

Doc. 2766 Evid

Folder 12

(82)

INTERNATIONAL PROSECUTION SECTION

Doc. No. 2766

9 Dec 1946

ANALYSIS OF DOCUMENTARY EVIDENCE

DESCRIPTION OF ATTACHED DOCUMENT

Title and Nature: Ten Notes Exchanged between the Japanese Government and the Swiss Legation in Tokyo on Representations Re Ill-treatment of Prisoners of War made in Protest by the Government of the United States through the Swiss Government

Date: 15 Dec 1942- Original () Copy (x) Language:
1 Aug 1945 English
Has it been translated? Yes () No (x) French
Has it been photostated? Yes () No (x)

LOCATION OF ORIGINAL

Swiss Legation, Tokyo

SOURCE OF ORIGINAL: Swiss Legation, Tokyo

PERSONS IMPLICATED: TANI, Masayuki; TOGO, Shigenori; TOJO, Hideki; SHIGEMITSU, Mamoru (all only insofar as they were foreign minister's during that time)

CRIMES TO WHICH DOCUMENT APPLICABLE: Violation Geneva POW Convention

SUMMARY OF RELEVANT POINTS

- 2766-A-1 Note of 15 Dec 1942, Swiss Minister to JapForeign Minister re U.S. request for information on conditions of American POWs
- 2766-A-2 Note of 28 Jan 1943, JapForeign Minister to Swiss Legation, giving Japan's assurance that the labor of POWs is carried out in the spirit of the Geneva POW Convention
- 2766-A-3 Note of 4 Feb 1943, Swiss Legation to JapForeign Minister asking him to state precisely if Japan understands Article 31 of Geneva Convention relative to POWs labor in non-war activities

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- 2766-A-4 Note of 20 Feb 1943, JapForeign Minister to Swiss Legation stating that the labor of POWs in Japan has no direct connection with operations of war.
- 2766-A-5 Note of 4 March 1944, Swiss Legation to JapForeign Minister, informing Imperial Govt of violation in Yokohama POW Camp of Article 2 of Geneva Convention
- 2766-A-6 Note of ²²April 1944, JapForeign Ministry to Swiss Legation, stating that Imperial Govt is not bound by the Convention of 1929
- 2766-A-7 Note of 27 April 1944, Swiss Legation to JapForeign Minister, requesting Japanese Govt to obtain information as to the articles of Geneva Convention which the Japanese Govt considers inapplicable
- 2766-A-8 Note of 9 June 1945, Swiss Legation to JapForeign Minister, forwarding U.S. Govt protest re ill-treatment of American POWs
- 2766-A-9 Note of 5 July 1945, Swiss Legation to JapForeign Minister, forwarding U.S. Govt protest re violation of Geneva Convention in Thailand
- 2766-A-10 Note of 1 Aug 1945, JapForeign Minister to Swiss Legation, denying submitting American POWs to ill-treatment and requesting the source of U.S. information

Analyst: E.T.GARDEN

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C E R T I F I C A T E

P.O.W.
Japan - Foreign Relations -
Swiss

I.I.S. No. 2766-A-1-10

Page No. 1

Statement of Source and Authenticity

I, Walter Bossi, hereby certify that I am officially connected with the Government of Switzerland in the following capacity: Swiss Diplomatic Representative, and as such official I have custody of the documents, consisting of ten letters and notes, as listed on Exhibit A attached hereto and described as follows: True copy of letters and notes in French from the Minister of Switzerland addressed to the Japanese Ministry of Foreign Affairs and the original replies thereto of the Japanese Ministry of Foreign Affairs addressed to the Minister of Switzerland.

I further certify that the attached letters and notes are official records of the Swiss Legation in Japan and that they are a part of the official archives and files thereof.

Signed at Tokyo on this
10th day of December, 1946.

/s/ W. Bossi
Signature of Official

Swiss Diplomatic Representative
Official Capacity

Witness: /s/ Max R. Joss

Statement of Official Procurement

I, 2nd Lt. Eric W. Fleisher, hereby certify that I am associated with the General Headquarters of the Supreme Commander for the Allied Powers, and that the above certification was obtained by me from the above signed official of the Swiss Government in the conduct of my official business.

Signed at Tokyo on this
10th day of Dec., 1946.

/s/ Eric W. Fleisher, 2nd Lt. USMI
M.E.

Investigator, IFS
Official Capacity

Witness: Henry Shinjima /s/

EXHIBIT A

<u>Document No.</u>	<u>Description</u>
2766-A-1	Letter dated 15 December 1942 from the Swiss Minister to the Japanese Ministry of Foreign Affairs (CC.1.5.2.cr.)
2766-A-2	Note Verbale dated 28 January 1943 from the Japanese Ministry of Foreign Affairs to the Swiss Minister (No. 24/C.R.)
2766-A-3	Letter dated 4 February 1943 from the Swiss Minister to the Japanese Ministry of Foreign Affairs (CC.1.5.2.-dbu.)
2766-A-4	Note Verbale dated 20 February 1943 from the Japanese Ministry of Foreign Affairs to the Swiss Minister (No. 41/C.R.)
2766-A-5	Letter dated 4 March 1944 from the Swiss Minister to the Japanese Ministry of Foreign Affairs (CC.1.5.2.-Eid.)
2766-A-6	Note Verbale dated 22 April 1944 from the Japanese Ministry of Foreign Affairs to the Swiss Minister (No. 96/C.R.)
2766-A-7	Letter dated 27 April 1944 from the Swiss Minister to the Japanese Ministry of Foreign Affairs (CC.1.5.9.2.-FGc. CC.1.5.2.)
2766-A-8	Letter dated 9 June 1945 from the Swiss Minister to the Japanese Ministry of Foreign Affairs (CC.1.5.1.-FGc. CC.1.5.2.)
2766-A-9	Letter dated 5 July 1945 from the Swiss Minister to the Japanese Ministry of Foreign Affairs (CC.1.3.6.-FGc. CC.1.2.-CC.1.5.2.)
2766-A-10	Note Verbale dated 1 August 1945 from the Japanese Ministry of Foreign Affairs to the Swiss Minister (No. 189/C.R.)

CC 1.5.2.cr.--

The Swiss Legation has the honor to inform the Imperial Minister for Foreign Affairs that the Government of the United States is desirous of obtaining full information concerning the conditions under which American prisoners of war are used as laborers. In particular, it desires to be informed precisely of the nature and duration of work, as well as prisoners' pay.

In this regard, it considers it to be of great importance to know if the Imperial Government is applying Articles 27 to 34 of the Geneva Convention of 27 July 1929 relative to labor of prisoners of war.

The Swiss Legation thanks in advance the Imperial Ministry for the information which it is able to furnish on this subject and takes this occasion to renew the assurances of its high esteem.

Tokio, 15 December 1942

To the Imperial Ministry
of Foreign Affairs,
Tokio.

THE GAIMUSHO
TOKYO

Translation

No. 24/C. R.

NOTE VERBALE

The Imperial Ministry for Foreign Affairs has the honor to acknowledge receipt of the Swiss Legation's letter No. CC.1.5.2.-cr., of 15 December last in which the Legation expressed the desire to obtain information on the labor of prisoners of war in Japanese custody.

The Ministry informs the Legation as follows:-

- (1) The labor of prisoners of war is carried out in the spirit of the decision of the Imperial Government to apply mutatis mutandis the Convention relative to the treatment of prisoners of war of 27 July 1929.
- (2) Prisoners are employed in labor which is not dangerous, such as factories, bridges and roads, the mining industry, transport, etc.
- (3) The daily hours of labor of prisoners is regulated according to that of civil workers in Japan.
- (4) Prisoners receive pay calculated according to the pay of non-commissioned officers and men of the Japanese Army. Also they receive articles of daily use.

28 January 1943

CC.1.5.2.-dbu.

The Swiss Legation has the honour to acknowledge receipt of the letter from the Imperial Ministry of Foreign Affairs dated 28 January relative to labor performed by prisoners of war in Japan. This information will be forwarded to the British and American Governments.

The Legation would be most obliged to the Ministry if it would state precisely if it is understood that, conforming to the provisions of Article 31 of the Geneva Convention relative to treatment of prisoners of war, prisoners of war in Japan will not be assigned to labor having direct connection with operations of war, and that, in particular, they will not be employed in the manufacture or transport of material to be used in warfare.

In thanking the Imperial Ministry very much for its kind response, the Swiss Legation takes this occasion to renew assurances of its high esteem.

Tokio, 4 February 1943

To the Imperial Ministry
of Foreign Affairs,
Tokio

THE GAIMUSHO

TOKYO

TRANSLATION

No. 41/CR

N O T E V E R B A L E

In reply to the Swiss Legation's letter No. CC. 1. 5. 2
- dbu., of 4 February last, the Imperial Ministry for Foreign
Affairs has the honour to state that the labor of prisoners of
war in the power of Japan, by application mutatis mutandis of
the Convention relative to the treatment of prisoners of war,
has no direct connection with operations of war.

20 February 1943

THE GAIJUSHO

TOKYO

Translation

No. 96/C.R.

N O T E V E R B A L E

The Imperial Ministry for Foreign Affairs has the honour to acknowledge receipt of the Swiss Legation's letter No. CC.1.5.2.-EAd., of 4 March last relative to treatment of prisoners of war.

The Ministry desires to inform the Legation of the following results of inquiries made by competent authorities and at the same time of the opinion of the Imperial Government on this subject.

(1) The Imperial Government is not bound by the Convention of 1929 relative to the treatment of prisoners of war. But it is the policy of the Imperial Government, based on humanitarian considerations, to protect prisoners of war against insults, as it is clearly provided in Article 2 of the Japanese rules for treatment of prisoners of war which provides that prisoners of war must be treated humanely and that they must not be subjected to insults or bad treatment.

(2) There is no doubt that the facts taking place at Yokohama, were not such as to expose prisoners of war to insults; it is remarked in particular that they have never been obliged to clean the streets. All cleaning done by prisoners of war was within camp limits, and seen through the fence. The competent authority has taken care to send the information contained in the Legation's note to the prisoner of war camp.

22 April 1944

CC.1.5.9.2.-EGc.
CC.1.5.2.-

The Swiss Legation has the honour to acknowledge receipt of the Imperial Ministry's note No. 96/C. R., of 22 April, by which it was informed that the Imperial Government is not bound by the Geneva Convention of 27 July 1929, relative to treatment of prisoners of war. Nevertheless, Japan, for humanitarian reasons, intends to protect prisoners of war against insults, as is provided in Article 2 of the general rules on treatment of prisoners of war. In the particular case of cleaning streets at Yokohama by prisoners of war the Minister has stated that this work was done within camp limits. The Minister added that he had sent to the camp at Yokohama, the information contained in the letter No. CC. 1.5.2. of 4 March.

The Legation remarks that the communication, according to which the Imperial Government would not be bound by the Geneva Convention, does not appear to coincide with the previous declarations in which Japan promised to apply to prisoners of war in its power the provisions of that Convention *mutatis mutandis*, that is to say in a measure which will not conflict with the text of Japanese law. In order to overcome any misunderstanding on the application of the Geneva Convention, the Federal Government, in a letter from the Swiss Minister to H.E. Memoré Shigamitsu of 26 February, expressed a desire to obtain as soon as possible full particulars as to the articles of the Prisoners of War Code which the Japanese Government considers inapplicable by reason of internal legislation.

The Legation attaches the greatest importance to know the point of view of the Imperial Government on this important question and in thanking the Ministry for its kind response it takes this occasion to renew its assurances of its high esteem.

Tokio, 27 April 1944.

To The Imperial Ministry
of Foreign Affairs, Tokio

CC.1.5.1.-FGc.
CC.1.3.2.-

The Swiss Legation has the honour to inform the Imperial Ministry for Foreign Affairs that the Government of the United States of America requests that the following notification be sent to the Japanese Government:

"Reliable information has been received by the United States Government indicating that American prisoners of war who are held in Japan are obliged to labor for excessive hours on work that has direct connection with the operation of the war. They are forced to work on naval docks which are at Tokyo Bay opposite Shinagawa station and likewise inside the fortifications of Shinagawa. Both in Tokyo and in Osaka, they are made to undergo an extremely harsh and rigid regime which involves humiliation and physical suffering and they are exposed to the brutality of their guards who beat them. The United States Government strongly protests against the treatment which the Japanese Government accords to American prisoners of war in its hands. This treatment is widely at variance with the Geneva Prisoners of War Convention the provisions of which the Japanese Government voluntarily agreed to apply in its treatment of American prisoners of war in its custody and with the Hague Convention of 1907 which the Japanese Government ratified and which in its memorandum of 3rd May 1944 transmitted to the United States Government by the Spanish Embassy it has stated it is applying in dealing with civilian internees and prisoners of war. Under the Geneva Prisoners of War Convention, article 31, it is provided that labour which is furnished by prisoners of war shall have no direct relation with operation of war; and the Hague Convention under article 1 specifies that the tasks performed by prisoners of war shall not be excessive and shall have no connection with war operations. It is provided in both Geneva Prisoners of War Convention, article 2, and Hague Convention, article 4, that prisoners of war are in the power of the hostile Government but not in that of the individuals or of the corps by which they are captured and that they must receive humane treatment. The Government of the United States demands that the conditions which are described above be rectified at once and it warns the Japanese Government that the latter as well as the individuals concerned will be held responsible for failure to insure that the provisions of the Hague Convention and the Geneva Prisoners of War Convention are at all times applied in the treatment which is accorded to prisoners of war of American nationality."

