

MR. PEARSON'S LETTER ON POLISH ART COLLECTION

TO HEADS OF U.N. DELEGATIONS: On November 14 the Secretary of State for External Affairs, and Chairman of the Canadian Delegation to the United Nations, Mr. Pearson, sent the following letter to the heads of all other Delegations to the United Nations, on the subject of the Polish Art collection:

"Several days ago the Delegate of Poland in the Third Committee of the General Assembly spoke about the Polish art collection which was brought to Canada on the initiation of the Polish Government in 1940. In these remarks, which were ruled out of order, the Delegate of Poland made a statement to the effect that the collection had been deposited with the Canadian Government as a trust for the duration of the war. Last week the Polish Delegation circulated a brochure entitled 'Canada Refuses to Return Polish Cultural Treasures', which contains a similar statement on page 7:

"In taking these into their safe-keeping for the duration of the war, the Canadian Government accepted full responsibility for their preservation and also for their prompt return immediately after the end of the war to their legal owners."

"The shortest answer to the statements referred to above is probably contained in a letter dated August 1, 1940, written by the representative of Poland in Canada, after the art collection had arrived in Canada. In this letter, sent to the appropriate Canadian Government official, it was stated:

"It is understood that the articles in question will in no way involve the responsibility of the Canadian Government, since they have not been placed in its hands."

"On the contrary, it is the undersigned who, as the representative of the Polish Government, accepts full responsibility for the space which was placed at his entire disposal for the period during which the articles will be stored."

"I hope that this arrangement, which leaves a free hand to both parties concerned, will be agreeable to your Government...."

"It is, therefore, perfectly clear that, while storage space was provided in a building on the Government Experimental Farm in Ottawa, the Polish representative agreed, without reservations, that the Canadian Government itself assumed no responsibility for the safe-keeping of the collection. No inventory of the articles was given to the Canadian Government at the time of the entry of the collection into Canada. From the time that they were deposited, the representative in Canada of the Polish Government had sole access to the room where the articles were stored, the custody,

control and safe-keeping of which were the responsibility of the Polish Government.

"The present Government of Poland informed my Government in a note dated June 21, 1946, that some of the articles had been removed from storage between March 2 and May 27 of the previous year upon instructions of representatives of the former Polish Government. The articles were removed, therefore, prior to Canada's recognition of the present Polish Government on July 6, 1945, and without the knowledge of or reference to the Government of Canada, by representatives of the only Government entitled to act on behalf of the Polish State.

"It was then disclosed that the joint custodians of the collection disagreed among themselves not only as to their responsibilities as custodians, but also as to the beneficial ownership of part of the collection. It was alleged that a portion of the collection was owned not by the Polish State but by private organizations on whose behalf the custodians were in reality merely acting as trustees. The claims of these private organizations were supported by one of the two joint custodians. The Canadian Government endeavoured unsuccessfully to arrange a settlement between the competing interests in order that recourse to the courts might be avoided, but the Polish Government has so far refused either to cooperate in such a settlement or to appeal to the courts. I need hardly add that it is by adjudication of competent courts that questions of disputed ownership are normally resolved in Canada.

"So much for the legal position in this matter; the Canadian Government, however, has also been attacked in extravagant terms on supposedly moral grounds. The Canadian Government in fact is concerned with the moral aspect and desires that the whole matter should be brought to a just and satisfactory conclusion as soon as possible. This attitude is apparent in the paragraph quoted below from a note which I sent to the Minister of Poland in Canada on September 20 of this year. After reviewing the legal status, the note continued:

"At the same time the Government of Canada would remind the Polish authorities once again that they are at perfect liberty to institute legal proceedings in the courts of Canada for the purpose of effecting the recovery of the property in question. In the event that the Polish authorities should institute such proceedings, I wish to assure you again that they may rely on the sympathetic attitude of the Canadian Government in respect of the restoration to Poland of any property which may belong to the Polish State."

