

TABLE VI.
NUMBER OF PERSONS CHARGED BY THE GOVERNMENTS
AND LISTED BY THE COMMISSION.

I T A L I A N S

	<u>Total</u>	:	<u>War Criminals</u>	<u>Suspects</u>	<u>Material Witnesses</u>
AUSTRALIA	-	:	(Included in the United Kingdom figures).		
BELGIUM	-	:	-	-	-
CANADA	.	:	(Included in the United Kingdom figures).		
CHINA	-	:	-	-	-
CZECHOSLOVAKIA	-	:	-	-	-
DENMARK	-	:	-	-	-
FRANCE	45	:	45	-	-
GREECE	43	:	42	-	1
INDIA	.	:	(Included in the United Kingdom figures).		
LUXEMBURG	7	:	-	-	-
NETHERLANDS	-	:	-	-	-
NEW ZEALAND	..	:	(Included in the United Kingdom figures).		
NORWAY	-	:	-	-	-
POLAND	-	:	-	-	-
UNITED KINGDOM +	183	:	165	9	9
UNITED STATES	-	:	-	-	-
YUGOSLAVIA	797	:	758	36	3
COMMISSION	-	:	-	-	-
	1,068		1,010	45	13

+ A number of these cases have been submitted by the United Kingdom on behalf of the Australian, Canadian, Indian and New Zealand National Offices.

T A B L E V I I .

NUMBER OF PERSONS CHARGED BY THE GOVERNMENTS
AND LISTED BY THE COMMISSION.

	ALBANIANS :				BULGARIANS :				HUNGARIANS:				RUMANIANS:			
	Total	War Criminals	Suspects	Material Witnesses	Total	War Criminals	Suspects	Material Witnesses	Total	War Criminals	Suspects	Material Witnesses	Total	War Criminals	Suspects	Material Witnesses
AUSTRALIA:																
BELGIUM																
CANADA																
CHINA																
CZECHOSLOVAKIA									2	2	-	-				
DENMARK																
FRANCE																
GREECE					114	114	-	-								
INDIA																
LUXEMBURG																
NETHERLANDS																
NEW ZEALAND																
NORWAY																
POLAND																
UNITED KINGDOM													4	4	-	-
UNITED STATES																
YUGOSLAVIA:	2	2	-	-	179	175	4	-	48	48	-	-				
COMMISSION																
	2	2	-	-	293	289	4	-	50	50	-	-	4	4	-	-

TABLE VIII.

NUMBER OF UNITS CHARGED BY THE GOVERNMENTS
AND LISTED BY THE COMMISSION.

	GERMAN				JAPANESE			
	Total	War Criminals	Sus- pects	Material Witnesses	Total	War Criminals	Sus- pects	Material Witnesses
AUSTRALIA	(Included in United Kingdom figures)				22	11	11	-
BELGIUM	3	1	2	-	-	-	-	-
CANADA	-	-	-	-	-	-	-	-
CHINA	-	-	-	-	(See Chungking Lists)			
CZECHOSLOVAKIA	224	58	166	-	-	-	-	-
DENMARK	-	-	-	-	-	-	-	-
FRANCE	23	5	16	2	-	-	-	-
GREECE	-	-	-	-	-	-	-	-
INDIA	(Included in United Kingdom figures)				-	-	-	-
LUXEMBURG	-	-	-	-	-	-	-	-
NETHERLANDS	-	-	-	-	-	-	-	-
NEW ZEALAND	(Included in United Kingdom figures)				-	-	-	-
NORWAY	-	-	-	-	-	-	-	-
POLAND	-	-	-	-	-	-	-	-
UNITED KINGDOM	6	6	-	-	1	1	-	-
UNITED STATES	-	-	-	-	2	1	1	-
YUGOSLAVIA	-	-	-	-	-	-	-	-
COMMISSION	-	-	-	-	-	-	-	-
	256	70	184	2	25	13	12	-

Note: For explanations see footnotes to TABLE III.

T A B L E IX.

ADDITIONAL CHARGES.

SUBMITTED BY THE GOVERNMENTS
AND LISTED BY THE COMMISSION.

AUSTRALIA	.....	-
BELGIUM	.....	122
CANADA	.....	-
CHINA	.....	-
CZECHOSLOVAKIA	.....	101
DENMARK	.....	1
FRANCE	.....	552
GREECE	.....	6
INDIA	.....	-
LUXEMBURG	.....	-
NETHERLANDS	.....	100
NEW ZEALAND	.....	-
NORWAY	.....	5
POLAND	.....	119
UNITED KINGDOM	.....	58
UNITED STATES	.....	31
YUGOSLAVIA	.....	110
COMMISSION	.....	-
		<hr/>
		1,205

Note. This TABLE shows the total numbers of additional charges brought against persons and units previously charged by the same Government.

T A B L E IX.

ADDITIONAL CHARGES.

SUBMITTED BY THE GOVERNMENTS
AND LISTED BY THE COMMISSION.

AUSTRALIA	-
BELGIUM	122
CANADA	-
CHINA	-
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INDIA	-
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NEW ZEALAND	-
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UNITED KINGDOM	58
UNITED STATES	31
YUGOSLAVIA	110
COMMISSION	-
		<hr/>
		1,205

Note. This TABLE shows the total numbers of additional charges brought against persons and units previously charged by the same Government.

TABLE X.

CASES NOT ACCEPTED, OR ADJOURNED.

	NOT ACCEPTED			ADJOURNED	
	<u>In toto</u>	<u>In part</u>		<u>In toto</u>	<u>In part</u>
AUSTRALIA	8	10	:	-	-
BELGIUM	6	42	:	16	10
CANADA	-	1	:	-	-
CHINA	-	-	:	-	-
CZECHOSLOVAKIA	1	10	:	8	4
DENMARK	-	-	:	1	-
FRANCE	32	208	:	58	23
GREECE	-	1	:	9	2
INDIA	-	-	:	-	-
LUXEMBURG	1	-	:	5	-
NETHERLANDS	5	16	:	22	7
NEW ZEALAND	-	-	:	-	-
NORWAY	-	3	:	-	-
POLAND	-	5	:	5	1
UNITED KINGDOM	75	174	:	14	11
UNITED STATES	5	58	:	-	-
YUGOSLAVIA	6	78	:	37	14
COMMISSION	-	-	:	-	-
	<u>139⁺</u>	<u>606⁺⁺</u>		<u>175</u>	<u>72</u>

+ 29 'B' cases included

++ 26 'B' cases included.

Note.

1. Cases indicated as "Not accepted" have been rejected because Committee I was not satisfied that there is or will be sufficient evidence to justify a prosecution of persons or units charged therein. To this category belong also cases which, in the opinion of Committee I, do not constitute a prima facie case of a war crime, or even a war crime at all.

Consideration of such cases may be re-opened at any time provided the National Office concerned submits information and evidence sufficient to justify listing of persons charged therein as war criminals.

2. "In part" - means that charges against some persons or units charged collectively in a case have for some reason been considered as not sufficiently substantiated. With regard to these cases National Offices have also been asked for additional information.

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	NOT ACCEPTED			ADJOURNED	
	<u>In toto</u>	<u>In part</u>		<u>In toto</u>	<u>In part</u>
AUSTRALIA	8	10	:	-	-
BELGIUM	6	42	:	16	10
CANADA	-	1	:	-	-
CHINA	-	-	:	-	-
CZECHOSLOVAKIA	1	10	:	8	4
DENMARK	-	-	:	1	-
FRANCE	32	208	:	58	23
GREECE	-	1	:	9	2
INDIA	-	-	:	-	-
LUXEMBURG	1	-	:	5	-
NETHERLANDS	5	16	:	22	7
NEW ZEALAND	-	-	:	-	-
NORWAY	-	3	:	-	-
POLAND	-	5	:	5	1
UNITED KINGDOM	75	174	:	14	11
UNITED STATES	5	58	:	-	-
YUGOSLAVIA	6	78	:	37	14
COMMISSION	-	-	:	-	-
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TABLE XI.
LISTS OF WAR CRIMINALS ISSUED BY THE COMMISSION.

Serial No.	Date of Issue	Categories of criminals	TYPE OF LIST
<u>1 9 4 4.</u>			
1	December	A	Germans
2	December	A	Italians
<u>1 9 4 5.</u>			
3	March	- A -	Germans
4	March	A - S - W	Japanese
5	March	A - S - W	Germans, Italians, Albanians, Bulgarians, Hungarians, Rumanians.
6	April	A	Germans
7	April	K	Germans Holding Key Positions (See TABLE XII).
8	May	A - S - W	Germans
9	May	K	Germans Holding Key Positions (See TABLE XII).
10	June	A - S - W	Germans
11	July	A - S - W	Germans
12	July	A - S - W	Italians, Hungarians.
13	August	A - S - W	Germans
14	October	A - S - W	Germans
15	October	A - S - W	Italians, Bulgarians
16	December	A - S - W	Germans.

Note.

"A" stands for WAR CRIMINALS
 "K" " " WAR CRIMINALS HOLDING KEY POSITIONS
 "S" " " SUSPECTS
 "W" " " MATERIAL WITNESSES (ENEMY).

/ continued

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LISTS OF WAR CRIMINALS ISSUED BY THE COMMISSION.

Serial No.	Date of Issue	Categories of criminals	TYPE OF LIST
<u>1 9 4 4.</u>			
1	December	A	Germans
2	December	A	Italians
<u>1 9 4 5.</u>			
3	March	- A -	Germans
4	March	A - S - W	Japanese
5	March	A - S - W	Germans, Italians, Albanians, Bulgarians, Hungarians, Rumanians.
6	April	A	Germans
7	April	K	Germans Holding Key Positions (See TABLE XII).
8	May	A - S - W	Germans
9	May	K	Germans Holding Key Positions (See TABLE XII).
10	June	A - S - W	Germans
11	July	A - S - W	Germans
12	July	A - S - W	Italians, Hungarians.
13	August	A - S - W	Germans
14	October	A - S - W	Germans
15	October	A - S - W	Italians, Bulgarians
16	December	A - S - W	Germans.

Note.

"A" stands for WAR CRIMINALS
 "K" " " " WAR CRIMINALS HOLDING KEY POSITIONS
 "S" " " SUSPECTS
 "W" " " MATERIAL WITNESSES (ENEMY).

/ continued

Serial No. Date of Issue. Categories of
 criminals TYPE OF LIST.

1946.

17-23 (one volume)	January	A - K - W	Japanese listed by the Sub-Commission (See TABLE XIII).
24	January	A - S - W	Japanese
25	February	A - S - W	Germans
26	February	A - S - W	Italians, Bulgarians, Hungarians, Rumanians.
27	March	A - S - W	Germans
28	March	A - S - W	Germans
29	April (Supplement - November)	A - S	Japanese
30	April	A - S - W	Germans
31	May	A - S - W	Germans
32	May	A - S - W	Germans
33-37 (one volume)	June	A - W	Japanese listed by the Sub-Commission (See TABLE XIII)
38	June	A - S - W	Germans
39	July	A - S - W	Italians
40	July	A - S - W	Germans
41	August	A - S - W	Germans
42	September	A - S - W	Germans, Italians, Bulgarians, Hungarians
43	October	A - S - W	Germans, Italians, Bulgarians
44	October	A - S - W	Germans, Italians, Bulgarians
45	November	A - S - W	Germans
46-49 (one volume)	December	A - W	Japanese listed by the Sub-Commission (See TABLE XIII)
50	December	A - S - W	Germans, Italians.
51	December	A - S - W	Germans, Italians, Bulgarians.

T A B L E XII.

LISTS OF

GERMAN WAR CRIMINALS HOLDING KEY POSITIONS.

	<u>Number of persons listed.</u>
List No. 7	353
List No. 9	209
	<hr/>
	562

-
- Note 1. Persons included in the above Lists were listed by the Commission on its own initiative. 197 of these have subsequently been charged by individual Governments.
- Note 2. A number of these persons are now in custody as defendants or material witnesses pending possible trials under the Allied Control Council Law No. 10.
- Note 3. As to the procedure adopted for listing persons holding key positions, reference is made to the respective Lists.
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T A B L E XIII.

CHUNGKING SUB-COMMISSION'S LISTS

OF JAPANESE WAR CRIMINALS.

(issued up to September 1946).

Total number of War Criminals and Material Witnesses	1,657
(Sub-Commission's Lists Nos. 1,2,5-7,8-16).	
Total number of War Criminals holding Key Positions	130
(Sub-Commission's Lists Nos. 3 and 4).	<hr/>
	1,787

Note.

These Lists have been prepared and adopted by the Far Eastern and Pacific Sub-Commission in Chungking and reproduced by the Commission as its Lists Nos. 17-23, 33-37 and 46-49. (See Table XI).

January 22, 1947.

French Proposals regarding the Prosecution of
Members of Criminal Organisations and of
Concentration Camp: Personnel (Reference Minutes
of Commission Meeting, M. 119 of 11th December, 1946,
and Docs. A. 30, A. 31.)

1. Letter from Deputy French Representative to the Secretary-General,
United Nations War Crimes Commission, dated 14th January, 1947:-

(Translation)

FRENCH EMBASSY,
LONDON.

January 14th, 1947.

Dear Secretary-General,

In compliance with the request made by Lord Wright
at the meeting of the U.N.W.C.C. on December 11th, 1946, I have
the honour to transmit herewith a Memorandum relating to prosec-
utions and trials of concentration camp staffs.

(signed) P. MAILLARD

Second Secretary
of Embassy

2. Memorandum from the Directorate of the Investigation of Enemy War
Crimes of the French Ministry of Justice, dated 17th December, 1946.

(Translation)

MINISTRY OF JUSTICE

Directorate of the Investigation
of Enemy War Crimes.

P A R I S, December 17th, 1946.

48 Rue Paul Valéry
PARIS, XVI.

M E M O R A N D U M

- I. The prosecution and trial of members of organisations declared to
be criminal.

The International Military Tribunal of Nuremberg, when declaring
the SS, Gestapo, SD, and the Leadership Corps of the Nazi Party, to be criminal
organisations, made, at the same time, various recommendations to the Inter-
Allied Control Council at Berlin, including:

Uniformity of treatment as regards prosecutions and penalties,
in the case of members of the organisations declared to be criminal.

Amendment of Law No. 10.

It should be noted, however, that though the Control Council has power to
amend Law No. 10, it can only comply with the first of the above recommendations
in regard to the four zones of occupation in Germany.

But the condemnation of the above-mentioned organisations gives rise to some delicate problems, not only in German territory, but also in the territories of the United Nations where members of the condemned organisations are detained in large numbers as prisoners of war.

For instance, in French home territory, some 30,000 of the SS are held in custody, whereas the number of persons liable to prosecution in the French Zone of Occupation is only 5,000.

Considerations of justice require that all persons who are to be prosecuted merely for membership of a criminal organisation - whether they are in Germany or whether they are held as prisoners of war in some other country - should be prosecuted and tried in accordance with laws that are analogous in substance and in form.

With this principle in mind the French Government addressed a proposal, through its Embassies, to the following United Nations: Great Britain, U.S.A., U.S.S.R., Belgium, Czechoslovakia, Denmark, Greece, Holland, Luxembourg, Norway, Poland, and Yugoslavia, for the holding of a conference with a view to reaching an agreement regarding the prosecution and trial of members of the organisations declared to be criminal.

Such a step seems all the more necessary because differences of interpretation of the Nuremberg Judgment have become apparent.

For instance, some consider that the burden rests on the prosecution, when demanding the conviction of an accused person, to prove that he had knowledge of the criminal purposes of the organisation and that he joined it voluntarily; whereas others hold, on the contrary, that there is a presumption of the accused person's responsibility on these two heads.

The results, in practice, of the adoption of one or other of these points of view will be considerable; in the latter case all the members - no matter of what rank - of the organisations declared to be criminal, will be prosecuted; in the former case a relatively small number of them will be convicted.

Some of the executive services which have the responsible task of settling this important question of the prosecution and trial of members of organisations declared to be criminal have already had informal conversations with each other.

The French view was that, if justifiable criticism of the administration of democratic justice was to be avoided, in the future, this problem would need to be decided within the wider fields of a conference in which all the United Nations concerned would take part.

Accordingly, the French Delegation requests every member of the UNWOC to ask the Minister under whom he is placed to call the attention of his Government to the gravity and the great urgency of this question, pointing out, at the same time, that the French Government has already taken official steps, through its Embassies, to obtain an international meeting of experts.

II. Prosecutions and Trials of Concentration Camp Personnel

The Moscow Declaration of October 1943 laid down the principles governing the punishment of war criminals.

It made a distinction between war criminals whose offences have no particular geographic location and who are to be punished by a joint decision of the United Nations, and those whose crimes are localised and who are to be tried by the countries in which their crimes were committed.

The Moscow Declaration did not however provide for the case of a large number of criminals of the very worst type - the killers in the concentration camps - whose crimes were committed in Germany and whose victims belong to all of the United Nations.

In regard to the latter, as no rule has been laid down, they are tried by the courts of the country or of the zone in which they have chanced to be captured.

The crimes committed in the concentration camps present two characteristics from a legal point of view:

- (1) Their perpetrators or accomplices were some hundreds of persons who, in many instances, were commandants or guards of various concentration camps.
- (2) Their victims were some thousands of persons of different nationalities.

These facts justify the following conclusions:

1. That a joint preparation of the case and a joint trial should be undertaken against the criminals of a given concentration camp. It is illogical to try the commandant of Dachau camp in the American zone, his second-in-command in the British zone, and three officials of the same camp in the French zone.

2. All the nations to whom the victims belonged should take part in the preparation of the case, and in the indictment and trial of these criminals.

Naturally, the French tribunals are entitled to deal with the men responsible for the destruction of Oradour, and the American tribunals with the perpetrators of the massacres at Malmédy; but the persons who exterminated more than 12 millions of human beings should be tried by an international tribunal or else by mixed courts comprising judges and prosecutors belonging to all the nations whose citizens have been among the victims.

The French have applied this principle of mixed courts in all trials of concentration camp criminals in their zone.

For instance, a trial commenced on December 9th, 1946, at Rastatt, concerning the Wurtemberg camps (Natzweiler, Staff of the Stutthof Camp) and the Belgians, Dutch, Poles, Luxembourgers, and Russians were invited to take part in it.

The advantages of this method are evident:

- (1) The preparation of the case, being carried out by law officers who had specialised in such matters was complete.

- (2) The criminality of these persons was examined as a whole instead of fractionally; it is only by a collective trial that the degrees of guilt of the commandants, the guards and the subordinate or auxiliary personnel of the camp staff can be satisfactorily determined.

- (3) All the countries concerned were enabled to speak officially in the names of their nationals who had been victims.

- (4) This form of trial avoids regrettable diversities in the judgments; its jurisprudence constitutes a unity.

- (5) The decision of such courts enjoy an authority which cannot be claimed by the ordinary military government courts.