The Legation takes this occasion to renew to the Imperial Ministry its assurances of high esteem.

To The Imperial Ministry
of Foreign Affairs,
Tokio

Karuizawa, 9 June 1945

(CC.1.2.-
CC.1.5.2)

The Swiss Legation has the honour to inform the Imperial Ministry for Foreign Affairs that the Government of the United States of America has requested the Swiss Government to send the following notification to the Japanese Government.

"The United States Government has been reliably informed that the Japanese Authorities in Thailand have quartered prisoners of war in warehouses located at the new port of Bangkok and have forced them to labour at the railway station and on docks of that city. The Japanese Government voluntarily undertook to apply humane provisions of Geneva Prisoners of War Convention in its treatment of prisoners of war and civilian internees. In spite of its solemn obligations, the Japanese Government has failed to apply the provisions of article 9 and 31 of that Convention in its treatment of prisoners of war in Thailand. The United States Government again strongly protests against the disposition by the Japanese Government of prisoners of war in an area in close proximity to docks, railroad yards and other military objectives and their employment on labour having a direct relation with war operations. The United States Government solemnly warns the Japanese Government that the United States Government will hold the Japanese Government responsible for any failure on its part to protect lives and health of American nationals in Japanese custody."

The Legation would be very much obliged to the Ministry if it would communicate the response of the Imperial Government to the present protest and takes this occasion to renew assurances of its high esteem.

To the Imperial Ministry
of Foreign Affairs
Tokio

Karuizawa, 5 July 1945

CC.1.5.1/1.5.2

THE GAIMUSHO
TOKYO

Translation

"KYO FUTSU" No. 189.

NOTE VERBALE

The Imperial Ministry of Foreign Affairs has the honour to request the Swiss Legation to transmit to the United States Government that it acknowledges receipt of a Note Verbole of the Legation dated 9th June last transmitting a protest of the United States Government relative to the labour of the prisoners of war detained in the camps in Japan, and as a result of prompt investigations of the fact in the protest by the competent authorities, has received a reply to the effect that they do not admit the fact of subjecting the American prisoners of war to the labour as pointed out by the United States Government.

The Ministry communicates to the Swiss Legation that it is desirous of receiving a reply after due investigations as to the source of the above information which the United States Government is said to have obtained.

1 August 1945.

Synopsis of Document No. 2766-A (1) - (10)

- 15 Dec 1942 (A-1) Swiss Legation to Foreign Minister (TANI)
Inquiry in behalf of U. S. asking if Japan is applying Articles 27 to 34 of the Geneva Convention of 27 July 1929 re labor of prisoners of war.
- 28 Jan 1943 (A-2) Japanese Foreign Ministry (TANI) to Swiss Legation
answering letter of 15 Dec., and states:
1. Japanese Government employees prisoner of war labor in spirit of Geneva Convention.
 2. Prisoners are employed in labor which is not dangerous.
 3. Daily hours of labor of prisoners same as civil workers in Japan.
 4. Paid same as non-commissioned officers and men of Japanese Army.
- 4 Feb 1943 (A-3) Swiss Legation to Foreign Ministry (TANI)
Swiss requests statement that Japan will not assign prisoners of war to labor in the manufacture or transportation of material to be used in warfare or having direct connection with operations of war.
- 20 Feb 1943 (A-4) Foreign Minister (TANI) to Swiss Legation states labor of prisoners of war has no direct connection with operation of war.
- 4 March 1944 (A-5) Swiss Legation to Ministry of Foreign Affairs.
Complains that prisoners of war in Yokohama area compelled to perform humiliating work in public (namely, sweeping streets), and were searched in public before re-entering their enclosure in violation of Article 2 of the Geneva Convention.
- 22 Apr 1944 (A-6) Japanese Foreign Ministry to Swiss Legation
Foreign Minister Shigemitsu answering letter of 4 March re treatment of prisoners of war states:
1. Japanese Government is not bound by the prisoner of war convention of 1929 but it is policy of Japanese government to protect prisoners of war against insults as provided in Article 2 of the Japanese rules for treatment of prisoners of war.
 2. Denies prisoners of war forced to clean streets but cleaning done within camp and seen through fence.

27 Apr 1944 (A-7)

Swiss Minister to Japanese Ministry of Foreign Affairs
Shigemitsu

Answering note of 22 April 1944 remarks statement that Japanese Government would not be bound by Geneva Convention does not coincide with previous declarations in which Japan agreed to apply provisions of the convention mutatis mutandis. Requested full particulars as to the articles thereof Japanese government considers inapplicable by reason of internal legislation.

9 June 1945 (A-8)

Swiss Legation to the Imperial Ministry of Foreign
Affairs (TOGO)

Swiss Legation transmitted protest from U. S. against labor of American prisoners of war held in Japan as (1) working excessive hours having direct connection with the war operations within the fortifications of Shinagawa and at Navy docks at Tokyo Bay. (2) Being humiliated and beaten by guards and demands that conditions be rectified and stated that the Japanese government as well as the individuals concerned be held responsible to insure that the provisions of the Hague and the Geneva prisoners of war convention will at all times be applied to the treatment of prisoners of war.

5 July 1945 (A-9)

Swiss Legation to the Ministry of Foreign Affairs (TOGO)

Forwarding protest by U. S. re Japanese authorities in Thailand quartering prisoners of war in warehouses at the port of Bangkok in an area close to docks, railroad yards and other military objectives and their employment on labor having direct relation with war operations. U. S. warned the Japanese Government they will hold government responsible for failure to protect lives and health of Americans in Japanese custody.

1 Aug 1945 (A-10)

Japanese Foreign Ministry (TOGO) to Swiss Legation.

Answering protest of U. S. sent by Swiss 9 June 1945 denies fact of subjecting American prisoners of war to the labor pointed out by the U. S.

- 2766-A-1 Note of 15 Dec 1942, Swiss Minister to JapForeign Minister re U.S. request for information on conditions of American POWs
- 2766-A-2 Note of 28 Jan 1943, JapForeign Minister to Swiss Legation, giving Japan's assurance that the labor of POWs is carried out in the spirit of the Geneva POW Convention
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- 2766-A-4 Note of 20 FEB 1943, Jap Foreign Minister to
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in Japan has no direct connection with operations
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- 2766-A-5 Note of 4 March 1944, Swiss Legation to Jap Foreign
Minister, informing Imperial Govt of violation in
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- 2766-A-6 Note of April 1944, Jap Foreign Ministry to Swiss
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- 2766-A-9 Note of 5 July 1945, Swiss Legation to Jap Foreign
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- 2766-A-10 Note of 1 Aug 1945, Jap Foreign Minister to Swiss
Legation, denying submitting American POWs to
ill-treatment and requesting the source of
U.S. information

Analyst: E.T.GARDEN

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CHARGE OUT SLIP

DATE 10 Dec 1946

EVIDENTIARY DOC. NO. 2766
TRIAL BRIEF _____
EXHIBIT NO. _____
BACKGROUND DOC. NO. _____
FILE NO. _____
PRESS TRANS. _____
U.S.S.D.S. _____

Court Exhibit

2025

Signature *[Signature]*
Room # 378

*Original retained by
Cal Woolworth
Expts used in Court*

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 2. Denies prisoners of war forced to clean streets but cleaning done within camp and seen through fence.

FILE COPY
RETURN TO ROOM 361

27 Apr 1944 (A-7)

Swiss Minister to Japanese Ministry of Foreign Affairs
Shigenitsu

Answering note of 22 April 1944 remarks statement that Japanese Government would not be bound by Geneva Convention does not coincide with previous declarations in which Japan agreed to apply provisions of the convention mutatis mutandis. Requested full particulars as to the articles thereof Japanese government considers inapplicable by reason of internal legislation.

9 June 1945 (A-8)

Swiss Legation to the Imperial Ministry of Foreign
Affairs (TOGO)

Swiss Legation transmitted protest from U. S. against labor of American prisoners of war held in Japan as (1) working excessive hours having direct connection with the war operations within the fortifications of Shinagawa and at Navy docks at Tokyo Bay. (2) Being humiliated and beaten by guards and demands that conditions be rectified and stated that the Japanese government as well as the individuals concerned be held responsible to insure that the provisions of the Hague and the Geneva prisoners of war convention will at all times be applied to the treatment of prisoners of war.

5 July 1945 (A-9)

Swiss Legation to the Ministry of Foreign Affairs (TOGO)

Forwarding protest by U. S. re Japanese authorities in Thailand quartering prisoners of war in warehouses at the port of Bangkok in an area close to docks, railroad yards and other military objectives and their employment on labor having direct relation with war operations. U. S. warned the Japanese Government they will hold government responsible for failure to protect lives and health of Americans in Japanese custody.

1 Aug 1945 (A-10)

Japanese Foreign Ministry (TOGO) to Swiss Legation.

Answering protest of U. S. sent by Swiss 9 June 1945 denies fact of subjecting American prisoners of war to the labor pointed out by the U. S.

2025A / Doc 2766B

文 書 概 要

一九四二年十二月十五日 (A-11)
昭十七年 /

スウイス公使館ヨリ

外務大臣 (谷) 宛

日本ガ俘虜ノ労働ニ關シテ一九二九年ノ昭和四年ノ七月二十七日ノジエネヴァ條約第二十七條ヨリ第三十四條マデヲ適用シテキルカ否カトイフ合衆國ノ問合セ

一九四三年一月二十八日 (A-12)
昭十八年 /

日本外務大臣 (谷) ヨリ

スウイス公使館 宛

十二月十五日附書面ニ答ヘ次ノ如ク聲明

- 一、日本政府ノ使用人タル俘虜ハジエネヴァ條ノ精神ニ基キ労働スベシ
- 二、俘虜ハ危険ナラザル作業ニ使役サルベシ
- 三、俘虜ノ毎日ノ労働時間ハ日本ノ國內労働者ト同一時間タルベシ
- 四、日本陸軍ノ下士官及兵ト同額ノ俸給ヲ支給サルベシ。

一九四三年二月四日 (A-13)
昭十八年 /

スウイス公使館ヨリ

外務大臣 (谷)

スウイスハ日本ガ俘虜ヲ戦争又ハ作戦ニ直接關係アル方面ニスベキ資材ノ製造又ハ輸送ニ當テセシメザル旨ノ聲明書ヲ請求。

FILE COPY
RETURN TO ROOM 361

Walden

一九四三年二月二十日 (A14)
昭和三十八年

外務大臣ヨリ

スウイス公使館宛

俘虜ノ労働ハ作戰ニ直接關係ナキ事ヲ聲明。

一九四四年三月四日 (A15)

スウイス公使館ヨリ

昭和三十九年

外務大臣宛

ジエネヴァ會議ノ第二條ニ違反シ横濱地區ノ俘虜ガ大衆ノ目ノ前ニテ屈辱的作業(例ヘバ道路清掃)ヲ強ヒラレ再ビ構内ニ入ル前ニ身体検査ヲサレシ事ニ對シ抗議ス。

一九四四年四月二十二日 (A16)
昭和三十九年

日本外務大臣ヨリ

スウイス公使館宛

外務大臣重光ハ俘虜取扱ニ關スル三月四日附書面ニ答ヘ次ノ如ク聲明

- 一、日本政府ハ一九二九年ノ昭和四年ノ俘虜會議ニ拘束サレズ、但シ俘虜取扱ニ對スル日本ノ規定第二條ニ規定サレタル如キ侮辱ヨリ俘虜ヲ保護セントスルハ日本政府ノ政策ナリ。
- 二、道路清掃ヲ俘虜ニ強制セシ事ヲ否定ス、但シ收容所内ニテ清掃ガ行ハレ掃ヲ通シテ見ラレタルコトハアルベシ

一九四四年四月二十七日 (A17)
昭和三十九年

スウイス公使館ヨリ

日本外務大臣宛
(重光)

