

Doc. 8443 Evid

Folder 27

(11)

Tokyo, January 21, 1942

EE.7.1.-ca.-

My dear Minister,

In compliance with the instructions of my Government and following previous communications on the subject of the application of the Geneva Conventions of 1929, I have the honor of sending to Your Excellency the following communication from the Government of the United States of America:

1) The American Government has accepted the humanitarian proposal of the International Red Cross Committee made to it on December 10 1941 (which it is believed is identical with one made to the German Italian and Japanese Governments) setting up machinery for the exchange of lists of prisoners of war and of the wounded under article 79 of the Prisoners of War Convention of 1929. The American Government will also exchange lists of civilian internees in an analogous manner.

2) The American Government wishes to know if the Japanese Government is disposed to take similar action on the proposal of the International Red Cross Committee.

3) In accordance with article 77 of the Geneva Convention a Prisoners of War Bureau and in addition an Alien Enemy Information Bureau with like functions have been established by the United States War Department in the office of the Provost Marshal General. These Bureaus will be authorized to communicate lists of prisoners and civil internees direct to the International Red Cross Committee at Geneva and to representatives of the protecting powers. It is understood of course that the American Government's policy in this respect includes an expectation that the opposing belligerents will reciprocate.

4) The American Government has not yet received an expression of the intentions of the Japanese Government in regard to observance of the Geneva Conventions of 1929 including the application in the present conflict of the Prisoners of War Convention which it is understood Japan has not ratified and in regard to the extension of the provisions of the

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latter Convention in so far as they are adaptable to any civilian enemy aliens who may be interned. It is recalled that the Swiss Government has already been requested to rotify the Japanese Government of the American Government's intention to apply both Conventions as well as to apply the provisions of the Prisoners of War Convention to civilian internees in so far as adaptable."

I shall be happy to know the views of the Imperial Government on this subject and ask you to accept, my dear Minister, the assurances of my very high consideration.

The Swiss Minister.

To His Excellency
Mr. Shigenori TOGO
Minister for Foreign Affairs
Tokyo

Certificate

I, George Buffington 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 Internation Prosecution Document No. 8443.

/s/ George W. Buffington

東京、一九四二年一月二十一日

大臣閣下

我が政府ノ訓令ニ從ヒ、且一九二九年ノヂュネー
ヴ條約ノ適用ニ關シ帝國政府ニ先ニ傳達セシ通信
ニ引ツマキ閣下ニアメリカ合衆國政府ヨリ發セラ
レタル次ノ通信ヲ傳達スルノ光榮ヲ有ス

一 (一) 米國政府ハ一九四一年十二月十日同政府ニ對
シ爲サレタル一九二九年ノ戰時俘虜ノ待遇ニ關
スル條約第七九條ニヨリ俘虜及負傷者ノ名簿交
換ノ爲メノ機構ヲ設立スベシトノ國際赤十字委員
會ノ人道的提案(之ハ獨逸、伊太利及日本政府
ニ對シ爲サレタモノト同一ノモノト信ゼラルル
ヲ承諾シタ。米國政府ハ又同様ノ方法ヲ以テ一
般人被收容者ノ名簿ヲ交換セントスルモノデア
ル。

(二) 米國政府ハ日本政府カ國際赤十字委員會ノ右
提案ニ對シ同様ノ行動ヲ取ル意向ナルヤヲ知り
度シト希望ス。

(三) 「ゼネヴァ」協約第七七條ニ依リハ俘虜局及

not used Doc 8443

1.

ビソレト同様類似ノ活動ヲスル在留敵國人情報局カ合衆國陸軍省ニヨリ憲兵司令官局ニ設立サレタ。此等ノ局ハ俘虜竝ニ一般被收容者ノ名簿ヲ「ゼネヴア」ノ國際赤十字委員會及利益保護國ノ代表ニ對シ直接通信スルコトノ權能ヲ與ヘラレル筈デアアル。此ノ事ニ關スル米國政府ノ政策ハ敵對交戰國モ之ニ同様ナ行動ヲトルコトヲ條件トスルモノデアアルコトハ勿論デアアル。

(四)米國政府ハ日本ガ批准シテモナイト諒解サレ居ル俘虜ノ待遇ニ關スル條約ヲ含ム一九二九年ノ「ゼネヴア」協定ヲ現下ノ戰爭ニ適用スルコト及ビ俘虜ノ待遇ニ關スル條約ノ條項ヲ適用シ得ル限り抑留サレル事アル敵國一般民ニ擴張適用スルコトニ關シ未ダ日本政府ノ意志表示ニ接シテモナイ。

米國政府ハ「スイス」政府ニ對シ既ニ前記兩協約ヲ適用ストノ米國政府ノ意向及ビ俘虜ノ待遇ニ關スル條約ヲ適用シ得ル限り民間抑留者ニ適用スル意志ナルヲ日本政府ニ通告サルルヤウ要請シタコトヲ此處ニ想起スル者デアアル。

(佛文和譯)

3.

