

Status of military offenders upon  
cessation of hostilities; public statement

26. The Secretary, referring to the discussion at the meeting of March 14th, said that agreement had been reached with Personnel Officers of the three Services as to the wording of a statement to be issued in the matter of amnesty for military offenders.

It was considered that there was no need for formal action by Council but that the statement might take the form of an announcement by the Prime Minister or by the senior Minister of National Defence. The Prime Minister felt that the latter would be more appropriate.

A memorandum including the terms of the proposed statement had been circulated.

(Memorandum, Adjutant-General to the Minister of National Defence, March 21, 1945 - C.W.C. document 963).

27. The War Committee, after discussion, approved the terms of the proposed announcement, as submitted, and agreed that the Ministers of National Defence should draw the attention of all ranks of their respective Services to the decision of the government, as set out therein, through the medium of Service Orders.

Legal position of Canadian forces in  
liberated Europe

28. The Secretary reported that the U.K. and U.S. governments had concluded agreements with a number of European countries concerning arrangements for civil administration and jurisdiction following liberation. In all cases agreements applied to the Supreme Allied Commander and to Allied troops under his command.

The agreement with French authorities provided that Allied Service courts and authorities would have exclusive jurisdiction over members of their respective forces and that, should provision be required for jurisdiction in civil matters over Allied forces, Allied governments concerned would consult with competent French authorities regarding measures to be adopted.

In order to ensure that any difficulties regarding Canadian troops in France might be settled with French authorities through the direct diplomatic channel, it was suggested that there be an exchange of notes between the Canadian and French governments giving effect to the agreement concluded between the U.K. government and France and providing, by reference, that it govern Canadian forces. Similar exchanges of notes would be appropriate with the governments of the Netherlands and Belgium.