一九四四年／昭和十九年／四月二十二日ノ覺書
ニ對シ同答シテスウイス公使ハ日本政府ガジエネ
ヴァ條約ニヨリ拘束サレザル旨ノ聲明ハ日本ガ條
約ノ規定ヲ準用スルト同意シタル前ノ宣言ト一致
セズト自己ノ意見ヲ述べ、尙日本政府ガ國內法ノ
爲適用不可能ナリトスル條項ニ關シ詳細ヲ報告サ
レ度シト要請ス。

一九四五年六月九日 (A18)
／昭和二十年／

スウイス公使館ヨリ

帝國外務大臣 (東京) 宛

スウイス公使館ハ日本抑留ノ米國人俘虜ノ勞働
ニ對スル台衆國ヨリノ次ノ如キ抗議ヲ傳達ス。

(一) 品川要塞内及ビ東京灣ノ海軍ドックニ於テ作戦
ニ直接關係ノアル仕事ニ過度ニ長時間勞働セシ
メタル事

(二) 看守ヨリ屈辱ヲ受ケ毆打サレタル事ニ對スル抗
議並ニ状態改善ノ要求及ビ日本政府並ニ之ニ關
係アル個人ハヘীগ・ジエネヴァ兩俘虜條約規
定ヲ常ニ俘虜取扱ニ適用スル事ヲ保證スベク、
之ニ對シ責任ヲ有ストノ抗議。

一九四五年七月五日 (A19)
／昭和二十年／

スウイス公使館ヨリ

外務大臣宛 (東京)

泰國進駐ノ日本官憲ガバンコック港ニ於テドツ
ク、鐵道ノ歸還内及ビ他ノ軍關係目標近邊地區ノ

Doc 2766 B

倉庫ニ宿營サセ作戰ニ直接關係アル勞働ニ從事サ
セツツアリト、合衆國ヨリノ抗議ヲ傳達ス。合衆
國ハ日本政府ニ對シ日本ノ監禁下ニ在ル米國人ノ
生命及ビ健康ノ保護ニ關シ怠慢ノ責任ヲ負フベシ
ト警告ス。

一九四五年八月一日 (A 110)
昭和二〇年ノ

日本外務大臣(東郷)ヨリ
スウイス公使館宛

一九四五年ノ昭和二〇年ノ七月九日スウイスヨ
リ傳達サレタル合衆國ノ抗議ニ對スル回答。日本
政府ハ合衆國ガ指摘セル如キ勞働ニ米國人俘虜ヲ
從事セシメタリトノ事實ヲ否定ス。

EXHIBIT NO. 2025
CERTIFICATE

I.I.S. No. 2766-A-1-10

Page No. 1

Statement of Source and Authenticity

I, Walter Bossi, hereby certify that I am officially connected with the Government of Switzerland in the following capacity: Swiss Diplomatic Representative, and as such official I have custody of the documents, consisting of ten letters and notes, as listed on Exhibit A attached hereto and described as follows: True copy of letters and notes in French from the Minister of Switzerland addressed to the Japanese Ministry of Foreign Affairs and the original replies thereto of the Japanese Ministry of Foreign Affairs addressed to the Minister of Switzerland.

I further certify that the attached letters and notes are official records of the Swiss Legation in Japan and that they are a part of the official archives and files thereof.

Signed at Tokyo on this

/s/ W. Bossi

Signature of Official

10th day of December, 1946

Witness: /s/ H. R. Jones

Swiss Diplomatic Representative
Official Capacity

FILE COPY
RETURN TO ROOM 361
Statement of Official Procurement

I, 2nd Lt. Eric W. Fleisher, hereby certify that I am associated with the General Headquarters of the Supreme Commander for the Allied Powers, and that the above certification was obtained by me from the above signed official of the Swiss Government in the conduct of my official business.

Signed at Tokyo on this

/s/ Eric W. Fleisher, 2nd Lt. AUSA

AUSA

10th day of Dec., 1946.

Witness: Henry Shinjima /s/

Investigator, IFS
Official Capacity

EXHIBIT A

<u>Document No.</u>	<u>Description</u>
2766-A-1	Letter dated 15 December 1942 from the Swiss Minister to the Japanese Ministry of Foreign Affairs (CC.1.5.2.cr.)
2766-A-2	Note Verbale dated 28 January 1943 from the Japanese Ministry of Foreign Affairs to the Swiss Minister (No. 24/C.R.)
2766-A-3	Letter dated 4 February 1943 from the Swiss Minister to the Japanese Ministry of Foreign Affairs (CC.1.5.2.-dbu.)
2766-A-4	Note Verbale dated 20 February 1943 from the Japanese Ministry of Foreign Affairs to the Swiss Minister (No. 41/C.R.)
2766-A-5	Letter dated 4 March 1944 from the Swiss Minister to the Japanese Ministry of Foreign Affairs (CC.1.5.2.-EAd.)
2766-A-6	Note Verbale dated 22 April 1944 from the Japanese Ministry of Foreign Affairs to the Swiss Minister (No. 96/C.R.)
2766-A-7	Letter dated 27 April 1944 from the Swiss Minister to the Japanese Ministry of Foreign Affairs (CC.1.5.9.2.-EGc. CC.1.5.2.)
2766-A-8	Letter dated 9 June 1945 from the Swiss Minister to the Japanese Ministry of Foreign Affairs (CC.1.5.1.-FGc. CC.1.5.2.)
2766-A-9	Letter dated 5 July 1945 from the Swiss Minister to the Japanese Ministry of Foreign Affairs (CC.1.3.6.-FGc. CC.1.2.-CC.1.5.2.)
2766-A-10	Note Verbale dated 1 August 1945 from the Japanese Ministry of Foreign Affairs to the Swiss Minister (No. 189/C.R.)

CC 1.5.2.cr.-

The Swiss Legation has the honor to inform the Imperial Minister for Foreign Affairs that the Government of the United States is desirous of obtaining full information concerning the conditions under which American prisoners of war are used as laborers. In particular, it desires to be informed precisely of the nature and duration of work, as well as prisoners' pay.

In this regard, it considers it to be of great importance to know if the Imperial Government is applying Articles 27 to 34 of the Geneva Convention of 27 July 1929 relative to labor of prisoners of war.

The Swiss Legation thanks in advance the Imperial Ministry for the information which it is able to furnish on this subject and takes this occasion to renew the assurances of its high esteem.

Tokio, 15 December 1942

To the Imperial Ministry
of Foreign Affairs,
Tokio.

THE GAIMUSHO
TOKYO

Translation

No. 24/C. R.

NOTE VERBALE

The Imperial Ministry for Foreign Affairs has the honor to acknowledge receipt of the Swiss Legation's letter No. CC.1.5.2.-cr., of 15 December last in which the Legation expressed the desire to obtain information on the labor of prisoners of war in Japanese custody.

The Ministry informs the Legation as follows:-

- (1) The labor of prisoners of war is carried out in the spirit of the decision of the Imperial Government to apply mutatis mutandis the Convention relative to the treatment of prisoners of war of 27 July 1929.
- (2) Prisoners are employed in labor which is not dangerous, such as factories, bridges and roads, the mining industry, transport, etc.
- (3) The daily hours of labor of prisoners is regulated according to that of civil workers in Japan.
- (4) Prisoners receive pay calculated according to the pay of non-commissioned officers and men of the Japanese Army. Also they receive articles of daily use.

23 January 1943

CC.1.5.2.-dbu.

The Swiss Legation has the honour to acknowledge receipt of the letter from the Imperial Ministry of Foreign Affairs dated 28 January relative to labor performed by prisoners of war in Japan. This information will be forwarded to the British and American Governments.

The Legation would be most obliged to the Ministry if it would state precisely if it is understood that, conforming to the provisions of Article 31 of the Geneva Convention relative to treatment of prisoners of war, prisoners of war in Japan will not be assigned to labor having direct connection with operations of war, and that, in particular, they will not be employed in the manufacture or transport of material to be used in warfare.

In thanking the Imperial Ministry very much for its kind response, the Swiss Legation takes this occasion to renew assurances of its high esteem.

Tokio, 4 February 1943

To the Imperial Ministry
of Foreign Affairs,
Tokio

THE GAIMUSHO

TOKYO

TRANSLATION

No. 41/CR

N O T E V E R B A L E

In reply to the Swiss Legation's letter No. CC. 1. 5. 2 - dbu., of 4 February last, the Imperial Ministry for Foreign Affairs has the honour to state that the labor of prisoners of war in the power of Japan, by application mutatis mutandis of the Convention relative to the treatment of prisoners of war, has no direct connection with operations of war.

20 February 1943

CC.1.5.2.-EAd

The Swiss Legation has the honour to inform the Imperial Ministry for Foreign Affairs that according to reliable information supplied by the Diplomatic Corps, the prisoners of war in the Yokohama area were obliged to perform humiliating work in public (namely sweeping streets).

It has also come to the knowledge of the Legation that, after finishing the work, the prisoners, before entering their enclosures, are searched in public by Japanese soldiers to make sure that they have not found any arms in the course of their day's work. This spectacle took place, each day, under the eyes of passers-by and in particular of the children.

The Legation is convinced that it is the fault of the camp commandant at Yokohama. As is stipulated in Article 2 of the prisoners of war code of 27 July 1929, prisoners of war must be "protected against public curiosity". Their human dignity must not be injured.

The Legation would, in consequence, be very obliged to the Imperial Ministry for Foreign Affairs if it would bring these facts to the knowledge of the Japanese High Command at a proper time and ask him if orders have been given to put a stop to these practices which the Imperial Government will certainly recognise as being incompatible with the Geneva Convention.

The Legation thanks very much the Ministry for its kind intervention and takes this occasion to renew assurances of its high esteem.

Tokio, 4 March 1944

To the Imperial Ministry
of Foreign Affairs, Tokio.

THE GAIMUSHO

TOKYO

Translation

No. 96/C.R.

N O T E V E R B A L E

The Imperial Ministry for Foreign Affairs has the honour to acknowledge receipt of the Swiss Legation's letter No. CC.1.5.2.-EAd., of 4 March last relative to treatment of prisoners of war.

The Ministry desires to inform the Legation of the following results of inquiries made by competent authorities and at the same time of the opinion of the Imperial Government on this subject.

(1) The Imperial Government is not bound by the Convention of 1929 relative to the treatment of prisoners of war. But it is the policy of the Imperial Government, based on humanitarian considerations, to protect prisoners of war against insults, as it is clearly provided in Article 2 of the Japanese rules for treatment of prisoners of war which provides that prisoners of war must be treated humanely and that they must not be subjected to insults or bad treatment.

(2) There is no doubt that the facts taking place at Yokohama, were not such as to expose prisoners of war to insults; it is remarked in particular that they have never been obliged to clean the streets. All cleaning done by prisoners of war was within camp limits, and seen through the fence. The competent authority has taken care to send the information contained in the Legation's note to the prisoner of war camp.

22 April 1944

CC.1.5.9.2.-EGc.
CC.1.5.2.-

The Swiss Legation has the honour to acknowledge receipt of the Imperial Ministry's note No. 96/C. R., of 22 April, by which it was informed that the Imperial Government is not bound by the Geneva Convention of 27 July 1929, relative to treatment of prisoners of war. Nevertheless, Japan, for humanitarian reasons, intends to protect prisoners of war against insults, as is provided in Article 2 of the general rules on treatment of prisoners of war. In the particular case of cleaning streets at Yokohama by prisoners of war the Minister has stated that this work was done within camp limits. The Minister added that he had sent to the camp at Yokohama, the information contained in the letter No. CC. 1.5.2. of 4 March.

The Legation remarks that the communication, according to which the Imperial Government would not be bound by the Geneva Convention, does not appear to coincide with the previous declarations in which Japan promised to apply to prisoners of war in its power the provisions of that Convention *mutatis mutandis*, that is to say in a measure which will not conflict with the text of Japanese law. In order to overcome any misunderstanding on the application of the Geneva Convention, the Federal Government, in a letter from the Swiss Minister to H.E. Mamori Shigamitsu of 26 February, expressed a desire to obtain as soon as possible full particulars as to the articles of the Prisoners of War Code which the Japanese Government considers inapplicable by reason of internal legislation.

The Legation attaches the greatest importance to know the point of view of the Imperial Government on this important question and in thanking the Ministry for its kind response it takes this occasion to renew its assurances of its high esteem.

Tokio, 27 April 1944.

