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CHARGE OUT SLIP

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ROOM NO. 326

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No. 4501

UNITED STATES OF AMERICA  
DEPARTMENT OF STATE

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING:

I CERTIFY THAT the document hereunto annexed is under the Seal of the District of Columbia, and that such Seal is entitled to full faith and credit.

SEAL

IN TESTIMONY WHEREOF, I, DEAN ACHESON,  
Acting Secretary of State, have hereunto caused the seal of the Department of State to be affixed and my name subscribed by the Authentication Officer of the said Department, at the city of Washington, in the District of Columbia, this first  
day of July, 1946.

I CERTIFY THAT the document hereunto annexed is  
/s/ Dean Acheson  
Acting Secretary of State  
By /s/ M. T. Pompei  
Authentication Officer  
Department of State

Serial No. 820

DISTRICT OF COLUMBIA

SEAL

Washington, D. C., July 1, 1946.

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING:

I CERTIFY that DAVID H. SCULL

whose name is signed to the accompanying paper, is now, and was  
at the time of signing the same, a Notary Public in and for the  
District of Columbia duly commissioned and qualified.

IN WITNESS WHEREOF, I, G. M. Thornett

Secretary to the Board of Commissioners of  
the District of Columbia, have hereunto  
caused the Seal of the District of Columbia  
to be affixed on the day and year first  
above written.

SEAL

/s/ G. M. Thornett  
Secretary, Board of Commissioners

- INTERNATIONAL MILITARY TRIBUNAL FOR THE FAR EAST -

THE UNITED STATES OF AMERICA, THE REPUBLIC OF CHINA, THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND, THE UNION OF THE SOVIET SOCIALIST REPUBLICS, THE COMMONWEALTH OF AUSTRALIA, CANADA, THE REPUBLIC OF FRANCE, THE KINGDOM OF THE NETHERLANDS, NEW ZEALAND, INDIA, AND THE COMMONWEALTH OF THE PHILIPPINES.

- AGAINST -

ARAKI, Sadao; DOHIHARA, Kenji; HASHIMOTO, Kingoro; HATA, Shunroku; HIRANUMA, Kiichiro; HIROTA, Koki; HOSHINO, Naoki; ITAGAKI, Seishuro; KAYA, Okinori; KIDO, Loichi; KIMURA, Reitaro; KOISO, Kuniaki; MATSUI, Iwane; MATSUOKA, Yosuke; MINAMI, Jiro; MUTO, Akira; NAGANO, Osami; OKA, Takasumi; OKAWA, Shumei; OSHIMA, Hiroshi; SATO, Kenryo; SHIGEMITSU, Mamoru; SHIMADA, Shigetaro; SHIRATORI, Toshio; SUZUKI, Teiichi; TOGO, Shigenori; TOJO, Hideki; UMEZU, Yoshijiro. Defendants.

City of <sup>W</sup>ashington, )  
District of Columbia, ) ss.  
United States of America. )

I, E. TOMLIN BAILEY, being duly sworn, on oath depose and say:

I am Assistant Chief of the Special Projects Division of the Department of State of the United States, in charge of the Prisoners of War Branch of that Division, in which branch I have served since November, 1942. Since its organization in 1942 and up to the present time, the Prisoners of War Branch has been charged with the duty of initiating and coordinating State Department policy and action in all matters pertaining to civilian internees and prisoners of war and international conventions relating to their status.

The statements hereinafter made are based upon official records of the Department of State, and in particular of the aforesaid Prisoners of War Branch, and relate to matters coming under my cognizance or to my

attention in connection with the carrying out of the functions of the Prisoners of War Branch.

Immediately after the Japanese attack on Pearl Harbor, the Department of State took up with Japan the matter of according proper treatment for American nationals in Japanese hands. Although Japan was not a party to the Geneva Prisoners of War Convention, the Department of State obtained from the Japanese Government a commitment to apply the provisions of that convention to American prisoners of war, and, so far as adaptable, to civilian internees held by Japan.

This commitment was made in a communication by the Japanese Government to the Swiss Minister at Tokyo in Charge of American Interests in Japan. The message was received through the American Legation at Bern in a telegram dated February 4, 1942, and stated that the Japanese Government informed the Swiss Minister that, "although not bound by the Convention relative to prisoners of war, Japan will apply mutatis mutandis provisions of that Convention to American prisoners of war in its power." In a telegram dated February 24, 1942, it was reported that the Ministry of Foreign Affairs declared to the Swiss Minister in Tokyo that Japan would "apply on condition of reciprocity Geneva Convention for treatment of prisoners of war and civilian internees in so far as convention shall be applicable."

Thereafter, the State Department by repeated protests and representations, through the Swiss Government, again and again called to the Japanese Government's attention failures on the part of Japanese authorities to live up to their Government's undertakings, and warned the Japanese Government in unequivocal terms that the American Government would hold personally and officially responsible for their acts of depravity and

barbarity all officers of the Japanese Government who had participated in their commitment and, with the conclusion of the war, would visit upon such Japanese officers the punishment they deserved for their uncivilized and inhumane acts against American prisoners of war.

These protests, representations and warnings originated in the Prisoners of War Branch, and I personally prepared many of them. They were based upon information obtained from representatives of the Swiss Government in charge of American interests in Japan and in Japanese controlled territory, from the International Red Cross Committee, from repatriates and from recovered military personnel.

On January 27, 1944, the State Department despatched to the Japanese Government, via the Swiss Government, two telegrams which were personally drafted by me, summarizing the protests and representations which had theretofore been submitted to the Japanese Government and demanding amelioration of the treatment being accorded American nationals in Japanese custody. The first of these telegrams listed the principal categories of deprivations of rights, cruelties, wanton neglect and mistreatment and referred to the specific Article of the Geneva Prisoners of War Convention, or other undertaking, violated; the second recited specific instances coming under each category. These communications included the following charges:

"I. Representatives of the Swiss Government entrusted with the protection of American interests in Japan and Japanese-occupied territory have not been permitted to go to every place without exception where prisoners of war and civilian internees are interned, have not been permitted to interview without witnesses the persons held, and have not had access to all places occupied by the prisoners (Article 86 of the Geneva Prisoners of War Convention).

"II. Representatives of the International Red Cross Committee have been refused permission to visit most of the places where American nationals are held by the Japanese authorities (Articles 79 and 88).

"III. American nationals have not been permitted to forward complaints to the Japanese holding authorities or to representatives of the protecting power (Article 42).

"IV. The Japanese authorities have punished and have threatened to punish American nationals for complaining concerning the conditions of captivity (Article 42).

"V. The Japanese Government has failed to furnish needed clothing to American nationals (Article 12).

"VI. The Japanese authorities have confiscated personal effects from American civilian internees and prisoners of war (Article 6).

"VII. American prisoners of war and civilian internees have been subjected to insults and public curiosity (Article 2).

"VIII. Civilians and prisoners of war interned by Japan are suffering from malnutrition and deficiency diseases because of the failure and refusal of the detaining authorities to provide health sustaining food for their charges, or to permit the United States to make regular shipments on a continuing basis under appropriate neutral guarantees of supplemental food and medical supplies. (Article 11 and the specific reciprocal undertaking of Japan to take into account national differences in diet).

"IX. The Japanese authorities have devoted to improper and forbidden uses the profits of the sale of goods in camp canteens instead of devoting them to the welfare of the persons held in the camps (Article 12).

"X. Contrary to the specific undertaking of the Japanese Government, the detaining authorities have compelled civilians to perform labor other than that connected with the administration, maintenance and management of internment camps. Officer prisoners of war have been forced to labor and noncommissioned officers to do other than supervisory labor (Article 27).

"XI. Prisoners of war have been required to perform labor that has a direct relation with war operations (Article 31).

"XII. Medical care has in many instances been denied to prisoners of war and civilian internees and when given has been generally so poor as to cause unnecessary suffering and unnecessary deaths (Article 14).

"XIII. The Japanese Government has reported the names of only a part of the American prisoners of war and civilian internees in its hands



(Article 77) and of American combatants found dead by Japanese forces (Article 4 of the Convention for the Amelioration of the Condition of the Sick and Wounded of Armies in the Field, to which Japan is a contracting party).

"XIV. The Japanese Government has not permitted internees and prisoners of war freely to exercise their religion (Article 16).

"XV. The Japanese Government has not posted the Convention in camps in English translation, thus depriving American prisoners of war and civilian internees of knowledge of their rights thereunder (Article 84).

"XVI. The Japanese Government has failed to provide adequate equipment and accommodations in prisoner of war and civilian internment camps and transports, but on the contrary forced them to subsist in inhumane conditions (Article 10).

"XVII. The Japanese Government has completely failed to apply the provisions of the Geneva Prisoners of War Convention (Title III, Section V, Chapter 3) with regard to trial and punishment of prisoners of war despite the fact that violations of its undertaking in this respect have repeatedly been called to its attention, but on the contrary has imposed cruel and inhuman punishments without trial.

"XVIII. The Japanese authorities have inflicted corporal punishment and torture upon American nationals (Article 46)."

In support of the above charges the following specific instances were recited:

"Charges I and II. Prisoner of war and civilian internment camps in the Philippines, French Indo-China, Thailand, Manchuria, Burma, Malaya, and the Dutch East Indies, and prisoner of war camp No. 1 in Formosa have never been visited by Swiss representatives although they have repeatedly requested permission to make such visits. None of these camps except the one at Mukden are known to have been visited by International Red Cross representatives. In recent months visits have not been allowed to the prisoner of war camps near Tokyo and Yokohama, and the prisoner of war camps in and near Hong Kong, although the Swiss representatives have requested permission to make such visits.

