

EXHIBIT No. 2072

(6)

Svenska

Beskickningen i Tokio

The undersigned, Ripa, Olof, Swedish Diplomatic Representative in Japan, declares and certifies that the annexed document is a complete and true (photo) copy of a letter, dated Tokyo 9 June 1942, received by the Swedish Minister in Japan, sent by the Jap. Foreign Ministry, which original document is part of the official records of the Swedish Mission in Tokyo,

Tokyo, October 31st, 1946.

/s/ Ripa

(Signature: O. Ripa)

SEAL

L.S. (Swedish  
Mission in  
Tokyo)

The Gaimusho  
Tokyo

9 June 1942

Translation

No. 45/E2

My dear Minister

I have the honor to acknowledge receipt to Your Excellency of your three letters dated 2 March, 13 April, and 28 May, last, relative to the bombardment and detention of the Netherlands hospital ship "Op Ten Noort".

I hasten to make the following known to Your Excellency, and beg that you will be kind enough to transmit it to the Netherlands Government:

The Netherlands hospital ship "Op Ten Noort" which was wandering about during the evening of 28 February in the sea to the northwest of the island of Bawean where the Japanese fleet was in combat with the enemy Allied fleet, was detained by the Japanese Navy being under suspicion of an act of reconnaissance on the movements of the Japanese fleet in favor of the enemy Navy. /official Japanese text accompanying the French text reads: "...being under suspicion of having reconnoitred the movements of the Japanese fleet and reported this information to the enemy navy..."/ This ship attempted on the 1st of March at dawn to escape at full speed from the surveillance of the escort vessel while the latter was attacking an enemy submarine. It was found, not without difficulty, by Japanese planes launched to search for it and rejoined its station the same day at evening.

The fact that this ship was used for a military purpose and that it attempted to escape when it was bound to follow the order of the belligerents constitutes an express violation of Article 4 of the convention of 18 October 1907 for the application of the principles of the Geneva Convention to maritime warfare.

The Imperial Government therefore protests strongly to the Netherlands Government against such an abuse of privilege and act of insubordination of a hospital ship. It is led to consider that this ship has lost, by these acts, the right of being respected in conformity with Article I of the said Convention.

As to the bombardment of the "Op Ten Noort" which was supposed to have been carried out on 21 February by Japanese planes, investigations by the competent authorities have revealed that absolutely no such bombardment was directed against this ship by Japanese planes. Moreover, the Japanese Army and Navy having received formal orders not to attack hospital ships, the Imperial Government underlines that such a thing could never take place.

Be kind enough to receive, my dear Minister, the renewed assurances of my high consideration.

(L.S.) Minister for Foreign Affairs