

04SA 1777, Kapsel (44)



CORRESPONDENCE

with the

CANADIAN GOVERNMENT

on the subject of the

PEACE SETTLEMENT WITH TURKEY.

*Presented by the Secretary of State for the Colonies to Parliament by
Command of His Majesty.*

May, 1924.

LONDON:

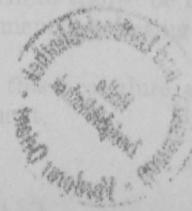
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04SA 1777(14)

Correspondence with the Canadian Govern- ment on the subject of the Peace Settlement with Turkey.

No. 1.

The Secretary of State for the Colonies to the Governor-General of Canada.

[TELEGRAM.]

(Sent 27th October, 1922.)

[*Answered by No. 2.*]

27TH OCTOBER. Following for your Prime Minister :—

Begins : Yesterday invitations were sent by Governments of Great Britain, France and Italy to the Japanese, Roumanian, Yugoslav, Greek and Turkish Governments (both of Constantinople and of Angora) to send representatives to Lausanne, 13th November, to conclude Treaty to end war in East, which would replace Treaty of Sèvres. Russian Soviet Government and Bulgarian Government also being invited to send to Lausanne, at a date to be fixed, representatives to take part in discussions on questions of the Straits, which the Conference will undertake at a later stage. Inquiry is also being addressed by the three Governments to the Government of the United States expressing hope that they will permit United States representative to be present during Lausanne negotiations in a capacity similar to that in which United States representative was present during negotiations at San Remo in 1920, or to take more active part in the negotiations specially on question of the Straits.

According to arrangements agreed upon with French and Italian Governments, each Government will be represented at Lausanne by two plenipotentiaries. Secretary of State for Foreign Affairs will personally act as Chief British Plenipotentiary, and it is proposed that he should be accompanied by British High Commissioner at Constantinople. Dominion Governments will be kept informed from time to time of the general lines of policy on which British plenipotentiaries propose to proceed, and of the course of negotiations, and, as in case of the other Treaties arising out of the Peace settlement, they will of course be invited to sign new Treaty and any separate instruments regulating status of the Straits.

His Majesty's Government trusts that this procedure will be in accordance with wishes of your Government.

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A 2



British plenipotentiaries are fully acquainted with the Imperial aspect of the problem and with the keen interest taken by the Dominion Governments in its solution. Similar telegram sent to other Prime Ministers. *Ends.*

—DEVONSHIRE.

No. 2.

The Governor-General of Canada to the Secretary of State for the Colonies.

[TELEGRAM.]

(Received 1st November, 1922.)

[*Answered by No. 3.*]

31ST OCTOBER. Following from my Prime Minister for you:—

Begins: I have the honour to acknowledge the receipt of Your Grace's despatch of 27th October* informing our Government of invitations to the Lausanne Conference which have been sent to the Governments of other countries by the Governments of Great Britain, France, and Italy setting forth the procedure in reference thereto.

Our Government has no exception to take to the course pursued by His Majesty's Government with respect to the conclusion of a treaty to end the war in the Near East. As however it is proposed to keep our Government informed from time to time of the general lines of policy on which British plenipotentiaries propose to proceed and of the course of the negotiations and to invite us to sign a new treaty and any separate instrument regulating the status of the Straits we deem it advisable to avail ourselves of the earliest opportunity to inform His Majesty's Government that in our opinion extent to which Canada may be held to be bound by the proceedings of the Conference or by the provisions of any treaty or other instrument arising out of the same is necessarily a matter for the Parliament of Canada to decide and that the rights and powers of our Parliament in these particulars must not be held to be affected by implication or otherwise in virtue of information with which our Government may be supplied. *Ends.*

—BYNG.

* No. 1.

No. 3.

The Secretary of State for the Colonies to the Governor-General of Canada.

[TELEGRAM.]

(Sent 16th November, 1922.)

[Answered by No. 4.]

16TH NOVEMBER. Following from Prime Minister for your Prime Minister :—

Begins : I brought your message of 31st October* as to Lausanne Conference before Cabinet to-day. We fully understand that it is desire of Canadian Government that any treaty with Turkey which may result from Conference should be submitted to Canadian Parliament for approval before His Majesty is advised to ratify it. It is our most earnest desire that you should be kept fully informed of the developments of the Conference and we shall endeavour to send you full details. *Ends*.

