

IWAMURA, MICHIO (1960) & American POW's

(4)

(46)

List of Officials of Japanese Government
Project No. 1648
21 July 1945

Michiyo IWAMURA: Former Justice Minister.

1883 Aug.	Born. Son of Michitoshi Iwamura. Married Yae, daughter of Naonojo Miyaki.
1910	Graduated Law College, Tokyo Imperial University.
*	Public procurator.
1934	Chief Public Procurator, Tokyo District Court. Director, Criminal Affairs Bureau of Justice Ministry.
1937	Procurator General of Supreme Court.
1941 July- Dec.	Justice Minister in third Konoye Cabinet.
1942-44 Jul.	Justice Minister in Tojo Cabinet
1944 June	Appointed President of Dai Nippon Mediators Association.

Address: 103, Ogikubo 2-chome, Suginami-ku, Tokyo.

"Kyo Fi Go" No. 93

12 February 1944
The Vice-Minister of Foreign
Office

Chief of P.O.W. (Information) Bureau:

Transmittal of the American Govern-
ment's Protest with regard to the
Treatment of Prisoners of War and
Civilian Internees under Japanese
Jurisdiction.

Inasmuch as the Swiss Minister in Tokyo, stating
that he was acting on instructions from his home government,
recently presented the Imperial Government with the American
Government's protest, as per the enclosed copy, I hereby
send you this together with the informal translation of
the above. Re counter-measures to meet this protest, I
wish to confer with you later and in the meantime will you
kindly investigate the particulars concerned with your
bureau.

Concerning a letter which was cited at the
beginning of the Swiss Minister's letter relating to this
matter, kindly refer to my telegrams "Kyo Fi Go" No. 25
dated 15 January last year, and "Kyō Fi Go" No. 229 dated
27 March, the same year.

- This letter addressed to: The Ministers of War, Navy,
Home Affairs, Justice, Greater
Asia, and the Chief of P.O.W.
Information Bureau.

SS: TS: 10 L 1, 10 S 1, 10 B 1,
10 B 2, 10 B 3

C E R T I F I C A T E

W.D.C. No. _____
I.P.S. No. _____

Statement of Source and Authenticity

I, HAYASHI, Kaoru hereby certify that I am officially connected with the Japanese Government in the following capacity: Chief, Archives Section and that as such official I have custody of the document hereto attached consisting of 3/27 pages, dated 12 Feb., 1944, and described as follows: Transmittal of American Government's Protest with regard to the Treatment of Prisoners of War and Civilian Internees in the Area under the Japanese jurisdiction. I further certify that the attached record and document is an official document of the Japanese Government, and that it is part of the official archives and files of the following named ministry or department (specifying also the file number or citation, if any, or any other official designation of the regular location of the document in the archives or files): Japanese Foreign Office.

Signed at Tokyo on this
27th day of December, 1946.

/s/ K. Hayashi
Signature of Official

SEAL

Witness: /s/ Nagaharu Odo

Chief Archives Section
Official Capacity

War Politics of Japan references

IWAMURA, MICHIO

- WPS-31- DIRECTOR, PRAA, July 1941- July 1944
- WPS-81 member, IRPAS-
- WPS-105 - VICE MINISTER of JUSTICE, HONOYE CABINET, 29 Dec. 39 to 17 Jan. 1940.
- WPS-107- " " " " HIRA NUMA " 29 Dec. 39 to 16 " 1940
- WPS-109. " " " " ABE " 16 " 1940
- WPS-116 minister of " HONOYE " 25 July 41 "
- WPS-117 " " " " TOJO " 18 Oct 41 to 22 July 44

IMPERIAL JAPANESE GOVERNMENT
CENTRAL LIAISON OFFICE

TO : GENERAL HEADQUARTERS OF THE SUPREME COMMANDER
FOR THE ALLIED POWERS.

FROM : Central Liaison Office, Tokyo

SUBJECT : Personnel who Attended the GOZENKAIGI.

C.L.O. No. 2781(PP)

10 June 1946

1. Reference: Memorandum of Colonel C. S. Myers, dated 23 May 1946, subject as above.

2. Official records of the GOZENKAIGI consisted of the documents deciding to hold the Conference and bills to be put before the Conference. There were no records showing the details of the Conferences (the proceedings of the Conference, etc.)

3. The above-mentioned records of the GOZENKAIGI were held in custody of the Cabinet Secretariat, but they were destroyed by air-raid fire on the night of 25-26 May 1945.

4. Premier, Foreign Minister, War Minister, Navy Minister, Chief of Army General Staff and Chief of Naval General Staff were always included among those who attended the Conference. It was an established usage with President of the Privy Council to attend the Conference. In addition to the above, Finance Minister, President of the Planning Board and certain Minister attended the Conference continuously during a specified period, and other Cabinet Ministers were asked, from time to time, to attend the Conferences in case their presence was felt necessary. As secretaries of the Conference, Chief Secretary of the Cabinet, Director of Military Affairs Bureau, War Ministry and Director of Military Affairs Bureau, Navy Ministry attended the Conference for the purpose of giving explanations to the bills. In most cases Vice-Chief of Army General Staff and Vice-Chief of Naval General Staff were attendants of the Conference.

