

The Deschenes Commission: A state cover-up of Canada's role in providing refuge to Nazi war criminals

Our reporters
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In late September, Canada's federal parliament, led by Prime Minister Justin Trudeau, rose as one to applaud Yaroslav Hunka, a 98 year-old Ukrainian Nazi war criminal who had served in the Waffen-SS. The subsequent coverage in the corporate media both in Canada and internationally sought to trivialize this incident, explaining it away as a "mishap" or inexplicable "blunder." Article after article denied that the Canadian state had any significant relations with Nazi war criminals and their far-right nationalist collaborators in Ukraine and elsewhere in Eastern Europe, although this ugly fact has long been a subject of scholarly research.

One of the most common refrains has been that Canada conducted a thorough-going public inquiry into the presence of war criminals in the country in the mid-1980s—the Deschenes Commission—and that it cleared the members of the Waffen-SS Galicia Division like Hunka of all allegations of complicity in war crimes.

What this self-serving narrative conceals is that the Deschenes Commission was an establishment cover-up from start to finish. The inquiry was designed in a way that guaranteed a whitewash of the Canadian state's role in providing refuge to Nazi war criminals following World War II, including up to 2,000 Waffen-SS Galicia Division members. Moreover, it did not even touch upon the question of the tens of thousands of other far-right Ukrainian nationalist Nazi collaborators—members of the Organization of Ukrainian Nationalists—and their counterparts from other Eastern European countries who were welcomed to Canada in the late 1940s and 1950s.

They were all accomplices in what are among the most monstrous crimes in human history—the Nazi war of annihilation against the Soviet Union, which claimed the lives of some 27 million Soviet citizens, and the Holocaust of 6 million European Jews.

The Canadian government's decision to provide Nazi war criminals a safe haven, which was encouraged and abetted by American and British intelligence, provoked outrage and anger from the outset. In the years immediately following the war, left-wing Ukrainian and Jewish organizations issued repeated protests to parliament and the government urging caution in welcoming Nazi collaborators. The Association of United Ukrainian Canadians, the successor organization to the left-wing Ukrainian Farmer Labour Temple Association (UFLTA), made specific warnings to Canada's Senate about the presence of war criminals in displaced persons camps, including members of the Waffen-SS. Due to its commission of countless war crimes and crimes against humanity, including the bloody suppression of civilian opposition to Nazi rule and pivotal role in implementing the mass extermination of Jews, the Waffen-SS was declared a criminal organization at the Nuremberg Trials.

But the warnings were cavalierly dismissed, amid a sustained lobbying campaign by the virulently right-wing, government-funded Ukrainian

Canadian Congress (UCC) to secure entry to Canada for Galicia Division veterans. The UCC also successfully pressed for thousands of members of both factions of the OUN—the OUN-M led by Andriy Melnyk and OUN-B led by Stepan Bandera to gain entry to Canada. One of the OUN veterans welcomed by Canada was Mykhailo Chomiak, editor of the pro-Nazi *Krakivski Visti* newspaper, which had campaigned for the creation of the Galicia Division and published antisemitic screeds. Chomiak was the grandfather of Canada's current Deputy Prime Minister Chrystia Freeland.

Underscoring the scale of the influx of fascists, the OUN-B, organized as the "Canadian League for the Liberation of Ukraine" and later "The League of Ukrainian Canadians" (LUC) was able to establish 30 branches across Canada by 1950, at the same time as its leader, Bandera, continued to promote his fascist views and organize an anti-Soviet terrorist campaign in Ukraine. In Quebec, the Catholic Church played a major role in enabling Nazi collaborators from France's Vichy regime to enter Canada and travel to Latin America.

That the settling of Nazi war criminals and their far-right accomplices was state policy, sanctioned at the highest levels of government, is indisputable. In a report to the Senate Standing Committee on Immigration and Labour in 1948, Senator Thomas Crerar declared that the "DPs" (displaced persons) from Ukraine and Eastern Europe were "exercising a very healthy anti-communistic influence" in the workplace. Ukrainian fascists were used to break strikes and attack workers meetings.

Acclaimed Canadian historian Irving Abella—who exposed the Canadian ruling elite's bitter hostility to Jewish immigrants fleeing Nazi persecution in the book he co-authored with Harold Troper, *None is too Many: Canada and the Jews of Europe 1933-1948*—once remarked that an SS tattoo on one's arm functioned as a "passport" into post-war Canada. At the same time, Ottawa continued its policy from prior to and during World War II of systematically rejecting Jewish immigrants, who unlike ex-Nazis were feared as a potential communist threat.

By the 1980s, anger over the presence of Nazis in the country had become too great for Canada's ruling elite to ignore. Simon Wiesenthal, who uncovered the whereabouts of Nazi war criminals around the world, presented credible evidence of the presence of Nazis from Germany, Ukraine, and other countries, in Canada, including up to 2,000 former Waffen-SS members.

In February 1985, the Brian Mulroney-led Progressive Conservative government announced the establishment of a public inquiry into war criminals in Canada under the leadership of former Quebec Circuit Court Judge Jules Deschenes. But as has long been standard practice in Canada when it comes to royal commissions and public inquiries, the Deschenes Commission was established not to expose the truth but to obscure and bury it.

