

*Hold for Release*

REVISED

DIVISIONS OF THE DEFENSE CASE

By the American Planning Committee

I. General

1. International law questions (e.g., jurisdiction of the Tribunal; construction and effect of treaties; acts and declarations of other nations which create international law—~~including Russian aggression against Finland, the Baltic States and Manchuria, Russian expulsion from the League of Nations, the British-Russian occupation of Iran,~~ individual responsibility for treaty violations; diplomatic immunity; the nature of crimes against peace; killing in war as constituting murder; the nature of crimes against humanity, etc.)
2. Conspiracy of defendants inter se (including the Greater East Asia Co-Prosperity Sphere)
3. Japanese domestic conditions (national economy; internal politics; education; anti-Communism; propeganda; organization of the Japanese government and military high command and their interrelations)
4. Japanese preparation for war (proof of war plans of the general staffs of all nations; preparations for war by other nations; ABCD encirclement, economic and military; etc.)

II. Manchuria and Manchoukuo

1. The Japanese special position in Manchuria
2. Relations with the Chang Tso-lin and Chang Hsueh-liang regime
3. Autonomy movements in Manchuria and creation of Manchoukuo
4. Independent status of Manchoukuo
5. Recognition of Manchoukuo by other powers

III. China

1. The situation prior to 1931 (Boxer Protocols, 1915 Agreements, garrisons and concessions of various powers in China, Japanese special position in China)
2. Affairs in North China, 1932-1937
3. China Incident, 1937-1945



4. Narcotics
5. Atrocities in China
6. Gas warfare (legality of gas warfare; U.S. preparations for gas warfare; the question of actual use of gas)

#### IV. Russia

1. Siberian Expedition
2. Chinese Eastern Railway
3. 1937 Border Incident
4. Changkufeng
5. Nomonhan
6. Anti-Comintern Pact
7. Neutrality Pact
8. Russo-Japanese relations, June 1941-August 1945
9. Russian attack and declaration of war, August 1945
10. Mongolian People's Republic, 1912-1945 (alliance with the USSR, autonomy and Russian occupation as menacing Japan)

#### V. Pacific War

1. Tri-Partite Pact
2. U.S. relations
3. British Empire relations
4. Netherlands relations
5. Indo-China (dealings and treaties with Vichy France) and Thailand
6. Portugal
7. Mandated islands
8. Prisoners of war (extent to which Japan was bound by Geneva Convention; extent of compliance with the Convention; responsibility for violations of the Convention)
9. Atrocities elsewhere than in China

#### VI. Individual Defendants

(In alphabetical order as in indictment)



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Opening Statement

of the

Associate Prosecutor of the Philippines

on

Class C Offenses in General and  
Class B and C Offenses in the Philippines

International Prosecution Section

Tokyo, Japan

December, 1946.



Mr. President, Members of the Military Tribunal for the Far East:

From living witnesses and from Japanese documents, this Tribunal has heard and seen abundant prosecution evidence portraying the basic policy pursued by the defendants and other leaders of Japan to produce a war-like master race dead set on world conquest. It will be recalled, that in order to implement that policy, the combined resources of the state-controlled press, radio, schools, stage, movies, literature and religion were marshalled to indoctrinate the Japanese people with fanatical martial spirit, blind worship of totalitarianism and ultra-nationalism, love for aggression and burning hatred and contempt for all potential and actual enemies.

Our present phase will show the flowering and results of that policy in terms of thousands upon thousands of innocent persons butchered, maimed, starved and degraded; of innumerable cities, towns and villages sacked, and of homes and farms pillaged. Sine qua non to a proper assessment of our evidence is the understanding that this insidious internal propaganda of hate succeeded somehow in poisoning



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the mind and heart of many a Japanese to such a degree that in the ensuing military campaigns their character and nature swung like a pendulum from the extreme of kindness and courtesy to the other extreme of cruelty and indecency. Without this understanding, it will be difficult for anyone, who has come in contact with the average Japanese in the streets and public places, in their homes and offices, and has observed their civility, to give due weight to the mass of our proof demonstrative that either in their moments of arrogance born of victory or desperation in the face of impending defeat, countless propaganda-misled Japanese perpetrated in the fields of operation barbarities, the full extent of which would shock the world.

