence / *Adresse(n) in Ländern, in denen Sie vorher Ihren Wohnsitz hatten.*
5. State the place and date of entry to present country of residence if not born therein. .....
Geben Sie Ort und Datum Ihres Eintrittes in das Land Ihres gegenwärtigen Wohnsitzes an, wenn Sie nicht dort geboren sind.
6. Country, date and place of birth .....
Land, Datum und Ort Ihrer Geburt
7. Citizenship / *Staatsangehörigkeit* ..... 8. Ethnic origin / *Völkische Abstammung* .....
9. Religion ..... *Religion* 10. Sex ..... *Geschlecht* 11. *(a)* Height ..... *Größe* *(b)* Weight ..... *Gewicht*
12. Describe any physical disability .....
Wenn körperbehindert, bitte nähere Beschreibung
13. Married, single, widowed, divorced or separated ..... *Verheiratet, ledig, verwitwet, geschieden oder getrennt* 14. Maiden name of wife ..... *Mädchenname Ihrer Frau*
15. Place and date of marriage .....
Ort und Datum Ihrer Verheiratung
16. Present occupation ..... *Jetzige Beschäftigung* 17. Proposed occupation in Canada ..... *Beabsichtigte Beschäftigung in Kanada*
18. Previous occupations .....
Frühere Beschäftigungen
19. Name and address of friends or relatives in Canada who are able and willing to assist you on arrival.
Name und Adresse von Freunden oder Verwandten in Kanada, die in der Lage und bereit sind, Sie bei Ihrer Ankunft zu unterstützen .....

20. Give below the information requested in respect of your family and dependents. (Mark X in front of the name of any who will accompany you to Canada.)
Geben Sie die unten gewünschten Einzelheiten in Bezug auf Ihre Familie und nächsten Angehörigen. (Kennzeichnen Sie diejenigen, die Sie nach Kanada begleiten werden, mit einem X vor dem Namen.

Surname *Nachname*	Given names *Vornamen*	Relationship *Verwandtschaftsgrad*	Date of birth *Geburtsdatum*	Place of birth *Geburtsort*	Occupation if any *Beschäftigung, wenn zutreffend*

21. Give the name, address, and relationship of your nearest relative who will be remaining in your country of birth, citizenship, or permanent residence:
Geben Sie den Namen, die Adresse und den Verwandtschaftsgrad Ihres nächsten Verwandten an, der in dem Land Ihrer Geburt, Staatsangehörigkeit oder ständigen Wohnsitz, zurückbleibt.
22. Will you pay your own passage to Canada? .....
Werden Sie Ihre Überfahrt nach Kanada selbst bezahlen?
23. If accompanied by your family, will you also pay their passage? .....
Wenn Sie von Ihrer Familie begleitet werden, werden Sie auch deren Überfahrt bezahlen?
24. How much money will you have on arrival in Canada? .....
Wieviel Geld werden Sie bei Ihrer Ankunft in Kanada haben?
25. If your application is approved, how soon thereafter will you leave for Canada? .....
Wenn Ihrem Antrag stattgegeben wird, wie bald danach werden Sie nach Kanada abreisen?

000598

(OVER — *BITTE WENDEN*)

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PASSPORT PARTICULARS — *EINZELHEITEN DES P*

(To be completed by applicant if passport available) — Vom Antragsteller auszufüllen, wen über einen Reisepaß verfügt)

Passport number ..... Issuing authority .....
Nummer des Passes *Ausstellende Behörde*

Place of issue ..... Valid until ..... Date of issue .....
Ausstellungsort *Gültig bis* *Ausstellungsdatum*

....
(Date — *Datum*) (Signature of applicant — *Unterschrift des Antragstellers*)

INSTRUCTIONS TO APPLICANTS — *ANWEISUNGEN FÜR ANTRAGSTELLER*

WHEN CALLED TO A CANADIAN VISA OFFICE FOR EXAMINATION, APPLICANTS MUST HAVE, IN ADDITION TO THE OTHER DOCUMENTS REQUIRED, THE FOLLOWING TRADE OR QUALIFICATION PAPERS OR PHOTOSTATIC COPIES THEREOF.

ANTRAGSTELLER, DIE ZUR UNTERSUCHUNG ZU EINEM KANADISCHEN VISABÜRO EINBESTELLT WERDEN, MÜSSEN NEBEN DEN ÜBRIGEN ERFORDERLICHEN DOKUMENTEN FOLGENDE BERUFSPAPIERE ODER FOTOKOPIEN DAVON VORWEISEN:

(*a*) APPRENTICESHIP OR JOURNEYMAN PAPERS.
(*b*) UNION CARDS.
(*c*) TRADE OR PROFESSIONAL REFERENCES.
(*d*) DIPLOMAS (IF PROFESSIONALLY QUALIFIED).

a) LEHRZEUGNIS ODER GESELLENBRIEF.
b) GEWERKSCHAFTSAUSWEIS.
c) GEWERBE- ODER BERUFSREFERENZEN.
d) DIPLOME (BEI BESTANDENER AKADEMISCHER PRÜFUNG).

DO NOT LEAVE YOUR EMPLOYMENT OR DISPOSE OF ANY OF YOUR ASSETS UNTIL YOU HAVE RECEIVED YOUR VISA.

KÜNDIGEN SIE WEDER IHRE STELLUNG, NOCH LÖSEN SIE IHREN HAUSHALT AUF, SOLANGE SIE KEIN VISUM ERHALTEN HABEN.

BEWARE OF ANY PERSON ASKING YOU FOR MONEY TO FACILITATE OR EXPEDITE CONSIDERATION OF YOUR APPLICATION. THE SERVICES OFFERED BY THE CANADIAN AUTHORITIES ARE FREE.