MR. CLAXTON OUTLINES DEFENCE OBJECTIVES OF CANADA

NO IMMEDIATE THREAT: The Minister of National Defence, Mr. Claxton, on November 11, tabled in the House of Commons a White Paper entitled, "Canada's Defence Programme, from which the following is an excerpt:

"In 1948 Canada's defence aims and objectives were set out as being:

- to provide the force estimated to be necessary to defend Canada against any sudden direct attack that could be or is likely to be directed against it in the near future;
- to provide the operational and administrative staffs, equipment, training personnel and reserve organization which would be capable of expansion as rapidly as necessary to meet any need; and,
- to work out with other free nations plans for joint defence based on self-help and mutual aid as part of a combined effort to preserve peace and to restrain aggression.

"Several factors now combine to make it possible to be still more precise in the definition of the objectives of our defence policy. Communist declarations and Communist actions since the termination of hostilities have united the western nations in the North Atlantic Treaty and united the people within each nation. The attitude of the Communists has simplified for all countries the problem of adjusting national interests to international needs.

"The only kind of war which would involve Canada would be a war in which Communism was seeking to dominate the free nations, in other words, a war in which we would be fighting for the one thing which we value more than life itself, and that is our freedom as a nation and our freedom as people--freedom to speak and meet and vote and worship as we like. Such a war would be a war for survival. The best way in which to achieve victory in any war is to defeat the enemy in his own land. The right place to defend Canada and what Canadians believe in is as far away from Canada as possible. The right way to preserve peace or to achieve victory is to work with others.

"The mobilization of all our resources would not enable Canada alone to meet an attack concentrated on Canada, and it is doubtful if there are more than one or two countries which could meet such an attack--hence the need for collective action and collective defence.

"As already pointed out, Canada would only be involved as part of a general conflagration. One thing that we have done and that we must continue to do is to estimate the risks of a direct attack upon Canada that would be incident to a world-wide conflict, having regard to what we know about the resources of the only potential aggressor and the various ways in which those resources might be employed.

"As it is obvious that Canada will never be called upon to stand alone against Communism,

our defence policy assumes that our armed forces will be used in association with those of friendly powers. The most likely kind of attack from outside on Canada anticipated by the best informed opinion in the foreseeable future would be in the form of diversionary raids, designed to panic North America into diverting a disproportionate amount of effort into passive, local defence ("static defence").

"The defence of Canada and the defence of Western Europe are ultimately one operation. The Government's plans must consider all defence measures as aiming towards three objectives:

- (1) meeting immediate needs for local defence, here and now;
- (2) preparing local defences as needed in the future; and
- (3) contributing to a plan for western security.

"The development of these three phases must proceed at a pace which will neither be so slow as to leave us unprepared at any point, nor so hasty as to over-burden the economy with the production of war materials much of which would become obsolete. If war is close and inevitable then all nations are doing too little to meet it. If war is not inevitable, or if it is remote, we may be doing too much.

"Canada is a member of two regional groups--the North American Group and the North Atlantic Ocean Group. With the United States we shall participate actively in the planning of the western European nations in much the same way as we participated in the work of Western Union.

"In the organization of the North American Group, the United States and ourselves will continue to work together on our joint defence, with changes to fit into the pattern of the North Atlantic organization. All branches of the defence of this continent have been surveyed by the United States and Canada together and the plans worked out are under continuous review.

"Canada is vitally interested in the work of the North Atlantic Ocean Group. In the Second World War our sailors and ships and aircraft did half the work of convoy necessary to keep the bridgehead in Britain.

"While the best available information indicates that there is little likelihood of any direct threat to our national security within the immediate future, the present international position requires that Canada's services should be planned and executed so as to enable us to meet an attack upon the scale that would be likely to be made at any given time as part of a war involving the North Atlantic Treaty powers.

"Such an attack could only be launched by air or sea. To meet attack by sea requires special training and equipment for anti-sub-