- (6) The question of the surrender of a war criminal, in succession, to different countries in which he has committed crimes no longer arises; thus we avoid the long and cumbrous procedure of Law No. 10, or incidents with Allied countries such as arose in regard to KRAMER.

- (7) A new and important form of international co-operation could be attained through such an organisation, thus marking a new stage in the creation of an International Criminal Code.

On October 21st, 1946, the French Government addressed a proposal, through its Embassies, to the United Nations enumerated above, for the holding of an International Conference of experts with a view to examining and resolving this problem of the prosecution and trial of war criminals from concentration camps.

The French Delegation considers that this question should be examined at a conference which would be instructed to standardise the prosecution and trial of

members of the organisation declared to be criminal, and it requests every Member of the UNWCC, to ask the Minister under whom he is placed to call the attention of his Government to the gravity of this question.

UNITED NATIONS WAR CRIMES COMMISSION.

Giving Information as a War Crime.

Report by the Drafting Committee.

In its meeting held on 29th January 1947 (M.122) the Commission appointed a Drafting Committee consisting of Sir Robert Craigie, Monsieur de Baer and Dr. Schram-Nielsen, with Dr. Schwelb as Secretary, with the task of re-drafting paragraph X of Doc.C.240 on the lines of the discussion in the meetings of the Commission of 22nd and 29th January.

The Drafting Committee herewith presents a new text of Doc.C.240. Only in paragraph X have substantial alterations been made. The occasion has been taken also to make a few verbal arrangements in other parts of Doc.C.240.

R E P O R T.

- I. The problem whether and to what extent giving information (denunciation; denouncing) is a crime in general, and in particular a war crime in International Law, has become of considerable practical importance during the Second World War in view of the activities of certain criminal organisations of the Axis Powers, particularly the Gestapo and the S.D. The importance attached to the question may be gathered from the fact that several nations have introduced into their municipal criminal law positive provisions dealing with the question. Examples of such provisions are:

the Belgian Law-Decree of 17th December 1942, "Moniteur Belge", 29 December 1942, Article 4;
the Czechoslovak Retribution Decree No.16 of 1945 (Section 11);
the Yugoslav Law of 25th August, 1945 (Section 3); and
the Austrian War Crimes Law of 26th June 1945, (Section 7).

- II. The only reference in conventional International Law to giving information (denunciation; denouncing) is contained in Article 44 of the 4th Hague Convention of 1907, (a provision which has not been accepted by Germany, Japan and Russia). It reads as follows:

" Article 44. A belligerent is forbidden to compel the inhabitants of territory occupied by it to furnish information about the army of the other belligerent or about its means of defence. "

The provision prohibits the use of compulsion by the occupying authorities in order to extract information from the inhabitants of occupied territory. The provision deals only with information regarding the army of the other belligerent or its means of defence; it is not addressed to the persons giving the information, whether members of the occupying forces and authorities, or inhabitants of occupied territory.

III. The giving of information does not, therefore, in itself, constitute a war crime under the existing provisions of International Law. A person acting as an informer commits a crime only if by giving information he becomes a party to a war crime recognised as such in International Law, e.g., murder and massacre, torture of civilians, internment of civilians under inhumane conditions, forced labour of civilians, compulsory enlistment of soldiers in the armed forces of the occupying Power, etc.

IV. Participation of a person in a crime committed by others may take different forms in different municipal legal orders, and also in International Law. The Charter of the International Military Tribunal describes the different participants of a crime or of a common plan or conspiracy to commit a crime, inter alia, as instigators and accomplices (Art. 6. of the Charter of the International Military Tribunal). English Law recognises four different ways of taking part in a felony: (1) a principal in the first degree, (2) a principal in the second degree, (3) an accessory before the fact, (4) an accessory after the fact.

The same categories are, in the main, known also to the Continental criminal codes, which distinguish between the immediate perpetrators and co-perpetrators, instigators and aiders and abettors, dividing the last named category into those who gave aid and comfort before the fact and those who do so after the fact.

V. It is very difficult to lay down general rules as to the circumstances which make an individual case fall under the category of accomplice because every case will have to be judged on its merits. It will always be necessary to examine:

- (a) the act of which the person who has been informed against is accused,
- (b) the action of the occupying authorities which is reasonably to be expected as a consequence of the information.

With regard to (a): Giving information regarding common law crimes, will, in general, not be considered a war crime even if the consequences for the person informed against be very grave. The same may be said of information regarding the violation of enactments which the occupying Power was entitled, under International Law, to promulgate, e.g., regulations respecting the safety of the occupying forces, food regulations in occupied territory, etc.

Giving information regarding the violation of such occupation ordinances as are obviously illegal and even criminal, will, on the other hand, often be a reason for holding that the informer may be guilty of complicity in a war crime. Such obviously illegal enactments by the occupation authorities are, e.g., provisions ordering the rounding up and deportation of Jews and other inhabitants of occupied territory, provisions introducing amongst the inhabitants of occupied territory compulsory military service in the armed forces of the occupant, or provisions imposing slave labour on the inhabitants of occupied territory.

The test is, however, in the opinion of the Committee, not infallible. There might be circumstances in particular cases where a denunciation of a person for having violated even a common law or an unimpeachable occupation ordinance will amount to complicity in a war crime subsequently committed. This will, e.g., be the case when there were left in existence police authorities of the occupied State during the occupation, which would be able to deal with such information, and the informer nevertheless addresses his information to the occupying authority, (e.g. Gestapo, S.D.) with the intention of

causing particularly grievous harm (deportation to a concentration camp) or excessive punishment (death sentence for petty offences) to be inflicted upon the person informed against.

With regard to (b): The subsequent action of the occupying authorities of which the information was one of the causes, must, in itself, be criminal, (inhumane treatment of all kinds, e.g., deportation to concentration camps, extermination; punishment for violation of provisions, the enactment of which in itself was criminal; excessive sentences for petty offences).

- VI. To fasten responsibility on the informer for the war crime subsequently committed, it will always be necessary to establish the mens rea or dolus malus of the informer, i.e. his knowledge that his action would lead to the commission of a war crime and his intention to bring about this effect, or his reckless indifference with regard to this effect.

In deciding the question whether this mental element of complicity in the crime is, or is not, established in particular cases, the personality of the accused and of the person informed against will have to be considered. The general situation in the place concerned will be most relevant. It will be possible to assume the informer's guilty knowledge if it was quite clear in the circumstances of the case what reaction was to be expected on the part of the occupying authorities, particularly if from the reaction of the occupying authority in similar cases a well known pattern had emerged. The informer will, on the other hand, not be responsible for the subsequent actions of the occupying authority if he had reason to believe that the person informed against would be fairly treated or fairly tried.

The responsibility of the informer will, of course, be apparent in cases where he has acted as an agent provocateur or where he knowingly accused a person of acts which the person had not committed.

- VII. As a rule, the information must have been furnished voluntarily in order to make the informer an accomplice in the subsequent war crime. If the informer acted under superior orders, the general rules regarding this plea, now well established, will apply to the case. The fact that the defendant acted pursuant to order of his government or of a superior shall not free him from responsibility, but may be considered in mitigation of punishment (Art.8 of the Charter of the International Military Tribunal). The true test is not the existence of the order but whether moral choice was, in fact, possible. (Nuremberg Judgment, Cmd.6964, p.42).

Such mitigating circumstances would clearly not exist in the case of an informer who acted entirely on his own initiative.

If the pressure brought upon the person giving information was so strong that he could not resist it, then the defence that his will was overborne by compulsion (duress, necessity), would be available to him. This would particularly apply to information given on the part of a person who himself was being tortured or very gravely threatened.

- VIII. The war crime subsequently committed need not necessarily be a direct result of the information given. A person may also become criminally responsible for a subsequent war crime if it is an indirect result of his action, provided his mens rea is established.

- IX. The United Nations War Crimes Commission, when listing a person, is neither in a position, nor called upon, to examine too closely the mental element of a crime with which the person has been charged. It is only the task of the Commission to examine whether a prima facie

case has been established. Committee III would like to point out, however, that in dealing with charges of war crimes allegedly committed by giving information, something more than the mere fact of giving the information and the subsequent action by the occupying authority should be proved in order to establish even a prima facie case and that a charge, in order to lead to the listing of a person, should contain indications both as to the criminality of the subsequent proceedings by the occupying authority, and of the mental element from which alone the guilt of the person giving the information can be derived.

A cautious attitude will recommend itself in view of the fact that the Prosecution in the trial against the major war criminals also proceeded cautiously with regard to informers. In the Judgment of the International Military Tribunal, as pronounced on 30th September 1946, it was stated that the declaration regarding the Gestapo and the S.D. included all local representatives and agents, honorary or otherwise, (p.16949 of the official English transcript; p.75 of the Command Paper Cmd.6964.) On the following day, the Tribunal declared that its attention had been drawn to the fact that the Prosecution expressly excluded the honorary informers who were not members of the S.S. In view of that exclusion by the Prosecution, the Tribunal also excluded those persons from the S.D. which was declared criminal. (p.16969 of the official English transcript; p.83 of the Command Paper, Cmd.6964). This part of the Judgment was not, of course, concerned with the guilt of the individual informers but with the question whether honorary informers were, as such, to be included in the criminal group. The incident shows nevertheless that the Prosecution was reluctant to consider giving information as such an activity constituting complicity in a war crime.

- X. For the reasons given above, particularly in paragraphs III and VI, the Committee reached the following conclusions as to the circumstances in which the giving of information can constitute a war crime:

The giving of information does not, in itself, constitute a war crime. The informer commits a crime if, by giving information, he becomes a party to, or accomplice in, a war crime recognised as such in International Law. This is the case if the general conditions which constitute complicity are present, i.e. if the informer knew that his action would lead to the committing of a war crime and either intended to bring about this consequence or was recklessly indifferent with regard to it.

C.244

21st February 1947.

UNITED NATIONS WAR CRIMES COMMISSION

Preliminary Budget for Fiscal Year 1947 - 48
ending 31 March 1948.

In accordance with Article 2 of the Financial and Administrative Regulations, the Secretary General has prepared and the Finance Committee has approved a Preliminary Budget for the year 1947-48 totalling £21,850 as per statement "A" attached.

The primary reason for the preparation of this preliminary Budget, before the close of the present fiscal year, is to enable Members of the Commission to acquaint their respective Governments of the approximate contributions which would be required from them for the forthcoming year, as per statement "B" attached.

As the actual expenditure for the year ending 31 March 1947 can only be determined for nine months, it is, at present, only possible to give Members a near approximation of their contributions due for the year 1947-48.

UNITED NATIONS WAR CRIMES COMMISSION

Preliminary Budget for the Fourth Fiscal Period

1st April 1947 - 31st March 1948

ESTIMATED REQUIREMENTS.

PART I. - Working Capital Fund.

No increase proposed on existing balance of £6,800.

PART II. - Expenses of the Commission

	<u>Details for reference 1946-1947</u>		<u>Preliminary Estimate for 1947/48 ending 31st March 1948.</u>
	<u>Budget</u>	<u>Estimated expenditure for 12 months ending 31 March/47 based on actual expend- iture of 9 months to 31 Dec. 1946.</u>	
1. (a) Office Equipment (Duplicators, Typewriters) }	300	150	200
(b) Cleaning of premises Premises (incl. Furniture, Heating, Lighting, Telephone etc.) supplied free of charge by H.M. Government in the U.K.		410	500
2. Stationery, Printing & Multigraph- ing.	850	1,275	1,300
3. Postages, Telegrams, Cables	200	155	200
4. Salaries (incl. National Health & Unemployment Insurance)	12,000	11,700	12,000
5. Provision for additional staff (included in item 4)	-	-	-
6. Travelling	850	320	500
7. Accountants and Auditors charges	150	150	150
8. Publications, incl. such expenditure as may be necessitated by the Recording & Reporting of War Crimes Trials and the publication of a History of the Commission	1,000	-	1,000
9. Expenses of the Far Eastern and Pacific Sub-Commission Premises (including Heating, Light- ing, cleaning, telephone etc) provided free of charge by the Chinese Government.	2,000	400	1,000
10. (a) Miscellaneous expenditure	1,000	290	1,000
(b) Unforeseen expenditure	4,000	450	4,000
TOTAL OF PART II	£ 22,350	£ 15,300	£ 21,850

UNITED NATIONS WAR CRIMES COMMISSION

"B"

ESTIMATE OF CONTRIBUTIONS PAYABLE FOR 1947/48.

The amount budgeted for the year 1946/47 was	£ 22,350
Present estimated expenditure for year ending 31 March 1947	<u>15,300</u>
Leaving an estimated Surplus of	<u>£ 7,050</u>

The amount recommended to be budgeted for the year 1947/48 is	£ 21,850
<u>Less</u> Estimated Surplus of 1946/47	<u>7,050</u>
Leaving to be collected.....	<u>£ 14,800</u>

Made up as follows:-

Basic contributions £400 per Member Government	6,800	
Excess, collectible in agreed proportions	<u>8,000</u>	
	<u>£ 14,800</u>	allocated as under.

The following Table is therefore an estimate of the contributions required from Member Governments for the year 1947/48 on the assumption that all contributions owing by Member Governments for 1946/47 are received and that repayments are made to China, United Kingdom and United States of America for 1946/47 before 1st April 1947.

1. Country	2. No. of Units	3. Basic Contribution 1947/48	4. Excess (£14,800 less £6,800	5. Total
Australia	30	£ 400	151 12 3	551 12 3
Belgium	20	400	101 1 6	501 1 6
Canada	60	400	303 4 5	703 4 5
China	100	400	505 7 5	905 7 5
Czechoslovakia	20	400	101 1 6	501 1 6
Denmark	6	400	30 6 5	430 6 5
France	80	400	404 5 11	804 5 11
Greece	10	400	50 10 9	450 10 9
India	80	400	404 5 11	804 5 11
Luxembourg	1	400	5 1 -	405 1 -
Netherlands	30	400	151 12 3	551 12 3
New Zealand	6	400	30 6 5	430 6 5
Norway	6	400	30 6 5	430 6 5
Poland	20	400	101 1 6	501 1 6
United Kingdom	550	400	2,779 10 8	3,179 10 8
U. S. A.	550	400	2,779 10 8	3,179 10 8
Yugoslavia	14	400	70 15 -	470 15 -
	1,583	£ 6,800	£ 8,000 - -	£ 14,800 - -

PLAN

FOR THE WRITING OF THE HISTORY OF
THE UNITED NATIONS WAR CRIMES COMMISSION.

Presented by the Secretary General for the information of Members.

1. Preface or Foreword.
2. Introductory Chapter (if necessary)

Part I. THE BACKGROUND OF THE COMMISSION'S WORK.

3. Developments from the beginning of International Law to the First World War. (outline only)
4. The First World War and Developments arising therefrom.
 - a) Reports of National Investigating Authorities; Report of the Majority and dissenting reports of the American and Japanese members of the Commission of Responsibilities 1919.
 - b) The provisions of the Paris Treaties concerning War Crimes and the attempts at the implementation of these treaties; the Leipzig trials; the unratified Treaty of Sevres; the Peace Treaty of Lausanne (provisions for general amnesty).
5. Developments of the Laws of War between the two World Wars.
 - a) International Conferences, Conventions and Draft Conventions (Washington, Hague and Geneva Conferences, the Briand-Kellogg Pact), activities of the League of Nations.
 - b) Contributions by unofficial bodies, e.g. the International Law Association.
6. Developments of the Law of War Crimes during the Second World War (excluding the activities of the UNWCC)
 - a) Official Declarations and Conferences (e.g. the St. James' Conference, Declarations by President Roosevelt, Mr. Churchill, the Molotov Notes, the Armistices and Surrender Documents, the Four-Power Agreement of 8th August 1945.
 - b) Unofficial activities as exemplified in the work of the London International Assembly and the Cambridge Commission.

Part II. THE UNITED NATIONS WAR CRIMES COMMISSION

SECTION I. GENERAL QUESTIONS.

7. The Establishment and Organisation of the Commission.
 - a) The establishment of the Commission,
 - i) Debate in the House of Lords 7th October 1942
 - ii) The intervening year October 1942-October 1943 and the reasons for the delay.
 - iii) Meeting of 20th October 1943 and text of protocol

- b) The Organisation of the Commission
- c) Its Committees
- d) The Far Eastern Sub-Commission
- e) The Secretariat (including Public Relations)
- f) Notes on the successive representatives on the Commission and members of the Committees.

8. The Legal Status of the Commission and terms of reference

- a) The Legal Status of the Commission
- b) Finance
- c) Terms of Reference - the original functions of the Commission
- d) The Commission as an advisory body
- e) Practical and legal consequences of the work of the Commission.

9. General Historical Survey of the Activities of the Commission

This with special regard to those activities which were not performed through the Committees. Relations with international and national bodies; conference of National Offices; relations with CROWCASS; contacts with liaison teams.

SECTION II. THE COMMISSION AS AN ADVISORY BODY.

10. Fundamental Legal and Judicial Concepts and the Commission's work. In particular:-

- a) The development of the concept of crimes against peace.
- b) The development of the concept of crimes against humanity.
- c) Developments in the doctrine of individual responsibility of ministers and administrators.
- d) Developments in the doctrine of Act of State.
- e) Developments in the doctrine of the immunity of Heads of State.
- f) Developments concerning the plea of Superior Orders.
- g) Developments respecting the idea of International criminal adjudication.
- h) Developments of the law respecting criminal groups and organisations.
- j) Miscellaneous legal questions.

11. Enforcement. (The work of Committee II)

- a) Preparation for Armistice Conventions and Peace Treaties.
- b) Relations with Neutral States (Question of Surrender).
- c) Draft Convention for Inter-Allied Surrender of War Criminals.
- d) Proposals for the tracing and apprehension of war criminals - activities of CROWCASS - organisation and activities of the liaison teams.
- e) Establishment of Inter-Allied Joint Courts and Military Tribunals.
- f) Miscellaneous recommendations.

SECTION III. THE ORIGINAL FUNCTIONS OF THE COMMISSION
Examination of Cases, preparation of lists of persons charged as war criminals; collection of information.

12. The Work of Committee I.

13. The Work of Committee III. (Other than the work connected with advisory opinions).

14. The Work of the Research Office, its activities and assistance to international and national investigating, prosecuting and judicial authorities. Circulation of documents; the disposal of documents; recording and circulation.

APPENDIX

Statistics

Texts of relevant documents

Synopsis of trial reports

Lists of senior officials apprehended and tried

Bibliography of legal literature.

C. 246
1st March, 1947

UNITED NATIONS WAR CRIMES COMMISSION

COMMITTEE I

GENERAL MARINOV'S CASE

The following Resolution adopted by Committee I on 27th February, 1947, and embodying the Committee's decision in the case of General Marinov, as well as the text of a reply to the Bulgarian Government as proposed by this Committee, are presented to the Commission for their consideration.

As to the reasons on which the above Resolution is based, reference is made to Doc. A.36.