"The value of such few visits as have been permitted to some camps has been minimized by restrictions. Swiss representatives at Shanghai have been closely escorted by several representatives of the Japanese Consulate General at Shanghai during their visits to camps and have not been allowed to see all parts of camps or to have free discussion with the internees. Similar situations prevail with respect to the civilian internment camps and prisoner of war camps in metropolitan Japan and Formosa.

"By contrast, all of the camps, stations, and centers where Japanese nationals are held by the United States have been repeatedly visited and fully inspected by representatives of Spain and Sweden who have spoken at length without witnesses with the inmates, and International Red Cross representatives have been and are being allowed freely to visit the camps in the United States and Hawaii where Japanese nationals are held.

"Charge III. Communications addressed by the persons held to the protecting Power concerning conditions of captivity in several of the civilian camps near Shanghai, among them Ash Camp and Chapei, remain undelivered. The same situation exists with respect to the civilian internment camp in Baguio, and in most if not all the camps where American prisoners of war are held. Persons held at Baguio, Chefoo, Saigon, and at times in the Philippine prisoner of war camps were denied permission to address the camp commander.

"Charge IV. On one occasion during the summer of 1943 all of the persons held at the Columbia Country Club, Shanghai, were punished by cancellation of dental appointments because complaints were made to representatives of the Swiss Consulate General. During the same period, at Camp B, Yangchow, the entire camp was deprived of a meal by the Camp Commandant because complaints had been made concerning the delivery of spoiled food.

"There are cited under Section XVIII below, cases of prisoners of war being struck because they asked for food or water.

"Charge V. Civilian internees at Hong Kong have gone without footwear and civilian internees at Kobe have suffered from lack of warm clothing. In 1942 and 1943, American and Filipino prisoners of war in the Philippines and civilian internees at Baguio were forced to labor without shoes and clad only in loin cloths.

"Charge VI. This is reported to have been the case at the following camps: prisoner of war camps in the Philippine Islands, prisoner of war enclosures at Mariveles Bay, Philippine Islands, civilian internment camps at Baguio, Canton, Chefoo, Peking, Manila, Tsingtao, Weihsien, and Yangchow, and at the Ash Camp, Chapei Camp, Lungwa Camp, and Pootung Camp, in or near Shanghai. The articles most needed by the prisoners and internees have been taken. For example, Japanese soldiers took the shoes from an American officer prisoner of war who was forced to walk unshod from Bataan to San Fernando during the march which began about April 10, 1942. Although the prisoners constantly suffered from lack of drinking water canteens were taken from prisoners during this march; one of these victims was Lieutenant Colonel William E. Dyess.

"At Corregidor a Japanese soldier was seen by Lieutenant Commander Melvyn H. McCoy with one arm covered from elbow to wrist and the other arm half covered with wrist watches taken from American and Filipino prisoners of war.

"Charge VII. American prisoners of war in Manila were forced by Japanese soldiers to allow themselves to be photographed operating captured American military equipment in connection with the production of the Japanese propaganda film "Rip down the Stars and Stripes."

"Prisoners of war from Corregidor being taken to Manila were not landed at the port of Manila but were unloaded outside the city and were forced to march through the entire city to Bilibid Prison about May 23, 1942.

"Japanese school children, soldiers, and civilians have been admitted to internment camps and encouraged to satisfy curiosity regarding the persons held. Such tours were conducted at Baguio, Hong Kong, and Tsingtao.

"Charge VIII. Deficiency diseases such as beriberi, pellagra, scurvy, sprue, et cetera, are common throughout Japanese internment camps. These diseases are least common in the civilian internment camps (called assembly centers) at Shanghai and in some other camps where the persons held have but recently been taken into custody or where trade by the internees themselves with outside private suppliers is allowed. It appears therefore that the great prevalence of deficiency diseases in prisoner of war camps where internees have been solely dependent upon the Japanese authorities for their food supply over an extended period is directly due to the callous failure of these authorities to utilize the possibilities for a health sustaining diet afforded by available local products. The responsibility for much of the suffering and many of the deaths from these diseases of American and Filipino prisoners of war rests directly upon the Japanese authorities. As a specific example, prisoners of war at Davao Penal Colony suffering from grave vitamin deficiencies could see from their camp trees bearing citrus fruit that they were not allowed to pluck. They were not even allowed to retrieve lemons seen floating by on a stream that runs through the camp.

"Charge IX. For example, in the prisoner of war camps at Hong Kong, the profits of the canteens have not been used by the holding authorities for the benefit of the prisoners.

"Charge X. At Baguio civilian internees have been forced to repair sawmill machinery without remuneration.

Officer prisoners of war have been compelled by Major Mida, the Camp Commandant at Davao Penal Colony, to perform all kinds of labor including menial tasks such as scrubbing floors, cleaning latrines used by Japanese troops and working in the kitchens of Japanese officers.

"Charge XI. Ten American engineers were required to go to Corregidor in July 1942 to assist in rebuilding the military installations on that island, and prisoners of war have been worked in a machine tool shop in the arsenal at Mukden.

"Charge XII. The condition of health of prisoners of war in the Philippine Islands is deplorable. At San Fernando in April 1942, American and Filipino prisoners were held in a barbed-wire enclosure so overcrowded that sleep and rest were impossible. So many of them were sick and so little care was given to the sick that human excrement covered the whole area. The enclosure at San Fernando was more than 100 kilometers from Bataan and the abominable treatment given to the prisoners there cannot be explained by battle conditions. The prisoners were forced to walk this distance in seven days under merciless driving. Many who were unable to keep up with the march were shot or bayoneted by the guards. During this journey, as well as at other times when prisoners of war were moved in the Philippine Islands, they were assembled in the open sun even when the detaining authorities could have allowed them to assemble in the shade. American and Filipino prisoners are known to have been buried alive along the roadside and persistent reports have been received of men who tried to rise from their graves but were beaten down with shovels and buried alive.

"At Camp O'Donnell conditions were so bad that 2,200 Americans and more than 20,000 Filipinos are reliably reported to have died in the first few months of their detention. There is no doubt that a large number of these deaths could have been prevented had the Japanese authorities provided minimum medical care for the prisoners. The so-called hospital there was absolutely inadequate to meet the situation. Prisoners of war lay sick and naked on the floor, receiving no attention and too sick to move from their own excrement. The hospital was so overcrowded that Americans were laid on the ground outside in the heat of the blazing sun. The American doctors in the camp were given no medicine, and even had no water to wash the human waste from the bodies of the patients. Eventually, when quinine was issued, there was only enough properly to take care of ten cases of malaria, while thousands of prisoners were suffering from the disease. Over two hundred out of the three hundred prisoners from Camp O'Donnell died while they were on a work detail at Batangas.

"At Cabanatuan there was no medicine for the treatment of malaria until after the prisoners had been in the camp for five months. The first shipment of medicines from the Philippine Red Cross was held up by the camp authorities on the pretext that they must make an inventory of the shipment. This they were so dilatory in doing that many deaths occurred before the medicine was released. Because of lack of medicines and food, scurvy broke out in the camp in the Fall of 1942. Since the prisoners had been at the camp for some months before this disease became prevalent, the responsibility for it rests upon the detaining authorities.

"It is reported that in the autumn of 1943 fifty percent of the American prisoners of war at Davao had a poor chance to live and that the detaining authorities had again cut the prisoners' food ration and had withdrawn all medical attention.

"Though the medical care provided for civilian internees by the Japanese camp authorities appears to have been better than that provided for prisoners of war, it still does not meet the obligations placed on the holding authorities by their Government's own free undertaking and by the laws of humanity. At the civilian internment camp, Camp John Hay, childbirth took place on the floor of a small storeroom. At the same camp a female internee who was insane and whose presence was a danger to the other internees was not removed from the camp. A dentist who was interned at the camp was not permitted to bring in his own equipment. The Los Banos Camp was established at a recognized endemic center of malaria, yet quinine was not provided, and the internees were not allowed to go outside of the fence to take antimalarial measures.

"The Japanese authorities have not provided sufficient medical care for the American civilians held in camps in and near Shanghai and the internees have themselves had to pay for hospitalization and medical treatment. Deaths directly traceable to inadequate care have occurred.

"Even in metropolitan Japan, the Japanese authorities have failed to provide medical treatment for civilian internees, and it has been necessary for Americans held at Myoshi, Yamakita, and Sumiro to pay for their own medical and dental care.

*Charge XX* **Charge XX.** For example the internees at Camp John Hay were not allowed to hold religious services during the first several months of the camp's operation, and priests have not been allowed to minister to prisoners held by the Japanese in French Indo-China.

**Charge XV.** No copy of an English translation of the text of the Geneva Prisoners of War Convention has been available to civilian internees or prisoners of war nor have the Japanese authorities taken other steps to inform the persons held of their rights under the terms of the Convention. Reports have been received of the Japanese authorities informing prisoners of war that they were captives, having no rights under international law or treaty.

**Charge XVI.** At Camp O'Donnell many of the men had to live without shelter during 1942. In one case twenty-three officers were assigned to a shack, fourteen by twenty feet in size. Drinking water was extremely scarce, it being necessary to stand in line six to ten hours to get a drink. Officers had no bath for the first thirty-five days in the camp and had but one gallon of water each in which to have their first baths after that delay. The kitchen equipment consisted of cauldrons and a fifty-five gallon drum. Camotes were cooked in the cauldrons, mashed with a piece of timber, and each man was served one spoonful as his ration.

"In late October 1942, approximately 970 prisoners of war transferred from the Manila area to the Davao Penal Colony on a transport vessel providing only twenty inches per man of sleeping space. Conditions on the vessel were so bad that two deaths occurred, and subsequently because of weakness some fifty percent of the prisoners fell by the roadside on the march from the water front at Lasang, Davao, to the Penal Colony.

