

CC.3.1.43.-FGc
CC.3.1.46.-

/stamp:/
Feb. 2, 1945

The Swiss Legation has the honour of informing the Imperial Ministry of Foreign Affairs that the Government of the United States of America has requested that the following notification be addressed to the Japanese Government:

"The Japanese Government acknowledged receipt of notification that the U.S.S. "Comfort" was designated as United States hospital ship (see note no.188/T2 from the Ministry to the Legation dated 6 July). On the 24th October 1944 at 02.00 local time in the vicinity of latitude 0850 north longitude 12850 east, the "Comfort" was attacked by a Japanese aircraft. The vessel was conventionally painted as hospital ship and fully lighted with two illuminated crosses on deck and four on the stack. During this attack upon the "Comfort", three bombs were dropped, two of which landed close aboard.

On the 14th July 1944 (see note no.200/T2 from the Ministry to the Legation dated 14 July), the Japanese Government acknowledged receipt of the notification that the U.S.S. "Hope" was designated United States hospital ship. On the 3rd December 1944, at 16.00 local time, at latitude 0936 north longitude 12821 east, the "Hope" was attacked by a Japanese torpedoplane. This attack was made in daylight on a conspicuously marked hospital ship. Following this deliberate attack, the attacking Japanese aircraft retired to Mindanao.

The United States Government emphatically protests against above described attacks upon the hospital ships "Comfort" and "Hope" such attacks representing flagrant violation of the tenth Hague Convention of 1907 as well as those principles, customs and usages of international law attached to hospital ships. The United States Government insists that the Japanese Government give its assurances that attacks by Japanese armed Forces upon hospital ships will not be repeated in future and that those persons responsible for the above-mentioned attacks on the "Comfort" and "Hope" have been punished."

In begging the Ministry kindly to acknowledge receipt of the present notification and to communicate to it /the Legation/ the reply of the Imperial Government to the American protest, the Legation takes this occasion to renew to it the assurances of its high consideration.

Tokyo, 29 January 1945.

To the Imperial Ministry
of Foreign Affairs
Tokyo

No 2058

Certificate:-

I, Yale Maxon, 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. 8435.

/s/ Yale Maxon