I

Resolution on General Marinov's Case

In the case of General Ivan Marinov, former Commanding Officer of the 15th Bulgarian Division in Monastir, charged by the Greek Government with complicity in murder, massacres, systematic terrorism and pillage, and with attempts to denationalise the inhabitants of occupied territory, (Case No. 3669/Gr/B/1); in consequence of which he has been listed by the United Nations War Crimes Commission, on 31st July 1946, as a person against whom there is a prima facie case of having committed war crimes, the Committee on Facts and Evidence (Committee I); in accordance with the established rules of procedure, having examined on 23rd January and on 27th February, 1947, additional evidence brought against this accused by the Greek Government, (Documents I/74 and I/83), and having taken note of:-

- 1) a letter from the Bulgarian Ministry for Foreign Affairs No. 5198-III, dated September 11th, 1946, and the documents enclosed therewith, (Doc. I/73);
- 2) a letter from the Bulgarian Ministry for Foreign Affairs No. 5545-III, dated September 30th, 1946, and the documents enclosed therewith (Doc. I/72);
- 3) a letter from the Bulgarian Ministry for Foreign Affairs No. 6787-III, dated December 24th, 1946, and the documents enclosed therewith (Doc. I/75);

and all of them transmitted to the Commission through the Allied Control Commission in Sofia,

arrived unanimously at the following conclusions:

a) ...

- a) that the charges originally brought against General Marinov have been substantiated and supported by the detailed evidence collected and established by the Judicial Committee of the Greek National War Crimes Commission and additionally submitted to the United Nations War Crimes Commission by the Greek Government:
- b) that the information and statements contained in the documents communicated to the Commission through the Allied Control Commission in Bulgaria, indicated above, do not nullify either the allegations made in the charges brought against General Marinov or the facts established by the Judicial Greek Authorities:
- c) that a prima facie case accepted by the Committee against General Ivan Marinov in respect of charges brought by the Greek Government has thereby been confirmed and that therefore there appears to be no reason to change the original decision taken by this Committee on 31st July, 1946, and approved by the Commission, to place him on the List of persons accused of war crimes.

II

Proposed Reply to the Bulgarian Government

to be communicated through
the Foreign Office.

The Commission has given very careful attention to the various documents received from the Bulgarian Ministry for Foreign Affairs, through the Allied Control Commission in Bulgaria, in relation to the case of General Ivan Marinov, and in particular, has examined the possibility of removing General Marinov's name from the list of persons against whom there is prima facie evidence of having committed war crimes.

After most careful examination, the Commission, with regret, reached the conclusion that it is not possible to give effect to the Bulgarian Government's request, because the Commission is of the opinion that the evidence additionally produced by the Greek Government does

constitute a prima facie case of General Marinov's responsibility for war crimes committed in the Florina and Kastoria areas, thereby confirming the Commission's original decision.

With regard to the request of the Bulgarian Government to be furnished with the evidence on which this decision is taken, the Commission desires to point out that, in accordance with the established rules of procedure, it has not been its practice to communicate charges or evidence brought before it by member Governments, and it regrets, therefore, that no departure from the existing practice can be made in this respect on the present occasion.

The Commission understands, however, that the Greek Government is prepared to submit for communication to the Bulgarian Government, a statement of the charges submitted to the Commission. As soon as such a statement is received the Commission will be glad to communicate the same to the Bulgarian Government through the appropriate channel.

C.247.
3rd March, 1947.

UNITED NATIONS WAR CRIMES COMMISSION.

Publication of War Crimes Enactments.

Report by the Secretary to Committee III.

At the meeting of the Commission held on 6th November 1946 (M.116), a proposal by Committee III (Doc.C.232) regarding the publication of enactments was adopted, and the Secretariat was charged with collecting the texts mentioned therein. The following statement is both a report on what has been collected so far and a tentative proposal as to the contents of the volume to be produced.

Part One. International and Multilateral Provisions.

- 1) The Diplomatic Protocol establishing the UNWCC.
- 2) The Four-Power Agreement of 8th August 1945, with the Charter of the International Military Tribunal.
- 3) The Berlin Protocol of 6th October 1945, amending the English and French texts of Article 6(c) of the Charter of the International Military Tribunal.
- 4) Provisions regarding war criminals in the Treaties of Peace with Italy, Roumania, Bulgaria, Hungary and Finland.

Part Two. Occupation Provisions.

(A) Germany.

I. Provisions for the Whole of Germany.

- 1) Provisions regarding war crimes contained in the Berlin Declaration of 5th June 1945.
- 2) Provisions regarding war criminals contained in Proclamation No.2.
- 3) Control Council Law No.10.
- 4) Control Council Directive No.38.

II. Provisions Common to the Three Western Zones.

Ordinance No.2. regarding Military Government Courts.

III. British Zone of Control.

- 1) Ordinance No.47. Crimes against Humanity.
- 2) Ordinance respecting the trial of members of criminal organisations (Not yet available).

IV. United States Zone of Control.

- 1) Military Government Ordinance No. 7; Organisation and powers of certain Military Tribunals.
- 2) Directive of 16th July 1945; Trial of War Crimes and Related Cases.
- 3) Directive of 26th June 1946; Trial of war criminals in the European Theater.

V. French Zone of Control.

- 1) Ordinance No. 20 of the 12th December 1945.
- 2) Ordinance No. 36 of the 8th March 1946.
- 3) Instructions of 26th August 1946.

(B) Japan.

- 1) Provisions regarding war crimes contained in the Potsdam Proclamation of 26th July 1945;
- 2) Charter of the International Military Tribunal for the Far East, as amended.

Part Three. Municipal Provisions.

I. United Kingdom.

- 1) Royal Warrant of 14th June 1945, as amended.

II. United States.

- 1) Proclamation by the President of 2nd July 1942; 7 Federal Register 5101.
- 2) Instrument of Appointment of a Military Commission for the trial of Richard Quirin and others; 7 Federal Register, 5103.
- 3) Executive Order No. 9547 (Representation of the United States in preparing and prosecuting charges against major war criminals), as amended.
- 4) Regulations for the Mediterranean Theater of Operations of 23rd September 1945.
- 5) Regulations for the Mediterranean (Regulations 16, 1 March 1946).
- 6) Directive for the European Theater of 16th July 1945;
- 7) Directive for the European Theater of 25th August 1945.
- 8) Regulations for Austria.
- 9) SCAP Rules of 25th September 1945.
- 10) SCAP Rules of 5th December 1945, as amended.
- 11) Regulations for the China Theater of 21st January 1946.

Additional Regulations issued - if any. The text of the items
1, 2, 5, 8, is not yet available.

III. France:

Ordinance of 28th August 1944.

IV. China:

War Crimes Trials Procedure.

V. Australia:

War Crimes Act of 1945, with Regulations made under the Act.

VI. Austria:

Constitutional Law of 26th June 1945, as amended.

VII. Bulgaria:

Law Decree No.22 of 1944, as amended.

VIII. Belgium:

- 1) Decree Law of 19th April 1943.
- 2) Decree Law of 5th August, 1945.
- 3) Decree Law of 13th December 1944.

IX. Canada:

War Crimes Act, 1946, with Schedule.

X. Czechoslovakia:

- 1) Retribution Decree No.16 of 1945, as amended. (Czech text available.)
- 2) Slovak Retribution Ordinance. (Not yet available).

XI. Denmark:

Act of Parliament of 12th July 1946.

XII. Finland:

Law of 12th September 1945.

XIII. Greece:

- 1) Emergency Law No.533 (Penal Sanctions on enemy collaborators).
- 2) Greek Legislation regarding War Criminals Proper. (Not yet available).

XIV. Hungary:

War Crimes Law of 1945, with Schedules.

XV. Luxembourg:

Grand Ducal Decree of 3rd July 1945.

XVI. Netherlands:

Decree of 29th May 1945.

XVII. Norway:

Act of the Storting of 12th December 1946, No. 44.

XVIII. Poland:

Decrees of 16th February 1945, 22nd January 1946 and 17th October 1946. (Polish texts available).

XIX. Roumania:

Laws of 21st January 1945 and 23rd April 1945.

XX. Yugoslavia:

Law of 25th August 1945.

No material is at present available from the Soviet Union, the Soviet Zone of Germany, from Italy and from the individual German states, (Länder).

C. 248.
6th March, 1947.

UNITED NATIONS WAR CRIMES COMMISSION

Giving Information as a War Crime

Statement Adopted by the Commission on 5th March, 1947

In its meeting held on 5th March, 1947, the Commission adopted the Report of Committee III (Doc. C.240) as redrafted by the Drafting Committee (Doc. C.243), making only one alteration in Doc. C.243, paragraph X, replacing the letters "i.e." by "e.g."

R E P O R T

- I. The problem whether and to what extent giving information (denunciation; denouncing) is a crime in general, and in particular a war crime in International Law, has become of considerable practical importance during the Second World War in view of the activities of certain criminal organisations of the Axis Powers particularly the Gestapo and the S.D. The importance attached to the question may be gathered from the fact that several nations have introduced into their municipal criminal law positive provisions dealing with the question. Examples of such provisions are:

the Belgian Law-Decree of 17th December 1942, "Moniteur Belge", 29 December 1942, Article 4;
the Czechoslovak Retribution Decree No.16 of 1945 (Section 11);
the Yugoslav Law of 25th August, 1945 (Section 3); and
the Austrian War Crimes Law of 26th June 1945, (Section 7).

- II. The only reference in conventional International Law to giving information (denunciation; denouncing) is contained in Article 44 of the 4th Hague Convention of 1907, (a provision which has not been accepted by Germany, Japan and Russia). It reads as follows:

"Article 44. A belligerent is forbidden to compel the inhabitants of territory occupied by it to furnish information about the army of the other belligerent or about its means of defence."

The provision prohibits the use of compulsion by the occupying authorities in order to extract information from the inhabitants of occupied territory. The provision deals only with information regarding the army of the other belligerent or its means of defence; it is not addressed to the persons giving the information, whether members of the occupying forces and authorities, or inhabitants of occupied territory.

III. The giving of information does not, therefore, in itself, constitute a war crime under the existing provisions of International Law. A person acting as an informer commits a crime only if by giving information he becomes a party to a war crime recognised as such in International Law, e.g., murder and massacre, torture of civilians, internment of civilians under inhumane conditions, forced labour of civilians, compulsory enlistment of soldiers in the armed forces of the occupying Power, etc.

IV. Participation of a person in a crime committed by others may take different forms in different municipal legal orders, and also in International Law. The Charter of the International Military Tribunal describes the different participants of a crime or of a common plan or conspiracy to commit a crime, inter alia, as instigators and accomplices (Art. 6. of the Charter of the International Military Tribunal). English Law recognises four different ways of taking part in a felony: (1) a principal in the first degree, (2) a principal in the second degree, (3) an accessory before the fact, (4) an accessory after the fact.

The same categories are, in the main, known also to the Continental criminal codes, which distinguish between the immediate perpetrators and co-perpetrators, instigators and aiders and abettors, dividing the last named category into those who give aid and comfort before the fact and those who do so after the fact.

V. It is very difficult to lay down general rules as to the circumstances which make an individual case fall under the category of accomplice because every case will have to be judged on its merits. It will always be necessary to examine:

- (a) the act of which the person who has been informed against is accused,
- (b) the action of the occupying authorities which is reasonably to be expected as a consequence of the information.

With regard to (a): Giving information regarding common law crimes, will, in general, not be considered a war crime even if the consequences for the person informed against be very grave. The same may be said of information regarding the violation of enactments which the occupying Power was entitled, under International Law, to promulgate, e.g., regulations respecting the safety of the occupying forces, food regulations in occupied territory, etc.

Giving information regarding the violation of such occupation ordinances as are obviously illegal and even criminal, will, on the other hand, often be a reason for holding that the informer may be guilty of complicity in a war crime. Such obviously illegal enactments by the occupation authorities are, e.g., provisions ordering the rounding up and deportation of Jews and other inhabitants of occupied territory, provisions introducing amongst the inhabitants of occupied territory compulsory military service in the armed forces of the occupant, or provisions imposing slave labour on the inhabitants of occupied territory.

The test is, however, in the opinion of the Committee, not infallible. There might be circumstances in particular cases where a denunciation of a person for having violated even a common law or an unimpeachable occupation ordinance will amount to complicity in a war crime subsequently committed. This will, e.g., be the case when there were left in existence police authorities of the occupied State during the occupation, which would be able to deal with such information, and the informer nevertheless addresses his information to the occupying authority, (e.g. Gestapo, S.D.) with the intention of

causing particularly grievous harm (deportation to a concentration camp) or excessive punishment (death sentence for petty offences) to be inflicted upon the person informed against.

With regard to (b): The subsequent action of the occupying authorities of which the information was one of the causes, must, in itself, be criminal, (inhumane treatment of all kinds, e.g., deportation to concentration camps, extermination; punishment for violation of provisions, the enactment of which in itself was criminal; excessive sentences for petty offences).

- VI. To fasten responsibility on the informer for the war crime subsequently committed, it will always be necessary to establish the mens rea or dolus malus of the informer, i.e. his knowledge that his action would lead to the commission of a war crime and his intention to bring about this effect, or his reckless indifference with regard to this effect.

In deciding the question whether this mental element of complicity in the crime is, or is not, established in particular cases, the personality of the accused and of the person informed against will have to be considered. The general situation in the place concerned will be most relevant. It will be possible to assume the informer's guilty knowledge if it was quite clear in the circumstances of the case what reaction was to be expected on the part of the occupying authorities, particularly if from the reaction of the occupying authority in similar cases a well known pattern had emerged. The informer will, on the other hand, not be responsible for the subsequent actions of the occupying authority if he had reason to believe that the person informed against would be fairly treated or fairly tried.

The responsibility of the informer will, of course, be apparent in cases where he has acted as an agent provocateur or where he knowingly accused a person of acts which the person had not committed.

- VII. As a rule, the information must have been furnished voluntarily in order to make the informer an accomplice in the subsequent war crime. If the informer acted under superior orders, the general rules regarding this plea, now well established, will apply to the case. The fact that the defendant acted pursuant to order of his government or of a superior shall not free him from responsibility, but may be considered in mitigation of punishment (Art.8 of the Charter of the International Military Tribunal). The true test is not the existence of the order but whether moral choice was, in fact, possible. (Nuremberg Judgment, Cmd.6964, p.42).

Such mitigating circumstances would clearly not exist in the case of an informer who acted entirely on his own initiative.

If the pressure brought upon the person giving information was so strong that he could not resist it, then the defence that his will was overborne by compulsion (duress, necessity), would be available to him. This would particularly apply to information given on the part of a person who himself was being tortured or very gravely threatened.

- VIII. The war crime subsequently committed need not necessarily be a direct result of the information given. A person may also become criminally responsible for a subsequent war crime if it is an indirect result of his action, provided his mens rea is established.
- IX. The United Nations War Crimes Commission, when listing a person, is neither in a position, nor called upon, to examine too closely the mental element of a crime with which the person has been charged. It is only the task of the Commission to examine whether a prima facie

case has been established. Committee III would like to point out, however, that in dealing with charges of war crimes allegedly committed by giving information, something more than the mere fact of giving the information and the subsequent action by the occupying authority should be proved in order to establish even a prima facie case and that a charge, in order to lead to the listing of a person, should contain indications both as to the criminality of the subsequent proceedings by the occupying authority, and of the mental element from which alone the guilt of the person giving the information can be derived.

A cautious attitude will recommend itself in view of the fact that the Prosecution in the trial against the major war criminals also proceeded cautiously with regard to informers. In the Judgment of the International Military Tribunal, as pronounced on 30th September 1946, it was stated that the declaration regarding the Gestapo and the S.D. included all local representatives and agents, honorary or otherwise, (p.16949 of the official English transcript; p.75 of the Command Paper Cmd.6964.) On the following day, the Tribunal declared that its attention had been drawn to the fact that the Prosecution expressly excluded the honorary informers who were not members of the S.S. In view of that exclusion by the Prosecution, the Tribunal also excluded those persons from the S.D. which was declared criminal. (p.16969 of the official English transcript; p.83 of the Command Paper, Cmd.6964). This part of the Judgment was not, of course, concerned with the guilt of the individual informers but with the question whether honorary informers were, as such, to be included in the criminal group. The incident shows nevertheless that the Prosecution was reluctant to consider giving information as such an activity constituting complicity in a war crime.

- X. For the reasons given above, particularly in paragraphs III and VI, the Committee reached the following conclusions as to the circumstances in which the giving of information can constitute a war crime:

The giving of information does not, in itself, constitute a war crime. The informer commits a crime if, by giving information, he becomes a party to, or accomplice in, a war crime recognised as such in International Law. This is the case if the general conditions which constitute complicity are present, e.g. if the informer knew that his action would lead to the committing of a war crime and either intended to bring about this consequence or was recklessly indifferent with regard to it.

C. 249.
7th March, 1947.

UNITED NATIONS WAR CRIMES COMMISSION.

COMMITTEE I.

GENERAL MARINOV'S CASE.

Draft-Letter to the Bulgarian Government.

Committee I, in its meeting held on 6th March, 1947, adopted the following new text of the letter to be sent to the Bulgarian Government. (The first draft was contained in part II of Doc. C. 246 and was discussed by the Commission on 5th March, 1947). In the meeting of Committee I the Greek representative also presented a statement of the charges for transmission to the Bulgarian Government which is referred to in the Draft-Letter. This statement is circulated, as Annex to this paper.

Text of Letter, proposed by Committee I.

The Commission has given very careful attention to the various documents received from the Bulgarian Ministry for Foreign Affairs, through the Allied Control Commission in Bulgaria, in relation to the case of General MARINOV. In particular it has examined the request of the Bulgarian Government that General MARINOV's name should be removed from the list of persons accused of war crimes.

After most careful consideration, the Commission has, with regret, reached the conclusion that it is not possible to give effect to the Bulgarian Government's request, since it has found no reason to reverse its original decision. This should not be construed as meaning that General MARINOV has been found guilty of any crime, since the United Nations War Crimes Commission has neither the function, nor the machinery to establish guilt; it merely means that a prima facie

case has been found to exist relating to General MARINOV's responsibility for war crimes committed in the Florina and Kastoria areas.

With regard to the request of the Bulgarian Government to be furnished with the evidence on which this decision is taken, the Commission desires to point out that, in accordance with the established rules of procedure, it has not been its practice to communicate charges or evidence brought before it by member Governments and it regrets, therefore, that no departure from the existing practice can be made on the present occasion.

The Greek Government has, however, submitted, for communication to the Bulgarian Government, a statement of the charges placed before the Commission. A copy of this document is transmitted herewith.

If at some later date the Bulgarian Government desires to submit further evidence having a definite and substantial bearing on the Commission's decision, the Commission will be prepared to give careful consideration to such evidence.

A N N E X.

Greek Charges against General MARINOV.