5. According to the investigation those persons whose names are listed in the enclosure attended the respective Conferences held on the following dates:

2 July 1941
6 Sep. 1941
5 Nov. 1941
1 Dec. 1941

FOR THE PRESIDENT:

/s/ S. Iguchi
S. IGUCHI
Director of General Affairs
Central Liaison Office

Enclosure: 3 copies of a report as indicated in Para. 5 above.

Attendants of the GOZENKAIGI

I	2 JULY 1941	
	KONOE	Prime Minister
	MATSUOKA	Foreign Minister
	TOJO	War Minister
	OIKAWA	Navy Minister
	KAWADA	Finance Minister
	SUZUKI	President of Planning Board
	HIRANUMA	Home Minister
	SUGIYAMA	Chief of Army General Staff

NAGANO	Chief of Naval General Staff
TOMITA	Chief Secretary of the Cabinet
<u>OKA</u>	Director of Military Affairs Bureau, Navy Ministry
TSUKADA	Vice-Chief of Army General Staff
KONDO	Vice-Chief of Naval General Staff
HARA	President of the Privy Council

II 6 SEPTEMBER 1941

KONOE	Prime Minister
TOYODA	Foreign Minister
TOJO	War Minister
OIKAWA	Navy Minister
OGURA	Finance Minister
SUZUKI	President of Planning Board
TANABE	Home Minister
SUGIYAMA	Chief of Army General Staff
NAGANO	Chief of Naval General Staff
TOMITA	Chief Secretary of the Cabinet
MUTO	Director of Military Affairs Bureau, War Ministry
<u>OKA</u>	Director of Military Affairs Bureau, Navy Ministry

TSUKADA	Vice Chief of Army General Staff
ITO	Vice-Chief of Naval General Staff
HARA	President of the Privy Council
III	5 NOVEMBER 1941
TOJO	Prime Minister and War Minister Concurrently
TOGO	Foreign Minister
<u>SHIMADA</u>	Navy Minister
<u>FINA</u>	Finance Minister
SUZUKI	President of Planning Board
SUCIYAMA	Chief of Army General Staff
NAGANO	Chief of Naval General Staff
HOSHINO	Chief Secretary of the Cabinet
MUTO	Director of Military Affairs Bureau, War Ministry
<u>OKA</u>	Director of Military Affairs Bureau, Navy Ministry
TSUKADA	Vice-Chief of Army General Staff
ITO	Vice-Chief of Naval General Staff
HARA	President of the Privy Council

IIII 1 DECEMBER 1941

TOJO	Prime Minister and War Minister Concurrently
TOGO	Foreign Minister
SHIMADA	Navy Minister
KAYA	Finance Minister
SUZUKI	President of Planning Board
IWAMURA	Justice Minister
HASHIDA	Education Minister
INO	Agriculture Minister
KISHI	Commerce Minister
TERASHIMA	Communication Minister
KOIZUMI	Welfare Minister
SUGIYAMA	Chief of Army General Staff
NAGANO	Chief of Naval General Staff
HOSHINO	Chief Secretary of the Cabinet
MUTO	Director of Military Affairs Bureau, War Ministry
OKA	Director of Military Affairs Bureau, Navy Ministry
TANABE	Vice-Chief of Army General Staff
ITO	Vice-Chief of Naval General Staff
HARA	President of Privy Council

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Suzuki
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Title and Nature	1
Date of Session	3
Members present:	
President HARA	Vice-President SUZUKI
Ministers:	(Seat No.)
Premier KONOE	No. 5
Home Minister TANABE	No. 6
War Minister TOJO	No. 7
Education Minister HASHIDA	No. 8
Communication & Railway Minister MURATA	No. 9
Navy Minister OIKAWA	No. 10
Finance Minister OGURA	No. 11
Foreign & Overseas Minister TOYODA	No. 12
Agricultural Minister INO	No. 13
Commerce & Industry Minister SAKONJI	No. 14
Welfare Minister KOIZUMI	No. 15
Justice Minister IWALURA	No. 16
Councillors:	5
KAWAI	No. 19
ISHII	No. 20
ARITA	No. 21
KUBOTA	No. 22
ISHIZUKA	No. 23
SHIMIZU	No. 24
MINAMI	No. 25
MARA	No. 26
ARAKI	No. 27
SUGAWARA	No. 29

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MATSUURA	No. 30	6
USHIO	No. 31	
HAYASHI	No. 32	
FUKAI	No. 33	
NIKAMI	No. 34	
OSHIMA	No. 36	
OBATA	No. 37	
TAKEKOSHI	No. 38	
MITSUCHI	No. 39	
IZAWA	No. 40	7
Members absent:		7
Princes:		
H.I.H. YASUHITO	No. 1	
H.I.H. NOBUHITO	No. 2	
H.I.H. TAKAHITO	No. 3	
H.I.H. KOTOHITO	No. 4	
Councillors:		
KANEKO	No. 18	
MATSUI	No. 28	8
FANO	No. 35	
Committee:		
MURASE, Director of Bureau of Legislation		
IRIE, Councillor of Bureau of Legislation		
MIYAUCHI, Councillor of Bureau of Legislation		
SUZUKI, President of the Planning Board		
MIYAMOTO, Vice-President of the Planning Board		
SAITO, Director of South Sea Bureau of Foreign Office		
MATSUMOTO, Director of Bureau of Treaties of Foreign Office		
HARACUCHI, Director of Exchange Bureau of Finance Office		9
OKOOKA, Director of Ship Controlling Bureau of Communication Office		
YONEDA, Controlling Officer of the Marine Transportation Bureau		
OKA, Chief of Military Bureau of Navy Office		