We will prove that Japanese atrocities were not isolated incidents of individual misconduct, but were general in the whole Pacific and Asiatic war theatre; that the technique and method used in the wholesale murder, torture, and rape, and the wanton destruction of property followed throughout a consistent and similar pattern; that the stronger the resistance offered the more abominable became the



invaders; that the strategy of terror was in time identified as part of the Japanese form of warfare calculated to crush the spirit of resistance and the will to fight of the people of the over-run countries. Secondly, those atrocities, launched on large scale for the first time at Nanking in 1937, and climaxed with the Rape of Manila in 1945, covered a period of eight long years. Thirdly, the situs of their commission comprised one-fourth of the territorial space of the globe, including Burma, China, Indo-China, Malaya, the Netherlands Indies, Hongkong, Philippines, New Guinea and various islands in the Pacific Ocean. Fourthly, the multitude of perpetrators came from both enlisted men's and officers' ranks and from all branches of the Japanese armed services. Fifthly, the victims were legion, including both civilians and prisoners of war, the well and the infirm, the young and the old, men and women, and even children and babies.

Finally, indignant official protests from aggrieved governments poured on the government at Tokyo. Allied radio broadcasts, regularly monitored by the Japanese Foreign Office for the information



of the inner government circles, widely publicized and severely condemned the massacre and mistreatment of Allied civilians and prisoners of war. Even without those protests and denunciations, the leaders of Japan would have undoubtedly known of the rampant atrocities committed by so many of their misguided compatriots on so many helpless peoples of so many lands and for so many years. Instead of heeding the protests, they dismissed and branded them as instruments of false propaganda. And instead of investigating the charges, determining, trying and punishing the guilty, or taking other effective measures necessary to deter or prevent the repetition of the atrocities, they permitted or tolerated their continued perpetration.

A part of the pattern of these crimes has already been delineated with the presentation of the Chinese case and the extensive testimony of the late lamented Colonel Wild. We shall now proceed to unfold more of that pattern with evidence relating to how a staggering total of more than 131,028 Americans and Filipinos met horrible death by murder, cruelty, starvation, assaults and



mistreatments at the hands of a sadistic enemy. This figure does not represent the war casualties; it does not encompass those who died in the fields of battle. Neither does it include the infinitely larger number of Americans and Filipinos who escaped death but went through the ordeal of indescribable sufferings and humiliations.

We shall by proof establish that Japanese atrocities on Philippine civilians were not confined to Manila, the heart of the nation, or a few other cities like Cebu and Iloilo, but in all cities and in almost all big towns and in numberless villages, in all of the main islands of the archipelago, ranging from Basco, Batanes, in the far north, to Davao City, in the extreme south; from Puerto Princesa, Palawan, way out west, to Tayabas, farthest east. They were committed by Japanese Kempei-tai, Marines and Army and Navy men on all sexes, ages and classes of Filipinos in all stages of Japanese occupation from December 1941 to August 1945.

Outstanding of the massacres that took the lives of <sup>91,184</sup>~~85,000~~

Filipino civilians may be mentioned those at Manila where 800 men, women



and children were herded into the building of St. Paul's College. They were drawn toward the center of the hall with candies enticingly placed on tables set under five overhanging covered chandeliers.

A Japanese Navy man pulled a string, and the grenades concealed in the chandeliers exploded with such power that it blew off the top of the building and instantly killed a great number of those in the hall.

Panic-stricken survivors fleeing from the burning inferno were mowed down with machine-gun fire by sentries strategically posted outside.

At Calamba, Laguna, revered by Filipinos as the birthplace of their foremost national hero, Dr. Rizal, 2,500 men, women and children were shot or bayoneted. Only a few survived. At Ponson, Cebu, in central Visayas, the whole population of the village was ordered to assemble in the barrio church. One hundred were machine-gunned and bayoneted to death within its sacred walls. The rest were hunted down from one corner to another of the village and murdered in their homes and in the swamps. Three hundred died in the massacre. At Basco, Batanes, 80 civilians were arrested, and while in confinement some were hung



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from the rafters and flaming fluid applied to their skins, others were beaten, breaking their hands and losing their eyesight, but all were eventually executed. At Matina Pangl, Davao, 169 men, women and children were murdered in cold blood.