HÜTEN SIE SICH VOR PERSONEN, DIE SIE FÜR EINE ERLEICHTERTE ODER BESCHLEUNIGTE BEARBEITUNG IHRES ANTRAGES UM GELD BITTEN. DIE KANADISCHEN BEHÖRDEN BEDIENEN SIE KOSTENLOS.

WHILE THERE IS NO CHARGE FOR IMMIGRATION MEDICAL EXAMINATION CONDUCTED BY DOCTORS ON THE STAFF OF THE CANADIAN IMMIGRATION OFFICE PROSPECTIVE IMMIGRANTS MUST OBTAIN X-RAYS OF THE CHEST AT THEIR OWN EXPENSE.

WÄHREND DIE ÄRZTLICHE UNTERSUCHUNG VON DEN ÄRZTEN DER KANADISCHEN EINWANDERUNGSDIENSTSTELLE ZWECKS EINWANDERUNG KOSTENLOS DURCHGEFÜHRT WIRD, MÜSSEN SICH DIE BEWERBER DIE RÖNTGENAUFNAHMEN DER BRUST AUF EIGENE KOSTEN BESORGEN.

FOR OFFICIAL USE — *FOR AMTLICHEN GEBRAUCH*

(This form has been prescribed by the Minister of Citizenship and Immigration).
(Dieses Formular wurde von dem Minister für Staatsangehörigkeit und Einwanderung vorgeschrieben).

Rep. Ont. 54 4 M.

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NAME (Block letters)
(Name in Drucksdrift)

Please complete this questionaire in duplicate including military service, i. e. Division No. and POW service. Answer questions fully in block letters.

(Bitte füllen Sie diesen Fragebogen vollständig in doppelter Ausführung aus, einschließlich Angabe Ihrer Militärzeit d. h. Angabe Ihrer Divisionsnummer und Kriegsgefangenenzeit.)

YEAR	NAME OF EMPLOYER OR FIRM OR MILITARY DIVISION AND POW SERVICE *(Name des Arbeitgebers oder Firma oder Division und Kriegsgefangenenzeit)*	OCCUPATION *(Beruf)*	HOME ADDRESS (in full) *(Volle Adresse)*
1940			
1941			
1942			
1943			
1944			
1945			
1946			
1947			
1948			
1949			
1950			
1951			
1952			
1953			
1954			
1955			
1956			

Full dates and addresses of residence in other countries. —
(Volle Daten und Adressen von Aufenthalten in anderen Ländern: —)

DATES *(Daten)* FROM *(von)*	TO *(bis)*	FULL ADDRESSES — *Volle Adressen*

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Give details indicated below of your husband, or wife and children, parents, parent ... and sisters.
(Daten und Einzelheiten von Ehemann oder Ehefrau, Eltern, Schwiegereltern und G... unterhalb angegeben).

NAME *(Name)*	CHRISTIAN NAME *(Vorname)*	DATE AND PLACE OF BIRTH *(Geburtsdatum und -ort)*	RELATIONSHIP *(Verwandtschaftsgrad)*	MAIDEN NAME OF WIFE *(Mädchenname der Ehefrau)*

Please give date and place of entry into Western Germany, or Austria, if applicable.
(Bitte bezeichnen Sie Datum und Ort Ihres Betretens von Westdeutschland oder Österreich, wenn zutreffend.)

EDUCATION *SCHULBILDUNG* — *(a)* Primary *Volksschule* ( ) years *Jahre* — *(b)* secondary *Höhere Schule* ( ) years *Jahre* — *(c)* secondary *Universität (Hochschule)* ( ) years *Jahre*

(d) Final standing obtained ..... *Abschlußprüfung*

PRACTICAL TRAINING *PRAKT. AUSBILDUNG*	Trade or profession *Handwerk oder Beruf*	No. years completed *Zahl der geleisteten Lehrjahre*	Standing obtained *Erreichter Grad*

(a) Trade apprenticeship ..... *Handwerksausbildung*

(b) Special Training in industry ..... *Industrielle Spezialausbildung*

(c) Special Training in profession ..... *Berufliche Spezialausbildung*

EMPLOYMENT / *ANSTELLUNG*

(a) Intended occupation in Canada ..... *Beabsichtigte Beschäftigung in Kanada*

(b) Placement Area preferred ..... *Bevorzugtes Ansiedlungsgebiet*

QUALIFICATION PAPERS / *BERUFSZEUGNISSE*

(a) Apprenticeship papers ..... *Lehrzeugnisse*

(b) Journeyman papers ..... *Gesellenbrief*

(c) Trade references ..... *Berufsreferenzen*

(d) Union Card ..... *Gewerkschaftsausweis*

(e) Diplomas ..... *Diplome*

(f) Others ..... *Andere*

LANGUAGES / *SPRACHEN* — SPOKEN — *IN WORT* — WRITTEN — *IN SCHRIFT*

O.S. 8. (b)
Dec. 55 — 10 M.

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IMM. 05. 8
(1960)

CANADA

DEPARTMENT OF CITIZENSHIP AND IMMIGRATION — IMMIGRATION BRANCH

IMM. O.S. 8
(REV. 10-60)

APPLICATION FOR ADMISSION TO CANADA

* DEPENDENTS 18 YEARS AND OVER MUST COMPLETE A SEPARATE FORM
* COMPLETE BY TYPEWRITER OR PRINT IN BLOCK LETTERS.