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Reporters:	9
SUZUKI, Chairman of Investigation Committee:	
Chief-Secretary:	
HORIE, Chief-Secretary of Privy Council	
Secretaries:	
MOROBASHI, Secretary	10
TAKATSUCHI, Secretary	
HARA, President of Privy Council, states:	11
We will open the session and discuss the conclusion of the protocol between Japan and France for a common defense of French Indo-China and the exchange of official documents regarding military cooperation. The First Reading Committee shall be organized, and the contents of the subject shall not be read.	
The report on the subject shall be delivered by the Chairman of the Investigation Committee immediately.	
Reporter SUZUKI states:	11
We, the attendants today, have been appointed the Investigation Committeemen by the Emperor's order to discuss the conclusion of the protocol between Japan and France for the common defense of French Indo-China and the exchange of official documents on military cooperation. We have held the committee meeting immediately to hear explanations from the ministers and other officers concerned and we have deliberated on the subject. I ask favour of your acknowledgment that I cannot find any time to deliver reports for discussion as the subjects are very urgent.	12
According to the ministers' explanation, the relations between Japan and French Indo-China have become gradually better since last year,	

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(1940) and the success of the economic negotiations between Japan and French Indo-China and of the border-dispute-mediation-conference between Thailand and French Indo-China in Tokyo this spring has given impetus to the better friendship between Japan and French Indo-China. However, the tendency of dependence upon Anglo-America still remains in French Indo-China.

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The so-called MATSUOKA-HENRI Agreement dated August 30, 1940 and the Economic Agreement concluded on the substance of the same have brought considerable fear for the expected success in its enforcement, and lately the Anglo-American economic encirclement against Japan in East Asia has become gradually characteristic of a military cooperation of Britain, U.S.A., Holland and China.

13

Both in the interior of French Indo-China and, especially, in the southern region there are some who do not like to cooperate with Japan; and de Gaul and his party are trying to collaborate with Anglo-America.

Japan can never feel easy. If, as a result of it, French Indo-China cooperates with the policy of Anglo-American's encirclement against Japan and breaks away from France as Syria, it is not only a great loss to France, but also a serious problem to Japan. Therefore to prevent such critical situations and to keep French Indo-China secure from invasion by third nations and simultaneously to bring about cooperation between Japan and French Indo-China smoothly are very important from the points of self-existence, self-defense and of Japan's southward drive policy.

14

The existing political understanding between the two nations cannot be sufficient for them. The Japanese government has realized that it is very necessary for Japan to make France closely cooperate with us in the military field.

15

Therefore Japan ordered the Japanese envoy to France to negotiate with the French Government. The negotiations were concluded amicably. The protocol on the subject and the definite plan for exchange of official documents were obtained. The gist of the above-mentioned arrangements is as follows:

No. 1 The Protocol

In the preamble of this Protocol, the Japanese and the French Governments insert that in view of the present international situation, in case the security of French Indo-China is threatened, they shall recognize the reason to think that Japan's general peace and the security of the Far East also are not free from danger, and in this opportunity to renew the promises made by Japan (toward the French Government) to respect the rights and interests of France in the Far East, especially the territorial integrity of French Indo-China and the French sovereignty over the Indo-China Union, and the promises made by France (toward the Japanese Government) not to conclude any agreement or understanding which forecast political, economic and military cooperation opposing directly or indirectly against Japan, with any third nation.

And in the text the two governments (1) agree upon military cooperation for the purpose of joint defense of French Indo-China, (2) the necessary steps for the said cooperation shall be decided in a special agreement, (3) and decided that the provisions above mentioned shall be in force only during the period in which the situation which promoted the motive to adopt this agreement continues.

No. 2 The Official Document Exchanged

The object of this document is to conclude an agreement concerning the measures to be taken for the concerted defense of French Indo-China based on the provisions in the above mentioned Protocol with the form of reciprocating documents between the representatives of the two nations

Page

and the following clauses decided in this document:

- I. Toward the Japanese Government the French Government shall admit
 - A. The dispatch of a necessary force of Japanese army troops, war vessels and air forces to the southern Indo-China.
 - B. The use of Siemreap and seven other places as air bases, Saigon and Camrang Bay as naval bases and to provide equipments for military purposes.
 - C. The right of quartering, manœuvres and training of Japanese army, the freedom of action, and to award special conveniences for the performance of their duties.
 - D. And the French Government shall offer to the said Japanese army 23,000,000 Indo-China piastre in currency for this year namely about 4,500,000 Indo-China piastre monthly, (however the Japanese Government is prepared to repay with free yen, U.S. dollar or gold).
- II. The French Government shall approve the fundamental principles of the Japanese army's advance and in order to avoid occurrences of contingent clashes between the Indo-China army shall take all effective steps.
- III. The details concerning the activities of Japanese army shall be discussed and decided between the Japanese and French authorities at the actual place.

It seems to me, that with this matter, we aim to conclude an agreement which is necessary for the two nations in order to engage in the defense of

Page

French Indo-China in unanimous cooperation and for the self-defense of Japan, and furthermore it is indispensable for the stability of the Far East and the co-prosperity of Japan and France, so the conclusion of this agreement may be said to be an opportune measure, in view of the present strained international situation. Therefore, this matter was unanimously approved to be passed without amendment by the Investigation Committee. I report the result of the investigation.

