

EXHIBIT No. 2085

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CC.1.8.0. - FGc.

By note of December 29 the Swiss Legation had the honor of transmitting to the Imperial Foreign Ministry a notification emanating from the Government of the United States of America and concerning the torpedoing of the merchant ship "Jean Nicolet".

On January 8, the Ministry explained verbally the desire of being informed about the latitude at which the ship was torpedoed.

The Legation did not fail to ask Washington for the details on this subject through the Swiss Government.

The Government of the United States has asked that the following answer be transmitted to the Japanese Government:

"The position of the 'Jean Nicolet' was not taken at the moment the Japanese submarine torpedoed it or while survivors were boarding the submarine on which their mistreatment by the crew of the submarine occurred. No position was taken due to circumstances surrounding the attack of this vessel. In the text of the protest, position of 3 degrees south 74 degrees 30 minutes east is given as consensus of opinion of survivors regarding the location of the attack. However, one survivor did state the position to be 3 degrees 28 minutes south 74 degrees 40 minutes east. In any event, the United States Government believes position given to be sufficiently exact so that with the conclusive evidence of attack given in the protest full identification can be made of responsible Japanese submarine and crew."

It results from this new communication that the seventh line of the first page of the previously mentioned note of December 29 must be corrected thus:

/quoted from English/ "..... at position of 3 degrees south, 74 degrees 30 minutes east, the United States"

The Legation takes this opportunity to renew to the Imperial Foreign Ministry the assurances of its high consideration.

To the Imperial Ministry for
Foreign Affairs, Tokyo

Tokyo 20 February 1945

Certificate:

I, DENZEL CARR, hereby certify that I am thoroughly conversant with the French and English languages, and as a result of the comparison between the French and the English texts, I have established that this is a true and correct translation of International Prosecution Document No. 8413.

/s/ Denzel Carr