Evidence will be offered showing that the Japanese in the Philippines, especially the Kempei-tai, displayed great ingenuity and sadism in inflicting the cruelest forms of torture on their victims whose number ran into thousands. They converted Fort Santiago, an old Spanish stone bastion overlooking Manila Bay, into their leading torture chamber and death hole. Fort Santiago became a synonym for torture and a symbol of Japanese brutality. Here hundreds suffered slow and painful death in dark, foul and lice-infested cells, for whom the quick, scientific mass extermination in the lethal gas chambers at Camp Dachau would have been a welcomed alternative.

Prominent among the many forms of torture used were hanging by the neck, by the thumbs, or by the limbs, and burning the feet or other delicate parts of the body as it hung suspended; the water cure,



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with several variations depending on the savage bent and imagination of the torturer; placing ammunition between the fingers and squeezing them until the bones broke; pulling out tongues and prying out toe- and finger-nails with pliers; searing the flesh with lighted cigarettes and pieces of burning wood; slapping and kicking and boxing with bare hands or with steel knuckles; beating with long bamboo poles, wooden clubs, baseball bats and iron rods; jiu-jitsuing and hurling the subject repeatedly to the ground; twisting and breaking the hands, arms, or legs; lashing with rope, thorn switches or barbed wire; smashing with gun butts; shocking with electricity; applying gasoline on the skin and hair and igniting it; forcing small bamboo splints under the toe- and finger-nails; crucifying by nailing through the wrists and skull; lopping off the ears and nose and gouging out the eyes; killing either by bayonetting through the eyes, and other vital organs of the body, chopping the heads off with razor-sharp bolos or samurai swords, drowning, choking, shooting or burying alive, or by starving to death.

Before proceeding further, we pause to beg the indulgence of



this Court for the precise language we have been and will be using in describing the nature of these atrocities. While realizing our duty to express ourselves here at all times in temperate and restrained terms, the crimes committed to my country and my people were so shocking, so brutal and so revolting that resort to euphemisms would only do violence to the truth.

Of the manifold instances of such torture and sadism in the Philippines, our proof will point out that in February 1945 in Manila, in the home of Bartolome Pons, a pregnant woman with an 11-month old baby in her arms, was shot and killed. The Japanese started to leave, but hearing the baby cry, returned and killed it with two shots. At the Campos residence, the breast of one woman was hacked out. At St. Paul's College a baby was hurled into the air by a Japanese soldier and impaled on the bayonet of another. At Fort Santiago, a piece of skin was sliced off the back of a prisoner's hand and he was forced to eat it. The skin on his face and arm was twisted with a pair of wooden pliers.



At Palo Alto, Leyte, in the Vasayan Islands, three members of the Palacio family, including a woman, were arrested in February 1942, their hands tied behind their backs and hung by the arms from the branch of a tree for five hours. They were beaten with thorn switches until they bled. On the arm pits of the two male members gasoline was poured and set on fire. In Inopacan, Leyte, Eufresina Payot, a 24 year old girl was caught, her clothing stripped, her breasts slashed with a saber, and burned. In Iloilo, on 18 September 1943, Lucas Doctolero was crucified on the ground, three six-inch nails driven through each wrist and the base of his skull. In Romblon, on 17 November 1943, a blind woman was dragged out of her house, stripped naked. She was hog-tied and then hung from a tree head down.

At Kabayo, Mountain Province, in northern Luzon, Tayambong Chagsa was forced on two occasions, in March 1943, to drink a four-gallon can of water. A Japanese bounced on his distended belly, then with hands tied behind his back was hung. While hanging, his G-string was set on fire consuming all but two feet of it. The remaining portion



was wrapped around Chagsa's head and again ignited. At Bacolod, Negros Occidental, a man was beaten with a club, thrown across the floor and the next evening was forced to jump from a window to the asphalt pavement twenty feet below. The fall dislocated his hips and prevented him from walking for four months. Another was strapped to a table and his wrists burned with an alcohol flame until the odor of burning flesh filled the room. A third man had a bayonet thrust through his arm progressively deeper as he was questioned. At Dumanjug, Cebu, a three-and-a-half year old child was bayoneted and thrown into the sea.