Chairman (HARA):

As there is no special comment, I want to omit the reading under the second (reading) and instantly have a vote taken. I ask for a standing vote of those who support this.

(All members stand up)

Chairman (HARA):

It passed unanimously. I close the meeting today.

Emperor leaves.

(Closed at 5:10 p.m.)

Chairman:
Secretary-General

Yoshimichi HARA
Sueo HORIE

Clerks

Jū MOROHASHI
Masami TAKATSUJI

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ARAKI	No. 27
SUGAWARA, Chairman of Investigative Committee	No. 29
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USHIO, Chief Secretary	No. 31
HAYASHI	No. 32
FUKAI, Chief Secretary of Privy Council	No. 33
NIKAMI	No. 34
OSHIMA, Secretary	No. 36
OBATA	No. 37
TAKEKOSHI, Secretary	No. 38 10
MITSUCHI, Secretary	No. 39
IZAWA	No. 40 7
HARA, President of Privy Council, states:	11
Members absent:	7
We will open the session and discuss	
Princes: discussion of the protocol between	
Japan and France for a common defense	
H.I.H. YASUHITO, Emperor and the	No. 1
H.I.H. NOBUHITO, Prince	No. 2
H.I.H. TAKAHITO, The First Prince	No. 3
H.I.H. KOTOHITO, Prince organized,	No. 4
contents of the subject shall not be	
Councillors:	
KANEKO, report on the subject shall	No. 18
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Committee: SUZUKI states:	81
MURASE, Director of Bureau of Legislation	
IRIE, Councillor of Bureau of Legislation	
MIYAUCHI, Councillor of Bureau of Legislation	
SUZUKI, President of the Planning Board	
MIYAMOTO, Vice-President of the Planning Board	
SAITO, Director of South Sea Bureau of	
Foreign Office	
MATSUMOTO, Director of Bureau of Treaties	
of Foreign Office	
HARAGUCHI, Director of Exchange Bureau of	9
Finance Office	
ONOOKA, Director of Ship Controlling	
Bureau of Communication Office	
YONEDA, Controlling Officer of the Marine	
Transportation Bureau	
OKA, Chief of Military Bureau of Navy Office	

Reporters:

According to the ministers' explanation-

SUZUKI, Chairman of Investigation Committee

French Indo-China have become gradually
Chief-Secretary: last year, (1940) and the

success of the economic negotiations

HORIE, Chief-Secretary of Privy Council

and of the border-dispute-mediation-

Secretaries: between Thailand and French

Indo-China in Tokyo this spring has

MOROBASHI, Secretary better friendship 10

TAKATSUCHI, Secretary French Indo-China.

However, the tendency of dependence

HARA, President of Privy Council, states: 11

French Indo-China.

We will open the session and discuss

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of French Indo-China and the exchange

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The report on the subject shall be

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vestigation Committee immediately.

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Reporter SUZUKI states: y, in the southern 11

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men by the Emperor's order to discuss

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Japan and France for the common defense 14

of French Indo-China and the exchange

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about cooperation between Japan and French Indo-China smoothly are very important from the points of self-existence, self-defense and Japan's southward drive policy.

The existing political understanding between the two nations cannot be sufficient for them. The Japanese government has realized that it is very necessary for Japan to make France closely cooperate with us in the military field. 15

Therefore Japan ordered the Japanese envoy to France to negotiate with the French Government. The negotiations were concluded amicably. The protocol on the subject and the definite plan for exchange of official documents were obtained. The gist of the above-mentioned arrangements is as follows: 15

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No. 2 The Official Document
Exchanged

The object of this document is to conclude an agreement concerning the measures to be taken for the concerted defense of French Indo-China based on the provisions in the above mentioned Protocol with the form of reciprocating documents between the representatives of the two nations and the following clauses decided in this document:

- I. Toward the Japanese Government the French Government shall admit
 - A. The dispatch of a necessary force of Japanese army troops, war vessels and air forces to the southern Indo-China.
 - B. The use of Siemreap and seven other places as air bases, Saigon and Camrang Bay as naval bases and to provide equipments for military purposes.
 - C. The right of quartering, manoeuvres and training of Japanese army, the freedom of action, and to award special conveniences for the performance of their duties.

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D. And the French Government shall offer to the said Japanese army 23,000,000 Indo-China piastre in currency for this year namely about 4,500,000 Indo-China piastre monthly, (however the Japanese Government is prepared to repay with free yen, U.S. dollar or gold).

II. The French Government shall approve the fundamental principles of the Japanese army's advance and in order to avoid occurrences of contingent clashes between the Indo-China army shall take all effective steps.

III. The details concerning the activities of Japanese army shall be discussed and decided between the Japanese and French authorities at the actual place.

It seems to me, that with this matter, we aim to conclude an agreement which is necessary for the two nations in order to engage in the defense of French Indo-China in unanimous cooperation and for the self-defense of Japan, and furthermore it is indispensable for the stability of the Far East and the co-prosperity of Japan and France, so the conclusion of this agreement may be said to be an opportune measure, in view of the present strained international situation. Therefore, this matter was unanimously approved to be passed without amendment by the Investigation Committee. I report the result of the investigation.

Chairman (HARA):

As there is no special comment, I want to omit the reading under the second (reading) and instantly have a vote taken. I ask for a standing vote of those who support this.