The Bulgarian General Ivan MARINOV, who served during the occupation as commanding officer of the 15th Division stationed at Monastir, is responsible for the following war crimes :

From his headquarters at Monastir he directed Bulgarian policy and propaganda, which sought to exterminate or denationalize the Greek population in Western Macedonia. For this purpose he was in close contact with the chiefs of the Comitadjis of the Kastoria area, with whom he held frequent meetings in Monastir, and to whom he furnished money, food and arms for distribution to the local Comitadjis, since the latter were not receiving adequate supplies from the Italians.

In May, 1943, MARINOV, in company with DIMITROV, a higher official of the Bulgarian Ministry for Foreign Affairs, KALTCHIEV and a group of Bulgarian officers and soldiers, proceeded on his own initiative to Kastoria, where he met General VENIERI and asked permission to despatch a Bulgarian army to Kastoria and Western Macedonia. His request having been refused, he made a further one: That Bulgarian officers should be permitted to direct the activities of the Comitadjis in their campaign of exterminating the Greek population. This second request was likewise rejected.

Subsequently, MARINOV addressed a gathering of Comitadjis, urging them to give all possible help to the Axis, and promising to send them reinforcements from Sofia and Monastir. As a result of his visit, Bulgarian propaganda was intensified and the Comitadjis employed increasingly oppressive methods against the Greek population. In addition, large quantities of arms and ammunition belonging to the Bulgarian army were sent to the Comitadjis from Monastir.

In January, 1944, MARINOV despatched from Monastir a regiment of infantry, together with a detachment of artillery to help the Germans fight the Greek andartes. This force, which was under the command of Lt. Colonel TSANIEV, operated in the Florina-Kastoria area, and was responsible for many executions for the maltreatment and terrorising of the population, and for the looting and destruction of private property. Among other atrocities perpetrated by this force, 11 Greeks were murdered with hatchets; 2 Greeks were buried alive. Finally, as a result of protests from the Greek authorities, the Germans were compelled to order the force to leave the territory.

Mention may also be made of the case in which MARINOV endeavoured by intense propaganda, to denationalize a group of 2,000 Greek boys who had been sent to him by KALTCHIEV from Central and Western Macedonia. He lavished upon them gifts of clothing, food and money; at the same time they were educated in Bulgarian.

10th March, 1947.

UNITED NATIONS WAR CRIMES COMMISSION

DELIBERATE BOMBARDMENT OF UNDEFENDED PLACES

Report by Committee III

- I. The Far Eastern and Pacific Sub-Commission is faced with a number of cases on "deliberate bombardment of undefended places" in China by Japanese planes. The Sub-Commission wishes to learn from the Main Commission (a) What constitutes deliberate bombardment and on whom rests the burden of proof? (b) What constitutes an undefended place and what evidence is required to establish the fact of undefendedness? (c) What procedure has been followed in similar cases in Europe by the Main Commission?
- II. The Commission of Responsibilities appointed by the Preliminary Paris Peace Conference in 1919 inserted the term "deliberate bombardment of undefended places" in the list of headings under which charges of war crimes can be collected and classified. The list has been adopted as a working list by the United Nations War Crimes Commission (Doc. C.1.)

The item "deliberate bombardment of undefended places" has been formulated on the basis of Article 25 of the Rules of Land Warfare of 1899 and Article 25 of the Hague Regulations, annexed to Convention IV of 1907, which forbid the attack or bombardment of undefended towns, villages, dwellings or buildings.

The Second Hague Conference of 1907, inserted in this Article the words "by any means whatever", in order to cover bombardments occurring not only in land warfare, but also in air warfare.

The rules governing bombardments by naval forces, (Hague Convention IX of 1907), while also in general prohibiting the bombardment by naval forces of undefended ports, towns, villages, dwellings or buildings, did not include in this prohibition military works, military or naval establishments, depots of arms or war material, workshops or plants which could be utilized for the needs of the hostile fleet or army. With regard to naval warfare, the criterion has, from the beginning, been not so much the question whether the bombarded place was or was not defended, but whether or not it contained military objectives. Although the conventional law governing land and air bombardments has never expressly been amended to this effect, there was a consensus of opinion between statesmen, experts and writers on international law between the two World Wars that the test of undefendedness was unworkable and obsolete.

At the beginning of the Japanese-Chinese hostilities, and at the beginning of the Second World War in Europe in 1939, the legal position was, in the opinion of the United Nations War Crimes Commission, that air warfare was, in the same way as warfare on land and at sea, subject to the fundamental prohibition of direct attack upon non-combatants which permeates the whole law of war.

The United Nations War Crimes Commission has, therefore, in its production of lists of persons against whom a prima facie case of having committed a war crime has been established, consistently rejected cases alleging illegitimate bombardment, if, on the evidence before the Commission, the bombarded places contained military objectives, and has listed only such persons as were held responsible for having intentionally bombarded places containing no military objectives.

Between 1940 and 1945, the bombardment of large areas was used as a means of warfare by both belligerents. The indiscriminate bombing of allied cities by the German Air Force has not been made the subject of a charge either against the major German war criminals in general, or against the Commander-in Chief of the German Air Force who was the main defendant at Nuremberg. Nor has the use of the so-called V-weapons against England been made part of the Nuremberg Indictment. The Nuremberg Judgment does not, therefore, contain a finding on the subject. The same applies to the trial of the major Japanese war criminals. Among the breaches of the laws and customs of war for which they are held responsible, no mention is made of illegitimate air warfare by bombing places not containing military objectives.

The United Nations War Crimes Commission does not think, however, that it is necessary for the present purpose to express an opinion on the question what influence, if any, the conduct of the Second World War and the Nuremberg and Tokyo proceedings have had on the relevant law, as the Commission understands that the enquiry from the Sub-Commission mainly refers to incidents which happened in the course of the Japanese-Chinese hostilities before 1939.

III. "Subject to the observation contained in the preceding paragraph, the Commission replies to the three questions posed by the Sub-Commission, as follows:

(a) "Deliberate bombardment of undefended places" means the intentional bombardment of places with the knowledge that they are undefended.

According to general principles of criminal law the burden of proof rests on the prosecution. In establishing such proof, the intention to bombard an undefended place and the knowledge that it was undefended may be inferred from the conduct and actions of the accused person.

(b) There is no indication either in conventional law or in the opinion of legal writers or in actual state practice what "undefended place" means.

In view of the considerations set forth in Section II of this Memorandum it has been the practice of this Commission to use the term "place containing no military objective" rather than the term "undefended place" as the criterion.

(c) As stated under (b) the Commission has, in its actual practice, considered the absence of military objectives to be the correct criterion. It has, therefore, declined to list

persons accused of being responsible for the bombardment of places containing military objectives, and has, on the other hand, placed on its lists persons responsible for the deliberate, i.e., intentional, bombardment of places containing no military objectives". (x)

(x) For details respecting the development of the relevant law, see Doc. III/78, for the practice of Committee I see Doc. I/82.

UNITED NATIONS WAR CRIMES COMMISSION

0251
March 10, 1947.

DISSOLUTION OF THE
FAR EASTERN AND PACIFIC SUB-COMMISSION

Resolution adopted by the Sub-Commission on 4th March, 1947.

The Far Eastern and Pacific Sub-
Commission adopted on 4th March, 1947
the following Resolution:-

RESOLUTION

"Whereas at a meeting of Allied and Dominions
Representatives at the British Foreign Office on October 20th,
1943, for the establishment of a United Nations Commission for
the investigation of war crimes, a resolution was passed
empowering the Commission to set up panels;

Whereas the United Nations War Crimes Commission
at a meeting on May 16th, 1944, decided to set up a Far Eastern
and Pacific Sub-Commission to deal with war crimes committed by
Japan;

Whereas the Sub-Commission considers that it has
now completed its task;

The Sub-Commission recommends to the United Nations
War Crimes Commission that the work of the Sub-Commission be
brought to an end on March 31st, 1947, that the Sub-Commission
be accordingly dissolved and that its files and records along
with a progress report of its activities be sent to the
Commission in London."

UNITED NATIONS WAR CRIMES COMMISSION

Bearing of the Italian Peace Treaty on the position of
Italian War Criminals.

Joint Report by Committees I and III.

- I. The acting French Representative, on behalf of the French authorities, presented to the Commission's Secretariat four questions regarding the bearing of the Peace Treaty with Italy on the position of Italians accused of having committed war crimes.

The questions were examined at a joint meeting of Committees I and III held on 20th March 1947. At this meeting it was unanimously agreed that the replies contained in the second part of this report should be given by the Commission to the French authorities.

Committees I and III add that the problems arise not only in connection with the Italian Peace Treaty, but also in connection with Roumania, Bulgaria, Hungary and Finland; the Italian aspect is, however, in practice the most important.

- II. The following are the four questions posed by the French authorities and the replies proposed by Committees I and III.

- (1) Will the Commission continue listing Italian war criminals when the Italian Peace Treaty comes into force? Will the lists of Italian war criminals be communicated to the Italian Government? The exact date of this communication.

The Italian Peace Treaty will come into force immediately upon the deposit of ratifications by the Union of Soviet Socialist Republics, by the United Kingdom of Great Britain and Northern Ireland, by the United States of America, and by France (Art. 90 of the Peace Treaty).

The Commission will continue to list Italians accused of war crimes when the Peace Treaty comes into force.

No decision is suggested at present on the question whether or not the lists of the United Nations War Crimes Commission containing the names of Italian war criminals should be communicated to the Italian Government or to the four Ambassadors of the Great Powers in Rome. A decision on this question will be sought if and when the Italian Government asks for the communication of these lists.

- (2) What is the value of listing Italian war criminals by the Commission in view of the new machinery envisaged in the Italian Peace Treaty?

As far as concerns persons of Italian nationality who are at present outside Italian territory, no change in the present procedure is called for. The value of the listing by the Commission will continue to consist in the fact that the Commission's lists will, both before and after the Italian Peace Treaty, be the basis on which will take place the surrender of persons accused of war crimes from the zones of occupation of Germany, from other occupied territories and as between allied States.

Insofar as the persons in question are in Italy, listing by the Commission will be a valuable guide both to the four Ambassadors and to the Italian Government itself, the latter because it is not assumed that the Italian Government will take the case of every alleged war criminal to the four Ambassadors. The four Ambassadors in Rome, who decide disputes concerning the application of Art. 45 of the Peace Treaty, have no machinery for examining the question whether there is a prima facie case of a war crime and will find the examination of individual cases by the Commission useful in arriving at a final decision.

- (3) Can, when the Italian Treaty comes into force, Italian prisoners of war be tried by Allied authorities in whose custody they are without the approval of the Italian Government?

Article 71 of the Peace Treaty provides that Italian prisoners of war shall be repatriated as soon as possible in accordance with arrangements agreed upon by the individual powers detaining them and Italy.

This provision must, in the Commission's opinion, be interpreted as being subject to the exception which is implied in Article 45, namely that persons accused of war crimes in the wider sense need not be repatriated, if their trial is pending, or if they are being tried, for war crimes, or if they are serving a sentence therefor. If Italy is under the obligation to apprehend and surrender for trial persons accused of having committed ordered or abetted war crimes, even if they are under Italian jurisdiction it follows that Italy has not the right to insist on the repatriation of such persons if they happen to be in Allied custody. Any other interpretation would lead to the absurd result that an Italian prisoner of war, who is, e.g., in French custody, would have to be repatriated by France to Italy under Article 71 of the Peace Treaty, in order to be then surrendered by Italy to France under Article 45.

Reference is made in this connection to Article 75 of the Geneva Prisoners of War Convention of 1929 dealing with liberation and repatriation of prisoners of war at the end of hostilities. The Convention provides that prisoners of war who are subject to criminal proceedings for a crime or offence at common law may be detained until the end of the proceedings, and, if need be, until the expiration of the sentence. The same applies to prisoners convicted for a crime or offence at common law.

In the Commission's opinion, the approval or consent of the Italian Government to their detention is not necessary. It will be open to the detaining government, however, to notify the Italian Government in a way similar to that which is provided for in the Geneva Prisoners of War Convention of 1929.

- (4) Can, when the Italian Peace Treaty comes into force, Italian war criminals who are in the custody of States different from the State which demands them and who are on the United Nations War Crimes Commission's Lists, be handed over by the custodian Government to the demanding Government without approval of the Italian Government?

What has been said under (3) applies here mutatis mutandis. The Allied States have the right to hand over inter se prisoners of war accused of war crimes in spite of, and as an exception to, the general obligation to repatriate them deriving from Article 71 of the Peace Treaty.

The approval or consent of the Italian Government is not necessary and it is left, also in this case, to the detaining government to inform the Italian Government if it thinks fit.

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UNITED NATIONS WAR CRIMES COMMISSION

Bearing of the Italian Peace Treaty on the position of
Italian War Criminals.

Joint Report by Committees I and III.

(Adopted by the Commission on 26th March, 1947).

- I. The acting French Representative, on behalf of the French authorities, presented to the Commission's Secretariat four questions regarding the bearing of the Peace Treaty with Italy on the position of Italians accused of having committed war crimes.

The questions were examined at a joint meeting of Committees I and III held on 20th March 1947. At this meeting it was unanimously agreed that the replies contained in the second part of this report should be given by the Commission to the French authorities.

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Insofar as the persons in question are in Italy, listing by the Commission will be a valuable guide both to the four Ambassadors and to the Italian Government itself, the latter because it is not assumed that the Italian Government will take the case of every alleged war criminal to the four Ambassadors. The four Ambassadors in Rome, who decide disputes concerning the application of Art. 45 of the Peace Treaty, have no machinery for examining the question whether there is a prima facie case of a war crime and will find the examination of individual cases by the Commission useful in arriving at a final decision.

(*) See footnote on p.2.

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What has been said under (3) applies here mutatis mutandis. The Allied States have the right to hand over inter se prisoners of war accused of war crimes in spite of, and as an exception to, the general obligation to repatriate them deriving from Article 71 of the Peace Treaty.

The approval or consent of the Italian Government is not necessary and it is left, also in this case, to the detaining government to inform the Italian Government if it thinks fit.

- (*) On 26th March, 1947 the Commission unanimously agreed that:
"The procedure under the Treaty will be that a State which desires the surrender of a war criminal situated in Italy will apply to the Italian Government; and only if the Italian Government refuses the surrender will the question go before the Ambassadors".

25th March, 1947.

UNITED NATIONS WAR CRIMES COMMISSION

The French Case No. 4698

(Alleged pillage through economic activities;
making French tanners and manufacturers of
foot-wear work for the benefit of Germany).

Report by Committee III

- I. At its meeting on 27th February, 1947, Committee I referred the French case No. 4698 to Committee III for its opinion as to whether the activities of the accused should be considered war crimes. According to the short statement of facts, the accused (POEPPELMANN and MUNSCH-MEYER) were directors and principal share-holders of a company which was charged by the German Government with the task of making the French tanners and manufacturers of foot-wear work for the benefit of Germany. The accused, a commercial man and a banker respectively, both living in Paris, set up there in December, 1941, a limited liability company. This company used to import into France raw materials intended for the manufacture of foot-wear, excepting the hides and the tanning extracts, intended for the French tanneries. The charge states that though the company did nothing but import into France German goods and products, it none the less contributed directly to the economic pillage of the country. This proposition is in the charge based on two facts:
- (1) that the Hides Office which regulated within France the whole of the foot-wear industry and the hides industry forced the French tanners and manufacturers to buy from the company, the sole suppliers, German products of an inferior quality, and at a high price;
- (2) that the company only sold to firms which worked compulsorily for Germany and whose products were bought exclusively by the German purchasing company attached to the Ministry of Economics. The charge states that the total figures representing the business carried out by the company from December, 1941, to October, 1944, was above 257.000.000 francs. It is stated that the company constituted an important part of the organisation entrusted by the German Government with seeing that the French hides industry worked only for the benefit of Germany.
- II. In the opinion of Committee III, the charge, unless supplemented by additional facts, does not disclose facts establishing a prima facie case for a war crime having been committed. The activities of the two company directors may have been and certainly were disadvantageous to the French economy. They did not, however, come either under the notion of pillage which is prohibited by Article 47 of the Hague Regulations or under the term of "Plunder of Private or Public Property",

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as used in Article 6(b) of the Charter of the International Military Tribunal and as applied by the Nuremberg Judgment in the trial of the major German war criminals. It is not stated in the charge that the accused did not pay full value for the goods they purchased, nor that they in applying criminal means, achieved more than the value of the goods they sold. As far as the charge contains hints at unlawful pressure having been brought upon the French commercial community, it is not stated that the two accused were personally implicated in the applying or threatening of the illegitimate use of force.

It is stated that French tanners and manufacturers were forced - though not by the accused - to buy from the accused German products of an inferior quality. Committee III fails to see the relevance of this statement, particularly in view of the fact that the products made of the material of inferior quality were again re-imported into Germany.

- III. Committee III therefore recommends that the National Office be invited to supplement the charge and that unless the charge is supplemented, the accused should not be listed by the Commission.

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III. Committee III therefore recommends that the National Office be invited to supplement the charge and that unless the charge is supplemented, the accused should not be listed by the Commission.

April 1st, 1947.

UNITED NATIONS WAR CRIMES COMMISSIONThe Provisions of the Peace Treaties with Germany and Austria regarding War Criminals.Suggestions adopted by the Commission on 25th March, 1947.

The United Nations War Crimes Commission submits to its members the following views on certain provisions which in the Commission's opinion it would be desirable to insert in the Peace Treaties with Germany and Austria, now under consideration by the Conference of the Foreign Ministers of the United Kingdom, the United States of America, the Soviet Union and France assembled in Moscow.

While not expressing an opinion on the problem of the prosecution of nationals of the Allied and Associated Powers accused of having violated their national law by treason or collaboration with the enemy during the war, the United Nations War Crimes Commission presents to its Member Governments for consideration its views on the provisions of the Peace Treaties with Germany and Austria dealing with war criminals.

In doing so the United Nations War Crimes Commission has taken into account the provisions inserted in the Peace Treaties signed with Italy (Art. 45), with Roumania (Art. 6), with Bulgaria (Art. 5), with Hungary (Art. 6), and with Finland (Art. 9). It has also taken account of the suggestions adopted by its members on the 18th September, 1946, with regard to these provisions as the United Nations War Crimes Commission's document C.227 of the 19th September, 1946, and presented to the Member Governments.

In the opinion of the United Nations War Crimes Commission the provisions regarding war criminals in the Peace Treaties with Germany and Austria should be drafted bearing in mind the basic fact that, as far as the European war is concerned, it is the German and Austrian war criminals who perpetrated the larger number and the most heinous types of crimes, and who inspired war criminals of the other ex-enemy States to follow their lead in this respect.

The United Nations War Crimes Commission is consequently of the opinion that the obligations to be imposed upon Germany and Austria should be made more strict and more precise in the relevant provisions than was the case with the provisions in the five Peace Treaties with the ex-Satellite States.

