

Doc. 3174

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INTERNATIONAL PROSECUTION SECTION

Doc. No. 3174

7 October 1947

ANALYSIS OF DOCUMENTARY EVIDENCE

DESCRIPTION OF ATTACHED DOCUMENT

Title and Nature: Bound Mimeographed Pamphlet "Matters Relating to the Measures to be Taken by the Empire in Case of Participation in War" (Sub-title: "Previous Examples of Operations of Military Administration in Occupied Localities"); Treaty Bureau, Section II

Date: 12 Nov 1941 Original Copy Language: Japanese .

Has it been translated? Yes No

Has it been photostated? Yes No

LOCATION OF ORIGINAL

IPS Document Division

SOURCE OF ORIGINAL: Japanese Foreign Ministry

PERSONS IMPLICATED: (No names appear in document but responsible cabinet members, i.e. Foreign Minister TOGO, Shigenori)

CRIMES TO WHICH DOCUMENT APPLICABLE: Preparations for War

SUMMARY OF RELEVANT POINTS

This document is chiefly valuable in offering proof that by 12 Nov 1941, preparations for war were in existence and that a compilation was made by the Treaty Bureau of the Foreign Ministry of "previous example of Japanese military administration of occupied territory".

Title of this book or pamphlet is rather misleading because contents reveal no reference to measures to be used in the present situation. The sub-title of the book describes more accurately the nature of the book which is an enumeration of measures taken in administration of occupied areas in past wars: (1) 1904-05 JAPAN CHINA; (2) 1904-05 JAPAN RUSSIA; (3) 1904-05 including MANCHURIA and KWANTUNG Territory, SAGHALIEN; (3) World War I (CHIAO-CHOU Bay) and (4) Despatch of troops to SIBERIA

Analyst: ET GARDEN

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H. ITOH

This book enumerates the measures that
were taken in past wars. It has no reference
to measures to be used ⁱⁿ the present situation.

This title is certainly a misnomer. The
sub-title "Previous Examples &c." exactly
describes the nature of the book.

Mr. Itoh - Please give one or two examples of policy
followed of measures taken in past wars. ~~It~~
(1) Japan-CHINA war - fast history very well
known?

Cover

It is warned that special caution should be paid in handling this booklet to keep ~~off~~ from outsiders.

Title

"Matters relating to the measures to be taken by the Empire in case of participation ~~in~~ War."
(Appendix No 1.)

(Previous examples of operation of "Militant" administration in occupied localities.)

Treaty Bureau, II Section)

Nov. 12, 1941.

Sign through quickly each

proof that there was such preparation in existence -

page 1Contents:

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(1) Japan - China War	<u>1</u>
(2) Japan - Russia War	15
a) Manchuria and Kwantung - Territory	15
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Look thru for reference to
measures to be used in present situation
based on old procedures in past
wars.

Scan 1st part |

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H. ITO

Item # 2

Matters re Measures to be Taken
in Case of Participation in the War
by the Empire.

(Precedents re Military Government
in Occupied Areas)

12 Nov. 1941, 2nd Section, Treaty Bureau.

Part 1 SINO-JAP. War.

PP. 1-14 At first civil officials were appointed as administrators
of occupied areas, but as this caused much inconvenience
in issuing orders to, or punishing, soldiers, military
men came to replace them as administrators, and
Occupied Areas Government-general was instituted
under a general or a lieutenant-general.

The Governor-general is under the direct command
of the Imperial general Headquarters, commands army
corps in the occupied areas, and supervises matters
regarding military affairs and general civil administration

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over the people in the occupied areas.

In penal matters, common crimes, i.e. crimes, not detrimental to the interests of the occupation forces, were punished ^{in principle} according to CHINESE law, but military crimes, i.e. crimes detrimental to the interests of occupation forces, were punished, in principle, according to JAP. law. Crimes of which there were no stipulations in the common penal code of JAPAN or the military penal code, or crimes to which it is necessary to mete out specially severe punishment, were dealt with according to Article 2 of Occupied Area People Punishment Act. The gist of the article 2 is as follows:

Chinese subjects guilty of following acts shall be punished with death:

- (1) Destruction of things for military use, or roads, bridges etc. which are of military use.
- (2) Helping or concealing spies.
- (3) Informing the enemy of the JAP. troops and ships, or whereabouts of dumps.

- 14) Leading JAP. troops & vessels in false direction.
- 15) Attempting group resistance.
- 16) Spreading rumors.
- 17) Poisoning waters.
- 18) Selling opium to JAP. soldiers.

Mitigation of penalty is left to the discretion
of the judges.

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SOURCE: Japanese Foreign Ministry

MICROFILMING

Document 3174 Source: Japanese Foreign Ministry

has been microfilmed on Oct 26 1948 for

permanent historical record.

(None) (Part) of this document had been extracted for court use.

F. MATTISON
Files Unit
Document Division