(All members stand up)

COPY

Doc. No. 1165

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Chairman (HARA):

It passed unanimously. I close the meeting today.

Emperor leaves.

(Closed at 5:10 p.m.)

Chairman:
Secretary-General

Yoshimichi HARA
Sueo HORIE

Clerks

Jo MOROHASHI
Masami Takatsuji

COPY

Summary of Kuro
1+3

Et. 1241

Records of the Meeting of the
Inquiry Committee of the Privy Council on Dec. 8, 1941

Priv. C. Inquiry Committee Meeting
Concerning Declaration of
War against America and
England.

Dec. 8, 1941 (Monday) 7:30 a.m. all the councillors of the Privy Council (except Councillor KANEKO) meet in the East Third Waiting Hall in the Imperial Palace. Naval Minister SFIMADA reports on the starting aspect of the war opened against America and England. While he is reporting the Council receives the Emperor's reference bill for their deliberation pertaining to the above subject. President FARA announces the general committee meeting and the meeting opens at once.

Members present:

- ✓ President FARA
- ✓ Chairman of Inquiry Committee: Vice President SUZUKI
- Inquiry Committee members:
- ✓ Councillor ARIMA *Ryokitan*
- " ✓ ISFIZUKA
- " ✓ MINAMI
- " ✓ ARAKI
- " ✓ SUGAFARA
- " ✓ USFIO
- " ✓ FUKAI
- " ✓ MANO
- " ✓ OBATA
- " ✓ MITSUCFI
- " ✓ IKEDA
- Councillor ISFII
- " KUBOTA
- " SPIMIZU
- " NARA
- " MATSUI
- " MATSUURA
- " HAYASHI
- " FUTAGAMI
- " OSHIMA
- " TAKEGOSFI
- " IZAWA

A member absent: Councillor KANEKO

Government members;

- Premier)
- Home Minister) TOJO ✓
- Army Minister)
- Education Minister FASFIDA ✓
- Agriculture and Forestry Minister } INO ✓
- Overseas Minister } INO ✓
- Welfare Minister KOIZUMI ✓
- Justice Minister IWAMURA ✓
- Navy Minister SHIMADA ✓
- Foreign Minister TOGO ✓
- Communication Minister TERASFIMA ✓
- Finance Minister KAYA ✓
- Commerce and Industry KISFI ✓
- Railway Minister HATTA ✓

RETURN TO ROOM 361
FILE COPY

Explaining members:

Chief Secretary of the Cabinet FOSFINO
Chief of the Legislative Bureau MORIYAMA
Chairman of the Cabinet Planning Board SUZUKI
Chief of the Intelligence Bureau TANI
Chief of the East Asia Bureau, Foreign Ministry YAMAMOTO
Chief of the Europe and Asia Foreign Ministry SAKAMOTO
Chief of the Treaty Bureau, Foreign Ministry MATSUMOTO
Chief of the Army Affairs Bureau, Army Ministry MUTO
Chief of the Naval Affairs Bureau, Navy Ministry OKA
Chief Secretary HORIE
Secretary MOROHASHI
Secretary TAKATSUJI

(Meeting opened at 7:45 a.m.)

Chairman SUZUKI declared that the meeting come to order.

Premier TOJO explains the reason why, at last, they have been obliged to deal with this bill.

Comm. member ISHII asks in regard to the time of declaration of war.

TOJO answers that it shall be done as soon as the Imperial sanction is obtained on this subject.

KUBOTA questions regarding the relationship between negotiations with America and treatment of this subject. To this Premier TOJO answers that at their meeting in the Emperor's presence on Dec. 1st, war against America, England and Holland was decided on. Therefore those negotiations were continued only for the sake of strategy.

SPIMIZU asks whether or not war is to be declared against Holland; also he asks what will be the attitude of Siam. TOJO replies that Japan will not declare war against Holland in view of future strategic convenience. As for Siam the Japanese Government is in the course of negotiations with her for concluding an Alliance Pact.

MINAMI asks what attitude Germany will assume in relation to the Tripartite Alliance, following the disposition of this subject. To this TOJO and SAKAMOTO, Chief of the Europe and Asia Bureau, reply that, as far as the German Government is concerned, as soon as Japan declares war against America and England, Germany and Italy will also assume the same attitude as Japan, and they will not make a separate peace. In fact they are preparing the draft of an agreement therefor.

NARA asks what will be the attitude of Soviet Russia. TOJO replies that relationship between Japan and Soviet Russia

at present stands on the basis of the Neutrality Pact, but as to the treatment of the same he expects special care to be taken. As to the general situation, Soviet Russia is now fighting against Germany, so she will not avail herself of the Japanese southward advance. Also she will not make any ready move following America's plotting which is naturally expected. Further, if Soviet Russia grants America use of her territory in the East, that means Russia makes Japan her enemy; therefore she cannot easily make such a decision. In the future Japan shall never fail to keep an increasingly close watch over Russian activities.

SUGAHARA asks about the budget distribution of expenses incurred in connection with this proposition. Finance Minister KAYA explains that it will be drawn upon a special account of Emergency War Expense just as in the case of the China Incident.

Comm. member FUKAI debated on the fact that, under the present currency system disposition of required funds will be easily made for the time being, but in regard to materials required thoughtful planning is necessary; so he inquires the Government's opinion regarding it. TOJO replies that, in conclusion based on views from all angles it is not necessary to have much anxiety so far as material supplies are concerned and as for financing and money circulation they shall be treated with most careful attention to their bearing on materials.