To The Imperial Ministry
of Foreign Affairs, Tokio

CC.1.5.1.-FGe.
CC.1.3.2.-

The Swiss Legation has the honour to inform the Imperial Ministry for Foreign Affairs that the Government of the United States of America requests that the following notification be sent to the Japanese Government:

"Reliable information has been received by the United States Government indicating that American prisoners of war who are held in Japan are obliged to labor for excessive hours on work that has direct connection with the operation of the war. They are forced to work on naval docks which are at Tokyo Bay opposite Shinagawa station and likewise inside the fortifications of Shinagawa. Both in Tokyo and in Osaka, they are made to undergo an extremely harsh and rigid regime which involves humiliation and physical suffering and they are exposed to the brutality of their guards who beat them. The United States Government strongly protests against the treatment which the Japanese Government accords to American prisoners of war in its hands. This treatment is widely at variance with the Geneva Prisoners of War Convention the provisions of which the Japanese Government voluntarily agreed to apply in its treatment of American prisoners of war in its custody and with the Hague Convention of 1907 which the Japanese Government ratified and which in its memorandum of 3rd May 1944 transmitted to the United States Government by the Spanish Embassy it has stated it is applying in dealing with civilian internees and prisoners of war. Under the Geneva Prisoners of War Convention, article 31, it is provided that labour which is furnished by prisoners of war shall have no direct relation with operation of war; and the Hague Convention under article 6 specifies that the tasks performed by prisoners of war shall not be excessive and shall have no connection with war operations. It is provided in both Geneva Prisoners of War Convention, article 2, and Hague Convention, article 4, that prisoners of war are in the power of the hostile Government but not in that of the individuals or of the corps by which they are captured and that they must receive humane treatment. The Government of the United States demands that the conditions which are described above be rectified at once and it warns the Japanese Government that the latter as well as the individuals concerned will be held responsible for failure to insure that the provisions of the Hague Convention and the Geneva Prisoners of War Convention are at all times applied in the treatment which is accorded to prisoners of war of American nationality."

The Legation takes this occasion to renew to the Imperial Ministry its assurances of high esteem.

To The Imperial Ministry
of Foreign Affairs,
Tokio

Karuizawa, 9 June 1945

(CC.1.2.-
CC.1.5.2)

The Swiss Legation has the honour to inform the Imperial Ministry for Foreign Affairs that the Government of the United States of America has requested the Swiss Government to send the following notification to the Japanese Government.

"The United States Government has been reliably informed that the Japanese Authorities in Thailand have quartered prisoners of war in warehouses located at the new port of Bangkok and have forced them to labour at the railway station and on docks of that city. The Japanese Government voluntarily undertook to apply humane provisions of Geneva Prisoners of war Convention in its treatment of prisoners of war and civilian internees. In spite of its solemn obligations, the Japanese Government has failed to apply the provisions of article 9 and 31 of that Convention in its treatment of prisoners of war in Thailand. The United States Government again strongly protests against the disposition by the Japanese Government of prisoners of war in an area in close proximity to docks, railroad yards and other military objectives and their employment on labour having a direct relation with war operations. The United States Government solemnly warns the Japanese Government that the United States Government will hold the Japanese Government responsible for any failure on its part to protect lives and health of American nationals in Japanese custody."

The Legation would be very much obliged to the Ministry if it would communicate the response of the Imperial Government to the present protest and takes this occasion to renew assurances of its high esteem.

To the Imperial Ministry
of Foreign Affairs
Tokio

Karuizawa, 5 July 1945

CC.1.5.1/1.5.2

THE GAIMUSHO
TOKYO

Translation

"KYO FUTSU" No. 189.

NOTE VERBALE

The Imperial Ministry of Foreign Affairs has the honour to request the Swiss Legation to transmit to the United States Government that it acknowledges receipt of a Note Verbale of the Legation dated 9th June last transmitting a protest of the United States Government relative to the labour of the prisoners of war detained in the camps in Japan, and as a result of prompt investigations of the fact in the protest by the competent authorities, has received a reply to the effect that they do not admit the fact of subjecting the American prisoners of war to the labour as pointed out by the United States Government.

The Ministry communicates to the Swiss Legation that it is desirous of receiving a reply after due investigations as to the source of the above information which the United States Government is said to have obtained.

1 August 1945.

Evidentiary Document # 2766-A-1.

書類第三七六号/A-1

CC. 1. 5. 2. cr.

瑞西公使館ハ合衆國政府ガ如何ナル條件下ニ米國停廢ガ
方役ニ使用セラレタルニ関シ詳細ナル情報ヲ得度キ旨希望シ
居ルコトヲ帝國外務省ニ通報スルノ光栄ヲ有ス。特ニ同政
府ハ方役ノ性質並ニ繼續時間及ビ停廢ノ貨銀ニ関シ的
確ニ通報セラレシコトヲ希望シ居レリ。
之ノ莫ニ関シ同政府ハ帝國政府ガ停廢ノ方役ニ関スル
一九一九年七月二十七日ノ壽府條約中ニイテ條約五十四條ヲ
適用シ居ルヤヲ未知スルトハ甚ク重要ナル事ト思考シ居レリ。
瑞西公使館ハ本件ニ関シ貴省ガ提供シ得ベキ情報ニ對シ
豫メ貴省ニ感謝シ此ノ機会ニ更ニテ深甚ナル敬意ヲ表ス
ルモノナリ。

一九四三年十二月十五日 東京
東京、帝國外務省御申

FILE COPY
RETURN TO ROOM 361

EX 2025

Evidentiary Document # 2766A-2.



普通第二四號

口上書

帝國外務省ハ米國人俘虜ノ勞役ニ関スル答牒十五日附在本邦瑞
西國公使館口上書第〇〇一、五、二〇號ヲ受領シ左記ノ通同公
使館ニ回答スルノ光榮ヲ有ス

昭和十八年一月二十八日

記

- 一、俘虜ノ勞役ニ関シテハ俘虜待遇ニ関スル一九二九年壽府條約ヲ準用スル帝國政府決定ノ精神ニ基キ實施シ居レリ
- 二、俘虜ハ工業上木、鉉業、運搬等ノ危険ナラサル勞務ニ従事セシメ居レリ
- 三、勞働時間ハ帝國民間勞働者ノ爲ニ認めラレタルモノヲ標準トス
- 四、勞務賃銀ハ帝國下士官兵ノ給料ニ基キ算定シタル賃銀及日用品ヲ支給シ居レリ

EM 2625

Evidentiary Document #. 2766A-3

CC-155-1-1-dbu

瑞西公使館ハ日本ニ於ケル倭虜ノ勞役ニ関シ一月ニテ
八日附テ以テ外務省ヨリ口上書第百四〇R号ヲ以テ受領
シテトテ報スルノ先當ホテ有スルモノナリ。本公使館
ハ此等ノ與ヘタル此等情報ヲ英米西政府ヘ移牒スルハ
ハハシキナリキ。モナリ。

本公使館ハ書目ナドニシテ倭虜ノ極ニ固スル壽府條約
ナリトナリ候ノ様ニ從ヒ日本ニ於ケル倭虜ノ作戰ニ直接関
聯ヲ有スル物ヲ就カシメサル事及ビ特ニ彼等ヨリテ戰爭用物資
ノ製造若シテ輸送ニ便致セシメサル事ノ了解セラレアルヤ否ヤヲ
明確ニ陳述下ヤラバ幸甚ナリ瑞西公使館ハ御狼心算ナル返書ニ
對シ其相ニ分感謝スルト共ニ此ノ機ニ際シ更ニ深甚ナル敬意
ヲ表ルモノナリ。

一九三九年二月四日 東京

東京帝國外務省宛

Evidentiary Document # 2766-A-4

5A2.25



居禮堂四一號

口上書

帝國外務省、瑞西國公使館ニ對シ、同公使館ヨリ外務省宛二月三日附第〇一五〇一號口上書ニ依ル停勞、使使振ニ關シ帝國政府ニ於テ停勞待遇條約適用ニ依リ帝國權内ノ停勞ニ依リ爲サレル勞働、其作戰行動ニ何等直接關係ナキモノナルニヨリ回答スルニ老榮ニ有ニ

昭和十八年二月二十日

外務省

EX 2025

Evidentiary Doc. 2766-A-5

CC. 一、五、二、一 EAd.

瑞西公使館ハ外交團ニ依リ提供セラレタル信賴ニ得ル情
報ニ依リハ、横浜地区ノ俘虜ハ公衆ノ面前ニテ屈辱的
勞役(特ニ街路掃除)ヲ行フ事ヲ強制セラレタル由ヲ帝國外
務省ニ通告スル事有スルモノナリ。

本公使館ハ又俘虜カ勞役ヲ終ヘテ收容所ニ入ル前其ノ日
中ニ彼等カ武器ヲ取得セカリシヤ否ヤヲ確カタルメ公衆
ノ面前ニテ、日本兵ニ検査セラルトノ事ヲ聞知セリ。此ノ老景
ハ毎日通行人、殊ニ小兒ノ面前ニテ行ハシ居ルカ如シ。

本公使館ハ右ノ横浜收容所長ノ**恣意**ト信スルモノナリ。
一九二九年七月廿七日ノ俘虜規約ノ第二條ニ明カニ規定セ
ラルル如ク、俘虜ハ「特ニ公衆ノ好奇心……ヨリ保護
セラルベキモノナリ、彼等ノ人格權ハ傷ケラルベカラズ。

依ツテ本公使館ハ、帝國外務省有コトヲ、此等事案實ヲ
日本統帥部ニ報告シ、帝國政府モ其時府條約
ニ背馳スト認メラルベシト信スル此等慣習ヲ差止ムル
命令ガ適宜歟セラレタリヤ否ヤヲ確カメラルレバ幸甚ト
スル所ナリ。

本公使館ハ貴省ニ對シ、懇切ナル仲介ヲ深ク感謝スルト
共ニ此ノ機會ニ更メテ深甚ナル敬意ヲ表スルモノナリ。

東京、一九四四年三月四日

東京 帝國外務省宛



GA 2025

展普通第九六號

口上書

帝國外務省ハ在京露西國公使館ヨリ三月四日附
第〇〇一五二一四五号口上書ヲ以テ停虜ノ待遇ニ関シ
申越ノ次第ヲ了承スルト共ニ本件ニ関スル關係官廳
調査ノ結果及帝國政府ノ意見嚮左記ノ通同答ス
ルノ老案ヲ有ス

昭和十九年四月二十二日

記

一 停虜ヲ侮辱ノ對照ト爲ササルニトシテ帝國政府ハ停
虜ノ待遇ニ関スル一九三九年ノ條約ノ拘束ヲ受ケル次第ニハ
ラサルモ帝國ノ道義ニ基キ停虜ヲ待遇スル方針ナルハ現行停
虜兩枚規則第三條ニ「停虜ハ博愛心ヲ以テ之ヲ取扱ヒ決シ
テ侮辱可慮待ヲ加フヘカラズ」ト規定セラレ居ルニテモ明ナリ
二 横濱ニ於ケル事例ハ停虜ヲ侮辱ノ對照トセルモノニ
アラサルハ勿論ニシテ特ニ道路ノ清掃ヲ行セシ如キコト無ク
右ハ收容所内ヲ清掃シ居リタルヲ柵外ヨリ見タルモノ
ト思ハルモ露西國公使館申出ノ趣ト旨ハ爲念關係
停虜收容所宛ニ通知ニ置キタリ

外務省

EX 2025

Evidentiary Doc. 2766-A-7

瑞西公使館ハ四月二十三日附帝國外務省通牒第九六
 〇、R. 号ノ受領ヲ報ズル光榮ヲ有スルモノナリ、右ニ依
 リ、帝國政府ハ俘虜取扱ニ関スル一九二九年七月二十七日ノ壽
 府條約ニ拘束セラレタル事ヲ即通知アリ、然レドモ
 日本ノ公道的理由ヨリ俘虜取扱總則第三條ニ規定セル
 如ク俘虜ヲ侮辱シテ擁護セシトスルモノナリト、横濱ニ
 在ケル俘虜ノ街路掃除ナル特殊ノ場合ニ就テ公貴
 省ハコノ作業ハ收容所構内ニ於テナサレシ事ヲ述ベ
 タリ、同有ハ三月四日附CC. 15.2 号ノ書翰ノ内ニ全ク情報
 トニテ横濱俘虜收容所ニ送附セシ事ヲ即言アリタリ、
 然レドモ本公使館ハ帝國政府ノ壽府條約ニ拘束セラ
 レタル旨ノ即通告ハ日本ガソノ権力下ノ俘虜ニ該條約ヲ
 適用 即チ日本ノ法文ト矛盾セタル範圍内ニ在テ適
 用スルコトヲ約速セル前ノ即宣言ト一致スルトハ見エカ
 コトヲ指摘スルモノナリ、壽府條約ニ適用ニ関シ凡クノ誤
 解ヲ避ケルカクメ、聯邦政府ハ二月二十六日附瑞西公
 使ヨリ重光葵閣下ニ宛テル書翰ニ於テ日本政府ガ
 國內法ニ鑑ミ適用不可能ト思惟セル俘虜規約ノ條項ニ
 関シ出来得ル限り速ニ有用ナル凡クノ即説明ヲ得テテ希望
 ヲ表示セリ、本公使館ハコノ重要問題ニ関シ帝國政府ノ自
 解ヲ知ルヲ最重要ト思考ス、又懇切ナル即回答ニ對シ
 貴省ニ感謝ス、ト共ニ本公使館此機會ヲ以テ更ニテ詳述ナル
 敬意ヲ表スルモノナリ。