Our proof will bear out that Japanese depravity in the Philippines, recurring in varying degrees throughout the occupation, reached its lowest ebb during the last dying days of Manila in February 1945. Lack of time prevents a full recital of specific cases, but for our present purposes it suffices to state that at Bay View and three other hotels the Japanese went on a wild orgy of debauchery that culminated in the rape of many young girls, prominent in Malate society. At the German Club women were disrobed, raped and



murdered, as the rest of the crowd of about 500 civilians huddled in the basement helplessly looked on. One young girl was decapitated when she resisted advances made on her; even her lifeless body was violated.

Women taking sanctuary in the Manila Cathedral were assaulted. In Tanauan, Batangas, a pregnant woman had her unborn child carved out of her stomach and beheaded. In Obando, Bulacan, the niece of Juan Etuijera, along with eight other women, was abused and bayoneted and, as her intestines came out, she was thrown into a fish pond.

On 22 September 1943, in Iloilo, the hands of two young girls were bound behind their backs, their clothing stripped and they were later raped. On 2 February 1942, at Santa Ana, Pampanga, an elderly lady and her maid were assaulted. In Bansic, Hermosa, Bataan, the men in a house were forced to leave while a girl who was left behind was raped. She subsequently became pregnant and gave birth to a child.

During the first week of Japanese occupation of Manila, in January 1942, two American girls, among many others, were raped. Three Japanese soldiers went out into the street naked and raped two women in broad



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daylight at the busy intersection of Espana and Quezon Boulevard, in the commercial section of the city.

Our evidence will further disclose the appalling destruction caused by Japanese aggression on public and private properties in the Philippines with an aggregate value of approximately \$1,370,263,324.50.

Most of the destruction was far in excess of the exigencies of the situation and the limits of military necessity. This evidence will disclose how churches, hospitals and residential buildings were mined and destroyed, or doused with gasoline and set afire--how cities, towns and villages were burned without military rhyme or reason; how homes were looted and farms ravished of their crops, draft animals, poultry and livestock, and how the people were plundered of their money and jewelry. The Japanese did a thorough job of wrecking and devastating the Philippines beyond recognition.

To complete the over-all picture of Japanese atrocities in the Philippines, proof will be presented describing the indignities, the degradation, the suffering and deaths of American, Filipino and



other allied prisoners of war and civilian internees, imposed by the Japanese in the Philippines in violation of every important provision of the Hague Convention No. IV of 18 October 1907, to which Japan was one of the signatories, and of the Geneva Prisoner of War Convention of 27 July 1929, by which Japan solemnly committed herself to be bound mutatis mutandis.

Typical of the treaty breaches were failing to accord to those who surrendered, the status and treatment of prisoners of war; subjecting the prisoners of war to public curiosity, to insults and inhumane treatment; not treating the women with the regard due their sex; coercing the prisoners and internees to reveal information regarding their army and country; confiscating their effects and objects of personal use, such as watches, fountain-pens, shoes; confiscating money in their possession without giving receipts therefor; evacuating them from the zone of combat on foot at excessive distances per day; placing them at certain points so that their presence there would give protection from bombardment; lodging them in barracks without safeguarding



their hygiene and health; not providing them with quarters and bedding equal in quantity and quality to those furnished Japanese base camps; not providing them with sufficient potable water; not furnishing them with clothing and footwear when they needed them; not taking all sanitary measures necessary to assure the cleanliness and healthfulness of camps and other places of detention and to prevent epidemics; not furnishing them with sufficient water for their bodily cleanliness; refusing them to take physical exercise and enjoy the open air; not maintaining adequate infirmaries for their benefit; requiring them to pay for their medical care and failing to have them examined by doctors at least once a month.