NOTICE
ATTACH PASSPORT SIZE PHOTOGRAPHS OF YOURSELF AND YOUR WIFE

1. NAME (Last or family name)	(First name)	(Middle names)	2. SEX ☐ MALE ☐ FEMALE
3. BIRTH (Day) (Month) (Year)	PLACE OF BIRTH	COUNTRY OF BIRTH	4. CITIZEN OF
5. ETHNIC ORIGIN	6. MARITAL STATUS	7. RELIGIOUS DENOMINATION	8. COUNTRY OF LAST PERMANENT RESIDENCE
9. IMMIGRATION CATEGORY	10. INTENDED OCCUPATION	11. HOW MUCH MONEY WILL YOU (a) HAVE ON ARRIVAL? $ (b) TRANSFER LATER? $	
12. CLOSEST RELATIVE IN HOME COUNTRY (Name, address, relationship)		13. HAVE YOU OR ANY MEMBER OF YOUR FAMILY EVER BEEN MENTALLY DEFECTIVE, TUBERCULAR, CONVICTED OF A CRIMINAL OFFENCE, REFUSED ADMISSION OR DEPORTED FROM CANADA? (If "yes", to any of these, give details)	
14. FAMILY MEMBERS - WIFE AND CHILDREN SUPPORTED BY YOU. MARK "X" IN FRONT OF THOSE ACCOMPANYING (Name)	(Age)	(Relationship)	15. ADDRESSES IN CANADA (a) IMMIGRANT (b) PERSON WILLING TO ASSIST (a) (b)
			16. PASSAGE PAID BY (Warrant No.) / 17. TRANSPORT FROM PORT OF ENTRY TO DESTINATION
18. PASSPORT NO.	COUNTRY OF ISSUE	DATE OF ISSUE	VALID UNTIL
19. PERMANENT ADDRESS IN FULL			20. TELEPHONE No.
21. LANGUAGES WRITTEN		LANGUAGES SPOKEN	
22. HEIGHT	23. WEIGHT	24. DESCRIBE ANY PHYSICAL DISABILITY	

25.

PRIMARY SCHOOL ☐ YEARS	SECONDARY SCHOOL ☐ YEARS	TECHNICAL OR TRADE SCHOOLS ☐ YEARS	UNIVERSITY ☐ YEARS
FINAL STANDING OBTAINED			

26. TRADE APPRENTICESHIP	TRADE OR PROFESSION	NO. OF YEARS COMPLETED	STANDING OBTAINED
27. SPECIAL TRAINING IN INDUSTRY PROFESSION	TRADE OR PROFESSION	NO. OF YEARS COMPLETED	STANDING OBTAINED

WCTF
4722
86- 02- 13
RCMP - GRC

INSTRUCTIONS TO APPLICANTS

* DO NOT LEAVE YOUR EMPLOYMENT OR DISPOSE OF ANY OF YOUR ASSETS UNTIL YOU HAVE RECEIVED YOUR VISA
* BEWARE OF ANY PERSON ASKING YOU FOR MONEY TO FACILITATE OR EXPEDITE YOUR APPLICATION. THE SERVICES OF THE CANADIAN AUTHORITIES ARE FREE
* YOU WILL HAVE TO PAY FOR MEDICAL EXAMINATION AND X RAY IF THEY ARE NOT GIVEN [illegible] BY A CANADIAN IMMIGRATION OFFICER.

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28. FORMER ADDRESSES AND EMPLOYMENT SINCE 1939

FROM MONTH - YEAR	TO MONTH - YEAR	HOME ADDRESS AND COUNTRY	NAME OF EMPLOYER, FIRM, MILITARY DIVISION OR IF PRISONER OF WAR, GIVE NAME OF CAMP	OCCUPATION

29. PREVIOUS SURNAME IF CHANGED	DATE SURNAME CHANGED
30. MAIDEN NAME OF WIFE	DATE AND PLACE OF MARRIAGE

31. NAME OF FATHER	MAIDEN NAME OF MOTHER	ADDRESS IN FULL
32. NAME OF FATHER-IN-LAW	MAIDEN NAME OF MOTHER-IN-LAW	ADDRESS IN FULL
33. IF NOT BORN IN COUNTRY OF PRESENT RESIDENCE, INDICATE:	(A) DATE OF ENTRY	(B) PLACE OF ENTRY

I CERTIFY THAT MY ANSWERS TO THESE QUESTIONS ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

Date _____ Signature of Applicant _____

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REMARKS

VISA STAMP AND PARTICULARS

SIGNATURE OF OFFICER

DATE

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IMM. 0.5.8 (1961)

-12-

CANADA

DEPARTMENT OF CITIZENSHIP AND IMMIGRATION
IMMIGRATION BRANCH

APPLICATION FOR ADMISSION TO CANADA

IMM. 0.5.A
(REV. 1-61)

INSTRUCTIONS TO APPLICANTS

- CHILDREN 18 YEARS AND OVER MUST COMPLETE A SEPARATE FORM.
- COMPLETE BY TYPEWRITER OR PRINT IN BLOCK LETTERS.
- DO NOT LEAVE YOUR EMPLOYMENT OR DISPOSE OF ANY OF YOUR ASSETS UNTIL YOU HAVE RECEIVED YOUR VISA.
- BEWARE OF ANY PERSON ASKING YOU FOR MONEY TO FACILITATE OR EXPEDITE YOUR APPLICATION. THE SERVICES OF THE CANADIAN AUTHORITIES ARE FREE.