東京一九四四年四月二十七日

東京帝國外務省宛

書類第三七六六
A-8
FGC
CC 1. 5. 1. 1
CC 1. 3. 2. 1

2025

瑞西公使館ハ亞米利加合衆國政府カ下記ノ通告ノ日
 本政府ニ送付セラルベキヲ要請スル旨帝國外務省ニ通
 報スル光榮ヲ有スモノナリ。即チ「合衆國政府ノ入手セル信
 心キ情報ノ事ス所ニ依テ日本ニ抑留セラルル米國俘
 虜ノ作戰ト直接肉聯セル作業ニ過度ニ長時間等カ又
 強制セラルル居リ。彼等ハ品川駅ニ面スル東京灣ニ臨海
 軍艦渠ニ於テ又品川要塞内ニ於テ作業スルヲ強要セ
 ラレ居リ。東京ニ於テモ又大阪ニ於テモ彼等ハ屈辱及ビ
 肉体的苦痛ヲ意味スル極度ニ苛酷且嚴重ナル制度
 ヲ受ケタラシ又彼等ヲ殴打スル衛兵ノ變行ニ曝セ居リ
 合衆國政府ハ日本政府カソノ事申スル米國俘虜カニ與ヘ
 居ル取扱ニ對シ強硬抗議スルモノナリ。斯ル取扱ハ日本政府カ
 抑留ニ係ル米國俘虜カノ取扱ニ之カ條項ヲ適用スル
 自發的ニ同意セシメ書府ノ俘虜カ條約及ビ日本政府カ西
 班牙大使館ニ依リ合衆國政府ニ傳達セラレシ一九四四年五
 月三日附同政府覺書ニ於テ同政府カ一般抑留者及ビ
 信虜カ取扱ニ之ヲ適用シ居リト聲明セル一九〇七年海牙
 條約ト甚カシク相違スルモノナリ。書府俘虜カ條約第
 三一條ニ俘虜カニ依リ行ハルハ其カ後ハ作戰ト直接關係
 ヲ有スベカラズト規定セシメリ。又海牙條約ハ第六條ニ於
 テ俘虜カニ依リ行ハルハ其作業ハ過度ヲカルベク又作戰ト

關係者モナルハト特記セシ居ル。俘虜ノ敵國政府ノ
 權力下ニアルモノニシテ彼等ノ捕獲セシ人又ハ各團體ノ
 權力下ニ在ルニ非ズ又彼等ハ人道的取扱ヲ受クモ
 一之ハ壽府俘虜條約ノ第二條ニ於テモ又海牙條約ノ
 四條ニ於テモ規定セラルトシヨリ。合衆國政府ハ前記
 ノ如キ狀態カ直ニ矯正セラルヲ要請ス。其ニ日本政
 府ハ勿論關係各人カ海牙條約及ヒ壽府俘虜條
 約ノ規定カ米國籍俘虜ニ與ルヲキ取扱ニ於テ常ニ適
 用セラルベシ証シ得ルコトニ對スル責任ヲ負ルキヲ日本政府
 ニ欲シラス。

本公使館ハ此ノ機會ニ於テ貴省ニ對シ更ニ深甚ナル敬
 意ヲ表スルモノナリ

一九四五年 六月九日 輕井澤

東京 帝國外務省 御中

W 2025

Evidentiary Document # 2766A-9

書證オニ七六六号A一九

(CCC-1152)

瑞西公使館ハ帝国外務省ニ対シ、亞米利加合衆国政府
ハ日本政府ニ左ノ通告ヲ送付スベク瑞西政府ニ要請シ来
レル事ヲ通報スルノ光榮ヲ有ス

合衆国政府ハ在泰國日本當局者カ停虜ヲ盤谷新造

ニ在ル倉庫^糧宿^糧ニシテ該市ノ停車場及船渠ニ於テ強制的ニ停

働セシメリトノ確實ナル報告ヲ得ニシラス、日本政府ハ停虜及運送

留者ノ取扱ニ就テハ壽身停虜^留人^留運^留の規定ヲ適用スベクコト

自発的ニ保證セリ、日本政府ハ斯ノ答^答前^前責^責任^任ヲ有スルニモ、^答前^前責^責任^任ヲ

泰國ニ於ケル停虜取扱ニ付キ該條約ノ九條及第十三條ノ規定ヲ通

用スルコト無^無リキ、合衆国政府ハ船渠、鉄道、停車場、^其他^其軍

事目的物ニ極^極ク接近セル地域ニ於ケル停虜ニ對スル日本政府ノ処置^置

ニ作戦ニ直接關係アル勞務ニ停虜ヲ使役スルコトニ對シ、再^再強^強硬^硬ニ抗議

スルモノナリ、合衆国政府ハ日本側カ日本ニ依リ監禁セシ居ル亞米利加

人ノ生命及健康ヲ保護セザル場合ニハ日本政府ハ其ノ責^責任^任ヲ負^負ヘ

モノト思考スルコトヲ日本政府ニ對シ、嚴^嚴重^重ニ警告^告シ

本公使館ハ貴省カ本抗議ニ對スル日本政府ノ回答ヲ瑞西示下セ

幸甚トスル所ニシ、此ノ機會ヲ以テ更メテ深^深甚^甚ナル敬意ヲ表ス

一九四五年七月五日

輕井沢

東京帝国外務省宛

EX 2025

2766-A-10

居普通第一八九號

口上書

帝国外務省ハ在本邦瑞西国公使館ヨリ六月九日附口上書ヲ以テ日
本ニ抑留セラレ居ル米国人俘虏ノ勞務ニ関スル米國政府ノ抗議ヲ傳達
越サレタル了承シ早速關係當局ニ於テ抗議ノ事實ヲ調査ノ結果
米國政府ヨリ指摘ニ来レシ如キ勞務ニ米國人俘虏ヲ服セシメル
事實ヲ認メサル旨回報アリ。依テ右米國政府ニ傳達アリ
クキ旨同公使館ニ要請スルノ光榮ヲ有ス
米國政府力得テリト云フ前記情報ノ出所ヲ承知シ度キニ付調
査ノ上回報ヲ得度キ旨瑞西国公使館ニ申進ス

昭和二十年八月一日

證明書

證據書類 A

書類番号

種別

EX 2025

二七六六-A-1

一九四二年十二月十五日附、瑞西公使ヨリ

日本外務省宛書翰 (CC. 1.5.2 0Y)

二七六六-A-2

一九四三年一月十八日附日本外務省ヨリ瑞西

公使宛口上書 (24/CR号)

二七六六-A-3

一九四三年二月四日附瑞西公使ヨリ日本外務

省宛書翰 (CC. 1.5.2 1d42)

二七六六-A-4

一九四三年二月二十日附日本外務省ヨリ瑞

西公使宛口上書 (41/CR号)

二七六六-A-5

一九四四年三月四日附瑞西公使ヨリ日本

外務省宛書翰 (cc 1.5.2 1EAd)

二七六六-A-6

一九四四年四月二十二日附日本外務省ヨリ瑞

西公使宛口上書 (76/CR号)

二七六六-A-7

一九四四年四月二十七日附瑞西公使ヨリ日

本外務省宛書翰 (CC. 1.5.92 1E42 CC. 1.5.2)

二七六六-A-8

一九四五年六月九日附瑞西公使ヨリ日本

外務省宛書翰 (CC. 1.5.1 1FGC CC. 1.5.2)

二七六六-A-9

一九四五年七月五日附瑞西公使ヨリ日本

外務省宛書翰 (CC. 1.3.6 1FGC CC. 1.2.1 CC. 1.5.2)

二七六六-A-10

一九四五年八月一日附日本外務省ヨリ

瑞西公使宛口上書 (182/CR号)

證明書

國際檢察部 〆七六六-A-1-10

典據 及び公正ニ関スル證明

余、ウォルター・ボシハ余が下記ノ資格ニ於テ、即チ瑞西
 外交代表トシテ、瑞西政府ト公的関係ニ在ルモノナルコト、
 茲ニ該官吏トシテ、余が茲ニ添附セラレタル下記記載
 即チ、瑞西公使ヨリ日本外務省宛ノ佛文書翰及び通牒、
 眞正ナル寫中、茲ニ瑞西公使宛ノ日本外務省ノ右ニ對スル
 回答原文、證明書類 Aニ表トシテ掲ゲラレタル通
 書翰及び通牒ヨリ成ル文書ノ保管ニ任ジ居ルコトヲ茲ニ證明ス
 余ハ更ニ添附ノ書翰及び通牒ガ駐日瑞西公使館ノ
 公式記録ナルコト、茲ニ右ガ該公使館ノ公式書類及び
 綴一部ナルコトヲ證明ス。

千九百廿六年、本十二月十日、東京ニ於テ署名

並該官吏署名欄(署名) W・ボシ

右ノ者ノ公的資格 瑞西外交代表

證明 人 (署名) マックス・R・ジヨス

公式入手ニ関スル証明

余、少尉、エリック・W・フライシャー、ハ余が聯合國最高指
 揮官總司令部ニ関係アルモノナルコト、茲ニ上記ノ證明
 書ハ余が公務上、瑞西政府上、記署名官吏ヨリ入手シタル
 モノナルコトヲ茲ニ證明ス。

千九百廿六年、本十二月十日、東京ニ於テ署名

氏名 欄(署名) エリック・W・フライシャー 米軍情報部

右ノ者ノ公的資格 國際檢察部 調査官 陸軍少尉

證明 人 ヘンリー・下島 日訳(署名)

2766



居普通第二四號

口 上 書

帝國外務省ハ米國人俘虜ノ勞役ニ關スル客臘十五日附在本邦瑞西國
公使館口上書第cc・一・五・二・cr號ヲ受領シ左記ノ通同公使館ニ回
答スルノ光榮ヲ有ス

昭和十八年一月二十八日

記

一 俘虜ノ勞役ニ關シテハ俘虜待遇ニ關スル一九二九年壽府條約ヲ準
用スル帝國政府決定ノ精神ニ基キ實施シ居レリ
二 俘虜ハ工業、土木、鑛業、運搬等ノ危險ナラサル勞務ニ從事セシ
メ居レリ
三 勞働時間ハ帝國民間勞働者ノ爲ニ認メラレタルモノヲ標準トス

外 務 省

四 勞務賃銀ハ帝國下士官兵ノ給料ニ基キ算定シタル賃銀及日用品ヲ
支給シ居レリ

外
務
省



居秘第四一號

口 上 書

帝國外務省へ瑞西國公使館ニ對シ同公使館ヨリ外務省宛二月四日附
 第cc一・五・二・dbu 號口上書ニ依ル俘虜ノ使役振ニ關シ帝國政府
 ニ於テハ俘虜待遇條約ノ準用ニ依リ帝國權内ノ俘虜ニ依リ爲サルル
 労働ハ具ノ作戰行動ニ何等直接關係ナキモノナル旨ヲ回答スルノ光
 榮ヲ有ス

昭和十八年二月二十日



居普通第九六號

口 上 書

帝國外務省ハ在京瑞西國公使館ヨリ三月四日附第8・一・五・二・
一EAD號口上書ヲ以テ俘虜ノ待遇ニ關シ申越ノ次第ヲ了承スルト共ニ
本件ニ關スル關係官廳調査ノ結果及帝國政府ノ意嚮左記ノ通回答ス
ルノ光榮ヲ有ス

昭和十九年四月二十二日

記

一 俘虜ヲ侮辱ノ對照ト爲ササルコトニ關シ帝國政府ハ俘虜ノ待遇ニ

外 務 省

關スル一九二九年ノ條約ノ拘束ヲ享クル次第ニハアラサルモ帝國ノ道義ニ基キ俘虜ヲ待遇スル方針ナルハ現行俘虜取扱規則第二條ニ「俘虜ハ博愛ノ心ヲ以テ之ヲ取扱ヒ決シテ侮辱虐待ヲ加フヘカラス」ト規定セラレ居ルニテモ明ナリ

ニ、横濱ニ於ケル事例ハ俘虜ヲ侮辱ノ對照トセルモノニアラサルハ勿論ニシテ特ニ道路ノ清掃ヲサセシ如キコト無ク右ハ收容所内ヲ清掃シ居リタルヲ柵外ヨリ見タルモノト思ハル尤モ瑞西國公使館申出ノ趣旨ハ爲念關係俘虜收容所宛ニ通知シ置キタリ

2746-A



民普通第一八九號

口 上 書

帝國外務省ハ在本邦瑞西國公使館ヨリ六月九日附口上書ヲ以テ日
 本ニ抑留セラレ居ル米國人俘虜ノ勞務ニ關スル米國政府ノ抗議ヲ
 傳達越サレタルヲ了承シ早速關係當局ニ於テ抗議ノ事實ヲ調査ノ
 結果米國政府ヨリ指摘シ來レル如キ勞務ニ米國人俘虜ヲ服セシメ
 タル事實ヲ認メサル旨回報アリタリ依ツテ右米國政府ニ傳達アリ
 タキ旨同公使館ニ要請スルノ光榮ヲ有ス
 米國政府カ得タリト云フ前記情報ノ出所ヲ承知シ庶キニ付調査ノ
 上回報ヲ得度キ旨瑞西國公使館ニ申進ス

昭和二十年八月一日

外 務 省

Handwritten notes and signatures in the bottom right corner.