—DEVONSHIRE.

No. 4.

The Governor-General of Canada to the Secretary of State for the Colonies.

[TELEGRAM.]

(Received 25th November, 1922.)

[Answered by No. 5.]

25TH NOVEMBER. Following from my Prime Minister for you :—

Begins : 24th November. Your Grace's message of 16th November† in reply to mine of 31st October* concerning Lausanne Conference was carefully considered by our Cabinet to-day. We feel that purport of my message of 31st October has not been correctly interpreted or understood. Our Government has not expressed a desire to have any treaty with Turkey which may result from Conference submitted to Canadian Parliament for approval before His Majesty is advised to ratify it, nor do we wish to be understood as preferring any such request. My message was intended to make clear that we had no exception to take to Canada not being invited to be represented at the Conference, but, inasmuch as we had been informed that we would be invited to sign a new treaty and any separate instrument regulating status of Straits, we wished to make it perfectly clear that in our opinion extent to which Canada may be held to be bound by the proceedings of Conference or by provisions of any treaty or other instrument arising out of the same was necessarily a matter for the Parliament of Canada to decide. We deem it of utmost importance that there should be no misunderstanding

* No. 2 † No. 3.

as to our position with respect to Canada's obligations in this and kindred matters. In our opinion Parliament will desire as respects treaty with Turkey and any other instruments arising out of Lausanne Conference to reserve to itself the right to decide upon the merits of the case what action on the part of people of Canada is right and proper. In this connection we shall be pleased to have authority to place before Parliament all the information with which we may from time to time be supplied. *Ends.*
—BYNG.

No. 5.

The Secretary of State for the Colonies to the Governor-General of Canada.

[TELEGRAM.]

(Sent 8th December, 1922.)

[Answered by No. 6.]

8TH DECEMBER. Your telegram 25th November.* Following for your Prime Minister:—

Begins: Treaty with Turkey. Our message of 16th November† was framed on assumption that Canadian Government would wish to follow procedure adopted in case of peace treaties with Germany, Austria and Bulgaria. I am sorry if your telegram of 31st October‡ was not fully understood here. As you say, it is most important that there should be no misunderstanding on so important a question. May I therefore set out position as it appears to us. It is this. Any Treaty resulting from Lausanne Conference will, of course, replace Treaty of Sèvres, and until it comes into force a state of war between the British Empire and Turkey will technically continue. The Treaty must therefore be binding on the whole Empire when ratified. It remains to be seen whether there will be successful issue to Lausanne Conference, but if there is we should much prefer that any new Treaty should follow Paris precedent and include signatures on behalf of all the Dominions. Do I gather from your telegram that the Canadian Government are not averse from procedure proposed as regards signature of new Treaty and of any separate instrument regarding Straits, but wish to make it clear that should anything in Treaty or instrument be held to impose any serious international obligation on Canada as part of the British Empire, it cannot be considered binding on Canada until approved by Parliament? If so, it does not appear to us that procedure which you propose is essentially different from that which we should adopt in relation to Parliament here if contingency contemplated should arise. In any event should legislation be required to give effect to technical provisions of Treaty, this would presumably necessitate its submission to Parliament in Canada as here.

* No. 4. † No. 3. ‡ No. 2.

As regards last sentence of your telegram, would it not be well to wait until it is known whether the Lausanne Conference results in signature of a Treaty or Treaties, and then lay instruments themselves before Parliament? I do not think that it would be possible to publish any of the telegrams now being sent to you concerning proceedings at Lausanne seeing that they often contain records of confidential interviews and impressions and other material intended only for private information. *Ends.*

—DEVONSHIRE.

No. 6.

The Governor-General of Canada to the Secretary of State for the Colonies.

[TELEGRAM.]

(Received 1st January, 1923.)

[*Answered by No. 7.*]

31ST DECEMBER. Following from my Prime Minister for you:—

Begins: Treaty with Turkey. Your Grace's telegram of 8th December* begins "Our message of 16th November† was framed on the assumption that Canadian Government would wish to follow the procedure adopted in the case of the Treaties with Germany, Austria and Bulgaria."

