149: WAR: PACIFIC: 1941
JAPAN atrocities pro...

212-006-046

Texts of Statements by Secretary of State Hull on Abuse of U. S. Prisoners by Japanese

WASHINGTON, Feb. 11 (AP)—The text of two telegrams to the Japanese Government protesting treatment of American nationals, made public today by the State Department, follows:

American Legation, Bern

Please request Swiss legation, Tokyo, to deliver the following textually to the Japanese Government:

The Government of the United States refers to its communication delivered to the Japanese Government on Dec. 23, 1942, by the Swiss legation in Tokyo in charge of American interests in Japan and Japanese-occupied territory concerning reports that the Government of the United States had received of the mistreatment of American nationals in Japanese hands. The Swiss legation in Tokyo on May 28, 1943, forwarded to the Government of the United States a preliminary reply from the Japanese Government to this communication in which that Government stated that it would communicate in due course the results of investigations concerning each instance referred to in the note of the Government of the United States. No reports of investigations regarding these instances have yet been received.

The Government of the United States has takne due note of the statements of the Japanese Government "concerning the special circumstances prevailing in areas which have until recently been fields of battle" and concerning "the manifold difficulties which exist in areas occupied by the Japanese forces or where military operations are still being carried on." The Government of the United States points out, however, that the regions in which Americans have been taken prisoner or interned have long ceased to be scenes of active military operations and that the Japanese holding authorities have therefore had ample opportunity to establish an orderly and humane internment program in accordance with their Government's undertakings. Despite this fact, the Government of the United States continues to receive reports that the great proportion of American nationals are the victims either of inhuman cruelty or of callous failure to provide the necessities of life on the part of the Japanese holding authorities, in violation of the common laws of civilization and of the Japanese Government's undertaking to apply to American nationals the humane provisions of the Geneva Prisoners of War Convention.

Reported Abuses Listed

There follows a statement of the principal categories of the deprivation of rights, cruelties, wanton neglect, mistreatment and hardships to which, according to information received by the Government of the United States from many sources, Americans in Japanese custody have been subjected.

I. Representatives of the Swiss Government entrusted with the protection of American interests in Japan and Japanese-occupied territory have not been permitted to go to every place without exception where prisoners of war and civilian internees are interned, have not been permitted to interview without witnesses the persons held, and have not had access to all places occupied by the prisoners (Article 86 of the Geneva Prisoners of War Convention).

II. Representatives of the International Red Cross committee have been refused permission to visit most of the places where American nationals are held by the Japanese authorities (Articles 79 and 88).

III. American nationals have not been permitted to forward complaints to the Japanese holding authorities or to representatives of the protecting power (Article 42).

IV. The Japanese authorities have punished and have threatened to punish American nationals for complaining concerning the conditions of captivity (Article 42).

V. The Japanese Government has failed to furnish needed clothing to American nationals (Article 12).

Property Seizures Charged

VI. The Japanese authorities have confiscated personal effects from American civilian internees and prisoners of war (Article 6).

VII. American prisoners of war and civilian internees have been subjected to insults and public curiosity (Article 2).

VIII. Civilians and prisoners of war interned by Japan are suffering from malnutrition and deficiency diseases because of the failure and refusal of the detaining authorities to provide health-sustaining food for their charges or to permit the United States to make regular shipments on a continuing basis under appropriate neutral guarantees of supplemental food and medical supplies (Article 11 and the specific reciprocal undertaking of Japan to take into account national differences in diet).

IX. The Japanese authorities have devoted to improper and forbidden uses the profits of the sale of goods in camp canteens instead of devoting them to the welfare of the persons held in the camps (Article 12).

X. Contrary to the specific undertaking of the Japanese Government, the detaining authorities have compelled civilians to perform labor other than that connected with the administration, maintenance and management of internment camps. Officer prisoners of war have been forced to labor and noncommissioned officers to do other than supervisory labor (Article 27).

XI. Prisoners of war have been required to perform labor that has a direct relation with war operations (Article 31).

XII. Medical care has in many instances been denied to prisoners of war and civilian internees and when given has been generally so poor as to cause unnecessary suffering and unnecessary deaths (Article 14).

Religious Bans Reported

XIII. The Japanese Government has reported the names of only a part of the American prisoners of war and civilian internees in its hands (Article 77) and of American combatants found dead by Japanese forces (Article 4 of the convention for the amelioration of the condition of the sick and wounded of armies in the field, to which Japan is a contracting party).

XIV. The Japanese Government has not permitted internees and prisoners of war freely to exercise their religion (Article 16).

XV. The Japanese Government has not posted the convention in camps in English translation, thus depriving American prisoners of war and civilian internees of knowledge of their rights thereunder (Article 84).

XVI. The Japanese Government has failed to provide adequate equipment and accommodations in prisoner of war and civilian internment camps and transports, but on the contrary forced them to subsist in inhumane conditions (Article 10).

XVII. The Japanese Government has completely failed to apply the provisions of the Geneva Prisoners of War Convention (Title III, Section V, Chapter 3) with regard to trial and punishment of prisoners of war despite the fact that violations of its undertaking in this respect have repeatedly been called to its attention, but on the contrary has imposed cruel and inhuman punishments without trial.

XVIII. The Japanese authorities have inflicted corporal punishment and torture upon American nationals (Article 46).

The Government of the United States emphasizes that it has based the foregoing charges only on information obtained from reliable sources. Many well-authenticated cases can be cited in support of each of the charges.