NOTICE

ATTACH PASSPORT SIZE PHOTOGRAPHS OF YOURSELF AND YOUR WIFE

1. NAME *(Last or family name)* *(First name)* *(Middle names)*

2. SEX ☐ MALE ☐ FEMALE

3. BIRTH *(Day) (Month) (Year)* | PLACE OF BIRTH | COUNTRY OF BIRTH | 4. CITIZEN OF

5. ETHNIC ORIGIN | 6. MARITAL STATUS ☐ SINGLE ☐ DIVORCED ☐ MARRIED ☐ WIDOWED ☐ SEPARATED | 7. RELIGIOUS DENOMINATION | 8. COUNTRY OF LAST PERMANENT RESIDENCE

9. IMMIGRATION CATEGORY | 10. INTENDED OCCUPATION | 11. HOW MUCH MONEY WILL YOU (a) HAVE ON ARRIVAL IN CANADA? $ (b) TRANSFER LATER TO CANADA? $

12. CLOSEST RELATIVE IN HOME COUNTRY *(Name, address, relationship)*

13. HAVE YOU OR ANY MEMBER OF YOUR FAMILY EVER BEEN MENTALLY DEFECTIVE, TUBERCULAR, CONVICTED OF A CRIMINAL OFFENCE, REFUSED ADMISSION OR DEPORTED FROM CANADA? *(If "yes", to any of these, give details)*

14. **FAMILY AND DEPENDENTS** – *Give below particulars of your wife and children (whether living with you or not) and other dependents being supported by you. Mark "X" in front of the names of those accompanying you to Canada, "F" opposite the names of those to follow later and "A" opposite the names of any adopted children.*

SURNAME	GIVEN NAMES	RELATIONSHIP	DATE OF BIRTH	PLACE OF BIRTH	CITIZENSHIP	ETHNIC ORIGIN

WCTF
4726
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RCMP – GRC

15. ADDRESSES IN CANADA
(a) YOUR INTENDED ADDRESS IN CANADA

(b) NAME, ADDRESS AND RELATIONSHIP OF PERSON WILLING TO ASSIST

16. CAN YOU PAY YOUR OWN PASSAGE TO CANADA? ☐ YES ☐ NO | 17. TRANSPORT FROM PORT OF ENTRY TO DESTINATION

PASSPORT NO. | COUNTRY OF ISSUE | DATE OF ISSUE | VALID UNTIL

18. PRESENT ADDRESS IN FULL | 20. TELEPHONE NO.

21. HEIGHT | 22. WEIGHT | 23. DESCRIBE ANY PHYSICAL DISABILITY

24. PRIMARY SCHOOL ____ YEARS | SECONDARY SCHOOL ____ YEARS | TECHNICAL OR TRADE SCHOOLS ____ YEARS | UNIVERSITY ____ YEARS

FINAL STANDING OBTAINED

25. PRACTICAL TRAINING

	TRADE OR PROFESSION	NO. OF YEARS COMPLETED	STANDING OBTAINED
(a) TRADE APPRENTICESHIP			
(b) SPECIAL TRAINING IN INDUSTRY			
(c) SPECIAL TRAINING IN PROFESSION			

26. PRESENT OCCUPATION

27. LANGUAGES SPOKEN: ENGLISH FRENCH OTHER LANGUAGES (WHICH) OTHER

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29. FORMER ADDRESSES AND EMPLOYMENT: -
(A) FOR THE LAST 10 YEARS (B) SINCE 1939 IF YOU HAVE RESIDED IN GERMANY.
NOTE: *Addresses and employment are not required for the period prior to your 18th birthday.*

FROM MONTH - YEAR	TO MONTH - YEAR	HOME ADDRESS AND COUNTRY	NAME OF EMPLOYER, FIRM, MILITARY DIVISION OR, IF PRISONER OF WAR, GIVE NAME OF CAMP	OCCUPATION

29. PREVIOUS SURNAME IF CHANGED		DATE SURNAME CHANGED
30. MAIDEN NAME OF WIFE		DATE AND PLACE OF MARRIAGE
31. NAME OF FATHER	DATE AND PLACE OF BIRTH	ADDRESS IN FULL
MAIDEN NAME OF MOTHER		
32. NAME OF FATHER-IN-LAW	DATE AND PLACE OF BIRTH	ADDRESS IN FULL
MAIDEN NAME, MOTHER-IN-LAW		
33. IF NOT BORN IN THE COUNTRY WHERE YOU PRESENTLY RESIDE INDICATE:	(A) DATE OF ENTRY IN THAT COUNTRY	(B) PLACE OF ENTRY IN THAT COUNTRY

I CERTIFY THAT MY ANSWERS TO THESE QUESTIONS ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

DATE ..... SIGNATURE OF APPLICANT .....

NOTE: IF SPACE ABOVE IS INSUFFICIENT TO ANSWER ANY QUESTION PROPERLY, THE ADDITIONAL INFORMATION MAY BE PRINTED ON A SEPARATE SHEET OF PAPER AND ATTACHED TO THIS FORM.

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REMARKS:

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PLEASE TYPE OR USE BLACK BALL POINT PEN — PRESS FIRMLY

VEUILLER DACTYLOGRAPHIER OU UTILISER UN STYLO À BILLE NOIR ET APPUYER FORTEMENT

Employment and Immigration Canada — Emploi et Immigration Canada

IMMIGRANT VISA AND RECORD OF LANDING
VISA D'IMMIGRANT ET FICHE RELATIVE AU DROIT D'ÉTABLISSEMENT

1 — 1a — 013

1b

I.Q. USE ONLY - RÉSERVÉ À L'ADMINISTRATION CENTRALE

01 3 1 03 04

IMMIGRANT IDENTIFICATION - IDENTIFICATION DE L'IMMIGRANT

SURNAME - NOM DE FAMILLE — 23

GIVEN NAMES - PRÉNOMS — 53

4 NAME FLAG - INDICATEUR DU NOM — 077

DATE OF BIRTH - DATE DE NAISSANCE (D.J. / M. / Y.A.) — 091 — 19

6 PLACE OF BIRTH - LIEU DE NAISSANCE

7 COUNTRY OF BIRTH - PAYS DE NAISSANCE — 119

SEX / SEXE — 1 MALE / HOMME, 2 FEMALE / FEMME — 122

9 MARITAL STATUS - ÉTAT CIVIL — 1 SINGLE / CÉLIBATAIRE, 2 MARRIED / MARIÉ(E), 3 WIDOWED / VEUF (VEUVE), 4 DIVORCED / DIVORCÉ(E), 5 SEPARATED / SÉPARÉ(E) — 123