"The places used by the Japanese authorities for the internment of American civilians in the Philippine Islands were inadequate for the number of persons interned. At the Brent School at Baguio, twenty to thirty civilians were assigned sleeping accommodations in a room which had been intended for the use of one person.

"At the Columbia Country Club at Shanghai the internees were obliged to spend CRB \$10,000 of their own funds to have a building deloused so that they might use it for a needed dormitory. At Weihsien no (repeat no) refrigeration equipment was furnished by the Japanese authorities and some of the few household refrigerators of the internees were taken from them and were used by the Japanese guards, with the result that food spoiled during the summer of 1943. The lack of sanitary facilities is reported from all of these camps.

"Charge XVII. American personnel have suffered death and imprisonment for participation in military operations. Death and long-term imprisonment have been imposed for attempts to escape for which the maximum penalty under the Geneva Convention is thirty days arrest. Neither the American Government nor its protecting Power has been informed in the manner provided by the Convention of these cases or of many other instances when Americans were subjected to illegal punishment. Specific instances are cited under the next charge.

"Charge XVIII. Prisoners of war who were marched from Bataan to San Fernando in April 1942 were brutally treated by Japanese guards. The guards clubbed prisoners who tried to get water, and one prisoner was hit on the head with a club for helping a fellow prisoner who had been knocked down by a Japanese army truck. A colonel who pointed to a can of salmon by the side of the road and asked for food for the prisoners was struck on the side of his head with the can by a Japanese officer. The colonel's face was cut open. Another colonel who had found a sympathetic Filipino with a cart was horsewhipped in the face for trying to give transportation to persons unable to walk. At Lubao a Filipino who had been run through and gutted by the Japanese was hung over a barbed-wire fence. An American Lieutenant Colonel was killed by a Japanese as he broke ranks to get a drink at a stream.

"Japanese sentries used rifle butts and bayonets indiscriminately in forcing exhausted prisoners of war to keep moving on the march from the Cabanatuan railroad station to Camp No. 2 in late May 1942.

"At Cabanatuan Lieutenant Colonels Lloyd Biggs and Howard Breitung and Lieutenant R. D. Gilbert, attempting to escape during September 1942 were severely beaten about the legs and feet and then taken out to the camp and tied to posts, were stripped and were kept tied up for two days. Their hands were tied behind their backs to the posts so that they could not sit down. Passing Filipinos were forced to beat them in the face with clubs. No food or water was given to them. After two days of torture they were taken away and, according to the statements of Japanese guards, they were killed, one of them by decapitation. Other Americans were similarly tor-

tured and shot without trial at Cabanatuan in June or July 1942 because they endeavored to bring food into the camp. After being tied to a fence post inside the camp for two days they were shot.

"At Cabanatuan during the summer of 1942 the following incidents occurred: A Japanese sentry beat a private so brutally with a shovel across the back and the thigh that it was necessary to send him to the hospital. Another American was crippled for months after his ankle was struck by a stone thrown by a Japanese. One Japanese sentry used the shaft of a golf club to beat American prisoners, and two Americans, caught while obtaining food from Filipinos, were beaten unmercifully on the face and body. An officer was struck behind the ear with a riding crop by a Japanese interpreter. The same officer was again beaten at Davao Penal Colony and is now suffering from partial paralysis of the left side as the result of these beatings. Enlisted men who attempted to escape were beaten and put to hard labor in chains.

"At the Davao Penal Colony, about April 1, 1943, Sergeant McFee was shot and killed by a Japanese guard after catching a canteen full of water which had been thrown to him by another prisoner on the opposite side of the fence. The Japanese authorities attempted to explain this shooting as an effort to prevent escape. However, the guard shot the sergeant several times and, in addition, shot into the barrack on the opposite side of the fence toward the prisoner who had thrown the canteen. At about the same time and place an officer returning from a work detail tried to bring back some sugar-cane for the men in the hospital. For this he was tied to a stake for twenty-four hours and severely beaten.

"In the internment camp at Baguio a boy of sixteen was knocked down by a Japanese guard for talking to an interned girl, and an elderly internee was struck with a whip when he failed to rise rapidly from his chair at the approach of a Japanese officer. Mr. R. Gray died at Baguio on March 15, 1944 after being beaten and given the water cure by police authorities.

"At Santo Tomas, Mr. Krogstadt died in a military prison after being corporally punished for his attempted escape."

From January 27, 1944 until the end of hostilities the State Department made to the Japanese Government numerous additional protests and representations concerning instances similar to those hereinabove set forth. A few of these instances were:

On June 14, 1944 further representations were made regarding visits to prisoner of war camps.

On July 7, 1944 a protest was made against the inadequate housing facilities and medical care given to the aged, ill and helpless American civilian internees at Shanghai.

On August 25, 1944 a further protest was made regarding the inadequacy of food, clothing and medical supplies accorded American civilian internees in China.

On August 31, 1944 a protest was made against the torture and decapitation of an American airman by the Japanese in New Guinea.

On September 11, 1944 a protest was made against the removal of certain civilians from the internment camp at Los Banos, Philippine Islands, to Fort McKinley near Manila, where the Japanese maintained an ammunition dump.

On September 15, 1944 a protest was made against the Japanese order issued to their armed forces in Siam that enemy air personnel were not to be treated as prisoners of war.

On September 26, 1944 a protest was made concerning the torture and execution of an American soldier near Arayat, Pampanga, Philippines, on September 21, 1943.

On November 1, 1944 a protest was made against the failure of the Japanese Government to report promptly information necessary to enable the United States Government to keep up to date individual records for each prisoner of war. This protest cited the case of an American who was shot by the Japanese and the incident reported one and a half years later.

On January 23, 1945 a protest was made against the treatment and conditions of internment of American prisoners of war at Camp Kawasaki No.2.

On February 20, 1945 messages were despatched to the effect that the United States Government did not consider that the reply made by the Japanese Government to early protests were satisfactory and that the American Government would continue to hold the Japanese Government responsible.

On March 9, 1945 another protest was made against the continued action of the Japanese Government in locating prisoner of war camps in close proximity to military objectives.

On March 10, 1945 a protest was made regarding the conditions of captivity of American prisoners of war being held at the Lasang Air Field, Philippine Islands, and the inhumane treatment characterizing the administration of prisoner of war camps in the Philippines. On the same day, another protest was made, this time relating to the cruel treatment of American prisoners of war who were aboard a Japanese freighter sunk off Mindanao, Philippine Islands, on September 7, 1944, and the savage behavior of the Japanese after the vessel was torpedoed.



On April 6, 1945 a protest was made concerning the murder of Messrs. Galkins, Grinnell, Duggleby, and Johnson, who had been held at the Santo Tomas Internment Camp.

On May 12, 1945 a protest was made against the orders issued by the Japanese 14th Army Headquarters and Kaki Forces Headquarters attached to the Ishibashi Unit, to the effect that persons captured by or surrendering to Japanese armed forces in the Philippines would be murdered in cold blood.

On May 19, 1945 a protest was made against the brutal massacre on December 14, 1944 of 153 prisoners of war at Puerto Princesa, Palawan, Philippine Islands.

On May 29, 1945 the Swiss Government was requested to make a strong protest to the Japanese Government against the forced labor of prisoners of war in the fortification of Shinagawa and on the naval docks at Tokyo Bay, and the brutal treatment of these prisoners.

On June 23, 1945 a protest was made against the location of prisoner of war camps in Siam in close proximity to piers, railroad yards, and other military objectives and the employment of prisoner of war labor on projects having a direct relation with war operations.

Virtually all of the protests filed with the American Government by the Japanese Government during the period herein covered related to alleged mistreatment of Japanese nationals who had been evacuated from the West Coast areas of the United States. In none of the instances covered by the Japanese Government's representations was the alleged mistreatment of Japanese nationals comparable even in a remote degree to the mistreatment of American nationals which formed the basis for the American Government's protests. In the State Department's telegram of January 27, 1944, the Japanese Government was advised as follows:

"The Government of the United States also desires to state most emphatically that, as the Japanese Government can assure itself from an objective examination of the reports submitted to it by the Spanish, Swedish, and International Red Cross representatives who have repeatedly visited all places where Japanese are held by the United States, the United States has consistently and fully applied the provisions of the Geneva Prisoners of War Convention in the treatment of all Japanese nationals held by it as prisoners of war or (so far as they are adaptable) as civilian internees, detainees or evacuees in relocation centers.

Doc 2407A.

# FILE COPY

RETURN TO ROOM 361

書類 第二四〇七號

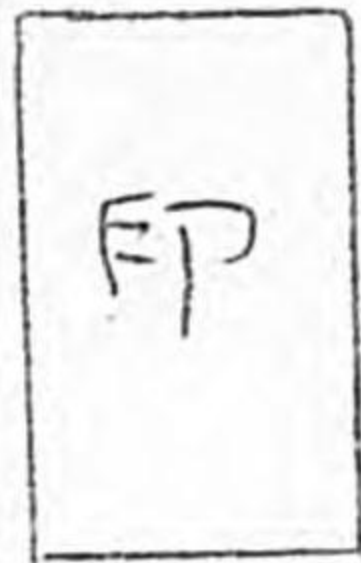
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24 2021

亞米利加合衆国國務省

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同省確認官ヲシテ「コロムビア」地区華盛頓ヲニ於テ今茲  
一九四六年ノ昭和二十一年ノ七月一日右省印ヲ鑑セシメ且ツ  
本職ノ氏名ヲ記名セシム

デイーン・アチソンノ署名ノ

國務省長官代理

M. T. ホムパイノ署名ノ

國務省確認官

Doc 2407A.