The Deschenes Commission was given a remit framed and deliberately circumscribed so as to ensure that it would produce a whitewash. Ottawa would not tolerate the disruption of the close political relations it had developed over decades with far-right nationalist forces from Ukraine and throughout Eastern Europe as part of its Cold War anti-communist policy at home and abroad. This had included assisting the Nazis' Ukrainian collaborators in both wings of the OUN in fashioning a new narrative aimed at covering up their crimes and recasting themselves as fighter for "national liberation" against Soviet "totalitarianism."

The career of the unapologetic Waffen-SS Galicia Division veteran Peter Savarin demonstrates the growing prominence and influence of these forces. Savarin served as chancellor of the University of Alberta in the 1980s and president of the Alberta Progressive Conservative Party. A leader of the World Congress of Free Ukrainians, he was one of the founders of the University of Alberta-affiliated Canadian Institute for Ukrainian Studies, which has played a leading role in legitimizing and promoting far-right Ukrainian nationalism. Savarin received the Order of Canada less than a year after the Deschenes Commission's conclusion.

Anatomy of a cover-up

The Deschenes commission's remit, the character of the organizations given official standing at the inquiry and therefore significant influence over the evidence it considered, and the very short time allotted to its work were designed to produce a predetermined conclusion: there were few, if any, Nazi war criminals in Canada.

The commission was instructed not to investigate the decisions of previous Canadian governments, thereby ruling out any review or reconsideration of the decision taken in the aftermath of World War II to allow Nazi collaborators to enter the country. The commission was also only permitted to determine whether there was a basis in existing Canadian law to prosecute Waffen-SS veterans for war crimes. The narrow focus on Waffen-SS members was intentional on the part of the political establishment, which wanted to avoid more wide-ranging questions that would have brought to light how Canada had become a safe haven for Nazis from Germany and their collaborators from throughout Eastern Europe.

In addition, Deschenes was only allotted 11 months to gather evidence. The commission granted official status to two organizations advocating on behalf of the Ukrainian war criminals: the UCC and the Brotherhood of the 1st Galicia Division of the Ukrainian National Army, a veterans' organization for the Galicia Division, also known as the 14th Grenadier Division of the Waffen-SS. Official status meant that these organizations had the power to cross-examine witnesses and push aggressively for the exclusion of evidence from the proceedings.

The UCC went to great lengths to discredit the commission's work, including by denouncing it as a Soviet plot. It established the Civil Liberties Commission (CLC) to influence media coverage of the inquiry and put pressure on the government. The Savarin-led Canadian Institute of Ukrainian Studies at the University of Alberta organized "academic conferences" to denounce the Deschenes commission.

The conditions for accepting evidence from the Soviet Union and Poland, where the vast majority of eyewitnesses to the crimes of the Galicia Division and Waffen-SS as a whole lived, were set absurdly high under pressure from the UCC. This campaign was motivated by self-preservation. The presentation of evidence from the Soviet Union would not only have exposed the war crimes of the Waffen-SS, but also of the OUN and Ukrainian Insurgent Army (UPA), which was led by the Bandera wing of the OUN. The carefully cultivated image of a UPA that

had heroically fought against "both sides," i.e., the Soviet Union and the Nazis, would have been shattered. Deschenes might even have been forced to widen his inquiry to include war crimes committed by OUN and UPA members during their participation in the Nazi auxiliary police at an earlier stage of the war. It was during this period, which followed the Nazi invasion of the Soviet Union in June 1941 but preceded the establishment of the Galicia Division in the spring of 1943, that the Ukrainian nationalists were most directly involved in the Holocaust, although the UPA did carry out significant massacres of both Jews and Poles.

As it was, Deschenes himself intervened to preclude such an outcome. When the Soviet Union, to the surprise of the Ukrainian-Canadian nationalists, acceded in the summer of 1986 to the stringent conditions imposed for presenting evidence to the commission, Deschenes declared that there was "no time" to consider it. Shortly thereafter, Deschenes wrapped up proceedings and issued the commission's report.

The close coordination that occurred between the UCC and the government was underscored by the fate of John Sopinka, the UCC's chief legal counsel before the commission. It was Sopinka who lobbied hardest to block Soviet evidence, including by employing delaying tactics to take advantage of the commission's strict 11-month timeframe for gathering evidence. Soon after the commission's conclusion, Sopinka was appointed to the Supreme Court of Canada despite never having served a single day on the bench.

The commission's conclusions and aftermath

The conclusions of the Deschenes Commission's report could hardly have better suited the far-right Ukrainian nationalists if they had written them themselves. Flying in the face of international law, including the rulings at the Nuremberg Trials, the commission exonerated the Galicia Division collectively and individually. Deschenes exploited a legal technicality to rule that Waffen-SS Galicia Division members "should not be indicted as a group." Canada had not signed the London Agreement that served as the basis for the Nuremberg Tribunals. Consequently, ruled Deschenes, there was no basis in Canadian law to follow the Nuremberg ruling that declared the Waffen-SS a criminal organization as a whole and thereby made mere membership in its ranks a war crime.