CITIZEN OF - CITOYEN DE — 124

11 PASSPORT NO. - PASSEPORT N° — VALID UNTIL - VALIDE JUSQU'AU

IF APPLICABLE, COUNTRY OF ISSUE OF TRAVEL DOCUMENT
S'IL Y A LIEU, INDIQUER LE PAYS DE DÉLIVRANCE DU DOCUMENT DE VOYAGE

13 ACCOMPANYING FAMILY MEMBERS
MEMBRES DE LA FAMILLE QUI ACCOMPAGNENT L'IMMIGRANT

NAME / NOM	DATE OF BIRTH / DATE DE NAISSANCE	RELATIONSHIP / LIEN DE PARENTÉ

FAMILY STATUS - SITUATION PAR RAPPORT À LA FAMILLE — 1 PRINCIPAL APPLICANT / REQUÉRANT PRINCIPAL, 2 SPOUSE / CONJOINT, 3 OTHER DEPENDANT / PERSONNE À CHARGE — 127

FULL NAME, ADDRESS AND RELATIONSHIP OF PERSON WILLING TO ASSIST
NOM ET ADRESSE AU LONG DE LA PERSONNE DISPOSÉE À OFFRIR SON AIDE ET LIEN DE PARENTÉ — 128

INTENDED OCCUPATION - PROFESSION ENVISAGÉE — X — 132

17 MOTHER TONGUE - LANGUE MATERNELLE — 139

HAVE YOU EVER BEEN CONVICTED OF A CRIME OR AN OFFENCE; REFUSED ADMISSION TO CANADA; REQUIRED TO LEAVE CANADA?
AVEZ VOUS ÉTÉ DÉCLARÉ(E) COUPABLE D'UN CRIME OU DÉLIT, ESSUYÉ UN REFUS CONCERNANT VOTRE ADMISSION AU CANADA OU ÉTÉ ENJOINT(E) DE QUITTER LE CANADA?

YES OR NO / OUI OU NON — INITIALS OF IMMIGRANT / INITIALES DE L'IMMIGRANT

IMM. CAT. - CAT. D'IMM. — 142

20 SPECIAL PROG. - PROG. SPÉCIAL — 145

EDUC. QUAL. - CERTIFICATS, DIPLÔMES, ETC. — 148

22 YEARS OF SCHOOLING - ANNÉES D'ÉTUDES — 150

EMPLOYMENT CODE - CODE DE L'EMPLOI — 1 D.E.O. / P.D., 2 N.J.B. / B.N.E., 3 A.N.E. / E.R., 4 2151 — 152

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C.L.P.R. - C.O.B. - D.P.R.P. - P.D.N. — 162 1 — OR / OU — 163

TRANS. WARRANT NO. - N° DU BON DE TRANSP. — 166 1

27 P.C. NUMBER - C.P. NUMÉRO — 167

S CODE / CODE DE SURV. — 175

29 MEDICAL FILE NO. - DOSSIER MÉDICAL N°

TYPE OF CASE - GENRE DE CAS — 2 DL. / D.E.O., 3 E.A. / A.R., P. / P.S. — 176

31 MEDICAL VALIDITY / VALIDITÉ DE L'EXAMEN MÉDICAL (D.J. / M. / Y.A.)

ISSUED - DÉLIVRÉ LE (D.J. / M. / Y.A.) — 179

33 VISA VALIDITY - VALIDITÉ DU VISA (D.J. / M. / Y.A.)

OFFICE OF ISSUE - BUREAU D'ORIGINE — 185

P.S. CODE / CODE DU P.S.

SIGNATURE OF VISA OFFICER - SIGNATURE DE L'AGENT DES VISAS

ORIGINAL ENTRY - ENTRÉE INITIALE (D.J. / M. / Y.A.) — 201

RECOMMENDED - RECOMMANDÉ

38 UTILITIES - LIBRES — 207 208 209 210 211 212 213 214 215 216

40 I CERTIFY THAT THE ABOVE STATEMENTS ARE TRUE AND CORRECT
JE CERTIFIE QUE LES RENSEIGNEMENTS CI-DESSUS SONT EXACTS ET VÉRIDIQUES.

SIGNATURE — DATE

41 CARRIER / FLIGHT NO. - TRANSPORTEUR / VOL N°

42 MONEY IN POSSESSION - ARGENT EN MAIN — 154 $

43 CONDITIONS OF LANDING IMPOSED
CONDITIONS D'OBTENTION DU DROIT D'ÉTABLISSEMENT IMPOSÉES — 177

44 I UNDERSTAND THESE CONDITIONS - JE COMPRENDS CES CONDITIONS.

45 LANDED ON / DROIT D'ÉTABLISSEMENT OBTENU LE (D.J. / M. / Y.A.) — 190

46 AT - A — 196

P.S. CODE / CODE DU P.S.

47 SIGNATURE OF IMMIGRATION OFFICER - SIGNATURE DE L'AGENT D'IMMIGRATION

REMARKS - OBSERVATIONS

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ANNEX 4: The Destruction of Records, 1982-1983

Until 1984, it was generally assumed that the only records available pertaining to particulars of entry to Canada of immigrants from Europe were ships' manifests and landing records indicating point of departure, point of entry, destination in Canada and source of funding for passage to Canada.