The latter provisions are general in terms, laying upon the ex-satellite governments a duty "to take all necessary steps" to ensure the apprehension and surrender for trial of the persons concerned. For the reasons given above, in the case of Germany and Austria it would appear to be more preferable to depart from such a general obligation and not to take any risks of a recurrence on the part of these two countries of the negative attitude displayed by the German Government after the first World War in respect of the surrender and punishment of war criminals.

Therefore the United Nations War Crimes Commission considers that it would be most valuable if the provisions of the Peace Treaties with Germany and Austria could be drafted in such a way as to take account of the following points:

1. The duty to take all necessary steps to ensure the apprehension and surrender of war criminals should be made applicable notwithstanding any proceedings or prosecution before a German or Austrian Court. An express provision to this effect

was contained in Art. 228 of the Peace Treaty of Versailles.

2. The German and the Austrian Governments should be required to comply with all requests of the United Nations Governments concerned relating to the identification, discovery apprehension, arrest and surrender of the accused persons, without any right to examine the case on its merits wherever the names of the accused persons appear in the lists of the United Nations War Crimes Commission. The United Nations Government concerned should be fully and promptly informed of the manner in which effect is being given to its request.

3. There should be a special provision securing the testimony of witnesses, as in the Peace Treaties signed with the five ex-Satellite States, supplemented however by a provision corresponding to Art. 230 of the Peace Treaty of Versailles and the German and Austrian Governments should undertake to disclose and produce any records, documents or other evidence, the producing of which may be considered necessary to secure the full knowledge of the acts with which the accused is charged, and to assist in any other way in which assistance may be required.

4. In the opinion of the United Nations War Crimes Commission, there should be some provisions safeguarding the loyal and conscientious collaboration of the officials of Germany and Austria, who will be responsible for the execution of the provisions of the Treaties. Germany and Austria should undertake to pass and enforce legislation making it a penal offence:-

- (a) to obstruct the execution of the foregoing provisions or to fail to comply with any direction relating thereto;
- (b) to aid or abet a person whose surrender has been demanded in evading apprehension or surrender;
- (c) to destroy or conceal documentary evidence, to impede or obstruct the calling or examination of witnesses;
- (d) to incite another person to resist in any way the provisions concerning the apprehension and surrender of such persons;
- (e) for any ex-enemy official to prosecute or punish any person for having reported to the authorities or agencies of any of the United Nations, any evasion of, or resistance to the foregoing provisions.

5. Under the Peace Treaties signed with the five ex-Satellite States any disagreement concerning the application of the relevant provisions is to be referred to the Diplomatic envoys of the Great Powers concerned at the Capital of the ex-Satellite States.

Without wishing to prejudice any other possible arrangement in the Peace Treaties with Germany and Austria, the United Nations War Crimes Commission is of the opinion that a strict control over the application of the relevant provisions by Germany and Austria should in any case be secured. In this respect the United Nations War Crimes Commission suggests that with regard to demands for the apprehension and surrender of accused persons, a difference could be made between the apprehension of such persons on the one hand and their

surrender for trial on the other. While the surrender, in the event of disagreement, should remain dependent on the decision of the controlling authority, the apprehension of wanted persons by the enemy government should be compulsory and the latter should not be entitled to leave the accused person at large until the decision of the controlling authority has been given. The Commission therefore suggests that whenever the surrender of a person is asked for by a United Nations Government, the person concerned should be apprehended and kept in custody until such time as the controlling authority reaches agreement with regard to the difficulty.

It should, however, be understood that the German and Austrian Governments would in no case be entitled to disagree on the subject of prima facie guilt established by the United Nations War Crimes Commission.

The Commission trusts that the above suggestions will be taken into favourable consideration by the Governments of the United Nations.

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It should, however, be understood that the German and Austrian Governments would in no case be entitled to disagree on the subject of prima facie guilt established by the United Nations War Crimes Commission.

The Commission trusts that the above suggestions will be taken into favourable consideration by the Governments of the United Nations.

UNITED NATIONS WAR CRIMES COMMISSION.

Please note that Document C.238 is to be destroyed and the present document, C.255 is to be treated as the Fourth Supplement to the Synopsis of Trial Reports.

C.255.
30th April, 1947.

UNITED NATIONS WAR CRIMES COMMISSION.

Fourth Supplement
to the
Synopsis
of Trial Reports
(Doc.C.204)

Since the circulation of the Third Supplement (Doc.C.233), the reports summarised in this paper have been received by the United Nations War Crimes Commission.

The following documents contain lists of trial reports received: C.204, C.208, C.222, C.233 and the present paper.

I. International Trials:

- 2) Transcript of the trial of the major Far Eastern War Criminals, from 3rd May 1946 to date, with additional papers from the International Military Tribunal for the Far East.

II. British Trials:

- 121) Trial of Franz Schonfeld and 9 others.
Date & Place of Trial: 11th June 1946, et seq. at Essen, the court consisting of 4 British and 1 Australian members.
Charge: While in charge of Civilian Internment Camp, Rechlinghausen, they committed a war crime in that they at Tilburg on 9th July 1944, were concerned in the killing of 1 British, 1 Australian and 1 Canadian Air Force officers.
Verdict: (According to oral information received from the Judge Advocate General's Department):
Not Guilty, 6,
Guilty, 4.
Sentences: Death by hanging: 4.
- 122) Trial of Friedrich Uhrig, Civilian.
Date & Place of Trial: 18-20 February 1946 at Hanover.
Charge: That he at Langlingen, Germany, on or about 29th December, 1944, killed an unknown Ft.Lt. of the RAF, a PoW.
Verdict: Guilty.
Sentence: Death by judicial hanging.
Sentence confirmed.
- 123) Trial of Kurt Kindervater, Karl Heinrich Drenckberg and Karl Hans Didszonat, all German nationals.
Date & Place of Trial: 21-23rd February 1946 at Hamburg.
Charge: (1) Against 1st and 2nd accused only: Ill-treatment of two unidentified British Airmen who had baled out of their aircraft.
(2) Against 1st and 2nd accused only: Ill-treatment of Polish nationals.
(3) Against 3rd accused only: Ill-treatment of Polish nationals.
Verdict: 3rd accused not guilty.
1st and 2nd accused guilty of 2nd charge.
Sentences: Imprisonment for 3 years, 1,
" " 1 year, 1.
Sentences confirmed.

124) Trial of Lieut. Yamaguchi Akuni and 4 others, of the Imperial Japanese Army.

J.

Date & Place of Trial: 21 - 26 February 1946 at Singapore, the court consisting of 1 Indian and 2 British members.

Charge: Planning, preparing, aiding and/or failing to prevent the arrest and ill-treatment of several civilian residents of Singapore, in consequence whereof the said persons suffered injuries which caused or contributed to their deaths.

Verdict: Not Guilty: 1.
Guilty: 4.

Sentences: Death by hanging: 4.
Sentences confirmed.

125) Trial of Maj.Gen. Itzuki Toshio, 12 other members of the Japanese Army and 3 members of the Japanese Navy.

J.

Date & Place of Trial: 11 - 26 March 1946 at Singapore, the court consisting of 1 Indian and 2 British members.

Charge:(1) Joint: Torture and ill-treatment of civilian residents of Car Nicobar in consequence whereof six died.

(2) Against Itzuki Toshio and Ueda Mytsharu only: Being concerned together in the unjust trial and judgment of civilian residents of Car Nicobar, as a result of which 49 were condemned to death and executed.

(3) Against Itzuki Toshio and Sakagami Shigero only: Being concerned together in the unjust trial and judgment of civilian residents of Car Nicobar, as a result of which 22 were condemned to death and executed.

(4) Against Itzuki Toshio and Sakagami Shigero only: Being concerned together in the unjust trial and judgment of civilian residents of Car Nicobar as a result of which 12 were condemned to death and executed.

Verdict: Not Guilty: 1.
Guilty: 15.

Sentences: Death by hanging: 5,
" " Shooting: 1,
Imprisonment for 15 years: 1,
" " 12 " 2,
" " 10 " 5,
" " 3 " 1

Sentences confirmed.

126) Trial of Lt. Col. Sumida Haruzo and 20 others, all of the Japanese Army.

J.

Date & Place of Trial: 18th March - 15th April 1946 at Singapore.

Charge: Having contrived the arrest of a number of civilians residing in Singapore Island and in particular the arrest of 57 civilians at Changi Gaol, and being concerned in the ill-treatment of the civilians mentioned, as a result of which 15 persons lost their lives.

Verdict: Not Guilty: 7.
Guilty: 14.

Sentences: Death by hanging: 8,
Imprisonment for life: 3,
" " 15 years: 1,
" " 8 " : 2.

Sentences confirmed except in the case of two accused.

- 127) Trial of Vice Admiral Teizo Hara, 6 other members of the Japanese Navy and 2 members of the Japanese army.
Date & Place of Trial: 20th March - 3rd April 1946 at Singapore,
Charge: Ill-treatment and killing of civilian residents of the Andaman Islands, (two charges).
Verdict: All guilty.
Sentences: Death by hanging, 6,
Imprisonment for life: 2,
" " 3 years: 1.
Findings and Sentences confirmed against 8 accused on 1st charge, and not confirmed against the 9th accused.
Findings on second charge not confirmed.
- 128) Trial of Franz Kircher, civilian.
Date & Place of Trial: 1 - 3 April 1946 at Essen West.
Charge: Being concerned in the ill-treatment and killing of three unidentified British airmen, prisoners of war.
Verdict: Guilty.
Sentence: Death by hanging.
Sentence confirmed.
- 129) Trial of Prosper Heyl, civilian.
Date & Place of Trial: 8th - 16th April 1946 at Celle.
Charge: (1) Ill-treatment of 4 British officers, PoW, then in arrest following their recapture.
(2) Firing a rifle shot into a barrack room containing approximately 25 British officers, PoW, thereby endangering their lives.
Verdict: 1st Charge: Guilty.
2nd Charge: Not Guilty.
Sentence: Imprisonment for 3 years.
Not Confirmed. Commander, 30 Corps District, directs the finding and sentence be quashed, 9 May 1946.
- 130) Trial of Claus Heeschen, civilian.
Date & Place of Trial: 10th and 13th April 1946 at Hamburg.
Charge: (1) Ill-treatment of Polish nationals, foreign workers in his charge.
(2) Killing of a Polish national.
Verdict: Guilty of 1st charge. Not guilty of second charge.
Sentence: Imprisonment for 5 years.
Findings confirmed, but sentence reduced to imprisonment for 3 years.
- 131) Trial of Nikei Yamanie.
J. Date & Place of Trial: 10 - 26th April 1946 at Singapore, before a court consisting of 1 Indian and 2 British members.
Charge: Ill-treatment of a civilian resident of Port Blair, thereby causing the death of the said person.
Verdict: Guilty.
Sentence: Imprisonment for life.
Sentence confirmed.
- 132) Trial of Waldemar Jureck, a German National.
Date & Place of Trial: 15th April 1946 at Hamburg before a court consisting of 1 Polish and 2 British members.
Charge: Ill-treatment and killing of Polish nationals. (4 charges).
Verdict: Guilty on 3 charges.
Sentence: Imprisonment for 12 years.
Sentence confirmed.

- 133) Trial of Ichiji Furukawa and Keichi Matsushita, of the Japanese Navy.
 J. Date & Place of Trial: 15th - 22nd April 1946 at Singapore.
 Charge: Ill-treatment and killing of a civilian inhabitant of Port Blair.
 Verdict: Both guilty with the exception of the words "ill-treatment and".
 Sentences: Furukawa, Death by hanging.
 Matsushita, Death by shooting with a recommendation to mercy on the grounds that the accused was under duress at the time of the killing.
 Finding confirmed, but sentences commuted to:
 Furukawa, Imprisonment for life,
 Matsushita, " " 15 years.
- 134) Trial of Kasaburo Ito and Ysano Onoki, of the Imperial Japanese Army.
 J. Date & Place of Trial: 16 - 18 April, 1946 at Alor Star.
 Charge: Ill-treatment of a civilian inhabitant of Padang Masirat, in consequence of which the said person died.
 Verdict: Both found guilty.
 Sentences: Death by hanging, 2.
 Sentences confirmed.
- 135) Trial of Riyosuke Awakuni and Haruo Yamaguchi, of the Japanese Navy.
 J. Date & Place of Trial: 16 - 25th April 1946 at Singapore before a court consisting of 1 Indian and 2 British members.
 Charge: Torture and ill-treatment of civilian residents of Port Blair in consequence whereof the said persons died.
 Verdict: Both found guilty.
 Sentence: Death by hanging: 2.
 Sentences confirmed.
- 136) Trial of Johann Volschow, civilian.
 Date & Place of Trial: 17th April 1946 at Hamburg.
 Charge: Ill-treatment of Polish nationals (3 charges.)
 Verdict: Guilty on 2 charges, not guilty on 3rd charge.
 Sentence: Imprisonment for 2 years.
 Sentence confirmed.
- 137) Trial of Giulio Giulietti and Bruno Franconi, Italian nationals.
 Date & Place of Trial: 17th - 18th April 1946 at Milan.
 Charges: (1) Against both: Killing of an unknown escaped Indian PoW.
 (2) Against 1st accused only: Killing of an unknown escaped British PoW.
 Verdict: 1st Charge: Not Guilty, 2.
 2nd Charge: Giulietti, Guilty.
 Sentence: Imprisonment for 2 years.
 Sentence confirmed.
- 138) Trial of Siegfried Merker and Heinrich Hautau, German nationals.
 Date & Place of Trial: 19th April 1946 at Hanover.
 Charge: Being concerned in the ill-treatment and killing of British and Allied prisoners of war.
 Verdict: Merker: Guilty (special finding).
 Hautau, Not Guilty.
 Sentence: Imprisonment for 6 months.
 Sentence confirmed.

139) Trial of Hirio Nagaosa and 7 other members of the Japanese forces.

J. Date & Place of Trial: 22nd April - 7th May 1946 at Singapore.
 Charge: Ill-treatment of civilian residents of Port Blair as a result of which one person died.
 Verdict: Not guilty: 1.
 Guilty on 1 or more charges: 7.
 Sentences: Death by hanging: 5.
 Imprisonment for 15 years: 2.
 Sentences confirmed.

140) Trial of Kanekichi Komaba, civilian.

J. Date & Place of Trial: 24th - 26th April 1946 at Singapore.
 Charge: Beating, torture and ill-treatment of civilian residents of Port Blair, as a result of which one person died. (2 charges).
 Verdict: Guilty of both charges.
 Sentences: 1st Charge: Imprisonment for life,
 2nd Charge: " " 5 years,
 sentences to run concurrently.
 Findings and sentence confirmed.

141) Trial of Ferdinand Brandl, Dr. Artur Hocevar and Michael Steiner, all German nationals.

Date & Place of Trial: 29th April 1946 at Leoben.
 Charge: Ill-treatment of British PoW while the accused were members of the staff of Camp 180 G/W attached to Stalag XVIII A and responsible for the well-being of of persons interned there.
 Verdict: All guilty.
 Sentences: Imprisonment for 15 years: 1,
 " " 5 " 1,
 " " 2 " 1.
 Sentences confirmed.

142) Trial of Sgt. Maj. Taira Yoshikawa, of the Japanese army.

J. Date & Place of Trial: 29th April - 2nd May 1946 at Singapore
 Charge: Ill-treatment of British, Australian and Dutch PoW interned at Kranji PoW Camp, Singapore, while the accused was in charge of the said camp, as the result of which several prisoners of war died.
 Verdict: Guilty with exceptions.
 Sentence: Imprisonment for 4 years.
 Sentence confirmed.

143) Trial of Lt. Col. Keichi Chu-Sa Abe and 3 others.

J. Date & Place of Trial: 29th April - 4th May 1946 at Labuan.
 Charge: Being concerned in the killing of 5 civilian inhabitants of British Borneo.
 Verdict: Not Guilty: 2.
 Guilty: 2.
 Sentences: Death by hanging: 2.
 Sentences confirmed.

144) Trial of Susumi Yoshida.

J. Date & Place of Trial: 30th April and 1st May 1946 at Singapore before a court consisting of 1 Indian and 2 British members.
 Charge: Being concerned in the ill-treatment of a civilian resident of Port Blair, thereby causing the death of the said person.
 Verdict: Guilty.
 Sentence: Imprisonment for life.
 Sentence confirmed.

- 145) Trial of Mamoru Nagayasu of the Japanese Army.
J. Date & Place of Trial: 1 - 2 May 1946 at Ipoh.
Charge: Being concerned in the killing of a civilian resident of Malaya.
Verdict: Guilty.
Sentence: Death by hanging.
Sentence confirmed.
- 146) Trial of Yoshinobu Takayanani.
J. Date & Place of Trial: 3rd May 1946 at Singapore before a court consisting of 1 Indian and 2 British members.
Charge: Being concerned in the ill-treatment of a civilian resident of Port Blair.
Verdict: Guilty.
Sentence: Death by hanging.
Sentence confirmed.
- 147) Trial of Lt. Takasaki Shinji and Korean Guard Kaneshiro Takeshi.
J. Date & Place of Trial: 3 - 6 May 1946 at Singapore.
Charge: Ill-treatment and killing of British prisoners of war. (7 charges).
Verdict: Both guilty.
Sentences: Death by hanging: 2.
Sentences confirmed.
- 148) Trial of Jacob Luhrs, Paul Bohm and Ida Reik, civilians.
Date & Place of Trial: 6th May 1946 at Hamburg.
Charge: Ill-treatment of Polish nationals.
Verdict: Luhrs, Not Guilty.
Bohm and Reik, Guilty. (special finding).
Sentences: Bohm, imprisonment for 12 months.
Reik, " " 8 "
Sentences confirmed.
- 149) Trial of Chuuji Nakano, of the Japanese Navy.
J. Date & Place of Trial: 6 - 8 May 1946 at Singapore, before a court consisting of 1 Indian and 2 British members.
Charge: Beating, ill-treatment and torture of a civilian resident of Port Blair, as a consequence whereof the said person died.
Verdict: Guilty.
Sentence: Death by hanging.
Sentence confirmed.
- 150) Trial of Hiroshi Mano, civilian.
J. Date & Place of Trial: 7 - 8 May 1946 at Labuan.
Charge: Being concerned in the killing of a civilian resident of Lutong, Sarawak.
Verdict: Guilty.
Sentence: Death by hanging.
Confirmed by Commander Allied Land Forces, SEA on 25th July 1946. Plea in bar of trial was not proved and sentence was commuted to 10 years imprisonment.
- 151) Trial of Masao Tagawa and 3 others, civilians.
J. Date & Place of Trial: 7 - 8 May 1946 at Singapore.
Charge: Beating, torture and ill-treatment of civilian residents of Port Blair in consequence whereof one person died.
Verdict: All found guilty.
Sentences: Imprisonment for life, 1.
" " 10 years, 2.
" " 8 " 1.
Sentences confirmed.