Comm. member FUTAGAMI says that according to the draft for an Imperial edict which is accompanying this project for reference, it seems as though action of war is started from our side and so, he asks, if it does not give America an excuse for her declaring war. To this Premier TOJO answers that action of war may have been started from our side, the cause of the war is really nothing but the fact that America gave various economic pressures to Japan. FUTAGAMI further asks if accuracy is lacking in using the words, "America" and "England" in the draft for the Imperial edict. Foreign Minister TOGO and Chief of the Treaty Bureau MATSUOTO answer that there are precedents that they used such words as, "Chin," "Russia," and "Germany" in edicts of declaration of war. In the announcement documents to enemy countries the government will use regular names of the countries involved, and there is no fear of arising misunderstanding.

Comm. member TAKEGOSHI expresses hope that there will be no lack of attention regarding food plans. Comm. member IZAWA expresses hope that they will do their best to try to bring about an effective unification of the national mind.

Comm. member IKEDA and Comm. member KUBOTA say that it will not be good to leave any doubtful point in the Imperial edict and so it will be better to avoid using the word, "America." To this Foreign Minister TOGO replies that it is known all over the world and it is clear that America means the United States of North America.

Chairman SUZUKI considers that questioning has been finished by the above discussion and he asks the Government Ministers and Explaining Members to leave.

(Ministers and Explaining Members leave.)

Then as the result of conference among the committee members it was unanimously decided to approve this proposition as it is.

Thereupon Chairman SUZUKI declared the adjournment of the meeting.

(Meeting adjourned at 9:55 a.m.)

General Outline of the Privy Council
Attending to Business at the Time of
Declaration of War against America
and England

The international situation surrounding the China Incident had become tense and diplomatic negotiations with England and America had been driven close to the breaking point. The Cabinet anticipated that it might happen that war would be declared at the same time with the opening of hostilities. Concerning procedures to be taken at such a time MORIYAMA, Chief of Legislative Bureau privately had conferred with FORIE, Chief Secretary of Privy Council. On Dec. 7 (Sunday) at 4 p.m. MORIYAMA phoned to FORIE saying that he wanted to have a talk with FORIE concerning an urgent treatment of affairs to face the tense situation at hand, and asked him to come and have a meeting in the official residence of Premier at 7:30 p.m. FORIE at once notified Secretary MOROFASFI by phone and MOROFASFI notified Secretary TAKATSUJI accordingly. Further, Procurator Hotta and Commissioner NODA were notified of the meeting by a messenger. So at 7:30 p.m. everyone came to meet in the Premier's official residence. At 8 p.m. in the office room of Chief of the Legislative Bureau they were informed of details of the matter by MORIYAMA, Chief of the Legislative Bureau. Owing to the disruption of Japan-America conference a critical situation was brought about and Japanese Army and Navy were to begin action early in the morning, next day, and the government would present, during the next day, declaration of war against America and England for Imperial sanction. Therefore they had Procurator Hotta, etc. go on to prepare a bill pertaining to this matter and at the same time Chief Secretary FORIE informed FARA, President of Privy Council, and SUZUKI, Vice-President of Privy Council, by phone of the above fact, receiving instructions from them, he made arrangements for holding a meeting of the Privy Council, and then they went home at 11 p.m. After that the two Secretaries MOROFASFI and TAKATSUJI moved to the official residence of the Cabinet Chief Secretary and in a room there they set on preparing an inquiry and report draft on the matter of declaration of war

against America and England. They finished writing after 12 p.m. and had a nap.

It was a fairly cold day and was not clear either.

A little after 4 a.m. Dec. 8 (Monday) Cabinet Secretary INADA informed the two secretaries of the fact that it had been decided to ask for Imperial sanction for declaration of war against America and England. The two Secretaries at once passed this information on to the Chief Secretary. Further they sent telephone message to the President, Vice-President and each Councillor asking them to come and meet in the East Third Hall of the Imperial Palace to consider an urgent matter at 7:30 a.m. By the appointed time all the members of Privy Council (except Councillor KANEKO) and the Chief Secretary and others of Privy Council got together there, when Navy Minister SPIMADA reported on the outbreak of war against America and England at Hawaii and Malay. While he was reporting they received a draft of the Imperial ratification pertaining to the declaration of war against America and England. President HARA announced the General Committee Meeting. At once the meeting opened. Since the bill was an extremely urgent one it was discussed in a hurry, the Committee Meeting adjourning at 9:55 a.m. Following this at 10:50 with the Emperor's presence a plenary meeting was held and it was unanimously approved. At once the resolution was presented to the Emperor. The time was exactly 11 a.m. The sun was shining brilliantly and the weather was very clear.

C E R T I F I C A T E

W. D. C. No. _____
I. P. S. No. 1078

Statement of Source and Authenticity

I, M. Takatsuji hereby certify that I am officially connected with the Japanese Government in the following capacity: Secretary of Privy Council and that as such official I have custody of the document hereto attached consisting of 14 pages, dated 8 Dec, 1941, and described as follows: Records of the meeting of the Investigation Committee, Privy Council, concerning Declaration of War against America and England. Dated 8 December 1941.

I further certify that the attached record and document is an official document of the Japanese Government, and that it is part of the official archives and files of the following named ministry or department (specifying also the file number or citation, if any, or any other official designation of the regular location of the document in the archives or files): Privy Council, Imperial Palace ground.