Procedure referred to is, we understand, that adopted with respect to Paris Peace Conference, and followed later with respect to Washington Conference on the limitation of armament. As regards Canada's participation there were in that procedure four separate, distinct and essential stages.

1. Direct representation of Canada at the Conference at which treaties were drafted and participation in the proceedings of the Conferences by Canada's representatives, each representative holding a full power signed by His Majesty the King, in the form of Letters Patent, authorising him to sign "for and in the name of His Majesty the King, in respect of the Dominion of Canada," any treaties, conventions or agreements that might tend to the attainment of the object of the Conference, the Canadian Government having, by Order in Council, sanctioned issuance of these full powers by His Majesty.

2. Formal signing of the treaties on behalf of Canada by the plenipotentiaries named.

3. Approval by the Parliament of Canada of the treaties thus signed on behalf of Canada.

4. Assent of the Government of Canada to the final act of ratification by His Majesty the King of the treaty signed on behalf of Canada approved by Parliament of Canada.

Your Grace is quite right in assuming that, as regards the treaties in which Canada is supposed to have a direct or

* No. 5. † No. 3.

immediate interest, the procedure here outlined is the one which our Government would wish to follow. In the case of main political treaties concluded since the War, in general rule seems to have been followed that, wherever the Dominions could be said to have a direct or immediate interest, the procedure was shaped to include their participation and signature of the proceedings. That in the case of the Conference at Lausanne a like procedure has not been followed with respect to representation and participation by Canada, has been regarded by us as evidence that, in the opinion of the countries by whom invitations to the Conference at Lausanne were extended, Canada could not have been believed to have the direct and immediate interest which she was supposed to have in the Conferences at Versailles and Washington.

To the course pursued with respect to Lausanne Conference we have, as mentioned in my telegram of 31st October*, no exception to take. As regards the procedure, however, it must be apparent that quite apart from any action or representation on the part of the Government of Canada a different procedure has been followed in the case of the present Conference at Lausanne to that followed at Versailles and Washington. In so far as one stage in procedure is necessarily dependent upon the stage preceding, it is difficult to see how a like procedure can be followed. Canada has not been invited to send representatives to the Lausanne Conference, and has not participated in the proceedings of the Conference either directly or indirectly. Under the circumstances we do not see how as respects signing on behalf of Canada we can be expected, in the case of a new treaty or of any separate instrument regarding Straits, to follow the procedure adopted in the case of the treaties with Germany, Austria and Bulgaria. *Ends.*

—BYNG.

No. 7.

The Secretary of State for the Colonies to the Governor-General of Canada.

[TELEGRAM.]

(Sent 27th January, 1923.)

27TH JANUARY. Your telegram 31st December,† Lausanne Conference. Please inform your Prime Minister that in the circumstances His Majesty's Government are willing to fall in with his suggestion that any Treaties with Turkey resulting from Conference should be signed only by British plenipotentiaries who have negotiated them, if it is generally acceptable. Am ascertaining whether it will be agreeable to Prime Ministers, Commonwealth of Australia, New Zealand, and Union of South Africa.‡—DEVONSHIRE.

* No. 2.

† No. 6.

‡ *Note.*—This was done by telegraph and answers obtained in the affirmative.

No. 8.

The Secretary of State for the Colonies to the Governor-General of Canada.

[TELEGRAM.]

(Sent 7th June, 1923.)

[Answered by No. 9.]

7TH JUNE. With reference to my telegram of 27th January,* I am assuming that, if, as is hoped, Conference at Lausanne results in completion of Treaties with Turkey, your Prime Minister would wish previous arrangement regarding signature by British plenipotentiaries to hold good.—DEVONSHIRE.

[TELEGRAM.]

— (Sent 21st June, 1923.) —

[Answered by No. 12.]

No. 9.

The Governor-General of Canada to the Secretary of State for the Colonies.

[TELEGRAM.]

(Received 15th June, 1923.)

15TH JUNE. Your telegram of 7th June.† In the event of the Conference at Lausanne resulting in completion of Treaty with Turkey, Canadian Government are agreeable that the previous arrangement for signature of British plenipotentiaries should hold good.—BYNG.