Also requiring officer prisoners of war to salute all members of the Japanese armed forces, regardless of rank; transferring sick and wounded prisoners of war when their recovery might be endangered thereby and when the conduct of military operations did not require such transfer; requiring officers who were prisoners of war to do manual labor and non-commissioned officers to do other than super-



visory work; compelling them to work an excessive number of hours per day and requiring them to do manual labor even when physically unfit; requiring them to work seven days a week and performing manual labor directly related to war operations; requiring them to perform unhealthful and dangerous work; aggravating their conditions of labor by disciplinary measures and requiring them to perform manual labor under conditions less favorable than the conditions under which Japanese troops at Japanese base camps were required to perform similar labor; not affording facilities to enable them to write to their families regarding their capture and the state of their health; refusing to permit them to receive parcels containing food and clothing; looting the parcels intended for them; being cruel to them, inflicting corporal punishment and torturing them; imposing collective punishment against them for individual acts; imposing punishment, which included killing, upon escaped prisoners of war and civilian internees who were recaptured, in excess of arrest for not more than thirty days; not seeing that those who died in captivity were honorably buried



and that their graves bore all due information, were respected and properly maintained; and not affording properly constituted relief societies for prisoners of war every facility for giving food, clothing and medical supplies to them when military necessity did not require refusal of such aid.

Most shocking of the atrocities committed against prisoners of war in the Philippines was the Bataan Death March wherein 11,000 American and 62,000 Filipino troops, exhausted, gaunt remnants of a small brave army whose long heroic resistance on Bataan had drawn the admiration of the civilized world, were forced to march 7 to 11 days without food or water approximately 120 kilometers under a scorching tropical sun. Throughout the march, many of these prisoners were slapped, boxed, beaten, bayoneted or shot. About 1,200 of their American and 16,000 of their Filipino comrades were thus murdered and left in the dusty and bloody road to rot. Throughout that time, the U. S. Army had enough motor vehicles and supplies of gasoline which the Japanese could have used to transport all the Fil-American forces



that had surrendered on 10 April 1942.

The end of the march was by no means the end of the martyrdom of the heroes of Bataan. At Camp O'Donnell, by not providing them with enough food and medical care, by forcing them to labor while sick and physically unfit; by subjecting them to punishment and torture for minor infractions, and by crowding them together in a filthy, small place unfit for human habitation, the Japanese further accomplished the indirect mass annihilation of the cream of the American-Filipino army. Every day in the camp Americans and Filipinos were dying like flies. Up to 1 August 1942 alone, 1,522 Americans and 29,000 Filipinos died there.

The Bataan march had a counterpart in Mindanao. On 4 July 1942, about 600 American and Filipino prisoners of war were grimly reminded of American Independence Day when compelled to march under a blistering sun from Camp Kiethley to Iligan, a distance of 38 kilometers. Many were without shoes and hats. On the way many were badly mistreated, and several were shot and killed. On 6 May 1942,



between 8,000 and 10,000 American and Filipino prisoners of war were loaded at Corregidor into the holds of ships with no latrine facilities, given no food, and in a state of exhaustion were disembarked not at the pier of Manila but near Dewey Boulevard and from there forced to march 15 miles to Old Bilibid Prison under a hot sun.

On 14 December 1944 at Puerto Princesa, Palawan, 150 American prisoners of war were herded into three air raid shelters each about 75 feet by 4 feet by 3 feet. Suddenly the Japanese poured in buckets of gasoline which they set on fire with torches. They laughed as they fired into the shelters with their rifles and machine guns. Screaming American prisoners were shot as they ran out of the shelter. Five escaped by dashing successfully toward the beach and swimming five miles across the bay.

In May 1942, 300 emaciated American prisoners of war were sent out from Bilibid Prison to build a road through the almost impenetrable malarial jungles of Tayabas. These men who were almost dead from malaria and dysentery were forced to work in the sun without



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clothing, shelter or shoes, with wheelbarrows, picks, and shovels. They were frequently beaten with pick handles and bayonet scabbards for pausing to relax. They were dying from dysentery, malaria and exposure and the survivors were sleeping on the ground in the rocky creek bed, drinking filthy water from the creek, and living in the open without cover. Japanese guards were living comfortably in tents. Not enough food and no proper medicine were provided. Only 75 men, starved, ragged, and sick, went through that project alive.