書類第二四〇七號  
連續番号第八二〇號

「コロムビア」地已



「コロムビア」地已華盛頓一九四五年／昭和二十一年／七月一日  
本書ヲ閱讀スルコトアルベキ各位殿

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有スル公證人ナルコトヲ證明ス



右ノ證トシテ本職「コロムビア」地已行政委任會書記ハ前掲期  
日ニ於テ「コロムビア」地已ノ印章ヲ押捺スルモノナリ

G・M・サーネット／署名ノ

委任會・書記

乙

極東國際軍事裁判所

亞米利加合衆國、中華民國、大不列顛北愛  
爾蘭聯合王國、ソビエト社会主義共産國、聯邦  
濠洲聯邦、加奈地、佛蘭西共産國、和蘭國、  
新西蘭、印度及北洋賓國

対

被告—— 荒木貞夫、土肥原賢二、橋本欣五郎、  
畑俊六、平沼騏一郎、廣田弘毅、星野直樹、  
板垣征四郎、賀屋興宣、木下幸一、木村兵吾、  
小磯國昭、松井石根、松岡洋右、南次郎、  
武藤章、永野修身、岡敬純、大川周明、  
大島浩、佐藤賢了、重光葵、嶋田繁太郎、  
白鳥敏夫、鈴木貞一、東郷茂徳、東條英機、  
梅津美治郎

亞米利加合衆國「コロンビア」地区「フランクソン」市 S.S.  
私 E. トムリン、ベイリー、ハ正式ニ宣誓ノ後、  
誓フテ証言、且ツ陳述ヲ爲ス。  
私「アメリカ」合衆國、國務省ノ特別企画部  
ノ次長デアツテ、其ノ部ノ俘虜課ヲ担当シテ  
居ルガ、同課ニハ、一九四二年十一月以來、勤務  
テ居ル。一九四二年同課組織以來、現在ニ至  
ルマデ、俘虜課ハ、民間被抑留者、俘虜及  
彼等ノ身分ニ関スル國際慣例ニ屬スル凡ベテ

ノ事項ニ於ケル國務省ノ政策及活動ヲ開始シ、整合セシメル任務ヲ課セラレシ。

以下爲サレル陳述ハ國務省、殊ニ前記俘虜課ノ公式記録ヲ基礎トシテ居リ、俘虜課ノ職務執行ニ關聯シテ私ノ認識ノ下ニ未リ或ハ私ノ注意ニエツク事項ニ關スルモノデアル。

日本ノ眞珠湾攻撃ノ直後、國務省ハ日本人ノ手中ニアル西米利加国民ニ正当ノ待遇ヲ與ヘル件ヲ日本ニ對シテ取上ゲタ。

日本ハ「ジュネーブ」俘虜待遇ニ關スル條約ノ當事國デハナク、ウレドモ、國務省ハ其ノ條約ノ規定ヲ西米利加俘虜並ニ適合シ得ル限リ日本ニ依リ收容サレテ居ル民間被抑留者ニ對シテ適用スベキ公約ヲ日本政府カラ獲得シタ。

此ノ公約ハ日本ニ於ケル米國ノ利益ヲ代表スル東京駐在「スイス」公使ニ對シテ、日本政府ノ通信ニ依リ着サレタ。其ノ通信ハ一九四二年二月四日附電報デ「ベルン」西米利加公使館ヲ通ジテ接受セラシ、日本政府ハスイス公使ニ對シ、「日本ハ俘虜ニ關スル條約ニヨツテ拘束セラシヌケレドモ、其ノ條約ノ適用規定ヲ抑留中ノ西米利加俘虜ニ適用スルコトヲ通告シタト記サレテアツタ。外務省ハ東京ノスイス公使ニ對シテ日本ハ「條約適用ノ範圍内ニ於テ、俘虜並ニ民間被抑留者ノ待遇ニ對シテ互惠主義ノ條件ニ基ツキジュネーブ條約ヲ適用スル旨」宣言シタト一九四二年二月二十四日附ノ電報ニ報告サレタ。

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政府ヲ通ジテ再三再四、政府ノ約束ヲ実行セザル日  
本當局ノ怠慢ニ對シテ日本政府ノ注意ヲ喚起シ公  
約ニ參加シタ日本政府ノ凡クテノ官吏ハ彼等ノ墮落  
ト野蠻ノ行為ニ對シテ公的ニモ私的ニモ責任ヲ負ハ  
サレ且及戦争ノ終結ト共ニ、亞米利加僑虜ニ對  
スル彼等ノ非文明非人道的行為ニ相當シタ刑罰  
ガ斯ル日本官吏ニ報イラレル日ヲ明瞭ナル語ヲ  
以テ日本政府ニ警告シタ。

之等抗議提議及ビ警告ハ僑虜課ヨリ取テラシ  
私自ラソシテラノ多クヲ備シタ。ソレ等ノ事柄  
ハ日本並ニ日本ノ支配スル領土ニ於テ米國權益ヲ管  
理スルスイス國政府ノ代表者、萬國赤十字會委員  
會、歸國者及ビ取戻シタル軍人等ヨリ得テ情  
報ニ基キイタモノテアル。

一九四四年一月廿七日、國務省ハスイス國政府ヲ通  
ジ私自ラ起草シタ一通ノ電報ヲ日本政府ニ宛テテ。  
コレ等電報ハ之迄ニ日本政府ニ宛テテ抗議  
議及提議ヲ約言シ且日本ニ抑留サレテアル米國  
人ニ與ヘラレル待遇ノ改善ヲ西米求ムルモノテアル。  
最初一通ニ權利剝奪、殘虐放恣ナ台心慢及  
ビ虐待等ノ主ナ種目ヲ表示シ日本が違犯シタジ  
コネ、僑虜待遇ニ関スル條約ノ特定條項或ハ其  
他ノ協約等ニ言及シテ第一通ニハ各項目ニ該當

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スル特殊事例ヲ引擧ル。之等通牒ニハ次ノ許進  
ガ速ヅラレテアル。

- I. 日本國並ニ日本占領地内ノ米國權益ノ保護ヲ委  
任セシメス。イス國政府代表者ハ俘虜ヤ民間被抑  
留者ガ抑留サレテアル場所ニハ何處ニモ例外ナク  
行イ事ハ許サシナカワ。又立会人ナシニ抑留サレテ  
キル人達ニ面会スルコトモ許サレナカワ。又俘虜達  
ノ居ルスワテノ場所ニ出入スルコトナカワ。又未ナカワ。  
(シユネーヴ條約ノ條約ハ八十六條)
- II. 万國赤十字會ノ委員會ノ代表者ハ日本當局ニヨリ  
抑留サレテキル米國民ノ大部分ノ抑留場前ヲ訪  
問スル許可ヲ拒絶セシメ。 (第七十九及八十八條)
- III. 米國人ハ日本ノ抑留當局者或ハ保護國ノ代表者  
ニ異議ヲ申入レルコトヲ許シナカワ。 (第四十二條)
- IV. 日本當局ハ抑留状態ニ関シテ公平ヲ許ヘル米國人  
ヲ罰シタリ亦罰スルト嚇シ。 (第四十二條)
- V. 日本政府ハ米國人ニ必要ナク衣料ヲ供給シナカワ。  
(第十二條)
- VI. 日本當局ハ米國人民間被抑留者及ビ俘虜ヨリ  
個人ノ財物ヲ没収シ。 (第六條)
- VII. 米國人俘虜及ビ民間被抑留者ハ侮辱ヲ受ケ  
ハ公眾ノ好奇心ニ晒サレ。 (第三條)
- IV. 日本ニヨリ抑留サレタ民間人及ビ俘虜等ハ抑留  
當局ガ当然抑留者達ノ受ラベキ健康維持食糧

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ヲ與ヘズ又拒絕シタト、或ハ米國ニ對シ補充食糧及び  
醫藥藥品ニ関シテ適當ナ中立保證ノ下ニ繼續的ニ定期  
的輸送ヲ許可シナカッタテ榮養不良ト失調症ニ罹  
ツテ其レ第十一條並ニ國民的食事ノ相違ヲ斟酌スル日  
本國ノ特別互惠的協約

以日本当局ハ收容所酒保ニ於ケル物品販賣ノ利益  
ヲ收容所ニ抑留サシテ其レ人々ノ福利ノ爲ニ向ケズ不  
適当且禁ゼラレタル用途ニ向ケテ其レ(第十二條)  
又日本政府ノ特定協約ニ反シテ抑留当局者ハ一般人  
ヲ強制的ニ抑留收ム谷所ノ管理維持取締  
トハ關係ノナイ別ニ其レ力働ニ服務サセム。俘虜  
將校ハ其レ力働ヲ強制サレ下士ハ其レモ管理勞務  
以外ノ其レ力働ヲ強制サレム。(第二十七條)

XI. 俘虜達ハ直接作戰行動ニ關係アル其レ力働  
ヲ為スコトヲ要求サレム。(第三十一條)

XII. 多クノ場合俘虜及び民間被抑留者ニ對シ醫  
療手当ヲナスコトハ拒絕サレタ且手当サレシ場合  
ニ概シテ其レ用ナ苦痛ト不必要ナ死ノ原因トナル  
程不良デアリ。(第十四條)

7 XIII 日本政府ハ抑留シテ其レ米國人俘虜及び民間



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被抑留者(第七十七條)並ニ日本軍ニ突見セシメテ米國戦  
斗員戰死者ノ中僅カ一部分ノ者ノ氏名ノミヲ報告シテ  
ナル(日本モソノ一契約國タル陸戰戰傷病者待遇改善  
ニ関スル條約ノ第四條)

XIV 日本政府ハ被抑留者及ビ俘虜ガ自由ニ各  
自宗教ノ勸行ヲ許サナカッタ。(第八十條)