- 152) Trial of Lt. Hirchi Orimo and L/Cpl. Manjiro Nagayama.
J. Date & Place of Trial: 10th - 15th May 1946, at Singapore.
Charge: While members of the staff of the Normanton POW camp, Singapore, being responsible for the well-being of the persons interned there, were concerned in the ill-treatment of British prisoners of war, resulting in the deaths of many of the said prisoners.
Verdict: Both Guilty. Orimo - substitute "contributing to the deaths" in place of "resulting in the deaths".
Sentences: Orimo, 15 years imprisonment.
Nagayama, 7 years imprisonment.
Sentences confirmed.
- 153) Trial of Sgt. Matsuda Kenichi.
J. Date & Place of Trial: 10 - 14th May 1946 at East Point Godown.
Charge: Ill-treatment of a Chinese civilian, resulting in the death of that person while under arrest at Waichow, China.
Verdict: Guilty except to omit the words "resulting in the death ..."
Sentence: Imprisonment for 8 years.
Sentence confirmed.
- 154) Trial of Adolf Wolfert and 3 others, all German nationals.
Date & Place of Trial: 13 - 17 May 1946 at Bad Lippspringe.
Charge: Being concerned in the killing of a British Prisoner of War.
Verdict: Not Guilty, 1.
Guilty, 3.
Sentences: Death by hanging, 2.
Imprisonment for 10 years, 1.
Cases of Wolfert and Hartleb confirmed.
Non-confirmation of finding promulgated in the case of Kress, 18 September 1946.
- 155) Trial of Alfonz Metz, German National.
Date & Place of Trial: 15 th May 1946 at Hanover.
Charge: Being concerned in the killing of two British officers, prisoners of war.
Verdict: Guilty.
Sentence: Death by shooting.
Findings confirmed, but sentence commuted to one of imprisonment for 10 years.
- 156) Trial of Lt. Sugihara Akira and Mikami Yoshihara a civilian interpreter in the employ of the Japanese forces.
J. Date & Place of Trial: 15 - 18 May, 1946 at Singapore.
Charge: Being together concerned in the ill-treatment of civilian residents of Port Blair and causing physical suffering to other persons.
Verdict: Both found guilty, with exceptions.
Sentences: Sugihara, Imprisonment for life.
Mikami, " " 7 years.
Sentences confirmed.
- 157) Trial of Takeharu Kojima, a Japanese civilian.
J. Date & Place of Trial: 15 - 18 May 1946 at Singapore.
Charge: Beating, torture and ill-treatment of civilian residents of Port Blair, as a result of which said persons died. (3 charges).
Verdict: Guilty.
Sentence: Death by hanging.
Sentence confirmed.

- 158) Trial of Karl Heinrich Reddehasse, a German national.
Date & Place of Trial: 16 May 1946 at Celle before a court consisting of 1 Polish and 4 British officers.
Charge: Committing a war crime in that he at Waldelust and elsewhere between August 1944 and April 1945, when a member of a Concentration Camp Staff, in violation of the laws and usages of war, was concerned in the ill-treatment and killing of Allied nationals interned in such Concentration Camps.
Verdict: Guilty.
Sentence: Death by hanging.
Sentence confirmed.
- 159) Trial of Gertrud Heize, a German national.
Date & Place of Trial: 16 May 1946 at Celle before a court consisting of 1 Polish and 4 British members.
Charge: Committing a war crime in that she at Auschwitz and other places between July 1943 and December 1944, when a member of the concentration camp staff, in violation of the laws and usages of war, was concerned in the ill-treatment of Allied nationals interned in such concentration camps.
Verdict: Guilty.
Sentence: Imprisonment for 15 years.
Sentence confirmed.
- 160) Trial of Walter Friedrich Wilhelm Quakernack, a German national.
Date & Place of Trial: 16 May 1946 at Celle before a court consisting of 1 Polish and 4 British members.
Charge: Committing a war crime in that he at Hanomag and elsewhere between August 1944 and April 1945, when a member of a concentration camp staff, in violation of the laws and usages of war, was concerned in the ill-treatment and killing of Allied nationals interned in such concentration camps.
Verdict: Guilty.
Sentence: Death by judicial hanging.
Sentence confirmed.
- 161) Trial of Marta Linke, a German national.
Date & Place of Trial: 16 May 1946 at Celle.
Charge: Committing a war crime in that she at Belsen between December 1944 and April 1945 when a member of the concentration camp staff, in violation of the laws and usages of war, was concerned in the ill-treatment of Allied nationals interned therein.
Verdict: Guilty.
Sentence: Imprisonment for 12 years.
Findings confirmed but sentence commuted to one of imprisonment for 7 years.
- 162) Trial of Heinz Luder Heidemann, a German national.
Date & Place of Trial: 16 May 1946 at Celle, before a court consisting of 1 Polish and 4 British members.
Charge: Committing a war crime in that he at Belsen between November 1944 and April 1945 when a member of the Concentration Camp staff, in violation of the laws and usages of war, was concerned in the ill-treatment and killing of Allied nationals interned in the said camp.
Verdict: Guilty.
Sentence: Death by judicial hanging.
Sentence confirmed.

- 163) Trial of Theodor Wagner, German national.
Date & Place of Trial: 16 May 1946 at Celle before a court consisting of 1 Polish and 4 British officers.
Charge: Committing a war crime in that he at Belsen and elsewhere between January 1945 and April 1945, when a member of the concentration camp staff, in violation of the laws and usages of war, was concerned in the ill-treatment and killing of Allied nationals interned therein.
Verdict: Guilty with the exception that the accused is a Roumanian national.
Sentence: Imprisonment for 20 years.
Not confirmed.
- 164) Trial of Karl Schmidt, a German national.
Date & Place of Trial: 16 May 1946 at Celle, before a court consisting of 1 Polish and 4 British members.
Charge: Committing a war crime in that he at Belsen, between February 1945 and April 1945, when a member of a concentration camp staff, in violation of the laws and usages of war, was concerned in the ill-treatment and killing of Allied nationals interned therein.
Verdict: Guilty with the exception of the killing.
Sentence: Imprisonment for 15 years.
Sentence confirmed.
- 165) Trial of Anneliese Kohlmann, a German national.
Date & Place of Trial: 16th May 1946 at Hamburg before a court consisting of 1 Polish and 4 British members.
Charge: Committing a war crime in that she at Hamburg and other places between June 1944 and March 1945, when a member of a Concentration Camp Staff, in violation of the laws and usages of war, was concerned in the ill-treatment of Allied nationals interned in such concentration camps.
Verdict: Guilty.
Sentence: Imprisonment for 2 years.
Sentence confirmed.
- 166) Trial of Beckenbauer, Picht, Koller, Heidrich, Ziegler and Schievelbusch, German civilians employees of the Reichswerke Mines, Brunswick.
Date & Place of Trial: 20th May 1946 at Brunswick.
Charges: Employing British prisoners of war on unhealthy and dangerous work, thereby causing the death of one and injuries to other British prisoners of war, and assault of British and Allied prisoners of war. (3 charges.)
Verdict: All accused, not guilty of all charges.
- 167) Trial of Major Totaro Mizutani, of the Japanese Army.
J. Date & Place of Trial: 20th May - 6th June 1946 at Singapore.
Charge: (1) Committing a war crime...when engaged in the administration of British, American, Australian and Dutch POW employed in the construction of the Burma-Siam railway, was concerned in the inhumane treatment resulting in the death of hundreds of the said prisoners of war, and physical suffering by many others.
(2) Ill-treatment of a Burmese civilian inhabitant of occupied territory.
(3) Killing of a British POW interned at Tamuang POW camp.
Verdict: Guilty.
Sentence: Death by hanging.
Sentence confirmed.

- 168) Trial of Toraki Ueda of the Imperial Japanese Forces.
 J. Date & Place of Trial: 20 - 23 May 1946 at Singapore.
 Charge: Ill-treatment of a civilian inhabitant of Port Blair, as a result of which the said person died.
 Verdict: Not Guilty.
- 169) Trial of Capt. Matsuo Kobayashi and Interpreter Masao Fujita, both of the Japanese Army.
 J. Date & Place of Trial: 20 - 23 May 1946 at Singapore before a court consisting of 1 Indian and 2 British members.
 Charge: Being concerned, together and severally, in the ill-treatment of civilian residents of Nancowry. (3 charges).
 Verdict: Guilty, 2.
 Sentences: Kobayashi, Imprisonment for 4 years,
 Fujita, " " 3 "
 Findings confirmed and 5 months remitted from each sentence.
- 170) Trial of Sgt. Maj. Toyoji Tsuji of the Japanese Army.
 J. Date & Place of Trial: 20 - 24 May 1946 at Labuan.
 Charge: Ill-treatment of civilian residents of Borneo, which resulted in the death of one person.
 Verdict: Guilty.
 Sentence: Death by hanging.
 Sentence confirmed.
- 171) Trial of Chief Petty Officer Mitsuyoshi Miora and 2 others of the Imperial Japanese Navy.
 J. Date & Place of Trial: 22 - 24 May 1946 at Singapore.
 Charge: Ill-treatment of civilian inhabitants of Port Blair.
 Verdict: Guilty.
 Sentences: Death by hanging, 3.
 Sentences confirmed.
- 172) Trial of W/O. Noboru Goda of the Japanese Navy.
 J. Date & Place of Trial: 23-24 May 1946 at Singapore before a court consisting of 1 Indian and 2 British members.
 Charge: Ill-treatment of civilian inhabitants of Port Blair, thereby causing the death of one person.
 Verdict: Guilty.
 Sentence: Death by hanging.
 Sentence confirmed.
- 173) Trial of Bunshiro Taniguchi and 2 others of the Japanese Navy.
 J. Date & Place of Trial: 24 - 28 May 1946 at Singapore.
 Charge: Ill-treatment of civilian residents of Port Blair, thereby causing the death of 5 persons.
 Verdict: All guilty.
 Sentences: Death by hanging, 2.
 Imprisonment for 15 years, 1.
 Sentences confirmed.
- 174) Trial of Takeaki Iwakiri, civilian.
 J. Date & Place of Trial: 27 May 1946 at Singapore.
 Charge: Taking part in the beating, torture and ill-treatment of a civilian resident of Port Blair, in consequence whereof the person died.
 Verdict: Guilty, with exceptions.
 Sentence: Imprisonment for 2 years.
 Findings confirmed but 7 months' imprisonment remitted from sentence.

- 175) Trial of Lt.Minoru Hashimoto and Cpl.Sadao Kurosawa of the Imperial Japanese Army.
Date & Place of Trial: 27-31 May 1946 at Singapore.
Charge: Being concerned in the killing of civilian residents of Port Blair. (2 charges).
Verdict: Both found guilty.
Sentences: Death by hanging, 2.
Sentences confirmed.
- 176) Trial of Theodor Fischer, German national.
Date & Place of Trial: 28 - 31 May 1946 at Dusseldorf.
Charge: Ill-treatment and killing of a Polish airman, a PoW serving under the orders of the RAF.
Verdict: Guilty, except of killing.
Sentence: Imprisonment for 8 years.
Sentence confirmed.
- 177) Trial of Renji Tanaka, Harumi Nakayama and Takeo Fujie, all of the Imperial Japanese Navy.
Date & Place of Trial: 30 - 31 May 1946 at Singapore before a court consisting of 1 Indian and 2 British members.
Charge: Ill-treatment of a civilian resident of Port Blair, as a result of which the said person died.
Verdict: All guilty.
Sentence: Death by hanging, 3.
Sentences confirmed.
- 178) Trial of 2nd Lt. Tsugio Kuwahata and Sgt.Maj. Isao Murakami, both of the Japanese Kempai Tai.
Date & Place of Trial: 30-31 May and 5 June 1946 at Singapore.
Charge: Being concerned in the unlawful killings of two members of the United States Army Air Force, prisoners of war.
Verdict: Both found guilty.
Sentences: Imprisonment for one year, 2.
Sentences confirmed.
- 179) Trial of Sgt. Zenji Hanada and 3 others of the Japanese Gendarmerie.
Date & Place of Trial: 30 - 31 May and 1 - 11 June 1946 at Hong Kong.
Charge: Ill-treatment of 7 civilians who were under arrest at the Gendarmerie headquarters.
Verdict: Not guilty: 1.
Guilty: 3.
Sentences: Imprisonment for 8 years, 1.
" " 6 " 1.
" " 3 " 1.
Sentences confirmed.
- 180) Trial of Franz Kotulan a German national.
Date & Place of Trial: 31 May 1946 at Leibnitz.
Charge: Killing of a member of the New Zealand Expeditionary Force, a PoW.
Verdict: Guilty.
Sentence: Imprisonment for 5 years.
Sentence confirmed.
- 181) Trial of Wilhelm Schnarre, a civilian.
Date & Place of Trial: 3rd June 1946 at Bochum.
Charge: Being concerned in the ill treatment of an unidentified British airman, PoW, believed to be Australian.
Verdict: Guilty.
Sentence: Imprisonment for 1 year.
Sentence confirmed.

- 182) Trial of Suefusa Sakamoto of the Japanese Navy.
J. Date & Place of Trial: 3rd June 1946 at Singapore before a court consisting of 1 Indian and 2 British members.
Charge: Being concerned in the killing of a civilian resident of Port Blair.
Verdict: Not Guilty.
- 183) Trial of W/O Iwao Mizukami of the Japanese Navy.
J. Date & Place of Trial: 3-5 June 1946 at Singapore.
Charge: Ill-treatment of Indian civilian residents of Port Blair, causing the death of one person and physical suffering to 3 others.
Verdict: Not Guilty.
- 184) Trial of Noboru Kuboki, civilian att'd. to the Japanese Navy.
J. Date & Place of Trial: 5th - 6th June 1946 at Singapore.
Charge: Ill-treatment of 4 Indian civilian residents of Port Blair, causing the death of said persons.
Verdict: Guilty.
Sentence: Death by hanging.
Sentence confirmed.
- 185) Trial of Yasue Osada, Akio Sugimoto and Masa Aki Nagata, civilians attached to the Imperial Japanese Army.
J. Date & Place of Trial: 5 - 7 and 27 and 29 June 1946 at Singapore.
Charge: Ill-treatment of 2 civilian residents of Port Blair, resulting in the death of the said persons.
Verdict: Guilty.
Sentences: Imprisonment for 4 years, 2.
" " 3 " 1.
Sentences confirmed.
- 186) Trial of Lt. Mitsuki Hirakawa, Lt. Masao Egami and Superior Petty Officer Hisatare Shindo, of the Japanese Navy.
J. Date & Place of Trial: 6 - 14 June 1946 at Singapore.
Charge: (1) Being concerned in the maltreatment of Mr. Bird, a civilian resident of Port Blair.
(2) Being concerned in the unlawful killing of Mr. Bird, a civilian resident of Port Blair.
Verdict: 1st Charge: Hirakawa Guilty, Egami and Shindo not guilty.
2nd Charge: Hirakawa and Egami Guilty, Shindo not guilty.
Sentences: Hirakawa and Egami, Imprisonment for 10 years.
Sentences confirmed.
- 187) Trial of Major Setsuo Mabuchi, Major Kinji Nakamura and Capt. Hitoshi Wakamatsu of the Japanese Army Medical Corps and Capt. Shigehiro Hisakawa of the Japanese Kempei Tai.
J. Date & Place of Trial: 7 - 12 June 1946 at Singapore.
Charge: Being concerned in the unlawful killing of an American POW, name unknown, who had been admitted to Cholon Military Hospital suffering from burns and other injuries.
Verdict: All found guilty.
Sentences: Death by hanging, 4.
Findings confirmed but sentences on Mabuchi and Wakamatsu commuted to imprisonment for life.

188) Trial of Capt. Jugi Tarumoto of the Japanese Army.

J. Date & Place of Trial: 11 - 15 June 1946 at Singapore before a court consisting of 1 Indian and 2 British members.
Charge: Committing a war crime in that he in Siam between the 1st August 1942 and 31st December 1943, when member of the 9th Engineer Regiment engaged in the construction of the Burma-Siam Railway, in violation of the laws and usages of war was concerned in the inhumane treatment of British, Australian and Dutch POW employed in the construction of the said railway resulting in the deaths of some and physical suffering of others of the said prisoners of war.
Verdict: Guilty, excluding "Australian and Dutch" and "deaths of some and" and "of others".
Sentence: Imprisonment for life.
Sentence confirmed.

189) Trial of Joseph Axt and Johann Weber, German nationals.

Date & Place of Trial: 11-13 June 1946 at Iserlohn.
Charge: Being concerned in the killing of a prisoner of war, a member of the Royal Air Force.
Verdict: Both found Guilty.
Sentences: Axt to suffer death by shooting.
Weber, imprisonment for 20 years.
Sentences confirmed.

190) Trial of Erich Hugo Schulz and Albert Runkel, German nationals.

Date & Place of Trial: 11 June 1946 (for 1st accused) and 26th June 1946 (for 2nd accused) at Hamburg.
Charges: (1) (against 1st accused only) Committing a war crime in that he at Neugraben/Tiefstak and elsewhere in the years 1944 and 1945, when a member of a concentration camp staff, in violation of the laws and usages of war, was concerned in the ill-treatment of Allied nationals interned in such concentration camp.
(2) (against 2nd accused only) Committing a war crime in that he at Neugraben/Tiefstak and elsewhere in the years 1944 and 1945, when a member of a concentration camp staff, in violation of the laws and usages of war was concerned in the ill-treatment of Allied nationals interned in such concentration camp.
Verdict: Both accused guilty.
Sentences: Schulz - Imprisonment for 1 year.
Runkel - Imprisonment for 3 years.
Sentences confirmed.

191) Trial of Gertrud Schulz and Gustav Rosoli, both German nationals.

Date & Place of Trial: 13-14 June 1946 (for 1st accused), 18th June 1946 (for 2nd accused) at Hamburg.
Charge: (1) (Against 1st accused only) Committing a war crime in that she at Neugraben/Tiefstak and elsewhere in the years 1944 and 1945, when a member of a Concentration Camp staff, in violation of the laws and usages of war, was concerned in the ill-treatment of Allied nationals interned in such concentration camp.
(2) (Against 2nd accused only) Committing a war crime in that he at Neugraben/Tiefstak and elsewhere in the years 1944 and 1945, when a member of a Concentration Camp staff, in violation of the laws and usages of war, was concerned in the ill-treatment of Allied nationals interned in such concentration camp.
Verdict: Both accused, Not Guilty.