This is not part of Doc. 276's to my knowledge, but on
subject matter.

Order by Swiss Govt. to Japanese Govt.

抗議事件關係資料第二號

(米國一符屬及抑留者關係)

昭和十九年二月五日附在京對西國公使來翰

(對日抗議十八箇條)

終
運
給
中
央
事
務
局



(一九・二・二六居留民室)

在本邦端西公使發外務大臣宛昭和十九年二月五日附書
翰 C C 一・五・一 I E D G C C C 二・一・二號假譯文

以書翰啓上致候陳者本使ハ一九四二年十二月二十三日附ヲ以テ日本
國官吏又ハ關係カ在極東一部米國市民ニ與ヘタル惡遇ニ關スル米國
政府ノ抗議ヲ谷正之閣下ニ傳達シタル光榮ヲ有シ候

閣下ハ客年五月二十六日附ヲ以テ帝國政府ノ第一次回答ヲ本使ニ寄
セラルルト共ニ上記書翰中ニ掲ケラレタル各事項ニ關スル取調ノ結
果ハ追テ本使ニ通報セラルヘキ旨附言セラレ候

本使ハ七月十六日附書翰ヲ以テ右帝國政府ノ回答ニ對スル米國政府
ノ見解ヲ閣下ニ傳達致シ候

今般華府政府ハ端西國政府ニ對シ左記ノ新通牒文ヲ日本國政府ニ送
達方依頼越シ候

1

「米國政府カ日本ノ手中ニ在ル米國民ノ不當待遇ニ付キ入手シタ

ル報告ニ論シ同政府ハ日本及日本占據地ニ於ケル米國ノ利益代表
タル在東京端西國公使館ヨリ一九四二年十二月二十三日日本國政
府ニ送達セラレタル通牒（前記十二月二十三日附書翰參照）ヲ引
用ス。在東京端西國公使館ハ一九四三年五月二十八日右通牒ニ對
スル日本政府ノ假回答（上記日本國政府ノ回答參照）ヲ米國政府
ニ送付セリ右回答ニ於テ日本政府ハ米國政府書翰ニ引用セラレタ
ル各事例ニ關スル調査ノ結果ヲ追テ通報スヘキ旨言明セリ
此等事例ニ關スル調査報告ハ尙未タ接到セス
米國政府ハ「最近迄戰場タリシ地域ニ於ケル特殊事態ハ日本軍
ニ依リ占據セラレ又ハ引續キ軍事行動ノ行ハレ居ル地域ニ存スル
幾多ノ困難ニ關スル」日本政府ノ言明ヲ了承セリ然レ共米國政府
ハ米國人カ俘虜トセラレ又ハ抑留セラレタル地域ハ久シク積極的
軍事行動ノ場所タルコトヲ終止シ居ルコト從テ日本抑留官憲ハ其
ノ政府ノ企圖ニ違ヒ秩序アリ人道的ナル收容計畫案ヲ樹ツルニ充

分ナル機會アリタルコトヲ指摘ス右事實ニ拘ラス米國政府ニ於テ
 ハ日本抑留官憲ハ文明ノ原則ニ違反シ且米國民ニ對シ壽府俘虜條
 約ノ人道的條項ヲ適用スヘキ日本政府ノ約束ニ違反シテ引續キ米
 國民ノ大部分ヲ非道ナル殘虐又ハ生活必需品ヲ供與セサル冷遇ノ
 犠牲ト爲シ居ル旨ノ報道ヲ接受シツツアリ

以下ハ米國政府カ多クノ出所ヨリ接受セル情報ニ依リ日本ニ抑留
 セラレ居ル米國人カ蒙レル權利ノ剝奪、殘虐、放恣ナル輕視、不
 當待遇及困苦ニ歸スル主要項目ニ付テノ記述ナリ

一 日本及日本軍占領地域ニ於ケル米國ノ利益代表タル瑞西國政府ノ
 代表者ハ(イ)俘虜及抑留者ノ收容所ノ例外ナキ訪問ヲ許サレス(ロ)立
 會人ナクシテハ彼等トノ會見ヲ許サレス又(ハ)俘虜ノ居住スル場所
 ヲ隅ナク視察スルコトヲ得ザリキ(壽府條約第八六條)

ニ 赤十字國際委員會ノ代表者ハ日本官憲ニ抑留セラレ居ル米國民ノ
 收容所ノ大部分ヲ訪問スルヲ拒否サレ居レリ(同條約第七九條及

第八八條一

三 米國民ハ日本收容官憲又ハ利益保護國代表者ニ對シ其ノ苦情ヲ訴
フルヲ許サレス一（同條約第四二條一）

四 日本官憲ハ收容狀態ニ關シ苦情ヲ陳述セル米國民ヲ處罰シ又ハ處
罰スヘク威嚇シ居レリ一（同條約第四二條一）

五 日本政府ハ米國民ニ必要ナル衣服ヲ供給シ居ラス一（同條約第一二
條一）

六 日本官憲ハ米人抑留者及俘虜ヨリ身廻品ヲ押收セリ一（同條約第六
條一）

七 米人俘虜及抑留者ハ侮辱セラレ及公衆ノ好奇心ニ曝サレ居レリ一
（同條約第二條一）

4
八 日本收容ノ抑留者及俘虜ハ抑留官憲ガ被抑留者ニ對シ保健上必要
ナル食糧ヲ給與スルコト又ハ米糧ガ適當ナル中立國保證ノ下ニ補
充的食糧及藥品類ヲ永續的定期的ニ送付スルヲ許スコトヲ爲サズ

及拒絕セル爲榮養不良及榮養不足ニヨル疾病ニ苦ミツツアリ（同條約第一一條）ニ各國民食事ノ相違考慮ニ關スル日本ノ特別相互約束）

六 日本官憲ハ收容所酒保ニ於ケル物品販賣ノ利益ヲ被收容者ノ福祉ノ爲ニ使用セズシテ不適當及禁ゼラレタル費途ニ充テ居レリ（同條約第一二條）

七 日本政府ノ特殊約束ニ反シ收容官憲ハ抑留者ニ對シ收容所ノ運用維持、官理ニ關係ナキ勞動ニ從事スルコトヲ強制シ居レリ、俘虜將校ハ勞動ヲ強制セラレ俘虜下士ハ監督勞動以外ノ勞動ヲ強制セラレ居レリ（同條約第二七號）

八 俘虜ハ作戰行動ニ直接關係アル勞動ニ從事スルコトヲ要求セラレタリ（同條約第三一條）

5
九 俘虜及抑留者ニ對スル醫療手當ハ多クノ場合拒否セラレタリ、又手當ヲ施サレタル時ニモ概ネ不充分ニシテ不必要ニ苦痛ヲ與ヘ又

ハ死亡者ヲ出シタリ（同條約第一四條）

一三 日本政府ハ其ノ收容シ居ル米人俘虜及抑留者ノ一部ノ氏名ノミヲ（同條約第七七條）又日本軍ニヨリ發見セラレタル米國戦闘員ノ死亡者氏名ノミヲ報告シ居ルニ過キス（病者又ハ負傷者ノ狀況改善ニ關スル條約第四條、右ニ對シ日本ハ加盟シ居レリ）

一四 日本政府ハ抑留者及俘虜ニ對シ自由ニ彼等ノ宗教儀式ヲ行フコトノ自由ヲ許サザリキ（同條約第一六條）

一五 日本政府ハ條約ノ英譯文ヲ收容所内ニ揭示セヌ斯クテ米人俘虜及居留民抑留者ハ條約ニ規定ノ自個ノ權利ヲ了知セシメラレザリキ（第八四條）

一六 日本政府ハ俘虜及非戦闘員收容所及兼送機關ニ於テ適當ナル裝備及施設ヲナサス却テ非人道的狀態ニ於テ生存スルコトヲ強制セリ（第一〇條）

6
一七 日本政府ハ俘虜ノ裁判並ニ處罰ニ關シ壽府俘虜條約（第三編第

五款第三章)ノ條項ヲ全然適用セサリキ右ハ其ノ約束違反ナルコト再三指摘セラレタル事實アルニ不拘裁判ヲ用ヒス殘虐且非人道的刑罰ヲ科セリ

一八日本官憲ハ米國民ニ對シ體刑ヲ課シ虐待セリ(第四十六條)

米國政府ハ前記ノ摘發ハ同政府カ信憑スヘキ出所ヨリ得タル情報ニ基キテノミ爲サルルモノナルコトヲ強調ス是等摘發ノ各項ヲ支持スル爲多クノ確證アル事件ヲ擧グルコトヲ得

西班牙、瑞典及赤十字國際委員會代表ガ米國ニヨリ日本人カ抑留セラレ居ル各地ヲ屢次訪問シ提出セル報告書ノ客觀的檢討ニヨリテ日本政府ガ確メ得ラルル如ク米國ニ於テハ囚人、俘虜又ハ(彼等ガ俘虜タルニ適合スル限り)、居留民抑留者、留置者又ハ集團生活所ニ在ル引揚者タル總テノ日本人ノ待遇ニ付キ終始且充分ニ壽府俘虜條約ヲ適用セルコトヲモ米國政府ハ強調言明セントス日本國民ハ衣、食、住及醫療ニ付高キ標準ノ待遇ヲ受ケタリ米國

官憲ハ更ニ利益代表國及赤十字國際委員會ノ代表ヨリ米國收容所
及集團生活所内ノ日本國民ノ生活條件改善ニ請スル提言ヲ自由ニ
且進ンデ受諾シ且之等提言ノ多クハ實施ニ移サレタルガ其ノ中大
部分ハ右ノ高キ標準ガ順當ニ維持セラレ居リタルヲ以テ娛樂、教
育又ハ精神的方面ニ於ケル多分ノ利益又ハ特權ヲ得ンガ爲ニ向ケ
ラレタリ

米國政府ハ日本政府ニ於テ直ニ上記ノ摘發ニ留意セラレ日本ノ抑
留米國民ニ與ヘラルル待遇ヲ日米兩國政府ガ相互ニ適用方ヲ約束
セル壽府停廢條約規定ノ標準ニ引揚クル爲速ナル措置ヲ講セラレ
ンコトヲ要求ス

米國政府ハ又日本政府カ壽府條約及禮節ニ關スル國際慣習法ニ付
同政府ノ約束ニ違反セル官吏屬僚及代理人ニ關シ適當ナル懲戒又
ハ刑罰措置ヲ執ラレンコトヲ期待ス

米國政府ハ更ニ日本政府ニ對シ壽府條約第八十六條ニ規定セラレ

タル中立國ノ監視制度ニ付注意ヲ促サントス米國政府ハ又日本政府ニ對シ西班牙政府ハ米洲國ニ於ケル日本ノ利益代表國トシテ又瑞典政府ハ布哇ニ於ケル日本ノ利益代表國トシテ其ノ活動ニ關シ本條項ヲ完全ニ履行シ居ル旨指摘ス

依ツテ米國政府ハ日本政府ガ文明諸國ニ於テ認メラレタル慣習ニ違ヒ舊府俘虜條約ノ規定ヲ完全ニ實行セラレンコトヲ期待ス、米政府ハ日本政府ガ特ニ日本及日本ノ支配下ニ在ル領土ニ於テ行フ米國利益代表國トシテノ瑞西國政府ノ活動ニ關シ第八十六條ノ規定ヲ直ニ履行セラレ且瑞西國政府ガ米國政府ニ對シ瑞西國代表ハ第八十六條ニ基キ與ヘラレタル權利ノ完全ナル行使ニ依リ前項記述ニ據ケラレタル弊害ハ完全ニ矯正セラレタルカ又ハ瑞西國ニ依リ適當ナリト認メラレ得ル手段ヲ講セラレタルコトヲ確認シ得ル旨ノ保證ヲ與ヘ得ル様セラレ度要求ス