At Fort Santiago, three American pilots who were shot down during the bombing of Manila received sword thrusts through the shoulders or were scorched with lighted cigarettes. Holes were drilled through their fingers, wires inserted through them, and they were then suspended by the wires. The body of one pilot was burned, that of another paralyzed.

At Panay, American prisoners of war were forced, after their surrender in May, 1942, to locate the sites of ammunition dumps and food caches. For six days they were made to hike up and down the



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hills without water and eating only rice crumbs left over by the Japanese guards. American officers were made to work like coolies, loading and unloading cargo to and from Japanese vessels.

At Nichols Field, sick American prisoners of war were made to push and haul heavy cars laden with rock and dirt one kilometer across the airfield at least eleven times a day, and failure to make the minimum number of trips required before the day was over meant severe beating and flogging. Water cure and hitting with pick handles and rifle butts until the prisoner became unconscious were the forms of punishment usually administered. Another kind of torture was to make a person stand at attention in the hot sun with a bucket full of water on his head. If any of the water was spilled, he would get a terrific beating. In September 1943, Sergeant James Edward Strawnhorn's hands were tied behind his back, and hung from a tree for 24 hours. Deprived of food or water, he was exposed to the sun all day and to the rain at night. He was then beaten with a plaited rope and hit about the face and head with a pistol butt.



We will show that before, during and after the commission of these atrocities, the Japanese Government and its leaders assured that American prisoners of war and civilian internees were and would be well treated and well fed. For instance, on 24 February 1942, the Japanese Government through the defendant TOGO, then Minister of Foreign Affairs, declared that American civilians will be treated in a manner "more favorable than contemplated by the Convention," and their "provisioning in bread, butter, eggs, meat, heating oil, coal and fats assured by Japan." On 9 March 1942, the Japanese Government through the defendant TOGO assured the United States Government that its nationals were being afforded indulgent treatment by the Japanese military authorities. "Apprehensions of the American Government based on information from unknown source and citing no exact facts are therefore without foundation."

We shall show, however, that specific "exact facts" of atrocities and mistreatments were, by formal protests, opportunely brought to the attention of the Japanese Government and its leaders



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who were repeatedly warned by the American Government that punishment would be visited upon those who were responsible officially and personally for them either by neglect or by willfulness, regardless of their position, status and rank.

In the Hull note of 12 December 1942, the United States Government directed attention to and protested against the barbarous conditions at Fort Santiago where Roy Bennett and other Americans were reported imprisoned; the bad conditions existing at Santo Tomas, Davao and other internment camps in the Philippines; the Death March from Bataan to Camp O'Donnell; the atrocious conditions at Camp O'Donnell. In that note the American Government lodged with the Japanese Government "a most emphatic protest" and expected "that the inhumane and uncivilized treatment accorded American nationals, both civilians and prisoners of war, will be made a matter of immediate investigation and that the Japanese Government will give assurances that treatment inconsistent with the provisions and spirit of the Geneva Convention is not now and



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will not in the future be inflicted upon American nationals."

In the Hull note of 5 April 1943, the United States Government warned "the Japanese Government that for any other violations of its undertakings as regards American prisoners of war or for any other acts of criminal barbarity inflicted upon American prisoners in violation of the rules of warfare accepted and practiced by civilized nations as military operations now in progress draw to their inexorable and inevitable conclusion, the American Government will visit upon the officers of the Japanese Government responsible for such uncivilized and inhumane acts the punishment they deserve."

