

view of the Dominions, this provision was unfortunate, and there was a particular danger in the case of Canada that the result of the provision would be to drive Canadian labour into the arms of the United States for the purpose of securing representation on the Governing Body.

Mr. Barnes said that he would have no objection to making the Dominion Government delegates eligible for election to the Governing Body, but the other countries might not agree to this. He was under the impression that the Dominions were not eligible in the case of the Council of the League of Nations. If they were eligible he would have no objection to making the Labour scheme the same.

Sir Robert Borden and General Smuts pointed out that the League of Nations Covenant, as now amended, accorded this right to the Dominions.

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#### 7. PEACE TREATY ARTICLES ON PUNISHMENTS, AND REPORTS OF COMMISSION ON RESPONSIBILITY FOR THE WAR

General Botha referring to the draft articles for the insertion in the Peace Treaty providing for the punishment of the former German Emperor and other enemy persons guilty of violation of the laws of war (see W.C.P. 655), said that he regretted that the consideration of this subject by the British Empire Delegation had been postponed to so late a date. They had been sitting here for weeks discussing such matters as international aerial navigation, labour legislation, etc., while matters such as this, which were really connected with the peace, had received no attention.

The Secretary, in answer to an enquiry as to the origin of these draft articles said that they had been prepared by the Drafting Committee of the Peace Conference on instructions received from the Council of Four, after consideration of the Report of the Commission on the Responsibility of the Authors of the War and on Enforcement of Penalties (see W.C.P. 622).

Mr. Barnes said that he objected to some of the articles, and thought they should not be accepted at the afternoon Plenary Session without further discussion by the British Empire Delegation. He was in favour of punishing the ex-Kaiser, but thought it a strong order to ask Germany to give up without specification a large number of her nationals to the mercy of the Allies.

General Botha agreed. The effect of these articles would be that for a year or more after we had made peace with Germany, we should have a court-martial sitting and administering punishment to large numbers of her people. It would be impossible to have a real peace in such conditions. We must pick out the most flagrant cases, specifying the names of the guilty persons, and demand their surrender. So far as the ex-Kaiser was concerned, he ought to be punished, but the rest of the proposals were wrong. We were now making peace and it was wrong to continue the conditions of war into the state of peace. He instanced the position in respect of the question of amnesty after the South African War.