Doc 8443

本件ニ關シ帝國政府ノ見解ヲ識ル事ハ小官ノ満足
トスル處ナリ。閣下ニ深甚ナル敬意ヲ表ス。

ス
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使

外務大臣

東 郷 茂 德 閣 下

東 京

INTERNATIONAL PROSECUTION SECTION

REQUEST FORM

24 Dec. 1946

INCIDENT -- ACCUSED

~~XXXXXXXXXXXXXXXXXXXX~~ MR. TAVENNER

The undersigned requests the consideration of Document # 8443
(Describe):

Correspondence between US & Japan via Swiss (to Japan) 21 Jan. 1942.

Please process the entire document in English and Japanese.

for introduction in evidence (specify purpose)

As part of phase dealing with atrocities on Pacific Islands and at sea.



J. J. ROBINSON

Staff Attorney

24 Dec.

1946

TO THE DOCUMENT OFFICER:

The above document has been approved for processing by you with changes as follows:



~~XXXXXXXXXXXXXXXXXXXX~~
Document Control Attorney

By _____

Secretary

#8983

~~佛文和譯~~

E.E. Se... car

Checked by
C. Hasegawa

(原江素子)

東京一九四二年一月二十一日

大臣閣下

我が政府の訓令に従ひ、かつ一九二九年の英ソ条約

の適用に關し、帝皇政府に伝達せし米通達^信に

引つゞき、閣下は、アメリカ合衆国政府より發せられ

たる次の通達^{信を傳}自身^るの光榮を有す。

Manuscript by Wiktor
Checked by Tetsuki Yamada
Checked by Hiropono

英文和譯

(一) 米國政府ハ一九四一年十二月十日同政

府ニ対シテ舞サレタル一九二九年ノ戦争時停虜

係屬ニ関ス

協約第七九條ニヨリ停虜及負傷

者ノ名簿表交換ノ為メ機構ヲ

設立スベシトノ國際赤十字委員

会ノ人道主義的提案(之ハ独逸

伊太利及日本政府ニ対シ舞サレタモノト

同一ノモノト信ゼラレル)ヲ羨慕シタ。

米國政府ハ又同種ノ態度ヲ以テ

一般人被收容者ノ名簿ヲ交換ス

ルモノデアル。

(二) 米國政府ハ日本政府ガ國際赤十字委員會^{委員}ニ對シ同稱ノ行動ヲ取ル意向ナルヤヲ知リ度^レキ希望ナリ。

(三) 七ネグ^ラ協約第七七條ニ依リ、類似

ノ行動ヲスル俘虜局及ビ^{在留}敵國人

情報局ガ合衆國陸軍省ニヨリ憲

兵司令部局ニ設立サレタ。此等ノ局

ハ俘虜^地ニ一般被收容者ノ名^ヲ導ク

七ネグ^ラノ國際赤十字委員會及利五保

護國ノ代表ニ對シ直接通信スルコトノ

権能ヲ与ヘラレシ管デアル。此ノ美ニ旗ヲ

米國政府ノ政策ハ敵對支戰國ニ

之ニ同意セルコトヲ ~~常ニ~~ 常ニキルコトハ勿論

同様に行動ヲ

~~力~~

(四) 米國政府ハ日本が ~~批准~~ 批准シテオナク

管デアル條約ヲ ~~現下~~ 現下戦争ニ適

用スルコトヲ含ム一九一九年ノゼネラル協

定ヨリ従フコト及ビ存屬協約ノ條項ヲ

以テ適應シ得ル限り ~~可能~~ 可能ナル

敵國一般民ニ擴張適應スルコトニ関シ

未ダ日本政府ノ意向發表ニ接シテオナク

條件ハ云々

に詳解サレタリ

存屬協約

存

一九一九年ノ協約

條項

事關

ハ

（米國政府）
（對）
スイス政府が既ニ前記兩協約ヲ適用

ストリ米國政府ノ意向ヲ日本政府ニ通告

（サレ）
及ビ存屬協約ヲ適用ニ得ル限

（民間物所有者）
（被收買者）
適用ニ得ル限

請ミタフト（ヨセ）
（佛文和譯）
（スル者）
（テ）
（ル）

本件ニ関シ帝國政府ノ見解ヲ識

ニ事ハ小ハ片、満足トスルノ處ナリ。尚下ニ

深甚ナル敬意ヲ表ス

スイス公使

外務大臣

東京

東京