- 192) Trial of Kiyoharu Hagane, civilian in employ of Japanese Forces.
J. Date & Place of Trial: 14 - 18 June 1946 at Singapore.
Charge: (1) Being concerned in the killing of a civilian resident of Port Blair.
(2) Being concerned in the ill-treatment of a civilian resident of Port Blair.
Verdict: Guilty on both charges.
Sentence: Death by hanging.
Sentence confirmed.
- 193) Trial of Maria Szaroletta and Christel Dibbern, German nationals.
Date & Place of Trial: 14th June 1946 (for 1st accused) and 27th June 1946 (for 2nd accused) at Hamburg.
Charge: (Against 1st accused only) Committing a war crime in that she at Neugraben/Tiefstak and elsewhere in the years 1944 and 1945, when a member of a Concentration Camp staff, in violation of the laws and usages of war, was concerned in the ill-treatment of Allied Nationals interned in such concentration camp.
(Against 2nd accused only) Committing a War Crime in that she at Neugraben/Tiefstak and elsewhere in the years 1944 and 1945, when a member of a Concentration Camp staff, in violation of the laws and usages of war, was concerned in the ill-treatment of Allied nationals interned in such concentration camp.
Verdict: Szaroletta, Not Guilty.
Dibbern, Guilty.
Sentence: Imprisonment for 6 months.
Sentence confirmed.
- 194) Trial of Heinrich J.G.C. Specht, Heinrich Siemer and 3 others, all German nationals.
Date & Place of Trial: 17 June 1946 at Hamburg.
Charge: Being concerned in the killing of an unknown British airman, PoW, believed to be an Australian Flight-Sergeant.
Verdict: Specht, Guilty.
Siemer, Died during trial.
The other three accused were found not guilty.
Sentence: Imprisonment for 10 years.
Sentence confirmed.
- 195) Trial of Sgt. Saburo Sasaki, Special Branch of Kempei Tai.
J. Date & Place of Trial: 17-18 June 1946 at Telok Anson.
Charges: (1) Being concerned in the ill-treatment of a civilian resident of Ipoh.
(2) Being concerned in the ill-treatment of 12 civilian residents of Malaya, which resulted in the deaths of 5 of the said persons.
(3) Being concerned in the killing of 2 civilian residents of Malaya.
(4) Being concerned in the killing of 2 civilian residents of Malaya.
Verdict: Guilty on all charges, with exceptions in the cases of the 1st and 2nd charges.
Sentence: Death by hanging.
Sentence confirmed.
- 196) Trial of Joseph Mueller and Georg Heidtman, both German nationals.
Date & Place of Trial: 17 - 20 June 1946 at Hamburg.
Charges: Committing a war crime in that they at Neugraben/Tiefstak and elsewhere in the years 1944 and 1945, when members of a concentration camp staff, in violation of the laws and usages of war, were concerned in the ill-treatment of Allied nationals interned in such concentration camps. (Individual charges).
Verdict: Both guilty.
Sentences: Mueller, Imprisonment for 1 year, Heidtman, 2 years.
Sentences-confirmed.

- 197) Trial of Chief Petty Officer Isamu Matsuka, Japanese Navy.
J. Date & Place of Trial: 18 - 21 June 1946 at Singapore
Charge: Being concerned in the ill-treatment of a civilian resident of Port Blair, as a result of which the said person died.
Verdict: Guilty.
Sentence: Death by hanging.
Sentence confirmed.
- 198) Trial of Kazimierz Ciegelski, a Polish national.
Date & Place of Trial: 18 June 1946 at Luneberg.
Charge: Committing a war crime in that he at Bergen/Belsen between January 1944 and April 1945, when a member of the concentration camp staff, in violation of the laws and usages of war, was concerned in the ill-treatment and killing of Allied Nationals interned in the concentration camp.
Verdict: Guilty.
Sentence: Death by hanging.
Sentence confirmed.
- 199) Trial of Ludwig Knorr, a German national.
Date & Place of Trial: 19th June 1946 at Brunswick.
Charge: Committing a war crime in that he at Stocken and Ahlem in the years 1944 and 1945 when a member of the concentration camp staff in violation of the laws and usages of war was concerned in the killing and ill-treatment of Allied nationals interned in concentration camps.
Verdict: Guilty.
Sentence: Death by hanging.
Sentence confirmed.
- 200) Trial of Franz Alba, a German national.
Date & Place of Trial: 20th June 1946 at Recklinghausen.
Charge: Killing of two British soldiers, prisoners of war.
Verdict: Not Guilty.
- 201) Trial of Sgt. Gonhiro Ishimura of the Japanese Army.
J. Date & Place of Trial: 20 - 25 June 1946 at Singapore before a court consisting of 2 Indian members and 1 British member.
Charge: Being concerned in the ill-treatment of 4 civilian residents of Singapore, which ill-treatment resulted in the death of one person.
Verdict: Guilty, except the words "which ill-treatment resulted in the death of W. D. Dally."
Sentence: Imprisonment for 4 years.
Sentence confirmed.
- 202) Trial of Chosaku Anraku, Police official in the employ of the Imperial Japanese Forces.
J. Date & Place of Trial: 20 - 21 June 1946 at Kampar.
Charges: (1) Being concerned in the ill-treatment of civilian residents of and in Kampar, resulting in the death of one person and in physical suffering of others.
(2) Being concerned in the killing of a civilian resident of Kampar.
Verdict: Guilty of both charges.
Sentence: Imprisonment for 15 years.
Sentence confirmed.

203) Trial of Erhardt Hauenstein and Eva Marie Borowski, both Germans.

Date & Place of Trial: 21 June 1946 (for 1st accused) and 25th June 1946 (for 2nd accused) at Hamburg.

Charge: (Against 1st accused only) Committing a war crime in that he at Neugraben/Tiefstak and elsewhere in the years 1944 and 1945, when a member of a concentration camp staff, in violation of the laws and usages of war was concerned in the ill-treatment of allied nationals interned in such concentration camp.
(Against 2nd accused only) Committing a war crime in that she at Neugraben/Tiefstak and elsewhere in the years 1944 and 1945, when a member of a concentration camp staff, in violation of the laws and usages of war, was concerned in the ill-treatment of Allied nationals interned in such concentration camp.

Verdict: Both accused, Not Guilty.

204) Trial of Hans Olschewski, a German national.

Date & Place of Trial: 21st June 1946 at Brunswick.

Charge: Committing a war crime in that he at Stocken and Ahlem in the years 1944 and 1945, when a member of the concentration camp staff, in violation of the laws and usages of war, was concerned in the killing and ill-treatment of Allied nationals in concentration camps.

Verdict: Guilty, except that the accused was not concerned in the killing of Allied nationals at Stocken and that he was concerned in the killing of only one Allied national at Ahlem.

Sentence: Imprisonment for life.
Sentence confirmed.

205) Trial of Sgt. Maj. Kumejiro Ikeda of the Imperial Japanese Army.

J. Date & Place of Trial: 21 - 25 June 1946 at Rangoon.

Charge: Being concerned, while a member of the staff of the Rangoon Central Gaol, in ill-treatment resulting in the deaths of 5 American prisoners of war, in custody there.

Verdict: Not Guilty.

206) Trial of Lt. Hidiaki Sasahara and 2 others of the Japanese Navy.

Date & Place of Trial: 21 - 25 June 1946 at Singapore.

Charge: Being concerned in the beating, torture and ill-treatment of a civilian resident of Port Blair, in consequence whereof the said person died.

Verdict: All accused, Guilty (with exceptions).

Sentences: Imprisonment for 2 years, 1,
" " 1 " 1,
" " 6 months, 1.

Sentences confirmed.

207) Trial of Julius Zederkopf and Christian Koopman, German nationals.

Date & Place of Trial: 19th and 24th June 1946 at Hamburg.

Charges: Committing a war crime in that they at Neugraben/Tiefstak and elsewhere in the years 1944 and 1945, when members of a concentration camp staff, in violation of the laws and usages of war were concerned in the ill-treatment of Allied nationals interned in such concentration camp. (Individual charges).

Verdict: Both guilty.

Sentences: Zederkopf, Imprisonment for 1 year and 6 months,
Koopman, Imprisonment for 1 year.
Sentences confirmed.

- 208) Trial of Sgt. Yoshinobu Nishi, a member of Kempeitai, Japanese Army.
J. Date & Place of Trial: 24 - 26 June 1946 at Kuala Lumpur.
Charge: That he at Singapore, Kuala Lumpur and Klang, when a member of the Kempeitai, was concerned in the ill-treatment of civilians in the custody of the Kempeitai which resulted in the death of 2 persons.
Verdict: Guilty, excluding the name of one dead person.
Sentence: Death by hanging.
Sentence confirmed.
- 209) Trial of Sgt. Hikoji Okayama, Kempeitai, Japanese Army.
J. Date & Place of Trial: 25 - 26 June 1946 at Singapore.
Charge: That he was concerned in the ill-treatment, including beating and torture of civilians arrested at Changi Gaol.
Verdict: Guilty.
Sentence: Imprisonment for 7 years.
Sentence confirmed.
- 210) Trial of Private Hideji Noguchi of the Imperial Japanese Army.
J. Date & Place of Trial: 26 - 28 June 1946 at Singapore.
Charge: That he, in Siam, when Commandant of No. 7. Branch PoW Camp, Kanburi, Siam, ... was concerned in the inhumane treatment of British and Dutch PoW, particularly one British PoW, resulting in the physical suffering of the said PoW.
Verdict: Guilty.
Sentence: Death by hanging.
Sentence confirmed.
- 211) Trial of Lt. Nagatomo Kokubo, Sgt. Tsunoo Terrokoshi and Korean Nobomutsu Takayama, of the Japanese Army.
J. Date & Place of Trial: 28th June - 9th July 1946 at Singapore before a court consisting of 1 British and 2 Indian members.
Charges: That they, at various prisoner of war camps, ill-treated British, Australian and Dutch PoW interned therein, resulting in the deaths of some of the said prisoners of war, and bodily suffering to others. (4 charges against the 3 accused jointly and severally.)
Verdict: All found guilty.
Sentences: Death by hanging, 3.
Findings and sentences against 1st and 2nd accused confirmed. 2nd charge, against 3rd accused only. Not Confirmed.
- 212) Trial of Hertha Suerth and Anita Frank, both German nationals.
Date & Place of Trial: 28th and 29th June 1946 at Hamburg.
Charges: Committing a war crime in that they at Neugraben/Tiefstak and elsewhere in the years 1944 and 1945, when members of a concentration camp staff, in violation of the laws and usages of war, were concerned in the ill-treatment of allied nationals interned in such concentration camps. (Individual charges).
Verdict: Both Guilty.
Sentences: Suerth, Imprisonment for 1 year 6 months.
Frank, " " 1 year.
Sentences confirmed.

- 213) Trial of Stefan Weiss and 5 other German nationals.
Date & Place of Trial: 29th June 1946 at Bochum.
Charge: That they were concerned in the ill-treatment and killing of an unknown British airman.
Verdict: Not guilty, 2.
Guilty, 4.
Sentences: Death by hanging, 1
Imprisonment for 20 years, 1,
" " 5 " 2.
Sentences confirmed.
- 214) Trial of Friedrich Wilhelm Kliem, a German national.
Date & Place of Trial: 1 - 2 July 1946 at Hamburg.
Charge: Committing a war crime in that he at Neugraben/Tiefstak and elsewhere in the years 1944 and 1945, when Commandant of a concentration camp, in violation of the laws and usages of war, was concerned in the ill-treatment and killing of Allied nationals interned in such concentration camp.
Verdict: Guilty, with the exception of the words "and killing".
Sentence: Imprisonment for 15 years. Confirmed.
- 215) Trial of Hartmann Lauterbacher, a German national.
Date & Place of Trial: 2nd July 1946 at Hanover.
Charge: That he, as Gauleiter of the Province of Hannover, Germany, ordered the killing of Allied Nationals, inmates of the prison of Hameln in the said province.
Verdict: Not Guilty.
- 216) Trial of W/O Omura Hyoshi, Japanese Gendarmerie.
J. Date & Place of Trial: 2 - 4 July 1946 at Hong Kong.
Charge: That he, as W/O in charge of the Special Branch of the Japanese Gendarmerie, Kowloon Headquarters,... was concerned in the ill-treatment and torture of several persons under arrest at the said gendarmerie.
Verdict: Guilty with the exception of 3 names.
Sentence: Imprisonment for 7 years.
Sentence confirmed.
- 217) Trial of Sgt. Maj. Akiichi Toyoda of the Japanese Army.
J. Date & Place of Trial: 3 - 8 July 1946 at Singapore.
Charge: Being concerned in the ill-treatment of civilian residents of Singapore Island, which resulted in the deaths of 3 people and in the physical suffering of 15 others.
Verdict: Guilty, with the exception of one name.
Sentence: Death by hanging.
Sentence confirmed.
- 218) Trial of Lt. Col. Sanso Anami, Capt. (Dr) Kuranosuke Shimada and 11 others, all of the Imperial Japanese Army.
Date & Place of Trial: 3rd - 26th July 1946 at Singapore before a court consisting of 1 British member, 1 Indian member and 1 member of the Royal Netherlands East Indies Army.
Charges: That they as Commandant, Medical Officer and members of the staff of Prisoners of War Camp Group were jointly and severally concerned in the killing of Prisoners of War, and in the brutal ill-treatment of others which resulted in the deaths of a large number and the physical suffering of others, who were in their custody both in PoW camps and on a voyage from Ambon Island to Java. (7 charges).
Verdict: All guilty, of one or more charge.
Sentences: Death by hanging, 6,
Imprisonment for life, 2,
" " 15 years, 1,
" " 10 " 3,
" " 7 " 1.
Sentences confirmed.

- 219) Trial of Capt. Matsutoshi Kamezawa and 10 other members of the Japanese Army.
J. Date & Place of Trial: 5 - 6 July 1946 at Malacca.
Charge: That they were together concerned in the killing of seven and wounding of three of a party of 14 Chinese civilians who had been arrested by the Kempeitai at the Chinese Overseas Association Building, Malacca that afternoon.
Verdict: All found guilty.
Sentences: Death by hanging, 2.
Imprisonment for 10 years, 9.
Sentences confirmed.
- 220) Trial of Sgt. Kiyoji Iida of the Japanese Army.
J. Date & Place of Trial: 6 - 9 July 1946 at Singapore.
Charge: Ill-treatment of civilian residents of Port Blair, resulting in the death of two persons and in the physical suffering of others.
Verdict: Guilty, excepting the charge that the ill-treatment resulted in the death of the two persons named.
Sentence: Imprisonment for 10 years.
Sentence confirmed.
- 221) Trial of Walter Burstedde, a German national.
Date & Place of Trial: 8 - 9 July 1946 at Bochum.
Charge: Ill-treatment of an unknown British airman.
Verdict: Not Guilty.
- 222) Trial of Capt. Kensei Harada of the Japanese Army.
J. Date & Place of Trial: 8 - 11 July 1946 at Singapore before a court consisting of 1 Indian and 2 British members.
Charge: (1) Being concerned in the issue of unlawful orders to kill two civilian residents of British Borneo.
(2) Being concerned in the killing of four civilian residents of British Borneo.
(3) Being concerned in the killing of two civilian residents of British Borneo.
Verdict: Guilty on all charges.
Sentence: Death by hanging.
Sentence confirmed.
- 223) Trial of Sgt. Kaname Kawamoto of the Japanese Gendarmerie.
J. Date & Place of Trial: 9 - 10 July 1946 at Hong Kong.
Charge: (1) Being concerned in the ill-treatment of a British POW in custody at Shamshuipo Police Station, resulting in the death of the said POW.
(2) Ill-treatment of two civilians in custody at the Eastern Gendarmerie Headquarters.
Verdict: Guilty of both charges.
Sentence: Death by hanging.
Sentence confirmed and executed.
- 224) Trial of Kiyoyoshi Takamine a civilian in the employ of the Army.
J. Date & Place of Trial: 11 - 12 July 1946 at Kuala Lumpur.
Charge: Being concerned in the ill-treatment of civilian residents of Malaya, resulting in physical suffering.
Verdict: Guilty.
Sentence: Imprisonment for 5 years.
Sentence confirmed.

225) Trial of Capt. Koijiro Daimon and Sgt. Juinichi Noro of the Imperial Japanese Army.

J. Date & Place of Trial: 11 - 17 July 1946 at Singapore.

Charges: (1) (Against both accused) That they were together concerned in the ill-treatment of British POWs, resulting in the deaths of 4 and the physical suffering of many others of the said POWs.

(2) (Against second accused only) That he was concerned in the ill-treatment of British and Australian POWs.

Verdict: 1st Charge: Both guilty, excepting the charge that the ill-treatment resulted in the death of the four prisoners of war.
2nd Charge: Guilty.

Sentences: Daimon, Imprisonment for 10 years.
Noro, " " 15 "
Sentences confirmed.

226) Trial of Colonel Enrico Bacci of the Italian Army.

Date & Place of Trial: 15 July 1946 at Ancona.

Charge: That when Commandant of Camp PG 59, Serviliano, Italy, he was concerned in the ill-treatment of British and other Allied prisoners of war interned in the said camp, and in the deaths of two British POWs.

Verdict: Not Guilty.

227) Trial of Sgt. Maj. Nobuo Shima of the Imperial Japanese Army.

J. Date & Place of Trial: 15th July 1946 at Bentong.

Charge: Being concerned in the killing of a Chinese resident of Malaya.

Verdict: Guilty.

Sentence: Death by hanging.
Sentence confirmed.

228) Trial of 2nd Lt. Kiyozu Shimizu and 7 others of the Japanese Army.

J. Date & Place of Trial: 15 - 29th July 1946 at Singapore before a court consisting of one Indian and two British members.

Charge: That they were jointly concerned in the ill-treatment of inhabitants of Mentapani Island near British Borneo, which ill-treatment included the forcible removal of about 60 of the inhabitants from the Island, and beating and torturing them, resulting in the deaths of many of them, and that they were severally concerned in the ill-treatment and killing of civilian inhabitants, including women and children, of Mentapani Island and of British Borneo, and in the issuing of unlawful orders to kill civilians. (7 charges).

Verdict: Not Guilty, 3.
Guilty on one or more charges, 5.

Sentences: Death by hanging: 2,
Imprisonment for life, 1,
" " 15 years, 1,
" " 6 " , 1.
Sentences confirmed.

229) Trial of O.C.P.D. Sadao Chima, in the employ of the Japanese Army.

Date & Place of Trial: 16th July 1946 at Bentong.

Charge: Being concerned in the killing of about 17 Chinese civilian residents of Malaya who had been in custody at Bentong Police Station.

Verdict: Guilty.

Sentence: Death by hanging.
Findings confirmed, but sentence commuted to one of Imprisonment for life.

