

CHAPTER VII

CIVIL LIBERTIES AND THE PROTECTION OF MINORITIES

1. Proposals

The Governments of the United Kingdom, the United States and the Soviet Government included in their draft proposals for the peace treaties, provision for the inclusion of clauses which would require the respective enemy governments to guarantee the civil liberties of individuals. There is, in effect, no substantial difference in their proposals, in so far as they have been available in Ottawa.

Thus, in the summary of the United States proposals for a peace treaty with Italy, which was put before the Council of Foreign Ministers at their meeting in London in September last, Italy would be required voluntarily to undertake to adopt a Bill of Rights which would correspond to "freedom of speech, religious worship, political belief, and public meeting ... and also to confirm the human rights and fundamental freedoms of United Nations". The United States Government likewise envisaged similar provision in the treaties with the minor European states. The United Kingdom Government's proposals were more specific. The United Kingdom Government proposed, in their draft submitted to the meeting of the Council of Foreign Ministers in London in September last, that Italy would be required "not to introduce laws which would discriminate on grounds of race, creed or political opinion". The United Kingdom Government also proposed a retroactive clause, to protect Italians who had been favourable to the cause of the United Nations as follows: "Italy is not to prosecute or molest any person on account of his feelings or sympathies with the United Nations, including the performance of any action calculated to facilitate the execution of the armistice or the present treaty".

We have so far not received any copy of Soviet proposals for the peace treaty with Italy, but according to the draft texts for the treaties with Roumania, Hungary and Bulgaria (received through the Dominions Office) the Soviet Government are apparently inclined to agree to introducing clauses into the peace treaties along lines which would embody both the United States and United Kingdom views on the matter. Each of the three drafts contained a standard clause by which the enemy state in question "voluntarily undertakes to guarantee freedom of speech, religious worship, language, political opinion and public meetings for all its citizens". Likewise there is to be a retroactive clause referring to the respective armistice agreements with the enemy countries concerned, whereby the enemy state involved, undertakes in future likewise not to take any measures against its citizens on account of their activities or sympathies for the United Nations or on account of their racial origin, and "not to enact any laws of a discriminating character".