Signed at Tokyo on this
17th day of Sept., 1946.

/s/ M. Takatsuji
Signature of Official

Witness: s/ T. Swzuki

SEAL

Official Capacity

Statement of Official Procurement

I Edward P. Monaghan, 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 Japanese Government in the conduct of my official business. Signed at Tokyo on this
17th day of Sept., 1946

Witness: /s/ Eric W. Fleisher 2d Lt.

/s/ Edward P. Monaghan
NAME

Investigator, IPS
Official Capacity

EX/267

Sumner

PRIVY COUNCIL MEETING MINUTES

10 December 1941

1. Matter for the conclusion of the agreement between Japan, Germany, and Italy regarding the waging of a common war against U.S.A. and the United Kingdom, non-separate peace and collaboration for the establishment of the new order.

The meeting was opened at 5:35 P.M., December 10th, 1941 (16th year of SHOWA) (Wednesday) in the Imperial presence.

Members who were present:

HARA, the Chairman
SUZUKI, the Vice-Chairman

Ministers:

TOJO, Prime Minister, concurrently Home Minister and War Minister.	No. 5
HASHIDA, Education Minister	No. 6
INO, Minister of Agriculture and Forestry, currently Overseas Minister	No. 7
KOIZUMI, Welfare Minister	No. 8
IWAMURA, Minister of Justice	No. 9
SHIMADA, Naval Minister	No. 10
TOGO, Foreign Minister	No. 11
TERASHIMA, Communication Minister	No. 12
KAYA, Finance Minister	No. 13
KISHI, Minister of Commerce and Industry	No. 14
HATTA, Transportation Minister	No. 15

Councillors:

ISHII	No. 18
ARIMA	No. 19
KUBOTA	No. 20
ISHIZUKA	No. 21
SHIMIZU	No. 22
MINAMI	No. 23
NARA	No. 24
ARAKI	No. 25
MATSUI	No. 26
SUGAWARA	No. 27

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MATSUURA	No. 28
USHIO	No. 29
HAYASHI	No. 30
FUKAI	No. 31
FUTAKAMI	No. 32
OSHIMA	No. 34
OBATA	No. 35
TAKEGOSHI	No. 36
MITSUCHI	No. 37
IZAWA	No. 38
IKEDA	No. 39

Absentees:**The Imperial Princes:**

YORIHITO, the Imperial Prince	No. 1
NOBUHITO, the Imperial Prince	No. 2
TAKAHITO, the Imperial Prince	No. 3
KOTOHITO, the Imperial Prince	No. 4

The Councillors:

KANEKO	No. 17
MANO	No. 33

Members of the Committee:

SUZUKI, the President of the Planning Board
MORIYAMA, the President of the Legislative Bureau
SAKAMOTO, the Director of the European and Asiatic Bureau in the Foreign Ministry
MATSUMOTO, the Director of the Treaty Bureau in the Foreign Ministry

Reporter:

SUZUKI, the Chief of the Inquiry Committee

The Chief Secretary:

HORIE, the Chief Secretary

The Secretaries:

MOROHASHI, the Secretary
TAKATSUJI, the Secretary

The Chairman (HARA):

The meeting will now be opened.

I will offer the subject for discussion "the matter for the conclusion of the agreement between Japan, Germany, and Italy pertaining to the waging of the common war against U.S.A. and the United Kingdom, non-separate peace and collaboration for the establishment of the new order." The first reading will be open, omitting the reading, and the Chief of the Inquiry Committee shall report immediately.

The Reporter (SUZUKI):

With regard to the matter for the conclusion of the agreement between Japan, Germany, and Italy pertaining to the waging of the common war against U.S.A. and the United Kingdom, non-separate peace and collaboration for the establishment of new order, which is submitted for discussion at this time, I and all the members present have been appointed members of the Inquiry Committee today. So we opened a meeting of the Committee immediately and listened to the explanation of the ministers and the authorities concerned to investigate the matter carefully. In addition, as the matter is of urgent need, and there was no time to issue the report of the investigation, I would like to request your full understanding.

According to the explanation of the ministers concerned, as soon as the difficult situation to conclude the negotiation between Japan and the United States was known, the Imperial Government fathomed the attitude of Germany and Italy and ascertained their intention beforehand, considering the occasion of emergency when there might be a conflict between Japan and the United States. And then when the situation between Japan and the United States became more and more threatening, the Imperial Government proposed to the German and the Italian Governments a draft of the agreement pertaining to non-separate peace between Japan, Germany, and Italy, and opened a negotiation to conclude this agreement. But, due to the declaration of war against the United States of America and the United Kingdom on the 8th of this month, the Imperial Government notified the German and the Italian Governments without delay, and proposed at

the same time that Japan would expect prompt participation in the war by both powers. Then, as both the governments replied to the proposal that they had no objection to participating in the war and concluding the agreement pertaining to non-separate peace, the Imperial Government repeated the negotiation on the basis of the draft proposed by the German Government, until the negotiation was settled to decide the definite plan.