In an undated Hull note, which was incorporated in the letter of the Swiss Minister of 5 February 1944, the United States Government again protested against the mistreatment of American and Filipino prisoners of war and civilian internees, charging that at Baguio civilian internees were forced to labor without shoes and garbed only in loin cloth; that prisoners of war from Corregidor being taken to Manila were not landed at the port of Manila but out-



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side the city and forced to walk through the city to Bilibid Prison about 23 May 1942; that prisoners of war at Davao Penal Colony, suffering from grave vitamin deficiencies, could see from their camp trees bearing citrus fruit but were not allowed to pluck them; nor were they allowed to retrieve lemons floating down a stream running through the camp; that American officer prisoners of war were being compelled 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; that 10 American engineers were required to go to Corregidor in July 1942 to assist in rebuilding the military installations in that area; that the condition of health of prisoners of war in the Philippines was deplorable, citing that 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 and that the many who were sick were given so little care, that human excrement covered the whole area; that many of those who were made to march from Bataan



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to San Fernando, a distance of over 100 kilometers, were shot or bayoneted by the guards; that at Camp O'Donnell conditions were so bad that 2,200 Americans and more than 20,000 Filipinos are reported to have died in the first few months of their detention; that at Cabanatuan there was no medicine for the treatment of malaria until the prisoners had been in the camp for five months; that at Los Banos camp, recognized as the established endemic center of malaria, no quinine was provided and the internees were not allowed to go outside the fence to take anti-malarial measures; that at Camp O'Donnell many of the men had to live without shelter during 1942, 23 officers were assigned to a space 14 by 20 feet in area, drinking water was so scarce that it was necessary to stand in line six or ten hours to get a drink, and officers had no bath for the first 35 days in the camp; that in late October 1942 approximately 970 prisoners were transferred from the Manila area to the Davao Penal Colony on a transport vessel providing only twenty inches of sleeping space per man; that at Camp Hay at Baguio 20 to 30 civilians were assigned



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sleeping accommodations in a room which had been intended for the use of one person; that at Cabanatuan Lt. Col. Lloyd Biggs and Lt. Col. Howard Breitung and Lt. R. D. Gilbert, for attempting to escape, were severely beaten and tortured and Filipino passersby forced to beat them on the face with clubs; and that at Baguio Mr. Gray was beaten and given the water cure.

In the Hull note of 11 September 1944, the American Government protested against the removal of certain American internees from Los Banos camp to Fort McKinley where a major ammunition dump was maintained.

In the Atcheson note of 6 April 1945, the United States Government protested against the murder of four American citizens, Grinnell, Duggleby, Larsen and Johnson, all internees in the Santo Tomas internment camp. In the Grew note of 19 May 1945, the American Government protested against the massacre of 150 American prisoners of war at Puerto Princesa on 14 December 1944. The note ended with a warning that "the Japanese Government cannot escape



responsibility for this crime."

We will further prove that contrary to the repeated assurances of the Japanese Government in these notes, American and Filipino prisoners of war and civilian internees continued to be deliberately humiliated, starved, mistreated, abused or murdered. These assurances were so obviously hypocritical that on 10 March 1945 the United States Government sent a note through Mr. Grew, Acting Secretary of State, asserting that; "These most gross and shocking violations of elementary human decency are highly inconsistent with numerous professions of the Japanese Government that it is according humanitarian treatment to prisoners of war. The Japanese Government has stated in justification of other violations of its undertakings and of human decency that the United States Government has based its protests on misunderstandings of the facts. The United States Government has not misunderstood the facts, the persons who reported these outrages themselves suffered them."

The "provisioning in bread, butter, eggs, meat, heating oil,



coal and fats assured by Japan" was a far cry from the actual starvation diet of about 300 grams of rice and 10 grams of vegetables which the prisoners of war and civilian internees ordinarily received daily during their internment. While camps in the Philippines were located in places where food was plentiful and while their Japanese guards were eating truckloads of rice, carabao meat, cattle, pigs, chickens, fresh and dried fish, soya sauce and paste, and drinking beer and whiskey, the prisoners and internees were suffering from loss of weight and dying from such malnutritional diseases as beri-beri, pellagra, scurvy and elephantitis.

Finally, our closing evidence will pierce the sham and hypocrisy of the pious protestations by the Japanese Government that humanitarian treatment was and would be given to American prisoners of war and civilian internees. Our evidence will cast light on a top secret policy directive emanating from Tokyo in July 1942. This directive ordered commanders of prisoner of war camps



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to use white prisoners for labor in a manner to impress the people  
of the localities in which the camps were located with the  
superiority of the Japanese over the white people.

Tokyo, December 1946.