XV 日本政府ハ收容所ニ條約ノ英譯セルモノ  
ヲ掲示シナカッタ。カクシテ米國人俘虜及ビ

民間被抑留者ニ其ノ條約ニヨリテ生スル彼等  
ノ諸權利ニ関シ知識ヲ與ヘナカッタ。(第八十四條)

XVI 日本政府ハ俘虜並ニ民間被抑留者收容所ニ  
適當ナル設備ト宿舍トヲ與ヘズ運送機關モ用意

シナカッタ。遂ニ俘虜ヤ被抑留者ニ對シ非人間的  
状態ニテ生活スルコトヲ強ヒタ。(第十條)

XVII 日本政府ハ日本政府ノ爲メニ俘虜ハ裁判刑罰  
ニ関スル協約違反ニワキ再三注意ヲ喚起セラシメテモ拘ラ

ズ俘虜ノ裁判ト刑罰ニ関シテジュネーヴ俘虜待遇ニ  
関スル條約第三篇第五款第三章ノ條項ニ全ク従ハズ

遂ニ裁判ヲモ行ハズニ殘忍且非人道的刑罰ヲ  
科シタ。

XVIII 日本当局ハ米國人ニ對シ身体上ノ刑罰及ビ  
拷問ヲ科シタ。(第四十六條)

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上記許追ヲ證據立テル爲下記ノ特例カ列舉サレタ。  
許追第一及ビ第二、比律賓、佛領印度支那、泰國、  
滿洲、緬甸、馬來及ビ蘭領印度ノ俘虜及ビ民間被抑  
留者收容所並ビニ台灣ノ第一俘虜收容所ハ再三スイス  
國代表者ヨリ視察許可ヲ求メラレタニ拘ラズ彼等ニ  
ヨリ一度モ視察セラレテナナイ。奉天ノ一收容所ヲ除クテ  
ハ此等收容所ノ内一ツトシテ萬國赤十字社ノ代表者ノ  
視察ヲ受テテナナイ。スイス國代表者カ視察ノ許可ヲ  
求メタニモ拘ラズ最近數ヶ月ノ間、東京橫濱附近ノ俘  
虜收容所及ビ香港、又ハ香港附近ノ俘虜收容所ノ  
視察ハ許容セラレテナナイ。

若干ノ收容所ニ許可セラレタ爾ク數少イ視察ノ價值モ  
制限ニヨツテ最少ニセラレテナル。上海ノスイス國代表者  
ハ收容所視察中身邊ニ若干ノ日本國上海總領事  
館員ノ嚴重ナル監視ヲ受ケ收容所ノ全部ヲ見ルコト  
及ビ被抑留者ト自由ニ意見ヲ交スフトヲ許サレナカウタ。  
同様ノ事情カ日本ノ主要都市及ビ台灣ニ於ケル民間  
被抑留者及ビ俘虜ノ收容所ニ關シテモ一般的ナル。  
對照トシテ、合衆國ニヨツテ抑留サレテナル日本人ノ收容  
所、駐在所、集地、ハスベテ再三西班牙國、瑞典國ノ代  
表者ノ視察ヲ受ケ完全ニ視察セラレテ居リ、ソレ等代  
表者ハ立會人ナシニ具サニ被抑留者達ト話ヲ爲シタ。  
又萬國赤十字社ノ代表者ハ日本人カ抑留セラレテナル  
合衆國及ビ布哇ニアル收容所ヲ自由ニ視察スルコトヲ

許して来たるに現に在り許せし事あり。

訴追第三 上海附近ニ於ケル民間被抑留者ノ若干  
ノ收容所 其内テ「ア」ニ收容所ト間北ニ関スル被抑留  
者ヨリソノ保護スル國ニ宛テテ捕虜トナリタル状況ノ  
書信ニ未カ引渡サレテ事ナシ。「ハギオ」ニ於ケル民間被  
抑留者收容所及ヒ全部テハ「イ」ニテモ米國ノ俘虜ガ  
抑留セテナル大部分ノ收容所ニ関シテモ同シ情況ナ  
アル。「バギオ」ニ之果 四頁及ヒ厚々此律賓ノ俘虜收容  
所ニ收容セテナル人達ノ收容所長宛通信ノ許可ヲ  
拒否サレテ事ナシ。

訴追第四 一例ニテ一九四三年五月又スイス國總領事  
館員ニ不平ヲ訴ヘタト言フ如ク「上海」コロシヒヤ  
カニ「バギオ」ニ抑留セレテ事ナシ 會員ハ此種訪詰  
止メ訓ヲ受テタ 同シ時期ニ揚子江收容所テハ腐敗  
シテ食物ノ支給ニ關シテ異議ヲ行立テタト言フ理由テ  
收容所長 今收容所ニ對シ「食料ノ配給ヲ停止シ  
下記第百五章中ニ依リ所長ガ命令ニ依リテ本ヲ要スル  
タト言フ理由ヲ駁打サレタ例ガ引用セラル。

訴追第五 香港ノ民間被抑留者ハ食物ナシ  
マシテ事ナシ 抑留ノ民間被抑留者ハ暗々衣類ノ不  
足ニ苦シメテ事ナシ 一九四二年及ヒ一九四三年ニ  
此律賓ニ於ケル米國人及ヒ此律賓人ノ俘虜及  
ヒ「バギオ」ノ民間被抑留者ハ靴ヲ與ヘラズ唯褲  
ヲ僅々付カシテ其價ヲ強ヒラレタ。

訴追第六、之ハ次ノ收容所ニ於ケル場合ニア  
ツタト報レ告サレテ可ル。

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即チ比律賓諸島ニ於ケル俘虜收容所、比律  
賓諸島ノ「マリウエレス湾」俘虜收容地、「バ  
ギオ」、廣東、ガ之罟、北京、「マニラ」、青島、威縣  
及ヒ揚州ノ民間被拘留者收容所、及ヒ上海  
トソノ附近ノ「ア」收容所、閩北收容所、龍華  
收容所、浦東收容所等ニ於テ俘虜及ビ  
被拘留者ガ日取モ必要トスル物品ヲ取リ上ゲ  
テ可ル。

例ヘバ日本兵ハ米國ノ將校俘虜ノ靴ヲ取リ  
上ゲ、ソノ持校俘虜ハ余儀ナク一九四二年  
四月十日頃ニ始マツタ行進中「バター」カ  
ラ「サン・フエルナンド」迄素足ヲ歩イタノデア  
ル。俘虜達ハ常ニ飲料水ニ苦口シクハ拘ハ  
ラス此ノ行進中俘虜達カラ水筒カ取リ上  
ゲラレタノデアル。

此等被害者ノ一人ハ「ウイリアム・E. カイス」陸  
軍中佐ヲアツタ。

//  
「コレヒドール」ニ於テ「メルウィン・H. アツ  
コイ」海軍少佐ノ目撃シタ一日日本兵ハ  
片腕ニ肘カラ手頭マテ「ギ」シリト他ノ片腕  
ニ半分カライ米國人俘虜及ビ比律賓人俘虜  
カラ取リ上ゲタ腕時計ヲ着ケテ可タ。

訴追 第七

マニラノ米國俘虜達ハ「アノ旗ヲ懸テ」トイフ日本ノ宣傳映画ノ製作ニ関聯セル鹵獲シタ米軍兵器ヲ操作シ居ル場面ヲ寫眞ニ環ラレル標ニ日本兵ニヨツテ強制サレタ。

マニラニ護送サレタコレヒトルノ俘虜ハマニラ港ニ上陸ハサレズニ市外デ下サレ、一九四三年五月二十日頃「ビルビト」刑務所迄市中全体ヲ行進サセラレタ。

日本ノ小学生、兵士及一般人ハ收容所ニ入場ヲ許サレ、被拘留者ニ好スル好奇心ヲ満足セシムル極獎勵ヲ多ク斯カル巡視ハバギオ、香港、青島ヲ行ハレタ。

訴追 第八

脚氣「ラグラ」、壞血病、癩癧等ノ栄養失調症ハ、日本側、收容所「ハ何處デモ普遍テ」ル此等、病氣ハ、上海ノ「收容中心地」ト呼ハレル一般人收容所「又其ノ地」被拘留者ガ最近「柳留」セタ收容所或ハ被收容者自身ト外界ノ個人的供給者ト交渉カ許サレテキル收容所「最モ少ナク其故被」拘留者ガ「相互長期」直リ其ノ食糧供給「テ日本側当局者」ニ依存シテ「キタ」收容所「ニ於テ」栄養失調症、大流行ハ入手可能ナル現地食糧ヲ利用スルコト「ヨツテ」健康ヲ保持スル事ガ出来得「テ」が悪情ニモ利用シナ「ル」コトニ「歸国」スル「標」ニ思ハレル米國及「アイリッピン」軍俘虜ノ此等ノ病氣ニヨリ「多ク」ノ苦痛ト多数ノ死亡ノ責任ハ、直接日本軍当局ニ在ル。一ツノ

特例トシテ重イ「ワイノミン」  
徒刑場ノ俘虏達ハ收容所クラ「シトニ」ノ実ノ生ツタ  
樹々ヲ見ルコトカ出来ナカラ之ヲ採ルコトヲ許サレタ  
彼等ハ收容所ノ中ヲ流レル小ツニ浮ニテ流レテ行ク  
「レモ」ニサヘモ獲ルコトヲ許サレカツタ。

訴追 第九 例へバ香港ノ俘虏收容所デハ酒保  
ノ収益ハ経営当局者ニ依ツテ抑留者ノ為ニ使用  
サレナカマタ。

訴追 第十 「バゴ」デハ民間被抑留者達ハ無報酬  
デ大型機械鋸ノ修繕ヲ強制サレタ。

将校ノ俘虏達ハ「バゴ」徒刑場ノ收容所長「ミグ」  
少佐「ヨツ」床掃除、日本軍使用ノ廁掃除或ハ  
日本軍将校ノ厨房ニ於ケル労務等ノ下「賤」江  
事ヲ含ム「アラ」種類ノ労役ヲ強制サレタ。