But the commission went further still. It declared all Galicia Division members individually "innocent" of any war crimes because they had been "individually screened for security purposes before admission to Canada." This finding was no less scandalous as the commission's disregarding of the Nuremberg Trials. The very remit of the Deschenes Commission prevented it from re-examining the decisions of previous Canadian governments. Yet precisely those decisions to admit thousands of Waffen-SS members were cited as "proof" that these individuals were not guilty of war crimes! Previous Canadian government decisions were taken *a priori* as legitimate, simply because they were Canadian government decisions.

It is easy to appreciate why this state-sponsored cover-up has been cited by the Ukrainian nationalists and their apologists within the political establishment and media to deny their collusion with the Nazis and involvement in the worst war crimes in human history.

To the extent that any criticism of the Deschenes Commission has emerged from within the Canadian establishment, it is that a portion of the Commission's work, a separate dossier containing a list of hundreds of names of suspected Nazi war criminals living in Canada, should be made public. The list, including the names of several dozen people the Commission recommended be prosecuted for war crimes, was kept confidential in 1986 when the commission's report was published.

While such demands are entirely justified and could help expose Nazi war criminals, a thorough accounting of the extent of Canadian imperialism's complicity in concealing Nazi collaborators following World War II requires a far broader investigation. Vast quantities of additional evidence have become available since the Deschenes inquiry owing to the Stalinist dissolution of the Soviet Union, which opened up extensive historical archives.

Moreover, the commission did not even touch upon the question of the involvement of OUN and UPA members in war crimes, including when they served in military/police units supporting the Nazis' invasion of the Soviet Union in June 1941. The pre-planned war of extermination that unfolded over subsequent months included a bloody pogrom against the Jewish population of Lviv initiated and spearheaded by Ukrainian nationalists in June-July 1941.

The determination of Canada's ruling elite to avoid any examination of this episode and countless other aspects of the OUN's extensive collaboration with the Nazis was motivated by historical and contemporary political considerations. The close alliance between Canadian imperialism and the Ukrainian far-right was developed as a key plank of Ottawa's anti-communist Cold War agenda in the post-war period, which was inseparable from its military-strategic partnership with Washington. US imperialism waged the Cold War as a crusade for American imperialist hegemony around the world, which it pursued by waging bloody wars and sponsoring violent military coups in country after country. While the far-right nationalists could be relied upon to support these aggressive military operations, they also performed a key domestic political function. Former Nazi collaborators among the Ukrainian nationalists in particular were key to the Canadian ruling elite's effort to purge and police the labour movement. Whereas prior to World War II Canada's Ukrainian Diaspora had been a stronghold of left-wing, socialist politics, the post-war era witnessed a sharp transformation as the state-sponsored UCC and related organizations spread Cold War imperialist propaganda and supported the Canadian unions' explicit embrace of right-wing anti-communism.

As the 1980s drew to a close, the representatives of Canadian imperialism were preparing to redeploy their far-right Ukrainian-Canadian nationalist allies back to their ancestral homeland, where the Stalinists' drive to restore capitalism through the dissolution of the Soviet Union was opening up new possibilities to bring Ukraine under the domination of Western imperialism. These political descendants of Nazi collaborators would prove a critical force in injecting a rabid anti-communist and anti-Russia Ukrainian nationalism into the population, laying the ideological basis for the newly "independent" Ukrainian capitalist state.

More than three decades on, under conditions in which Canadian imperialism is playing a major role in the US-led war on Russia, the fact that the Deschenes Commission is being used by warmongers to conceal the war crimes perpetrated by Waffen-SS members like Yaroslav Hunka underscores that it was a whitewash. As the great powers engage in yet another redivision of the world, the ruling elite is determined to rehabilitate Nazi collaborators as it carries out war crimes on a no less horrific scale than those perpetrated in the first four decades of the last century. This is starkly revealed by Ottawa and Washington's close collaboration with the far-right regime in Kiev, including support for groups like the Azov Battalion and Svoboda Party that trace their roots to the Nazi collaborationist OUN.

This policy illustrates how grotesque it is for the political establishment and corporate media to slander protests against the ongoing imperialist-backed genocide of the Palestinians by the Israeli state as "antisemitic." They are doing so while at the same time working hand-in-glove with the political descendants of forces that were complicit in the Holocaust of European Jewry.

As the *World Socialist Web Site* wrote in concluding the series

"Canadian imperialism's fascist friends" in May 2022, "The chief reason the ruling classes of the imperialist powers are bringing forward far-right and outright fascist forces is their mortal fear of the growing global upsurge of the working class. After decades of suppression of the class struggle by the trade unions and establishment 'left' parties, working people in every country are being driven into struggle by the impossible conditions of life created by exploding inflation, unprecedented social inequality, mass infection and death during the pandemic and the prospect of being turned into cannon fodder for the geostrategic interests of the ruling elite. Exposing before the working masses the political and ideological links between the horrendous crimes perpetrated by the imperialists during the first half of the 20th century and the revival of similar methods of repression and plunder today is crucial in order to turn these initial expressions of working class anger into a conscious political movement against capitalism."



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