米國政府ハ米國人俘虜及居留民抑留者ニ對シ日本人ノ犯セル暴行

ニ對シ同政府カ了知セル事實國內ニ於ケル發表ハ現在迄差違ヘタ
 リ米國政府ハ此等ノ事實カ存ヒ茲ニ公式ニ日本政府ノ注意ヲ喚起
 セルニ依リ日本政府ニ於テ其ノ手中ニ在ル米國民ニ對シ當然彼等
 ガ享受シ得ヘキ待遇ヲ與フル方針ヲ採ラレ且ツ利益代表國代表者
 ヲシテ米國政府ニ對シ米國民ハ改善セラレタル待遇ヲ事實上與ヘ
 ラレ居ル旨ノ保證ヲ與フルニ必要ナル調査及視察ヲ爲サシメラル
 ル様希望ス。斯クノ如キ場合當國政府ハ日本政府ノ米國民ニ對ス
 ル待遇ハ文明諸國民ニ依リ認メラレタル標準ニ合致スルニ到レル
 コトヲ米國民ニ對シ確言スルコトヲ得ヘシ。

米國政府ハ又其ノ非難ノ根據ト爲ス下記ノ事實ヲ當國政府ニ通報ス
 ル様依頼スルト共ニ右ハ確實ナル出所ヨリ入手セル多クノ事實中ノ
 一小部分ニ過キサルモノナル旨附言シ居リ候。

抗議一及二比島、佛印、泰、滿洲、フィリピン、馬來及蘭領東印度
 ノ俘虜及非敵國員抑留所竝ニ臺灣第一ノ俘虜收容所ハ其ノ訪問許可

方ニ付瑞西代表ノ再三ノ要求ニモ拘ハラズ一同モ訪問實施セラレズ
此等ノ抑留所ハ奉天ノ一抑留所ヲ除ク外何レモ赤十字國際委員會代
表ノ訪問ヲ受ケ居ラザル趣ナリ、最近數ヶ月東京及横濱ニ近キ俘虜
收容所竝ニ香港及香港附近ノ同收容所ニ對シテハ瑞西代表ヨリ訪問
許可方要求セルニ拘ハラズ許可セラレズ斯ク少數ノ抑留所ニ對シ許
可セラレタル訪問ハ更ニ制限アルニヨリ其ノ價值更ニ少ナク極減セ
ラレタリ、上海ニ於ケル瑞西代表ハ抑留所訪問中同地日本總領事館
代表者ニ依リ嚴ニ附添ハレ抑留所全部ヲ視察スルコト又ハ抑留者ト
ノ自由ニ會見スルコトヲ許可セラレズ同様ノ狀態ハ日本本土及臺灣
ニ於ケル非敵國員及俘虜ノ收容所ニ付テモ行ハレ居レリ之ニ反シ米
國ニ依リ抑留セラレ居ル日本人ノ收容所、抑留所及集團生活者ハ西
班牙及瑞西ノ代表者ニ依リ繰返シ訪問セラレ且ツ充分視察セラレタ
ルガ彼等ハ立合人ナク長時間被抑留者ト會談セリ而シテ赤十字國際
委員會代表者モ亦米國及布哇ニ於ケル日本人收容所ヲ自由ニ訪問許

可セラレ又許可セラレツツアリ

上海附近ノ數ヶ所ノ非戦闘員抑留所殊ニ「アツシ」(註滬西第二)抑留所及開北抑留所ニ於ケル抑留者ヨリ利益保護國代表者ニ宛タル抑留狀況ニ關スル通信ハ交附セラレサリキ「バギオ」非戦闘員抑留所其他全部ニアラサルモ大多數ノ米國人俘虜收容所ニ於テモ同様ナル状態ニアリ「バギオ」、芝罘及西貢竝ニ或時期比島俘虜收容所ニ收容セラレ居ル人々モ收容所長宛通信ノ許可拒否セラレタリ

一九四三年夏中上海「コロンピヤ」、カントリ、「クラブ」ニ抑留中ノ者ハ瑞西總領事館ニ對シ苦情ヲ申出タルノ理由ニ依リ處罰トシテ齒ノ治療ノ約束ヲ取消サレタルコト一回アリ同時期ニ揚州ノB抑留所ニ於テハ腐敗セル食糧品ヲ與ヘラレタルニ對シ苦情ヲ申出テタリトノ理由ニ依リ抑留所長ニ依リ全抑留所ハ一回ノ食事ヲ支給セラレサリキ

俘虜カ食物又ハ水ヲ要求セル爲毆打セラレタル事件ハ後述第十八項ニ記載シアリ

三 香港ニ於ケル非戦闘員抑留者ハ靴ノ支給ナク又神戸ノ抑留者ハ冬服ナキ爲惱マサレタリ、一九四二年及一九四三年比島ニ於ケル米國人及比島人俘虜及「バギオ」ニ於ケル非戦闘員抑留者ハ無靴ニテ腰布ノミニテ勞働ヨ強制セラレタリ

六 左記ノ收容所ニ於ケル事故ノ報告次ノ通

比島ニ於ケル俘虜收容所、在比島「マリヴェレス、ベール」俘虜留置場「バギオ」、廣東、芝罘、北京、「マニラ」、青島、濰縣、揚州收容所竝ニ上海及其ノ附近ノ「アツシ」、閘北、龍華、浦東ノ各收容所ニ於テハ俘虜及抑留者ニ最モ必要ナル物品ハ取上ケラレタリ例之日本兵ハ一九四二年四月十日頃ヨリ始マレル行進中「バタン」ヨリ「サンフェルナンド」迄ノ間米人將校俘虜ノ靴ヲ取上ケ無靴ニテ歩行スルヲ餘儀ナクセシメタリ、俘虜ハ飲用水ノ缺

乏ニ絶エズ惱マサレタルニモ不拘行進中水筒ヲ取上ケラレ石被害者中ニ陸軍中佐「ウイリアム、ビー、ダイズ」アリタリ

「コレヒドール」ニ於テ海軍少佐「メルヴィン、マフコイ」ハ日本人兵士カ米人及比島人俘虜ヨリ取上ケタル腕時計ヲ一方ノ腕ニハ肘ヨリ手首迄他方ニハ腕ノ半ニ達スル程度ニ取付ケ居タルヲ見タリ

セ「マニラ」ニ於テ米人俘虜ハ日本宣傳映畫「アノ旗ヲ撃テ」ノ製作ニ當リ分捕ノ軍裝備ヲ使用シ居ルトコロヲ撮影セラルルコトヲ日本兵ニヨリテ強制セラレタリ

「コレヒドール」ヨリ「マニラ」ニ護送ノ俘虜ハ同港ニ上陸セス同市外ニ上陸ノ上一九四二年五月二十三日頃全市ヲ通過シ「バリピオ」監獄ニ行進ヲ強制セラレタリ

日本人學童、兵及一般人ハ收容所ニ入ルコトヲ許サレ收容俘虜ニ關スル好奇心ノ満足ヲ獎勵セラレタリ斯ル見物ハ「バギオ」、香

港及費島ニ於テモ行ハレタヌ

脚氣、「ペラグフ」、懷血病、「スブル」等、如キ缺乏症ハ日本ノ抑留所ハ普通ノコトナリ非戰闘員抑留所（集團生活所）ノ如キ最近收容セラレタルカ父ハ外部ヨリ個人的取引ヲ許與セラレ居ル上海及其ノ他ニ於ケル非戰闘員抑留所ニ於テハ斯ル疾病ハ比較的尠シ故ニ被收容者ガソノ食糧ヲ長期ニ亘リ日本官憲ノ供給ニシテ依存スル俘虜收容所ニ於テ榮養缺乏ニ依ル病氣ノ著シク蔓延セルハ全ク之等官憲カ保健上必要ナル食物トシテ其ノ土地ノ產物ヲ利用スルコトヲ冷暗ニ行ハサルモノニヨルモノト觀取セラルル米人及比島人俘虜ノ大部分ノ病苦及之ニ因ル死亡ノ責任ハ直接日本官憲ニ在リ持例ヲ舉グレバ強度ノ「ヴァイタミン」缺乏症ニ罹レル「ダヴァ」オ一監獄ノ俘虜ハ其ノ收容所ヨリ見ユル柑橘ノ實レル木ヲ眺メナガラ之ヲ取ルコトヲ許サレザリキ彼等ハ收容所内ヲ流ルル小川ニ浮ベル「レモン」ヲ拾フコトヲ許サレザリキ

虜ノ福祉ノ爲ニ使用セラレザリキ

一 「バギオ」ニ於テハ非戦闘員抑留者ハ無報酬ニテ製材所ノ機械ヲ修理スルコトヲ強制セラレタリ、俘虜將校ハ「ダバオ」收容所長「ミダ」少佐ニ依リ床拭キ、日本軍隊用便所掃除及日本將校用炊事場ノ仕事ノ如キ婢僕ノ業務等一切ノ仕事ヲ爲ス様強制セラレタリ

一 一 米國人技師十名ハ一九四二年七月「コレヒドール」島ニ行キ軍事施設建直シヲ手助スルコトヲ要求セラレタリ、又俘虜ハ奉天兵器廠ノ工作機械ニ就働セシメラレタリ、

一 一 比島ニ於ケル俘虜ノ健康状態ハ悲慘ナリ、一九四二年四月「サンフェルナンド」ニ於ケル米國人及比島人俘虜ハ鐵條網柵内ニ收容セラレタルガ睡眠及休養不可能ナル程度ニ密集セシメラレタリ、彼等ノ多數ハ病氣ニ罹レルカ手當ハ殆ト施サレズ其ノ場所一体排世物ニテ蔽ハレタリ。「サンフェルナンド」收容所ハ「バタン」

ヨリ百料以上距リ居リ同所ノ俘虜ニ對スル殘忍ナル取扱振リハ戰
闘ノ事態ニ依リ釋明セラレ得ス俘虜ハ此ノ距離ヲ無慈悲ニ驅リダ
テラレ七日間ニ亘リ歩行セシメラレタリ行進中落伍シタル多數ノ
モノハ護衛兵ニ依リ射撃セラレ又ハ銃劍ニテ突カレタリ。此ノ行
進中ニハ比島内ニテ移動ノ他ノ場合ト同様俘虜ハ收容官憲ガ日蔭
ニ集合セシメ得タル時ニモ炎天下ニ曝サレタリ。米人及比島人俘
虜ハ略傍ニ生埋ニセラレタルコト判明シタルカ累次ノ報道ニ依レ
バ彼等ハ墓穴ヨリ這上ラムトスレハ「シヤベル」ニテ撃チ倒サレ
生キ乍ラ葬ラレタリトノコトナリ

「オドネル」收容所ニ於テハ待遇不良ニシテ收容開始後數ヶ月間
ニ米國人貳千貳百人比島人貳萬人以上死亡セリトノ確報アリ日本
官憲ニ於テ若シ俘虜ノ爲最小限度ノ當ヲ施シタランニハ之等死
亡ノ大部分ハ阻止シ得ラレタルコト疑ナシ同所ニ於ケル所謂病院
ナルモノハ全然事態ニ即應セス俘虜ハ何等手當ヲ受クルコトナク

シテ褥体ノ盡床上ニ病臥シ疾患ノ餘リ自ラノ排泄物ヨリ身ヲ動カ
スコトツモ爲シ得サリキ。病院ハ極度ニ滿員トナレル爲米國人ハ
灼熱セル日光ニ曝サレタル儘戶外ノ地面ニ横臥セリ。收容所ノ米
人醫師ハ醫藥ハ素ヨリ患者ノ排泄物ヲ洗ヒ去ル水スラ與ヘラレサ
リキ「マラリヤ」罹病俘虜ハ數千ニ及ヒタルニモ不拘偶々規那ノ
供與アリタルトモハ僅ニ十件ヲ醫スルニ足ル量アリタルニ過キサ
リキ「オドネル」收容所俘虜ニシテ「バタンガス」ニ派セラレ
タル勞働分遣隊參百人中貳百人以上ハ死亡セリ
「カバナツアン」ニ於テハ俘虜收容後五ヶ月ヲ經過セル迄「マラ
リヤ」治療藥ナカリキ比島赤十字社ヨリ最初輸送セラレタル醫藥
ハ送荷明細目錄作成ノ要アリトノ口實ヲ以テ收容所官憲ニ抑止セ
ラレタリ右目錄作成ハ緩慢ナリシ爲其ノ解除ニ至ル前ニ多數ノ死
亡者ヲ出セリ。藥劑及食糧不足ノ爲一九四二年秋收容所内ニ壞血
病發生セリ。該病慢延ニ至ル以前俘虜ハ數ヶ月收容所ニ在リタル