Well, the outline of the draft of this agreement is as follows:

The draft states in the preamble that the three governments, Japanese, German, and Italian, would conclude the agreement with firm resolution not to lay down arms until the common war against the United States and the United Kingdom would have been achieved completely. Then it provides in the text that the Three Powers, Japan, Germany, and Italy, would wage war, forced by the United States of America and the United Kingdom, with all available measures until the war would have been achieved with complete victory, that the Three Powers, Japan, Germany, and Italy, without mutual complete understanding, would promise not to suspend hostilities or to make peace with either the United States of America or the United Kingdom, that the Three Powers, Japan, Germany, and Italy, would collaborate with the utmost intimacy after the war terminated in victory in order to establish a righteous new order in the significance of the Three-Powers-Pact which was concluded on September 27th in SHOWA 15 (1940), and that this agreement would be carried into effect soon after the signature, and be valid for the same period as the Three-Powers-Pact, and the powers concerned would arrive at an understanding concerning the forthcoming forms of collaboration at the proper time before the termination of the term of validity.

We consider that this matter aims at the conclusion of the agreement between Japan, Germany, and Italy pertaining to the waging of the common war against the United States of America and the United Kingdom, non-separate peace, and collaboration of the establishment of a new order after the war. It will be said to be a proper step due to the present situation of the Japanese Empire and we find no obstacle in any

article. We have all unanimously decided that this bill would be passed without modification.

The result of the investigation is the above-mentioned.

Chairman (HARA):

As there's no movement, I wish to omit the second reading and so forth, and take an immediate vote. Those who support this bill please rise.

(All the members stood up.)

Chairman (HARA):

The bill has been decided unanimously.

We close today's meeting.

The Emperor retired.

(Closed at 5:42 P.M.)

Chairman
Chief Secretary
Secretary

HARA, Yoshimichi
HORIE, Sueo
MOROHASHI, Yuzuru
TAKATSUJI, Masami

Very Secret

AGREEMENT BETWEEN JAPAN,

GERMANY AND ITALY

With firm resolution not to lay down arms until the common war against the United States of America and the United Kingdom will be brought to a glorious victory, the Japanese Government, the German Government and the Italian Government have concluded the following articles:

Article 1

Japan, Germany and Italy will wage common war compelled by the United States of America and the United Kingdom with all available measures, until the war will come to complete victory.

Article 2

Japan, Germany and Italy will agree neither to suspend hostilities nor to make peace with either the United States of America or with the United Kingdom without complete mutual understanding.

Article 3

Japan, Germany and Italy will collaborate with utmost intimacy after the victorious termination of war for the purpose of establishing a righteous new order in the true significance of the Three-Powers-Pact concluded on September 27, 1940.

Article 4

This agreement will come into force soon after the signature and remain in force as long as the Three-Powers-Pact is valid. The Three Powers that concluded this pact will attain, at proper time before the term of validity will elapse, mutual understanding over the forthcoming forms of collaboration which were foreseen in Article 3 of this agreement.

In evidence thereof, the undersigned invested from their Governments full powers have, added our signatures and seals to this agreement.

Three kinds of texts were made in Berlin in Japanese, German and Italian on December of SHOWA 16 (1941), on December of the Fascist Calendar. 20.

Concluded on Sept. 27, 1940.

Iwamura

Ex.1479

DOCUMENT 10-M.

Department

PLAIN

US URGENT

AMERICAN LEGATION,

BERN.

275, Twenty-seventh

AMERICAN INTERESTS - JAPAN.

There are cited in the following numbered section, the numbers^{of}/which correspond to the numbered charges in the Department's urgent telegram of even date, examples of some of the specific incidents upon which this Government bases the charges made by it against the Japanese Government in the telegram under reference. The specific incidents have been selected from the numerous ones that have been reported from many reliable sources to this Government. Ask the Swiss Government to forward this statement textually to its Minister in Tokyo with the request that he present it to the Japanese Government simultaneously with the telegram under reference and that he call upon the Japanese Government promptly to rectify all existing derelictions and take such further steps as will preclude their recurrence.

The Minister should further seek for himself or his representatives, permission in accordance with Article 86 of the Convention, to visit such place without exception where American nationals are detained and request of the Japanese Government the amelioration of any improper conditions that he may find to exist.

The Swiss Minister in Tokyo should be particularly asked to report promptly and fully all steps taken by the Japanese Government in conformity with the foregoing.

Charges I and II. Prisoner of War and civilian internment camps in the Philippines, French Indochina, 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 Hongkong, 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 Ask Camp and Chapei remain undelivered. The same situation exists with respect to the civilian internment camp at Baguio, and in most if not all of the camps where American prisoners of war are held. Persons held at Baguio, Cebu, 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 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 Marivales Bay, Philippine Islands, civilian internment camps at Baguio, Canton, Chefoo, Peking, Manila, Tsingtao, Weihsien, and Yangchow, and at the Ash camp, Chapei Camp, Lungghwa Camp and Footung 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 the victims was Lieutenant Colonel William B. 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 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 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 camps 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.

C 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,

the 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 of 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 abandoned 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 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 2,000 American 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 three hundred prisoners from Camp O'Donnell died while they were on work detail in 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 from the Philippine Red Cross was held up by the 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 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 prisoner's 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 the 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 at 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 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 anti-quinine 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 Sumire to pay for their own medical and dental care.

Charge XIV. 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 Indochina.

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 were 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 of 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 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 tortured 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 a 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 some sugarcane for the men in the hospital. For this he was tied to a stake for twenty-four hours and severely beaten.

In the interment camp at Baguio a boy of sixteen was knocked down by a Japanese guard for talking to an internee 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 14, 1942 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.

HULL

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