Demands Punishment of Guilty

The Government of the United States also desires to state most emphatically that, as the Japanese Government can assure itself from an objective examination of the reports submitted to it by the Spanish, Swedish and International Red Cross representatives who have repeatedly visited all places where Japanese are held by the United States, the United States has consistently and fully applied the provisions of the Geneva Prisoners of War Convention in the treatment of all Japanese nationals held by it as prisoners of war or (so far as they are adaptable) as civilian internees, detainees or evacuees in relocation centers. Japanese nationals have enjoyed high standards of housing, food, clothing and medical care. The American authorities have furthermore freely and willingly accepted from the representatives of the protecting powers and the International Red Cross Committee suggestions for the improvement of conditions under which Japanese nationals live in American camps and centers and have given effect to many of these suggestions, most of which in view of the high standards normally maintained, are directed toward the obtaining of extraordinary benefits and privileges of a recreational, educational or spiritual nature.

The Government of the United States demands that the Japanese Government immediately take note of the charges made above and take immediate steps to raise the treatment accorded American nationals held by Japan to the standard provided by the Geneva Prisoners of War Convention, which the United States and the Japanese Governments have mutually undertaken to apply. The Government of the United States also expects the Japanese Government to take proper disciplinary or penal action with regard to those of its officials, employes and agents who have violated its undertakings with respect to the Geneva convention and the international common laws of decency.

Calls for Investigation

The Government of the United States again directs the attention of the Japanese Government to the system of neutral supervision provided in Article 86 of the Geneva convention. The Government of the United States again reminds the Japanese Government of the complete fulfillment of the provisions of this article as respects the activities of the Government of Spain acting as protecting power for Japanese interests in the continental United States and of the Government of Sweden as protecting power for Japanese interests in Hawaii.

The Government of the United States therefore expects the Japanese Government, in accordance with recognized practice of civilized states, fully to implement the provisions of the Geneva Prisoners of War Convention. The United States Government demands that the Japanese Government will, among other things, promptly implement the provisions of Article 86 in respect to the activities of the Government of Switzerland as protecting power for American interests in Japan and Japanese-controlled territory and will make it possible for the Government of Switzerland to give to the Government of the United States assurances to the effect that Swiss representatives have been able to convince themselves by the full exercise of the rights granted under Article 86 that the abuses set forth in the foregoing statement have been completely rectified or that steps have been taken in that direction that are considered by Switzerland to be adequate.

The United States Government until the present has refrained from publishing in this country the facts known to it regarding outrages perpetrated upon its nationals, both prisoners of war and civilian internees, by the Japanese. The United States Government hopes that as these facts are now again officially called to the Japanese Government's attention that Government will adopt a policy of according to United States nationals in its hands the treatment to which they are entitled, and will permit representatives of the protecting power to make such investigations and inspections as are necessary in order to give assurances to this Government that improved treatment is in fact being accorded to American nationals. In such case this Government would be in a position to assure the American people that the treatment of American nationals by the Japanese authorities had been brought into conformity with the standards recognized by civilized nations.

HULL.

Swiss Inquiry Requested

American Legation, Berne:

There are recited in the following numbered sections, 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 representative permission, in accordance with Article 86 of the convention, to visit each 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.

Swiss Barred From Camps

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 Indo-China, Thailand, Manchuria, Burma, Malaya and the Dutch East Indies and prisoners 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 the near Hong Kong, 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 interment 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 Ash Camp and Chapei, remain undelivered. The same situation exists with respect to the civilian internment camp in Baguio, and in most if not all of the camps where American prisoners of war are held. Persons held at Baguio, Chefoo, 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 Country 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 clothes.

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 Mariveles Bay, Philippine Islands, civilian internment camps at Baguio, Canton, Chefoo, Peking, Manila, Tsingtao, Weihsien and Yangchow, and at the Ash Camp, Chapei Camp, Lunghwa Camp, and Pootung 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 these victims was Lieut. Col. William B. Dyess.

At Corregidor a Japanese soldier was seen by Lieut. Comdr. 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.

Humbled Before Children

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 the 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 Billbid prison about May 23, 1942.

Japanese school children, soldiers and civilians have been admitted to interment 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 beri beri, pellagra, scurvy, sprue, etc., are common throughout Japanese interment camps. These diseases are least common in the civilian internment camps (called assembly centers) at Shanghai and in some other camps where the 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 camp 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.

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, and 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 at 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 bayoneted 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 even 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.

22,200 Die in Camp

At Camp O'Donnell conditions were so bad that 2,200 Americans 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 a 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 of medicines from the Philippine Red Cross was held up by the camp 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 camp 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 50 per cent of the American prisoners of war at Davao had a poor chance to live and that the detaining authorities had again cut the prisoners' 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 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, Camp 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 in 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 antimalarial measures.

The Japanese authorities have not provided sufficient medical care for the American civilians held in camps in or near Shanghai and the internees have themselves had to pay for hospitalization and medical treatment. Deaths directly traceable to inadequate care have occurred.

Pay For Own Medicine

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 Indo China.

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 of 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.

20 Put in Room for One

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 50 per cent of the prisoners fell by the roadside on the march from the waterfront 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 funds to have a building deloused so that they might use it for a needed dormitory. At Weihsien 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 participating 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.

U. S. Officers Maltreated

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 Lieut. Cols. Lloyd Biggs and Howard Breitung and Lieut. 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 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 to 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 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 the fence. The Japanese authorities attempted to explain this shooting as an efort 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 back some sugar cane for the men in the hospital. For this he was tied to a stake for twenty-four hours and severely beaten.

In the internment camp at Baguio a boy of 16 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 15, 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.