ヲ以テ全責任ハ收容官憲ニ存スルモノトス
一九四三年秋「ダヴァオ」ニ在リシ米人俘虜ノ五十「パーセント」
ハ生存ノ機會乏シク又收容官憲ハ再度俘虜ノ食糧配給量ヲ削減シ
且全然診療ヲ停止セル報道ニ接セリ
日本ノ抑留所官憲ニ依リ非取調員ニ與ヘラレタル醫療ハ俘虜ニ與
ヘラレタルモノニ比スレハ佳良ナリシモノノ如クナルモノヲ以テ
其ノ政府ノ任意約束及人道上ノ法則ニヨリ收容官憲ニ課セラレタ
ル責務ヲ集セリトハ言ヘス「ジョーンヘイ」非取調員抑留所ニ於
ケル分娩ハ物置部屋ノ床上ニテ行ハレタリ、同所ニ於テ精神病患
者ニシテ其ノ居住カ他ノ抑留者ニ危険ナリシ婦人抑留者ハ本抑留
所ヨリ他ニ移動セシメラレサリキ同所ニ抑留セラレタル一齒科醫
ハ同人所有ノ器具ヲ持込ムコトヲ許可セラレサリキ「コスバニヨ
ス」抑留所ハ「マラリヤ」流行ノ中心ト認メラルル地ニ設置セラ
レタルカ規冊ハ供給セラレス且抑留者ハ「マラリヤ」預防措置ノ

爲柵外ニ出ツルコトスラ許サレサリキ、日本官憲ハ上海近同附近ノ抑留所ニ抑留セラレタル米國人非戦闘員ニ對シ充分ノ醫療手當ヲ與ヘサリキ且抑留者ハ入院又ハ治療費ヲ自辨セシメラレタリ、不適當ナル手當ニ直接基因スルモノト認メラルル死亡者ヲ出セリ日本ニ於テスラ日本官憲ハ非戦闘員抑留者ニ對シ醫療ノ措置ヲ講スルコトスラナサス三次、山北及董ニ抑留セラレタル米國人ハ其ノ醫療費ヲ自辨スルコトヲ餘儀ナクセシメラレタリ

一四例ヘハ「ジョンヘイ」抑留所抑留者ハ同所開設當初ノ數ヶ月間宗教儀式ヲ行フコトヲ許ササリキ又佛印ニテハ日本人ニ捕ヘラレタル俘虜ニ對シ牧師ハ其ノ職ヲ執行スルコトヲ許サレサリキ

一五俘虜ニ關スル壽府條約ノ英譯文ハ抑留者又ハ俘虜ニ示サレサリキ又日本官憲ハ收容者ニシテ同條約ノ規定スル彼等ノ權利ヲ知ラシムヘキ他ノ措置ヲモ講セサリキ、日本官憲ハ俘虜ニ對シ彼等ハ國際法又ハ條約上何等權利ナキ被捕獲者ナル旨告ケタル由ノ報告

アリタリ

一六「オドネル」收容所ニ於テハ一九四二年中多數ノ男子ハ遮蔽ナ
キ場所ニ生活セシメラレタリ、或ル場合ニハ二十三名ノ將校ニハ
間日一四呎奥行二〇呎ノ假小屋ヲ充テラレタリ、飲料水ハ極度ニ
乏レキ爲一杯ノ飲水ヲ得ル爲六時間乃至十時間行列ヲ爲ス要アリ
タリ、將校ハ收容所ニ於テ最初三十五日間沐浴セズ其ノ後初メテ
沐浴ヲ爲ス爲一人ニ付一「ガロン」ノ水ヲ與ヘラレタルノミ、臺
所備品ハ大釜及五十五「ガロン」入「ドラム」罐一個ナリキ甘藷
ハ大釜ニヨリテ煮ラレ一本ノ木片ニテ漬ザレ各人一人當リ食料ト
シテ一匙ヲ供セラレタリ一九四二年十月下旬俘虜約九百七十名ハ
就寢面積一人當リ二十吋ノミナル輸送船ニテ馬尼刺地區ヨリ「ダ
バオ」監獄へ移送セラレタリ同船ノ状態ハ不良ニシテ二名ノ死亡
者ヲ出シ其ノ後衰弱ノ爲俘虜ノ約半數ハ「ダバオ」ノ「ラサン」
ニ於ケル水際ヨリ監獄迄行進中墜傍ニ墜レタリ

日本官憲ガ比島ニ於テ米人非戦闘員收容ニ充テタル場所ハ「バギ
オ」ノ「ブレント」學校ニ收容シタル人數ノ爲ニハ不適當ナリキ
二、三十名ノ非戦闘員ニ對シ一人室ニ於テ寢具ヲ與ヘラレタリ
上海「コロンビア」カウントリー「クラブ」ニ於ケル抑留者ハ宿
舎用トシテ使用センカ爲メノ建物消毒費備備券一萬弗ヲ彼等ノ所
持金ヨリ支辨セシメラレタリ。濰縣ニ於テハ日本官憲ニヨリ冷蔵
庫ノ設備ナカリキ抑留者ノ自家用冷蔵庫ノ一部ハ徵發サレ日本人
護衛ニヨリ使用セラレタル爲一九四三年夏食糧腐敗セリ
一七米國人俘虜ハ軍事行動ニ參加セル爲殺サレ又ハ投獄セラレタリ
逃走ヲ企テタル者ニ對シ最モ重キ懲罰ハ壽府條約ニ依リ三十日以
内ノ拘留ト定メラレ居ルトコロ死刑及長期刑ヲ科セリ米國政府モ
保護國代表モ之等事件又ハ其他米國人カ不法懲刑ヲ受ケタル多ク
ノ他ノ場合ニ關スル條約ニ規定スル方法ニヨリ通知ヲ受ケサリキ
特殊事件ヲ次ニ擧クヘシ

一八一九四二年四月「バタン」ヨリ「サンフェルナンド」へ行進中
 日本ノ護衛ニヨリ虐待セラレタリ。護衛ハ水ヲ得ムトスル俘虜ヲ
 打擲セリ。日本軍用「トラツク」ニテ衝キ倒サレタル同僚ヲ助ケ
 ムトシタル爲メ一俘虜ハ棒ニテ頭部ヲ毆打セラレタリ。
 一大佐ハ路傍ニテ鞋ノ釧詰ヲ見付ケ之ヲ彼等ノ食糧トシテ求メタ
 ルニ彼ノ横面ニ日本將校ヨリ釧ヲ投付ケラレ大佐ノ顔面ニ裂傷ヲ
 受ケタリ。他ノ一大佐ハ馬車ヲ有スル親切ナル比島人ヲ見付テ歩
 行不能者ヲ乗車セシメントセル爲顔ニ頓タレタリ。
 「ルバオ」ニ於テ一比島人ハ日本人ニヨリ突刺サレ臍ヲ拔取ラ
 レタル上有刺鐵條ヲニ掛ケラレタリ。一米人中佐ハ小川ニテ水ヲ
 飲マントシテ列ヲ離レタル爲日本人ニヨリ殺サレタリ。
 一九四二年五月下旬「カバナツアン」驛ヨリ第二收容所ニ行進ノ
 際疲勞困憊セル俘虜ヲシテ行進ヲ續ケシムル爲日本人歩哨ハ無差
 別ニ銃尾及銃剣ヲ用ヒタリ

「カバナツアン」ニ於テ「ロイド、ピツグス」中佐、「ホワード
 ブレータン」中佐及「アール、デイー、ギルバード」中尉ハ一九
 四二年九月中逃走ヲ企テタル爲足部脚部ヲ強打セラレタル未收容
 所外ニ進行、柱ニ縛サレ衣類ヲ剥カレタル上縛ラレタルママ二日
 間置カレタリ、又彼等ハ坐ルコトヲ得サル様後手ニ柱ニ縛サレタ
 リ通りガカリノ比島人ハ棒ヲ以テ顔面ヲ打ツコトヲ強勵セラレタ
 リ彼等ニハ食事モ水モ與ヘラレス、二日間ノ折檻ノ後連レ去ラレ
 タルカ日本人護衛ノ陳述ニ依レハ彼等ハ殺サレ内一名ハ斬首セラ
 レタリ、他ノ米人ハ一九四二年六、七月「カバナツアン」ニ於テ、
 食糧ヲ收容所ニ持入レムト努力シタル爲メ同様ニ折檻ヲ受ケ裁判
 ナク射殺セラレタリ彼等ハ二日間收容所内ノ桐柱ニ縛ラレタル後
 射殺セラレタリ

「カバナツアン」ニ於テハ一九四二年ノ夏中左ノ事件惹起セリ
 日本人歩哨ハ「ジャベル」ニテ一兵ノ背部及腿ヲ手巖シク毆打シ

タル爲彼ヲ入院セシムルコトヲ必要トセリ、他ノ一米人ハ一日本
 人ノ投ケ付ケタル石ニテ足首ヲ負傷シ數ケ月間跛者トナレリ一日
 本人哨兵ハ「ゴルフ」「クラブ」ノ柄ニテ米人俘虜數人ヲ毆打セ
 リ、又二人ノ米人ハ比島人ヨリ食糧ヲ受取ル際無慈悲ニモ顔面及
 身體ヲ毆打セラレタリ、一將校ハ日本人通譯ニ依リ乘馬用鞭ニテ
 耳ノ後部ヲ打タレタリ、同將校ハ「ダバコ」監獄ニ於テ再ヒ毆打
 セラレ其ノ結果塊ニ左側ニ局部的麻痺症ニ惱ミ居レリ、逃走ヲ試
 ミタル應召兵ハ毆打セラレ鎖附ニテ重勞役ニ服サシメラレタリ
 「ダバコ」監獄ニ於テハ一九四三年四月一日頃「マクフェー」軍
 曹ハ柵ノ向側ニアリタル他ノ俘虜ヨリ投與セラレタル充テル水筒
 ヲ受取リタル後日本人衛兵ニ依リ射殺セラレタリ、日本官憲ハ本
 射殺ヲ逃走防止ノ行動ナリト釋明セムトセリ然レトモ衛兵ハ數回
 ニ亘リ同軍曹ヲ射撃シ更ニ水筒ヲ投與シタル俘虜ヲ狙ヒ柵ノ向フ
 側ノ兵舎ヲ射撃セリ同時頃同所ニテ勞働ヨリ歸途ノ一將校ハ病院

ニ居ル者ノ爲ニ甘蔗ヲ持歸ラントシタリシカコノ爲ニ彼ハ二十四
時間札ニ縛サレタル上手酷ク毆打セラレタリ

「バギオ」抑留所ニ於テハ十六歳ノ男子ハ被抑留女子ニ言葉ヲカ
ケタル爲日本人護衛兵ニヨリ打倒サレタリ、又一年長抑留者ハ日
本人將校カ近寄りタル際椅子ヨリ遠ニ起立セサリシ爲鞭ニテ毆打
セラレタリ「アールクレ」氏ハ一九四二年三月十五日「バギオ」
ニ於テ警察官憲ニ依リ毆打セラレ且水責メニ過ヒタル結果死亡セ
リ

「サント・トーマス」ニ於テハ「クロクスタット」氏ハ逃亡ノ企
ニ依リ體刑ヲ受ケタル後軍監獄ニ於テ死亡シタリ

閣下ノ認メラルル如ク本通牒中ノ數語ハ受信ニ際シ崩レ居リ候右
ハ即チ第十七頁十一、十四及二十四行目並第十九頁十五行目ノ數
語ニ有之候本使ハ遞信當局ニ對シ之レカ再電方要求致シ置キ候間
同局ヨリ回答アリ次第閣下ニ通牒致スヘク候

米國政府ハ帝國政府カ速カニ如上ノ違反ヲ矯正セラレ之カ再發防
止ノ爲凡ユル措置ヲ講セララル様要請致シ居リ候向同國政府ハ本
使カ米國市民ノ抑留セラレ居ル場所ヲ例外ナク訪問シ又ハ訪問セ
シメ得ル様希望致シ居ルヘク候而シテ右訪問ハ俘虜ノ待遇ニ關ス
ル一九二九年七月二十七日ノ壽府條約第八十六條ノ規定ニ基キ爲
サルヘキモノニ有之候

前記ノ通牒竝ニ米國政府ノ要求ニ對スル帝國政府ノ回答ヲ本使ニ
御送付相成様閣下ニ依頼旁々本使ハ茲ニ重ネテ貴大臣ニ向テ敬意
ヲ表シ候

敬具