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訴追 第十一 一九四二年七月三十名ノ米國技術者  
カコレヒド「ン」ノ軍事施設ノ復旧ヲ手俾「ス」ニ同島へ  
行クニト「フ」要求セタ。又俘虏ハ奉天ニテ「ル」工廠ノ工作  
機械工場デ働カセタ。

訴追 第十二 比島ニ於ケル俘虏ノ健康状態ハ嘆カハ  
ニイモ「ノ」デアル。一九四二年四月「イ」サン「ニ」ル「ナ」ント「レ」デハ米國及比島

俘虜ハ有刺鉄線ニ囲ミテ構内ニ收容サレタガ余リ  
 混雑シテ睡眠モ休養モ不可能デアツタガ病人ガ余  
 リ多ク又病人ニ対スル看護ガ殆ド與ヘラレカッタガ  
 ノ人間ノ糞便ガ全地域ヲ覆ツタ。サニコレナト収  
 容所ハコトニカウ自汗込モ離レテ居リ其処ノ俘虜  
 ニ與ヘテ酷イ待遇ハ戦闘ノ状況ニヨリテ辯解スルコトハ  
 出来ナイ。俘虜ハ無慈悲ナ追ヒ立テニヨツテ此ノ  
 避難ヲ日間デ歩カセタ。此ノ行軍ニツテ行ケカッタ多  
 クノ者ハ警備兵ニヨリテ射殺セテ或ハ銃剣デ刺シ殺サレ  
 タ。此ノ行軍ノ間又ハイリツビニ内ヲ俘虜ガ移動サレタ  
 其ノ他ノ時ニ於テモ同ジデアルガ、柳留当局者ハ彼等ヲ陽  
 蔭ニ集合サセコトノ出来タ時デサヘ日向ニ集合サセタ。  
 米国及比島ノ俘虜ハ道傍ニ生キ埋メニサレタト云フコト  
 知ラレテ居ル。又彼等ガ墓場カラ起キ上ラウトシタ  
 時内是デ打ち倒サレ生キタマ、埋メラレタト云フ  
 報告ガ度々入ッテ居ル。

オドネル 收容所デハ状況ガ余リモ酷悪デアツタガ  
 メニ三〇〇人ノ米国人及ニ百人ノ比島人ガ柳留  
 サレタ最初ノ数ヶ月間ニ死ンダト云フ信ズベキ報道ガ  
 日本側当局者ガ俘虜ニ最少限ノ医療看護ヲ與ヘ  
 タナラバ此等死セノ大部分ハ防ギ得タデラウコトハ疑ヒ  
 モナイコトデアル。其処ノ所謂「病院」ハ状況ニ知ルニ全  
 ク不適当デアツタ。俘虜ハ床ノ上ニ病ミ且ツ裸身デ横  
 タハリ、何等ノ手当モ受ケズ自分達ノ排泄物カラ他ニ移

ルコトモ出来ナイ程重態デアッタ。病院ハ満員デアツタ。未軍俘虏ハ戶外ノ燒キツク太陽ノ暑サノ中デ地面ニ寝カサレタ。

收容所内ノ米人ノ医者ハ全態藥ヲ與ヘラレス。又患着ノ身体カラユル排泄物ヲ洗フ水サヘ無クタ。結局

キニーネガ支給サレタトキハ何千人ノ俘虏ガマリアヤカッダ。ミンデキルノニ十人ノ病人ヲ看病スル夫ケニカ無

オドネル收容所ノ米人ノ俘虏ノ中二百名登ハバタニガスニ於テハ勞務ニ派遣サレテアル間ニ死タ。

カバナツアンデハ俘虏ガ收容サレテ五ヶ月モ経ツマテハマラリヤノ治療藥ハ全然無クタ。フイルピン赤十字カラノ

医薬品ノ最初ノ積荷ハ收容所當局者ニ依ツテ積荷目録ヲ複製スル必要ガアルトノ口実ノ下ニ保留サ

レタ。彼等ハ此ノ仕事ヲスルノニ余リニモ手向取ツタノデ。医薬品ガ收容サレル前ニ多クノ死亡者ガアツタ。

五四三年ノ秋ニ医薬品ト食糧不足ノ故ニ壞血病ガ收容所ニ発生シタ。俘虏ハ此ノ病気が広ニル數ヶ月

前クヲ收容所ニ居タムテアルカラ、其ノ責任ハ抑留當局者ニ在リ。

一九四三年秋ダハオノ米軍俘虏ノ五割ハ生存スル可能性ガ余リナク又抑留當局者ハ再ヒ俘虏ノ食糧

配給ヲ前リ總テノ医療ヲ差止メタト云ハレテアル。



日本ノ收容所當局者ニヨリテ與ヘラレタ民間被抑留者  
ニ対スル監面藥手等ハ俘虜ニ対シテ與ヘラレタモノヨリハ良好  
デアツタ如ク思ハレルガ、ソレデモ尚彼等ノ政府自体が自由意  
志ヲ為シテ協約及ビ人道ノ法則ニ依ツテ抑留官憲ニ課  
セラレタトコロノ義務ヲ果シテハ平ナシ。ジョン、ヘー收容所  
ノ民間抑留所ニ於テハ少サナ物置ノ床ノ上デ分婉カ行  
ハレタ。同じ抑留所デ一人ノ癡狂シタ婦人ハ他ノ被抑留者  
ニトツテ彼女トノ同席ハ危險デアツタニモ拘ラズソノ抑留所  
カラ他ヘハ移サレナカワタ。又子ノ收容所ニ抑留サレタ齒科  
医ハ自分ノ器具ヲ拵チ込ムコトヲ許サレナカワタ。  
ロス、バニオス收容所ハ人モ知ルマラリヤ病ノ中心地ニ建テラレ  
デアツタガ、ソレデモ キニーネハ備ハラレテ居ラス而モ抑留  
者違ハ圍ヒノ外ヘ出テ対マラリヤ策ヲ講ズルコトモ許サレナ  
カワタ。

日本官憲ハ上海及ビ其ノ附近ノ收容所ニ抑留サレタ米國民  
間人ニ対シ、充分ノ醫藥手等ヲ與ヘズ、被抑留者ハ  
入院料モ治療費モ自辨シナケレバナラテカワタ。不適当ナ  
手等ニ直接起因スル死カ發生シタコトガアツタ。

日本ノ主要都市ニ於テサヘモ日本當局ハ民間被抑留者  
ニ対シ治療ヲ施サズ。ミヨウシ、ヤマキタ、スミレ、  
ニ於テ抑留サレタ米國人達ハ自分ノ監面療費ヤ齒ノ治  
療費ヲ自辨シナケレバナラテカワタ。

### 訴追第廿五

例ヘバジョン、ヘー收容所ニ於ケル被抑留者  
達ハ收容所カ設置サレテカラ最初ノ數ヶ月間トム

フモノハ宗教禮拜ヲ行フコトヲ許サレズ、又僧侶達ハ佛  
 印ニ於ケル日本人ニヨツテ抑留サレタ倭虜達ニ奉仕スルコト  
 ヲ許サレナカツタ。

## 訴追第十五

ジュネーヴノ俘虜待遇ニ関スル條約ノ條文  
 ノ英訳寫ハ民間被留者側ニモ俘虜側ニモ與ヘラズ、  
 又日本当局ハ該條約ノ條件トシテ持ツ權利ヲ被留者  
 達ニ知ラシムル方法ヲ講ジナカツタ。日本当局ハ俘虜達  
 ニ對シ、彼等ハ捕虜デアツテ、國際法又ハ國際條約ノ下  
 ニ何等ノ權利ヲモツモノデアイトイフコトヲ通知シテ中々報  
 告ヲ受ケタノデアアル。

## 訴追第十六

オドネル收容所ニ於テハ一九四二年ノ昭和十七年ノ申  
 多クノ人々ハ掩蓋ナシニ生活ヲシナケレバナラナカツタ。或ル  
 場合ニ十三人ノ將校ハ十四呎ニ二十呎ノ掘立小屋が割當テ  
 ラレタ。飲料水ハ極メテ少ク、一杯ノ水ヲ飲ムモ六時  
 間内至十時間 列ニ並バナケレバナラナカツタ。將校達  
 ハソ收容所デハ最初ノ三十五日間入浴出来ズ、ソノ後  
 ハシメテノ入浴ニ各自 一ガロンノ水が與ヘラレタ。ムロ所  
 ノ道具トイヘバ大鍋ヤ五十五ガロン入ドラム罐 一個デ  
 アツタ。カモテスレヲ大鍋デ煮テ木片デ漬ク、一匙ツ  
 ヲ各自一日分ノ食糧トシテ支給サレタ。

一九四二年ノ十月下旬 約九七。名ノ俘虜ガ、一人僅カ  
 ニ十吋ノ寢場所シカナイ輸送船デ、マニラ地方カラコタ  
 ウアオ」徒刑場ヘ移サレタ。船中ノ状態ガ非常ニ  
 悪カツタノデ二人ノ死人が出タ。續イテ、衰弱ウラ

俘虏ノ五割ハ「グアアオ」ノ「ラサンク」波止場カラ徒刑場  
ヘ行ク途中路傍ニ倒レタ。

フィリピン群島ニ於イテ米國民間人抑留ノ爲、日本官  
憲ニヨツテ用ヒラレタ場所ハ、被抑留者ノ數ニ鑑ミ不適  
當デアツタ。「バキオ」ノ「ブレント」學校テハ一人用ノ室カ  
二十人乃至三十人ノ民間人ノ寢室ニ割キテラレタ。