Testimony before the Commission of Inquiry and documents from the RCMP, Immigration, Justice, Public Archives Canada and the Solicitor General's Office indicate that immigration records abroad (such as IMM. O.S.8 -- filled by applicants overseas, and IMM. 55 -- completed in Canada by sponsors) were indeed routinely destroyed, but that Immigration headquarters had accumulated several hundreds of thousands of original case files dating from 1946 to the mid-1970s, which were destroyed only in late 1982 and early 1983, over a year after the Interdepartmental Committee on War Criminals had focussed attention on the importance of immigration records for any action with regard to alleged war criminals. Officials responsible for the 1982-1983 destruction of records have testified before the Commission that they had received no instructions to examine the files before destruction for their possible relevance to the pursuit of Nazi war criminals. The episode has raised questions as to a possible deliberate attempt on the part of government authorities to impede action with regard to alleged war criminals in Canada.

It was a central assumption at the Department of Justice in 1980, during the review of policy regarding the war criminals issue, that "the absence of individual immigration records for the relevant period" presented a major obstacle to adopting the American model of acting against war criminals by means of denaturalization and deportation.(1) In February 1980, Roger Tassé, the Deputy Minister of Justice, wrote to J.D. Love, the Deputy Minister of Employment and Immigration:

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> I am told that there have been informal indications over the years that records of applications for admission to Canada, for landing, for citizenship, and related matters for the period of 1945-1960, when these persons presumably would have entered Canada or been granted Canadian citizenship, are no longer available. I anticipate that there may be some pressure in the next few months on this subject. To enable our respective Ministers to respond adequately, I believe that we must know definitively whether or not records for this period can be located and I would be grateful if you can provide this information on the matters for which you are responsible.(2)

After receiving a response from Immigration, Tassé advised the Minister of Justice that one of the conclusions reached at a meeting on April 17, 1980 of the Interdepartmental Committee on war criminals was that

> There was confirmation that Immigration records relating to applications for admission to Canada are no longer in existence, but it was made clear that Immigration officers operating in Europe just after the war were very concerned to screen out former Nazis and collaborators, so that those persons would get a Canadian visa only if they were astute enough to avoid detection. There arises an inference that questions were asked and evaded but no evidence.(3)

Discussions in the 1980-1981 Interdepartmental Committee on War Criminals, chaired by Martin Low of the Department of Justice, often focussed on the unavailability of immigration records which could disclose whether an individual applicant might have been subjected to inquiries at the time of admission to Canada with regard to wartime activities and whether such records could show that the individual was guilty of misrepresentation at the time of admission to Canada.(4) The 1981 Discussion Paper produced by the Interdepartmental committee concluded that

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> ...As a matter of administration, immigrants' original applications and related records were destroyed after a short time, and the only records permanently kept (and still available) are the landing records, which contain only routine information such as name and date and place of arrival in Canada...(5)

Between 1980 and 1983 Immigration officials consistently maintained that individual case reports were not available. In the course of the RCMP's investigation of Albert Helmut Rauca in 1982, the RCMP addressed queries to the Deputy Minister of Employment and Immigration regarding the availability of immigration records relating to Rauca's entry into Canada.(6) The response was that such documents were not available, that

> immigration forms OS 8 and IMM 55 were destroyed some years ago in conformity with departmental policy...(7)

In response to further queries from the RCMP regarding place and date of destruction of documentation regarding Rauca's immigration to Canada, it was stated in February 1983 that

> ...Over the years, many thousands, even hundreds of thousands of case files have been destroyed at posts abroad each year in accordance with file destruction schedules approved under the Records Retention and Disposal Authority, Public Archives of Canada. Records have not been kept of individual case files destroyed under these schedules...(8)

In fact, as was later disclosed, Employment and Immigration had retained a large quantity of immigration case records -- 186 boxes reviewed on March 4, 1982 by Public Archives officials with a view to their disposal the following week, plus an additional 676 feet of case records not then reviewed, but also up for disposal that year.(9) The Public Archives appraised the boxes from Immigration as follows:

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> The case files do demonstrate very graphically the processes (and pitfalls) by which an immigrant became a landed immigrant and citizen, a deportee, or a holder of various visas (student, employment, diplomatic, etc.). Letters of reference, police reports, personal letters, and department forms, as well as transcripts and hearings, fill these files of plumbers, farmers, prostitutes, university professors, and mafia enforcers. No other source demonstrates the actual trials and tribulations of the immigrant, and a carefully controlled (in size) sample of these records would be extremely valuable for social science research.(10)

The existence in 1982 of these original case files for immigrants to Canada from 1945 to the mid-1970s was discovered by the RCMP at the Public Archives only in 1984, by which time all but a sample had been destroyed -- the bulk between September 1982 and February 1983 and some at an even later date. The matter of the destruction of original immigration case files for the postwar period, at a time when interest in the war criminals issue was heightened as a result of the Rauca case, was brought to the attention of the Deputy Minister of Employment and Immigration by the Commissioner of the RCMP, "due to the serious nature of the situation and the ramifications should this matter become public".(11)

When informed about the 1982-1983 destruction of immigration case files, Solicitor-General Bob Kaplan concluded that such destruction would need to have involved either "a culpable act" or an "monumental blunder". The fact is that there

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was a series of queries to successive Deputy Ministers at Employment and Immigration from the RCMP from 1980 to 1983. The RCMP and the Solicitor General's office did not offer an opinion about culpability, but stated that

> the loss of these records, whose destruction should not have taken place, has seriously impaired the ability of Canadian authorities, notably the RCMP, to investigate and take effective action against war criminals in Canada.(12)

The subject of destruction of records is treated in Part I of the Commission's report (chapter I-7, pp. 230-241 of MSS).

