

*Inquiries of the Ministry***NATIONAL DEFENCE**NEWSPAPER ARTICLES BY FORMER CHAIRMAN
OF CHIEFS OF STAFF

On the orders of the day:

Right Hon. J. G. Diefenbaker (Leader of the Opposition): Mr. Speaker, I should like to direct a question to the minister of defence. Has he seen any of the articles appearing in the *Ottawa Journal* written by General Charles Foulkes, retired chairman of the chiefs of staff and who at one time, I think in 1962, endeavoured to become a Liberal candidate? Has this matter been brought to the minister's attention? The article in question makes extremely grave charges. Indeed, it states that the situation is such that—

Mr. Speaker: Order, please. The Leader of the Opposition cannot quote the article to which he is referring.

Mr. Diefenbaker: Mr. Speaker, I was trying to identify the article so the minister will be able to answer. In view of the charges made by General Foulkes, a supporter of the government, that the situation is serious—indeed, the minister has been asked “What are you doing with the armed forces?”—will he now give consideration to recalling the defence committee so that we will be able to ascertain why it is that the advice of these men who did so much for our nation is being disregarded in a way, as General Foulkes puts it, never equalled since Hitler?

Hon. Paul Hellyer (Minister of National Defence): Mr. Speaker, among the advice I have been taking is that of General Foulkes who, in an article in the *Toronto Star* some time ago, said that we should unify the armed forces of Canada and put them in one uniform. I have not seen the articles mentioned but I will read them with interest.

EXTERNAL AFFAIRSSUGGESTED CANADIAN PARTICIPATION IN
EXECUTION OF GERMAN WAR
PRISONERS

On the orders of the day:

Hon. Paul Hellyer (Minister of National Defence): Last Friday the Leader of the Opposition asked a question with respect to an article which had appeared in the West German newspaper *Der Spiegel*, where two allegations of particular concern to Canada were made.

The first of these was that the allies had completely abolished all courts martial in the German forces so that those officers who

[Mr. Pickersgill.]

purported to act as a German court martial did so completely without jurisdiction. The German personnel concerned were not prisoners of war but disarmed troops who, on surrender, were to be disbanded.

The surrender orders signed and dated on May 5, 1945 held the German commander responsible for the discipline of his troops. At this juncture it does not appear there were any restrictions placed upon the Germans as to carrying out their normal legal processes. Restrictions on German disciplinary procedures were contained in military law No. 153 which was said to be effective on the date of its first promulgation. These were not received by the headquarters, 1st Canadian Army until the afternoon of May 14. The executions were carried out before this military law was promulgated to the headquarters of the First Canadian Army.

The second and perhaps more serious allegation was that one of *Der Spiegel's* sources of information stated that the trial and execution of the two men was Canadian inspired. This allegation is completely without foundation. Canadians were informed that a court martial was to be held and indicated that this would be in order, but upon finding out that the two men, if found guilty, were to be shot, informed the German officer that he was only to proceed with the court martial. Immediately following the court martial, when the sentence of death was pronounced, a message was passed to the headquarters of the 1st Canadian infantry division advising of the situation and asking for instructions. This message was passed by the Canadian division to German 30 corps and in less than three hours a reply was received from the 30 German army group that the chief of staff had approved the sentences and they informed their Amsterdam command accordingly. The 2nd Canadian infantry brigade was informed of the effect of this message.

From our investigations, Mr. Speaker, I am satisfied that both these allegations contained in *Der Spiegel* are completely without foundation.

Right Hon. J. G. Diefenbaker (Leader of the Opposition): Canadians will be happy to hear that. I asked my question in anticipation of an assurance that there had been no wrong doing. The minister mentioned that the chief of staff had approved the executions. What chief of staff?

Mr. Hellyer: The German chief of staff of the 30 German army group.