上海ノ「コロンビア」カンツリト、クラブテハ一ツノ建物ヲ必  
要ナ寄宿舎トシテ使用出来ル様虱ヲ駆除スル爲ニ、  
被抑留者達ハ自分達ノ資金中カラ儲備券一百ドル  
ヲ費サネバナラナカツタ。濰縣ニ於テハ日本官憲

ニヨリ何等冷房裝置ハ施サズ（特ニ無カツタトテ強  
調ス）。被抑留者ノ家庭用冷蔵庫ニハ三ハ沒收サレ、  
日本ノ衛兵ニ使用サレタ。ソノ結果一九四三年創設十八年ノ  
夏ノ間食物ハ腐敗シタ。衛生設備ノ不足ハコレ等ニテ  
ノ抑留所カラ報告サレテキル。

### 訴追第十七

米國人達ハ軍事行動ニ関係シタニ廉テ

死刑或ハ監禁ヲ蒙ツタ。又脱走罪ニ対シテ、シネーガ  
條約ニ依レバ、最大限度處刑ハ三十日間ノ拘引デア  
ルニモ拘ラス、死刑ト長期監禁カ課セラレタ。米國政府モ  
ソノ保護國モ、米國人カ不法ノ刑罰ヲ蒙ツタ時ノカ、ル  
事件又其ノ他多クノ实例ニ関シ條約ニ規定サレタ通  
リノ報告ヲ受ケテ居ラナイデア  
ル。特別ノ例ハ次ノ訴  
追ヲ述ベル。

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### 訴追第十八

一九四二年 四月 バタン カラ サマワエルナント

へ行進サセラレタ倭虜達ハ日本衛兵達カラ残忍ナ  
取扱ヲ受ケタ。

衛兵達ハ水ヲ求メントシタ倭虜達ヲ  
棍棒ヲ打ツタ。

又一人ノ倭虜ハ日本陸軍ノトラツクニ倒  
サレタ仲間ノ倭虜ヲ助ケタ爲ニ棍  
棒ヲ頭ヲ打タレタ。

路傍ノ駐ノ鐘話ヲ指シテ倭虜達  
ニ食物ヲ與ヘテ貰ヒ度イト頼ンタ一人  
ノ大佐ハ、日本將校ニヨツテソノ鐘ヲ  
頭ノ側部ヲ打タレタ。

ソノ大佐ノ顔ハ切レテ傷口が開イタ。  
又荷車ヲ曳イタ思ヒ遺リノマル  
フィリピン人ヲ見ツケタモウ一人ノ大佐  
ハ、歩行不能者ヲ送ラ乗セヨウト

シタ爲、馬鞭ヲ顔ヲ打タレタ。

「ルバオ」テハ日本人ニ穴ヲ刺サレテ  
腸ノハミ出タ一人ノフィリピン人  
カ有刺鉄條垣ニ掛ケラレタ。

一人ノアメリカノ陸軍中佐ハ小川ノ  
水ヲ飲マウト列ヲ離シテ殺  
サレタ。

一九四二年 三月下旬 日本ノ  
歩哨ハ

「カバナツアン」 馱カラ第二收容所へ向ツテ疲レタ倭虜達  
ヲ歩キ續ケザセル爲、小銃ノ床尾ヤ銃剣ヲ容叔ナク用ヒタ。

「カバナツアン」ニ於テロイド・ブリグス陸軍中佐、ハワード・ブレ  
イ タング陸軍中佐、R. D. ギルバード陸軍中尉ハ一九四二年九月

ニ脱走ラ企図セントシテ上肢、下肢ヲヒグ打タレ、ソレカラキヤ  
ン

フニ連レ出サレテ柱ニ縛リツケラレ、其處デ裸ニサレテ二日間  
縛リツケラレタママデアツタ。彼等ノキハ彼等ノ脊後ノ柱ニ  
結ビツケラレテアツタカラ坐ルコトが出来ナカッタ。通りカカ

リノフィリピン人ハ棍棒デ彼等ノ顔ヲ打ツコトヲ産ヒラヒタ。  
彼等ニハ一口ノ食物モ水モ與ヘラレナカッタ。二日間ノ拷問

ノ後彼等ハ他へ連レテ行カレ、日本衛兵ノ陳述ニヨルト、  
彼等ハ殺サレ、ソノ中ノ一人ハ首ヲ斬ラレタトイフコトデア  
ル。

其ノ他ノアメリカ人達モ收容所内ニ食物ヲ持込マラトシ  
タ爲、一九四二年六月カ七月「カバナツアン」ニ於テ同様ニ拷  
問サレ裁判ナシテ射殺サレタ。彼等ハ收容所内ノ垣ノ柱

ニ二日間縛リツケラレテカラ射殺サレタノデア  
ル。

一九四二年ノ夏ノ間ニ「カバナツアン」デ次ノ諸事件が起ツ  
タ。日本人ノ哨兵ガアル兵卒ノ背中ヤ大腿部ヲ同匙

デアマリヒドク殴ツタノデ、彼ヲ病院ニ送ラナケレバナラナカ  
タ。今一人ノ米人ハ日本人ノタメニ足首ニ石ヲ投ゲツケラレ

テ数ヶ月間ビツコニナツテタタ。アル日本人ノ哨兵ハ米人  
倭虜ヲ毆ルノニ、ゴルフノ打棒ノ柄ヲ用ヒタ。フィリピン人

カラ食物ヲ求メテナル間ニ捕ヘラレタ二人ノ米人ハ顔ヤ身  
体ヲ情容叔ナク毆ラレタ。アル士官ハ日本人通譯ニ乘馬

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用ノ鞭デ耳ノ後ヲ打タレタ。ソノ士官ハダツアオ徒刑場  
デニ毆ラレ、コレヲノ毆打ノ爲ニ今モ左半身不隨ニ苦レン  
デナル。脱走ヲ企テタ兵士達ハ毆打サレ鎖ヲツケテ苦役  
ヲ課セラレタ。

一九四三年四月一日頃、ダツアオ徒刑場ニ於テマックフィー  
軍曹ハ他ノ俘虜ガ向ヒ側ノ柵カラ彼ニ向ツテ投ゲタ水ノ  
一杯入ツタ水筒ヲ受取ツタタメニ日本人番兵ニ射殺サ  
レタ。日本ノ當局ハコノ射殺ハ脱走ヲ防止シヨウトシタメノ  
デアルト説明シヨウトシタ。併シ番兵ハ軍曹ヲ數回射撃  
シテ居リ、其上水筒ヲ投ゲタ俘虜ニ向ツテ向ヒ側ノ柵ノ兵舎  
ノ中マデ射撃シタ。ソレト大体同時刻、同じ場所デ作書隊  
カラ歸ル或ル將校ハ甘蔗ヲ少し入院シテナル者ノ爲持  
ツテ歸ラウトシタ。其ノ爲ニ二十四時間杭ニ縛リツケラレ  
甚ク毆打サレタ。

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バギオノ抑留所デ十六オノ少年ガ抑留サレテナル少女  
ト話ヲシタトイフノテ毆リ倒サレタ。ソレテ或年輩ノ被抑  
留者ハ日本ノ將校ガ近付イタ時迅速ニ椅子カラ立タナカ  
ツタテ鞭デ打タレタ。R. ブレー氏ハ警察當局ニ毆ラレ水  
療法ヲサレテ一九四二年三月十五日バギオデ死亡シタ。

クロカスカット氏ハ脱走シヨウトシタ爲ニ体罰ヲ加  
ヘラレタノ後、サント・トーマスノ軍事刑務所デ死亡シタ。

一九四四年一月二十七日カラ戦争ノ終結マデ國務省ハ  
日本政府ニ対シ更ニ度々抗議ト提議ヲ提ヒシ上記ニ類  
シタ事例ヲ擧ゲタ。此等ノ事例ノ若干ヲ擧ゲレバ、

一九四四年八月十四日俘虜收容所訪問ニ関シ更ニ提議ガナサレタ。

一九四四年七月七日上海ニ於ケル住居設備ノ不備ト老人、病人及び無力ナ米人民間被抑留者ニ対スル醫治療ノ不適切ニ対シテ抗議シタ。

一九四四年八月二十五日更ニ中國ニ於ケル米民間被抑留者ニ対スル食糧、衣服、醫治療品ノ不充分ナ點ニ関シテ抗議シタ。

一九四四年八月三十一日ニエーギニアノ日本人ニヨル米飛行士ノ拷問及び斬首ニ対シテ抗議シタ。

一九四四年九月十一日或民間人達ガフィリツピン群島ロス、バニオスノ抑留所カラ日本軍ガ臨時彈藥貯藏所ヲ有シテアルマニラ近クノフォート、マツキンレーニ移サレタ事ニ対シテ抗議シタ。

一九四四年九月十五日敵飛行士ハ俘虜トシテ取扱スベカラズトイフシラム派遣章ニ対シテ發せラレタ日本軍司令部ニ対シテ抗議シタ。

一九四三年九月二十一日ニフィリツピン群島ハンムバンガノアラヤット附近テ行ハレタ一米兵ニ対スル拷問及び處刑ニ関シ一九四四年九月二十六日抗議シタ。

一九四四年十一月一日米國政府ガ各俘虜ガノ新ラレイ個人記録ヲ保持スルニ必要ナ情報ヲ日本政府ガ迅速ニ送ラナカッタ事ニ対シテ抗議シタ。コノ抗議ハ一米人が日本人ニ射殺サレ、事件ガ一年半後ニ報