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ANNEX 4

1. DOJ, *58-104, Memorandum on war criminals issue by D.M. Low (n.d., early 1980).

2. DOJ, *57-69, Roger Tassé to J.D. Love, 20 February 1980.

3. DOJ, *57-51, Roger Tassé to the Hon. Jean Chrétien, 17 April 1980.

4. Commission exhibit P-77, Discussion Paper, "Alleged War Criminals in Canada", March 1981.

5. Ibid., p. 13, para. 17.

6. RCMP, f. P-400-21-8, 72 HQ-400-308, H. Jensen (Deputy Commissioner, RCMP) to M.A.J. Lafontaine (Deputy Minister, CEIC), 30 November 1982.

7. DOJ, *54-3, R.H. Simmonds (Commissioner, RCMP) to Gaetan Lussier (Deputy Minister, CEIC), 19 June 1984.

8. Ibid.

9. DOJ, *54-14, Terry Cook to Management Committee, PAC, 9 March 1982.

10. Ibid.

11. DOJ, *54-3, R.H. Simmonds to Gaetan Lussier, 19 June 1984.

12. Commission exhibit P-118, Deputy Solicitor General to Solicitor General, 22 May 1984.

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ANNEX 5

Chronology of Canadian Immigration Policy Directives and Security Screening Guidelines, 1939 to the Present

4 Sept. 1939: P.C. 2653, prohibits landing in Canada of enemy aliens and nationals of territory occupied by an enemy country.

21 May 1941: P.C. 3547 amends P.C. 2653 to delete reference to nationals of any territory occupied by an enemy country (so that fleeing Sudeten Germans not be barred from entering Canada).

30 June 1944: P.C. 695 (21 March 1931), as amended by P.C. 885 (23 April 1937) and P.C. 5024 (30 June 1944), restricts immigration to British subjects; U.S. citizens; wife or unmarried child under age 18 of Canadian residents; agriculturalists having sufficient means to farm in Canada; fiancée of adult male resident in Canada.

9 April 1946: P.C. 1373 replaces P.C. 2653, providing an exception to ban on admission of enemy aliens for persons who could satisfy the Minister of Mines and Resources that "they were opposed to an enemy government".

May 1946: P.C. 2070 authorizes Canadian officials to accept travel and identity documents acquired from recognized international agencies in lieu of regular passports.

28 May 1946: P.C. 2071 expands the admissible close relatives category to include, in addition to wives and children under age 18: parents, unmarried children aged over 18, unmarried siblings, and orphaned nieces and nephews under age 16.

June 1946: Cabinet approves establishment of Security Panel.

23 July 1946: P.C. 3112 provides for admission of 4000 ex-soldiers of General Anders' Polish Free Army for placement as agricultural labourers in Canada.

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7 Nov. 1946: Makckenzie King announces to Parliament emergency measures to assist in the resettlement of European refugees and displaced persons in cooperation with international refugee agencies.

3 Dec. 1946: German POWs retained in Canada permitted to remain on same terms accorded Polish veterans.

30 Jan. 1947: P.C. 371 amends P.C. 695: Provision for farm labourers, miners, loggers.

March 1947: Two Canadian immigration inspection teams set up in Germany.

1 May 1947: Mackenzie King's statement before the House of Commons regarding a broadening of government immigration policy, while maintaining the principle of ethnic selectivity. P.C. 1734 amends P.C. 695: Further expansion of admissible relatives (including husband or wife, children or siblings -- regardless of age, father or mother) and extension of fiancé provision to both sexes.

29 May 1947: P.C. 2047 provides for entry to Canada under Minister's Permit of German scientists and technicians under certain conditions and on the advice of the Department of Trade and Commerce.

May-June 1947: Introduction of special immigration programs -- close relatives, bulk labour and church sponsorship.

6 June 1947: P.C. 2180 authorizes admission of 5000 individuals from the displaced persons camps in Europe.

18 July 1947: P.C. 2856 amends P.C. 2180 to allow entry of 10,000 instead of 5000 DPs.

31 July 1947: P.C. 2908 lifts ban on admission of enemy aliens for nationals of Finland, Hungary, Italy, and Romania following signing of peace treaties with these countries. Service in the armed forces of these countries during the war not to be a ban to admission to Canada, according to External Affairs circular, January 1948.

17 Sept 1947: P.C. 3926 amends P.C. 2180, authorizing entry of an additional 10,000 DPs.

18 Mar 1948: Austrians no longer classified as 'enemy aliens', on grounds that Austria was a state liberated from German occupation.

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April 1948: RCMP and Immigration decision to admit former members of Baltic Waffen-SS who enlisted after December 1, 1943.

May 1948: Waiver of security screening extends to priests, nuns and brothers of the Catholic Church or of other recognized religions.

25 Aug. and 2 Sept. 1948: Orders-in-Council (P.C. 3750 and P.C. 3963) waive immigration regulations for admission of groups of refugees arriving on small boats, mainly Estonian, also Latvians, Poles, Finns.

2 Sept. 1948:

16 Sept 1948: P.C. 4186 permits entry of citizens of France on same basis as British and U.S. nationals. Amended by P.C. 5593 (December 1948): "citizens of France born in that country", thus excluding Jewish postwar refugees to France.

5 Oct. 1948: P.C. 3721 further amends P.C. 2180 authorizing entry of an additional 10,000 DPs. Total reached 40,000.

Nov 1948, Mar 1949: Listing of criteria for rejection on security grounds, including: a) Communists b) non-German members of SS or Wehrmacht with mark of SS Blood Group (Germans already excluded as enemy aliens); c) members of Nazi party; j) false representation; k) collaborators.

