

CABINET WAR COMMITTEE

Re: Treatment in Canada of enemy aliens

The Under-Secretary of State for External Affairs reports to the Prime Minister as follows:

1. For some time past the interested Departments of Government have been giving close study to the operation of those provisions of the Defence of Canada Regulations which deal with the status of enemy aliens.

2. In the interests of national security, it was necessary at the outbreak of war to take immediate steps to ensure the supervision and control of all persons retaining the nationality of countries with which Canada was at war. In the crisis of June 1940, as a precautionary measure, the special restrictions on enemy aliens were extended to apply to persons who had become naturalized British subjects since 1922, but who were formerly of German or Italian nationality. These emergency measures had to be taken in haste and had to be comprehensive. We did not have the time or information needed to segregate those naturalized persons whose loyalty there were grounds for suspecting from the large majority whose loyalty to this country was unchallenged. These measures were bound to apply unfairly to the great number of persons who had become reliable citizens of Canada and who could be regarded as enemy aliens only in a technical sense. The past three years of war have shown that the vast majority of British subjects of former German and Italian nationality are wholeheartedly behind the national war effort. They have complied willingly with the special restrictions placed upon them. Many of them have Canadian-born sons serving in the Canadian armed forces and they and their families are subject to call up under the National Resources Mobilization Act regulations. The Departments concerned feel that the time has come when these special controls on this class of naturalized British subjects can safely be revised.

3. There are, no doubt, a small number of British subjects of former enemy alien nationality of whose loyalty we cannot be certain. It will still be possible to apply the necessary security measures in these cases, however, through the provisions of Section 21 of the Defence of Canada Regulations.

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4. In order to remove loyal British subjects of former enemy nationality from the liabilities imposed upon enemy aliens, it is recommended that

Regulation 26B of the Defence of Canada regulations should be revoked. It should be pointed out that the revocation of 26B will incidentally remove from the category of enemy aliens persons of Japanese race who have been naturalised since 1922 as British subjects. However, ample powers for dealing with all persons of Japanese race are contained in other Orders in Council. Therefore, the revocation of 26B will not in fact alter the present position of persons of Japanese race naturalised since 1922.

5. In addition it is recommended that, for the purposes of the provisions of the Defence of Canada Regulations, a distinction should be made between Italian nationals and German nationals. As the war has proceeded, it has become increasingly clear that Italy's position has been that of a vassal state of Germany, rather than an active ally. An additional reason for this proposed modification in the treatment of Italians arises out of the events of the past week in North Africa, and the increased possibility of dividing the Italian people from the German as a political warfare measure. Under the Regulations as they now stand, any German or Italian national may be given a certificate exempting him from the enemy alien regulations, but these certificates are granted sparingly. Under Regulation 26C such certificates are available to persons of Romanian, Hungarian and Finnish nationality, except in the few cases in which the individual is untrustworthy. It is suggested that 26C be extended to cover Italian nationals, i.e. that Italian nationals be treated in the same way as Poles, Romanians and Hungarians.

6. Finally it is recommended that the Secretary of State of Canada should make full use of the provisions of the Naturalization Act which permit revocation of the naturalization of persons who have been shown to be disaffected or disloyal to His Majesty. In particular, the cases of naturalized persons who have been interned should be thoroughly investigated. In most cases, the evidence that justified continued internment of a naturalized British subject should be evidence of "disaffection" and warrant revocation. The policy of using to the full this revocation power should be publicised, in order that naturalized persons of enemy origin who have not been interned will realize the duties and responsibilities of citizenship.

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A.D.P. Heeney,  
Secretary.

Privy Council Office,  
November 24, 1948.