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告サレタ実例ヲ引用シタ。

一九四五年一月二十三日川崎ヲニ收容所ノ米人  
俘虜ノ待遇及監禁状態ニ対シ抗議シタ。一九四五年二月二十日米國政府ハ前ニナシタ抗議ニ  
対スル日本政府ノ回答ハ満足スベキモノデアルトハ思考セ  
ズ米國政府ハ依然日本政府ニ責任ヲ課スルトイフ旨  
ノ通報ヲ發シタ。一九四五年三月九日更ニ日本政府が依然トシテ俘虜収  
容所ヲ軍事目標ニユク近イ所ニ置イテナル事ニ対シテ抗  
議シタ。一九四五年三月十日ラサング飛行場ニ監禁サレテタル米  
人俘虜ノ監禁状態及ビフライワピンノ俘虜ノ收容所ノ  
管理ニ顯著ナ非人道的行爲ニ対シテ抗議シタ。同日  
更ニ今度ハ一九四四年九月七日フライワピン群島ミン  
ダナオ島沖デ沈没シタ日本運送船ニ乗ツテタ米  
人俘虜ニ対スル殊虐ナル待遇及ビソノ船ガ雷撃サレ  
タ後ノ日本人ノ野蠻ナ振舞ニ関シテ抗議シタ。

(次頁ニ續ク)



サントトマス收容所ニ抑留サレテ居ル「カルギズ」  
「クリニナル」  
「タクルビ」  
及ビ「ジョンソン」諸氏、殺害ニ関シ一九四五年  
昭和二十年四月六日抗議ガ  
發セラレタ。

一九四五年昭和二十年五月十日ハ日本第十四軍司令部及石橋部隊  
ニ所屬セラレタル「カキ」部隊司令部ヨリ比島ニ於テ日本軍隊ニヨリ捕虜  
トセラレ、又ハ日本軍隊ニ投降シタル者ハ容赦ナク殺害セラルベシトノ命令  
ニ對シ抗議ガ發セラレタ。

一九四五年昭和二十年五月十九日ハ一九四四年昭和十九年十一月十日比島「パ  
ラワン」  
「ポエルトプリンセツ」ニ於テ行ハレタ俘虜百五十名ノ殺戮ニ對シテ抗  
議ガ發セラレタ。

一九四五年昭和二十年五月十九日ハ「ロリ」要塞構築及ビ東京湾海軍  
造船所ニ於テハ俘虜、強制勞働並ビ之等俘虜ニ對スル殘虐ナル取扱  
ニ對シテスイス政府ハ日本政府宛強硬ナル抗議ヲナスベク依頼セラレタ。

一九四五年昭和二十年六月二十三日ハ「シヤム」國ニ於テハ俘虜收容所ガ埠  
頭、鉄道構内、其他軍事目標ニ甚ク近接シタル場所ニ設置セラレタ  
ルニ及ビ戰鬥ト直接關係アル仕事ニ俘虜ノ勞働ヲ用ヒタコトニ對  
シテ抗議ガ發セラレタ。

24  
ココニ記載セラレタル期間ニ於テ「アメリカ」政府ニ對シテ提セラルル日本政府  
ノ抗議ノ殆ド凡テハ合衆國ノ西海岸地域ヨリ強制引揚ヲサセラレタ處ノ日  
本人ニ對スル境遇ノ虐待ニ関スルテアウカ日本政府ノ陳述ニヨリテ擧  
ゲラレクン諸例、何レニ於テモ日本人ヲ虐待シタトイフ申立ハ米國政府ノ抗  
議ノ基礎トナル米國人ノ虐待ニハ尤モ比較ニテラナカク。一九四四年昭和  
十九年一月二十七日、國務省電報ニ於テハ日本政府ハ次ノ如キ通牒ヲ受  
ケタ。

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合衆國政府は亦次にトテ最良調子申傳ヘタイ。即チ日本政府ハ合衆國ヨリ日本人ガ抑留セラレテ居ルスベテ場所ヲ度々訪問スベシ。スベイン、スニールン及ビ万國赤十字ノ代表者ヨリ日本政府ニ提モラセラルル報告ヲ客觀的ニ檢討シテ確ナル如ク合衆國政府ハ合衆國ヨリ抑留サレル日本人ノ取扱ニ付テハ俘虜(摘要サレ得ル範圍デハ)民間抑留者、拘留者スハ疎開地ニ於テハ疎開者トシテ「ジュネーブル」俘虜待遇關ル條約、諸規定ヲ一貫シテ且充分ニ適用シ来ツタ。日本人ハ高度ノ住居、食糧、衣料及醫藥ヲ享受シテ来タ。米國当局ハソノ上更ニ保護國及ビ万國赤十字委員會ノ代表者ヲ爲サレタ。米國收容所及ビ抑留所ニ住シテキル日本人ノ生活諸條件ノ改善ノ勸告ヲコダシナク且快ク取り容レソノ勸告ノ多クヲ実行シタガソノ多クハ普通ニ維持サレタ處ノ高キ水準ニ鑑ミ、特別利益、娛樂、教育又ハ精神的性質ノ特權ノ獲得ニ向ケララルルモテアツタ。

署名 E. トムリン。ベイラー。

一九四六年(昭和二十一年)六月二十日 本官ノ面前ニ於テ署名シ誓言ニシテ

コロンビヤ地區ハ公證人

デイヴィット・H・スカル

本官ノ委任ハ一九四六年七月十四日ヲ以テ

満了ス



INTERNATIONAL PROSECUTION SECTION

Doc. No. 2407

Date 12 July 46

ANALYSIS OF DOCUMENTARY EVIDENCE

DESCRIPTION OF ATTACHED DOCUMENT

Title and Nature:

Affidavit of E. Tomlin BAILEY,  
Head of Prisoners of War Branch, Special Projects Division, of  
~~United States~~ State Department, USA, on ~~Japan~~ <sup>US-Japanese</sup> ~~relations~~ <sup>PW</sup> ~~relations~~.

Date: 28 June 46 Original (X) Copy ( ) Language: English

Has it been translated? Yes ( ) No (X)

Has it been photostated? Yes ( ) No (X)

LOCATION OF ORIGINAL (also WITNESS if applicable)

Doc. Division

SOURCE OF ORIGINAL:

State Department, Washington, D. C.

PERSONS IMPLICATED:

Tojo, Hideki; Togo, Shigenami,  
(also for as representing Japanese  
Govt).

CRIMES TO WHICH DOCUMENT APPLICABLE:

Violation Geneva Convention ~~and~~ <sup>Assurances of maintaining thereof.</sup>

SUMMARY OF RELEVANT POINTS (with page references):

Mr. Bailey attests that Japanese  
government ~~agreed to~~ formally agreed to  
apply reciprocally provisions of the Geneva  
Convention, <sup>in a telegram 74 Feb 1946,</sup> and that ~~repeated protests~~ <sup>on</sup>  
~~charges were~~ Japanese failure to  
carry out this pledge were made by the U.S.  
Government.

Analyst:

W. F. Wagner

Doc. No.

(cont p. 2)

2407

d.-.

a summarized, all inclusive protest  
made by the United States on 27 Jan 44  
is included in Bailey's affidavit, as  
well as his statement that  
Japanese prisoners and civilian  
internees in the United States were  
accorded excellent facilities and  
that their camps were freely inspected  
by neutral representatives at all times.

INTERNATIONAL PROSECUTION SECTION

Doc. No. 2407

10 July 1946

ANALYSIS OF DOCUMENTARY EVIDENCE

DESCRIPTION OF ATTACHED DOCUMENT

Title and Nature: Affidavit of E. TOMLIN BAILEY, head of Prisoners of War Branch, Special Projects Division of State Department, U.S.A., on U.S.-Japanese PW Relations.

Date: 28 June 46 Original  Copy  Language: English

Has it been translated? Yes  No

Has it been photostated? Yes  No

LOCATION OF ORIGINAL: Document Division

SOURCE OF ORIGINAL: State Dept., Washington, D. C.

PERSONS IMPLICATED: TOJO, Hideki; TOGO, Shigenori (Insofar as representing Japanese Govt.)

CRIMES TO WHICH DOCUMENT APPLICABLE: Violation General Convention on Assurances pertaining thereto

SUMMARY OF RELEVANT POINTS:

Mr. Bailey attests that Japanese Government formally agreed to apply reciprocally provisions of the Geneva Convention in a telegram of 4 Feb 1942, and that repeated protests on Japanese failure to carry out this pledge were made by the U.S. Government.

A summarized, all-inclusive protest made by the United States on 27 January 1944, is included in Bailey's affidavit, as well as his statement that Japanese prisoners and civilian internees in the United States were accorded excellent facilities and that their camps were freely inspected by neutral representatives at all times.

Analyst: W. H. Wagner

Doc. No. 2407



WAR DEPARTMENT  
CIVIL AFFAIRS DIVISION  
WASHINGTON 25, D. C.

July 1, 1946

Mr. Carlisle W. Higgins  
International Prosecution Section  
GHQ-ADV-SCAP  
APO 500 -- c/o Postmaster  
San Francisco, California

7407

Dear Carlisle:

Finding that such an affidavit would be available from Mr. E. Tomlin Bailey, Chief of the Special Projects Division of the Department of State, in charge of the Prisoners of War Branch, I have taken upon myself to obtain it and enclose same herewith.

You will note that this affidavit states officially that the Japanese agreed to abide by the terms of the Geneva Convention though they are not a party to it. You will note also that this affidavit not only cites instances of violations but disclaims any violations on the part of the United States Government.

I thought this would be good evidence, and should like to have your comments.

With all good wishes,

Cordially,

*Otto*  
OTTO LOWE

9 July 1946 - Affidavit shown to Mr. Justice Mansfield and delivered to Mr. Danly, head of the Document Division.

CWH