No. 10.

The Secretary of State for the Colonies to the Governor-General of Canada.

[TELEGRAM.]

(Sent 22nd February, 1924.)

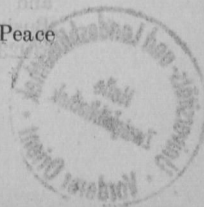
[Answered by No. 12.]

22ND FEBRUARY. My telegram of to-day,‡ Treaty of Peace with Turkey. In order that necessary action may be taken as soon as possible after Bill becomes law hoped that your Ministers will be in position at very early date to signify concurrence in ratification of Treaty and Conventions in question including Convention relating to

*No. 7.

† No. 8.

‡ Not printed; it summarized the provisions of the Treaty of Peace (Turkey) Bill.



Reparation, and also to intimate their wishes as regards declaration in connection with Convention respecting Conditions of Business and Commercial Convention see my predecessor's despatch 20th August,* paragraph 3.—THOMAS.

No. 11.

The Secretary of State for the Colonies to the Governor-General of Canada.

[TELEGRAM.]

(Sent 21st March, 1924.)

[Answered by No. 12.]

21ST MARCH. My telegram 22nd February,† Treaty of Peace Turkey Bill has now been read third time House of Lords and hoped to introduce it into House of Commons 28th March and to secure passage within very short period thereafter. Considered extremely important that His Majesty's ratification should take place at earliest possible moment after passage of Bill. In the circumstances hoped that your Ministers may be in position to reply to my telegram at very early date and, if possible, by end of March.—THOMAS.

No. 12.

The Governor-General of Canada to the Secretary of State for the Colonies.

[TELEGRAM.]

(Received 25th March, 1924.)

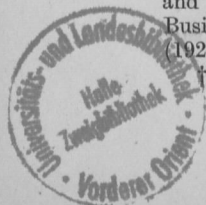
24TH MARCH. Your telegram of 21st March‡ and your telegram of 22nd February.† Canadian Government not having been invited to send representative to the Lausanne Conference and not having participated in the proceedings of the Conference either directly or indirectly and not being for this reason a signatory to the Treaty on behalf of Canada (see my telegram of 31st December, 1922§, to your

* Not printed. It expressed the hope that the Canadian Government would be in a position to signify, not later than the beginning of December, their concurrence in ratification of the Treaty of Peace and other Conventions, and enquired their wishes as regards declarations under the Conditions of Business and Commercial Conventions (Nos. IV and V in Treaty Series No. 16 (1923) Cmd. 1929).

† No. 10,

‡ No. 11,

§ No 6..



predecessor) my Ministers do not feel that they are in a position to recommend to Parliament approval of the Peace Treaty with Turkey and the Convention thereto. Without the approval of Parliament they feel that they are not warranted in signifying concurrence in the ratification of the Treaty and Convention. With respect to ratification, however, they will not take exception to such course as His Majesty's Government may deem it advisable to recommend. This appears to be in harmony with the Resolution of the recent Imperial Conference (Cmd. 1987, pages 14 and 15). The provisions thereof with reference to signature 2 (a) on page 14 and ratification (a) on page 15 appear to cover this case which is not within the provisions of signature 2 (b) on page 14 and ratification (b) on page 15.—BYNG.

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The Secretary of State for the Colonies

[Signature]

London, 10th March 1924

[Signature]

Dear Sir, I have the honor to acknowledge the receipt of your letter of the 2nd inst. in relation to the proposed ratification of the Peace Treaty with Turkey and the Convention thereto. I have the honor to inform you that the Government are not in a position to recommend to Parliament approval of the Treaty and Convention. Without the approval of Parliament they feel that they are not warranted in signing any instrument in ratification of the Treaty and Convention. With respect to ratification, however, they will not take exception to such course as His Majesty's Government may deem it advisable to recommend. This appears to be in harmony with the Resolution of the recent Imperial Conference (Cmd. 1987, pages 14 and 15). The provisions thereof with reference to signature 2 (a) on page 14 and ratification (a) on page 15 appear to cover this case which is not within the provisions of signature 2 (b) on page 14 and ratification (b) on page 15—Bryan.

Yours faithfully,

The Secretary of State for the Colonies

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