2 June 1949: P.C. 2743 expands category of admissible close relatives to include spouses; children and siblings, together with their spouses and unmarried children; parents; orphaned nieces and nephews under age 21; and prospective husband or wife of persons legally resident in Canada.

28 Oct 1949: Cabinet Directive No. 14 addressed to all government departments and agencies: former members of the Nazi or Fascist parties to be regarded as inadmissible under the Immigration Act and to be refused a visa.

14 Feb 1950: Security screening instructions for Stage 'B' clearance (i.e. on security grounds) list exemptions from screening: wives or widows with children 18 and under; children 16 and under; men over 65, women over 60; clergymen.

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28 Mar 1950: P.C. 1606 provides for new exceptions to the ban on enemy aliens: a) German nationals who are in the category of 'admissible close relatives' of Canadian residents, on the same basis as accorded other immigrants by P.C. 2743 (2 June 1949); and b) Volksdeutsche who were not German nationals on 1 September 1939.

20 May 1950: Immigration Branch Official Circular No. 72: service in the Wehrmacht for German nationals and Volksdeutsche does not constitute grounds for rejection; ethnic Germans who served in Baltic Waffen-SS admissible if service was not voluntary. (Guideline in fact in place since April 1948).

9 June 1950: P.C. 2856 replaces all former orders-in-council and amendments: relatively free entry for citizens of U.K., France, U.S.; others admitted according to guidelines for "admissible categories" and ministerial directives.

15 June 1950: Immigration Branch Directive authorizing admission of Ukrainian Waffen-SS (Galician Division) members from the U.K. Deferment of action on applications from July to September 1950 in response to objections raised by Canadian Jewish Congress, following which admission was to be made conditional on security screening.

14 Sept 1950: P.C. 4364 removes German nationals from category of prohibited enemy aliens, putting them on the same footing as other Europeans for immigration purposes. (Enemy alien ban for Japanese is lifted on July 31, 1952).

27 Oct. 1950: Security Panel decision to reject applications for citizenship from "active members of Communist or Communist-controlled organizations".

30 Nov 1950: RCMP circular: membership in the Nazi Party no longer grounds for rejection for immigration to Canada.

May 1951: Security Panel recommendations: that service in Waffen SS should no longer be a cause for blanket rejection, and that each case be judged on its individual merits; that Waffen SS should be rejected if: non-German SS found to bear mark of SS blood group, non-German Waffen SS who joined prior to 1943, and non-German Waffen SS who volunteered after January 1, 1943.

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Collaboration in itself not to be considered cause for rejection. All cases of 'major' and 'minor' collaborators to be decided by Deputy Minister of Citizenship and Immigration.

18 Sept. 1951: Security Panel decision that membership in the Sturm Abteilung (SA) should not constitute grounds for rejection.

January 1952: Security Panel recommendations: only ex-Nazis who are security risk to Canada should be rejected. Policy on collaborators relaxed, especially if representations on their behalf made in Canada.

15 May 1952: Security Panel decision that German and Volksdeutsche Waffen-SS members be admissible where there were reasonable grounds for believing they were forcibly conscripted; that former collaborators be excluded on grounds of "moral turpitude", except minor collaborators whose actions resulted from coercion; that only 'major offenders' or 'offender' category of SS, SD, Abwehr, Gestapo and Nazi Party should be refused entry into Canada.

1952: New Immigration Act: Governor-in-Council accorded power to prohibit or limit admission of persons by reason of background and various specified characteristics deemed relevant to good citizenship potentiality; the Act provided for the exclusion and deportation from Canada of persons considered security risks -- i.e. subversives, persons likely to engage in espionage and sabotage, and persons "found guilty of treason against Her Majesty or of assisting Her Majesty's enemies in time of war..."

27 Nov 1952: First "lookout" process following World War II.

1953: Further relaxation of rejection criteria with regard to Waffen-SS, particulary with regard to Volksdeutsche Waffen-SS.

Introduction of Green Form to relieve backlog and prevent delays, in response to pressure from the IRO, CCCRR and Immigration officials to speed up security checks.

21 Sept 1955: Cabinet decision to waive security for close relatives from USSR and its satellites, provided sponsors in Canada were Canadian citizens and cleared by security.

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18 Oct 1955: Security Sub-Panel decisions:

- SS, Waffen SS, SA, Abwehr, and SD no longer to be automatically rejected: period and nature of membership in these organizations to be taken into account.

- Special consideration for close relatives and meritorious categories, and for political and humanitarian reasons.

- Former members of the Gestapo, concentration camp guards, and persons who would be considered 'major offenders' under Allied Control Council Directive No. 38, should continue to be automatically rejected. (Problematic in application.)

Sept. 1955 - August 1956: Ministerial approval for admission of groups of Latvians from South America as 'exceptional merit' cases, minimal screening conducted.

1956: P.C. 1956-785: open immigration from U.K., U.S.A., France, Australia, New Zealand, Ireland and Western Europe, and for refugees in Europe if placed by Citizenship and Immigration.

Close relatives from most countries admissible, including Egypt, Israel, Lebanon, Turkey, any European country, any country of North, South or Central America.

Apr-Sept.1956: Screening waived for groups of Volksdeutsche and German farmers from East and West Germany (some 10,000 people).

Oct. 1956 - end 1957: Hungarian refugees admitted, no screening.

1960s-1970s: According to formal guidelines in Immigration Manual,

- former membership in the German SS, SA and Waffen-SS not a cause for automatic rejection; criteria of volunteer vs. conscript still mentioned.

- former members of the Nazi Party to be rejected only if considered a 'real security risk'.

1981: Decision to take measures to prevent additional Nazi war criminals from entering Canada.