- 230) Trial of Ferdinand Grosse, a German national.
Date & Place of Trial: 16 - 19 July 1946 at Brunswick.
Charge: Committing a war crime in that he at Hannover and elsewhere in the years 1944 and 1945, when a Kapo in a concentration camp, in violation of the laws and usages of war, was concerned in the killing and ill-treatment of Allied nationals in such concentration camps.
Verdict: Guilty.
Sentence: Death by shooting.
Sentence confirmed.
- 231) Trial of Guiseppe Re, an Italian National.
Date & Place of Trial: 17 July 1946 at Ancona.
Charge: That he shot and wounded a British prisoner of war.
Verdict: Guilty.
Sentence: Imprisonment for 2 months.
Sentence confirmed.
- 232) Trial of Kapitanleutnant Ehrenrich Stever, of the German navy.
Date & Place of Trial: 17 - 18 July 1946 at Hamburg.
Charge: Committing a war crime in that he in the Atlantic Ocean off Portugal, on or about 2 June 1945 when commander of U-Boat U.1277, after the German Command had surrendered all naval ships to the Allied Forces, in violation of the laws and usages of war, scuttled U-Boat 1277.
Verdict: Guilty.
Sentence: Imprisonment for 5 years.
Sentence confirmed.
- 233) Trial of Police Inspector Yoriyuki Sase.
J. Date & Place of Trial: 17 - 19 July 1946 at Singapore.
Charges: That while he was in the service of the Occupying Power, he was concerned in the ill-treatment of civilian residents of British Borneo, which ill-treatment resulted in the death of the said persons. (2 charges).
Verdict: Guilty on both charges.
Sentence: Death by hanging.
Sentence confirmed.
- 234) Trial of Sgt. Maj. Yamada Kiichiro and Sgt. Awa Isao, of the Kempeitai.
J. Date & Place of Trial: 17 - 22 July 1946 at Hong Kong.
Charge: Being parties to the maltreatment of civilian residents of New Territories, Hong Kong, causing the death of 3 persons and physical suffering to others.
Verdict: Awa Isao, Not Guilty.
Yamada Kiichiro, Guilty. (Special Finding).
Sentence: Death by hanging.
Sentence confirmed.
- 235) Trial of Sgt. Maj. Hideo Tanaka of the Imperial Japanese Army.
J. Date & Place of Trial: 18 July 1946 at Raub, Pahang.
Charge: Ill-treatment of civilian residents of Malaya, resulting in the death of 2 persons.
Verdict: Guilty.
Sentence: Death by hanging.
Sentence confirmed.

- 236) Trial of Sgt. Maj. Harukichi Shimojo of the Imperial Japanese Army.
J. Date & Place of Trial: 18 and 19 July 1946 at Singapore.
Charge: Ill-treatment of British prisoners of war, causing physical suffering to the said PoWs (2 charges).
Verdict: Guilty of both charges.
Sentence: Imprisonment for 4 years.
Finding on 1st charge confirmed. Finding on 2nd charge not confirmed. 3 years imprisonment remitted.
- 237) Trial of Josef Egert and two other German nationals.
Date & Place of Trial: 19 - 22 July 1946 at Recklinghausen.
Charge: Being concerned in the ill-treatment of an unknown British airman, believed to be Canadian, a PoW.
Verdict: All found guilty.
Sentences: Imprisonment for 10 years, 1,
" " 6 " , 1,
" " 1 " , 1.
Sentences confirmed.
- 238) Trial of C.P.O. Yaekuchi Amari and 4 others of the Japanese Navy.
J. Date & Place of Trial: 23 - 30th July and 1 August 1946 at Singapore.
Charge: That they were together concerned in killing two Malay policemen whose names are unknown.
Verdict: Not Guilty, 1.
Guilty, 4, the court members concurring with the President that there be a recommendation to Mercy.
Sentences: Death by hanging, 4.
Sentences commuted in each case to one of imprisonment for 15 years.
- 239) Trial of Unterscharfurher Johann Frahm, Oberscharfurher Ewald Jauch and Unterscharfurher Wilhelm Brake, all German nationals.
Date & Place of Trial: 24 - 31 July 1946 at Hamburg.
Charges: (1) Committing a war crime in that they at Hamburg in or about the month of April 1945, in violation of the laws and usages of war, were concerned in the killing of a number of Allied nationals.
(2) (Against Brake alone) Committing a war crime in that he at Neuengamme and elsewhere between January 1945 and April 1945 in violation of the laws and usages of war when a member of a concentration camp staff was concerned in the ill-treatment of Allied nationals.
Verdict: Frahm and Jauch guilty of joint charge, Brake not guilty. Brake guilty of separate charge.
Sentences: Frahm and Jauch, Death by hanging.
Brake, imprisonment for 5 years.
Sentences confirmed.
- 240) Trial of Peter Hubner and Johann Michael Kilian, German nationals.
Date & Place of Trial: 25 - 27 July 1946 at Essen.
Charge: Ill-treatment of a member of the Royal New Zealand Air Force.
Verdict: Guilty.
Sentences: Hubner, imprisonment for 5 years,
Kilian, " " 10 "
Sentences confirmed.
- 241) Trial of Sgt. Shigeru Matsunobu of the Japanese Gendarmerie.
J. Date & Place of Trial: 25 July 1946 at Jardine Matheson's East Point Godown.
Charge: Ill-treatment of civilian residents of Hong Kong.
Verdict: Guilty.
Sentence: Imprisonment for 8 years.
Sentence confirmed.

- 242) Trial of Otto Schulz, a German national.
Date & Place of Trial: 30 - 31 July 1946 at Lubeck.
Charge: That he at Panmerden, Holland, ill-treated an unknown Canadian airman prisoner of war.
Verdict: Not Guilty.
- 243) Trial of Major Kichizo Yotori and two other members of the Army.
J. Date & Place of Trial: 30 July - 7 August 1946 at Singapore before a court consisting of 1 Indian and 2 British members.
Charge: That they were together concerned in the killing of a native of Java, named Pak Taroeng.
Verdict: All guilty.
Sentences: Accused 1 and 2, Death by hanging.
Accused 3, Death by hanging and confiscation of any estates, properties, monies, valuables held in the name of Komoi Yoshihiro, or on his behalf in Japan or any other country. The proceeds to go to the maintenance of the dependants of Pak Taroeng.
Confirmed, but direction as to disposal of the confiscated property set aside by Comd. Singapore District.
- 244) Trial of Colonel Teodorico Citeri of the Italian Army.
Date & Place of Trial: 1 - 3 August 1946 at No.3. Trans.Camp, Italy.
Charge: Ill-treatment of prisoners of war.
Verdict: Guilty.
Sentence: Imprisonment for one day.
Sentence confirmed.
- 245) Trial of Elizabeth Schrandt and 5 other German nationals.
Date & Place of Trial: 1 - 8 August 1946 at Walsum.
Charge: Ill-treatment of an unknown allied airman, a PoW.
Verdict: Not Guilty, 3.
Guilty, 3.
Sentences: Imprisonment for 2 years, 2,
" " 1 year, 1.
Sentences confirmed.
- 246) Trial of Korean Guard Iwayo Takamine.
J. Date & Place of Trial: 2 - 3 August 1946 at Singapore.
Charges: Ill-treatment of prisoners of war at different PoW camps. (3 charges).
Verdict: Guilty of each charge.
Sentence: Imprisonment for 9 years.
Sentence confirmed.
- 247) Trial of Hans Friedrich Schwarz, a German national.
Date & Place of Trial: 7 August 1946 at Bochum.
Charge: Ill-treatment of a Canadian airman, a PoW.
Verdict: Guilty.
Sentence: Imprisonment for 3 years.
Sentence confirmed.
- 248) Trial of Colonel Mario Gori and 2 other Italian nationals.
Date & Place of Trial: 5 - 7 August 1946 at 3 Transit Camp.
Charge: Ill-treatment of prisoners of war.
Verdict: Not Guilty, 1.
Guilty, 2.
Sentences: Imprisonment for 2 months, 1.
" " 1 " , 1.
Sentences confirmed.

- 249) Trial of Adam Diegel and Rudolf Funk, German nationals.
 Date & Place of Trial: 8 August 1946 at Hanover.
 Charge: That while members of the Volksturm, they did ill-treat British officers.
 Verdict: Funk, Not Guilty.
 Diegel, Guilty.
 Sentence: Imprisonment for 5 years.
 Sentence confirmed.
- 250) Trial of Georg Geiling and Heinz Erkenbrecht, German nationals.
 Date & Place of Trial: 8 - 15 August 1946 at Recklinghausen.
 Charge: Ill-treatment of a British officer, thereby causing his death.
 Verdict: Erkenbrecht, Not Guilty.
 Geiling, Guilty.
 Sentence: Imprisonment for life.
 Sentence mitigated to imprisonment for 20 years.
- 251) Trial of Luigi Amori, an Italian national.
 Date & Place of Trial: 12 August 1946 at Ancona.
 Charge: Being concerned in the killing of two British PoW.
 Verdict: Guilty.
 Sentence: Imprisonment for 8 years.
 Sentence confirmed.
- 252) Trial of Lt. Kishio Usuki and 9 others.
 J. Date & Place of Trial: 12, 13, 19 and 22 August 1946 at Singapore, before a court consisting of 1 Australian and 2 British members.
 Charges: That they were jointly and severally concerned in the ill-treatment of British, Australian and Dutch prisoners of war, causing the death of some and the physical suffering of others of the said prisoners of war. (8 charges).
 Verdict: All guilty of one or more charges.
 Sentences: Death by hanging, 5,
 Imprisonment for life, 3,
 " " 15 years, 1,
 " " 10 " , 1.
 Findings confirmed and two death sentences commuted to imprisonment for life.
- 253) Trial of Sgt. Teruo Yamaguchi of the Imperial Japanese Army.
 Date & Place of Trial: 12 - 21 August 1946 at Johore Bahru, before a court consisting of 1 British and 2 Indian members.
 Charge: That at Johore State Prison, he ill-treated a number of persons, as a result of which they died. (3 charges).
 Verdict: Guilty of all charges.
 Sentence: Death by hanging.
 Sentence confirmed.
- 254) Trial of Gustav Alfred Jepson, a Danish National in German employ, and Joachim Frederick Freitag and Otto Muller, two German nationals.
 Date & Place of Trial: 13 - 23 August 1946 at Luneburg.
 Charge: Committing a war crime in that they at Luneburg and elsewhere between the 2nd and 9th April 1945, in violation of the laws and usages of war were concerned in the ill-treatment and killings of allied nationals, internees of concentration camps, during a train journey.
 Verdict: Freitag and Muller, Not Guilty.
 Jepson, Guilty.
 Sentence: Imprisonment for life.

- 255) Trial of Leo Rosenau, a German national.
Date & Place of Trial: 13 August 1946 at Hanover.
Charge: That he was concerned in the employment of British prisoners of war on dangerous work, thereby occasioning the deaths of several of them.
Verdict: Guilty.
Sentence: Imprisonment for 2 years.
Confirmed.
- 256) Trial of Sgt. Suekichi Miyasue, Kempeitai, Japanese Gendarmerie.
J. Date & Place of Trial: 13 - 19 August 1946 at Hong Kong.
Charge: Being concerned in the ill-treatment of civilian residents of Hong Kong, resulting the death of one person and physical sufferings to others.
Verdict: Guilty.
Sentence: Death by hanging.
Confirmed.
- 257) Trial of Karl Bertram, a German national.
Date & Place of Trial: 14 - 21 August 1946 at Recklinghausen.
Charge: That he killed a British airman, a prisoner of war.
Verdict: Not Guilty.
- 258) Trial of Lt. Seisaku Murakami and 3 other members of the Japanese Army.
J. Date & Place of Trial: 14 - 17 August 1946 at Singapore.
Charge: That they were concerned in the ill-treatment of civilian residents of Sibuan, British Borneo, which ill-treatment resulted in the deaths of 2 persons.
Verdict: Murakami, guilty as charged.
The three other accused were found guilty, excepting that part of the charge which referred to the resulting deaths of the two persons.
Sentences: Death by shooting, 1.
Imprisonment for life, 3.
Confirmed.
- 259) Trial of Ernst Brandt, a German national.
Date & Place of Trial: 19 August 1946 at Bologna.
Charge: Killing of two British prisoners of war at Borgo, Italy.
Verdict: Not Guilty.
- 260) Trial of Valeriano Vecchi and two other Italian nationals.
Date & Place of Trial: 19 August 1946 at Ancona.
Charge: Killing of an escaped prisoner of war, a member of the Union Defence Forces.
Verdict: Not Guilty.
- 261) Trial of Korean Guard Tetsuichi Fumimoto of the Japanese Army.
J. Date & Place of Trial: 23rd August 1946 at Singapore.
Charge: Ill-treatment of British prisoners of war interned in several camps, causing them physical suffering.
Verdict: Guilty.
Sentence: Death by hanging.
Sentence commuted to imprisonment for 10 years.
- 262) Trial of W/O Giichi Osaki, Sgt. Maj. Kigenta Isa and Cpl. Shozo Hatakayama, of the Imperial Japanese Army.
J. Date & Place of Trial: 26 - 27 August 1946 at Kuala Lumpur.
Charges: (1) Against Osaki and Isa, that they were concerned in the ill-treatment of a civilian.
(2) Joint, that they were concerned in the killing of the said person.
Verdict: All guilty of the charges in which they were concerned.
Sentences: Osaki and Isa, Death by hanging.
Hatakayama, Imprisonment for 10 years.
Confirmed.

- 263) Trial of Capt. Sakae Susaki, and 4 civilians in Japanese military employment.
 J. Date & Place of Trial: 27th August - 11th September 1946 at Singapore.
 Charge: Ill-treatment of British, Australian, Dutch, Canadian and American civilians interned in No.1 Civilian Internment Camp, Singapore, resulting in the death of 1 British civilian internee and the physical suffering of others.
 Verdict: All found guilty, except to that part of the charge which referred to the death of the Briton.
 Sentences: Death by hanging, 3,
 Imprisonment for life, 1,
 Imprisonment for 7 years, 1.
 Findings confirmed, but sentence of life imprisonment mitigated to imprisonment for 10 years, two death sentences commuted to imprisonment for 10 years, one death sentence commuted to imprisonment for 8 years, and the sentence of 7 years' imprisonment remitted to imprisonment for 1 year.
- 264) Trial of Hermann Dettmer, a German national.
 Date & Place of Trial: 27th August 1946 at Hanover.
 Charge: Committing a war crime in that he at Hildesheim between February and April 1945, in violation of the laws and usages of war was concerned in the ill-treatment of Allied nationals interned in concentration camps.
 Verdict: Guilty.
 Sentence: Imprisonment for 5 years.
 Confirmed.
- 265) Trial of Genichiro Niihori, a civilian attached to the Japanese Army.
 J. Date & Place of Trial: 28-31 August, 2 - 26 September and 1 October 1946 at Hong Kong.
 Charges: (1) That as an interpreter on board the S.S. "Lisbon Maru", as an interpreter with a draft of British prisoners of war and responsible for their well-being, he was concerned in their ill-treatment, including battering down in the holds of the said ship after it had been torpedoed and was in a sinking condition, whereby many of them lost their lives and the remainder underwent physical and mental suffering.
 (2) Being concerned in the neglect and ill-treatment of British PoW, causing physical suffering to many.
 (3) That on the high seas, as an interpreter aboard the A.S. "Toyama Maru" (Alias "Tozan Maru"), was concerned in the ill-treatment of a Canadian PoW, contributing to the death of the said soldier.
 (4) Ill-treatment of PoW.
 (5) That as an interpreter at Bowen Road Hospital, he was concerned in the ill-treatment of PoW, causing physical suffering.
 (6) That as an interpreter at Shamshuipo Camp Hospital, he was concerned in the ill-treatment of a member of the Hong Kong Volunteer Defence Corps, causing physical suffering to him.
 (7) That as an interpreter at Happy Valley Race Course Camp, he was concerned in ill-treatment of PoW, causing physical suffering.
 (8) That he was concerned in the stealing of Red Cross parcels and personal effects, the property of prisoners of war of the Camps Group at Hong Kong.
 Verdict: Not Guilty of 4th charge.
 Guilty of other charges, with exceptions in the 1st, 3rd and 8th charges.
 Sentence: Imprisonment for 15 years.
 Sentence confirmed.

- 266) Trial of Herman Heeren, a German national.
Date & Place of Trial: 29th August 1946 at Kiel.
Charge: Ill-treatment of an unknown Canadian airman, a PoW.
Verdict: Guilty.
Sentence: Imprisonment for one day.
Confirmed.
- 267) Trial of Sjt. Munekichi Genda of the Japanese Army.
J. Date & Place of Trial: 13 - 14 September 1946 at Singapore
Charge: That as Commandant of a PoW Camp, he was concerned in the ill-treatment of British prisoners of war.
Verdict: Not Guilty.
- 268) Trial of Jakob Gonzereck and Ludwig Wilhelm, both German nationals.
Date & Place of Trial: 13 September 1946 at Brunswick.
Charge: Being concerned in the ill-treatment of a British PoW.
Verdict: Both found guilty.
Sentences: Imprisonment for 2 years, 2.
Confirmed.
- 269) Trial of Martha Nold a German national.
Date & Place of Trial: 13th September 1946 at Brunswick.
Charge: Being concerned in the ill-treatment of a British PoW.
Verdict: Guilty.
Sentence: Imprisonment for 6 months.
Confirmed.
- 270) Trial of Gustav Nesper, a German national.
Date & Place of Trial: 18 - 19 September 1946 at Recklinghausen.
Charge: Being concerned in the ill-treatment of an unknown PoW, a member of the R.A.F.
Verdict: Guilty.
Sentence: Imprisonment for 6 months.
Confirmed.
- 271) Trial of Sgt. Maj. Junichi Ito, of the Japanese Army.
J. Date & Place of Trial: 20th September 1946 at Hong Kong, before a court consisting of 1 Canadian and 2 British members.
Charge: Being concerned in the killing of 2 Chinese civilians in his custody.
Verdict: Guilty.
Sentence: Death by shooting.
Not Confirmed.
- 272) Trial of Paul Zimmermann and 5 others, all German nationals.
Date & Place of Trial: 1st October 1946 at Essen.
Charge: Ill-treatment of two unidentified Allied airmen, prisoners of war.
Verdict: Not Guilty, 4.
Guilty, 2.
Sentences: Imprisonment for 4 months, 2.
- 273) Trial of Sgt. Toranosuke Tashiro and two other members of the Japanese Army.
J. Date & Place of Trial: 2 - 14 October 1946 at Hong Kong.
Charge: That as members of the staff of a PoW camp, they were concerned in the inhumane treatment of British and Allied prisoners of war, thereby causing physical suffering and contributing to the deaths of many of them.
Verdict: All guilty, except for the words "contributing to the deaths of many of them."
Sentences: Imprisonment for 8 years, 1.
" " 2 " , 2.
Confirmed.

- 274) Trial of Albert Hoffman, a German national.
Date & Place of Trial: 11 - 21 October 1946 at Recklinghausen.
Charge: Committing a war crime in that he, at Arnsberg on or about 26 February 1945, when Gauleiter of South Westphalia in violation of the laws and usages of war, issued an order to all Landrats, Mayors, Police administrators, District Leiters, and District chiefs-of-staff of the Volksturm in his Gau, that they were to refrain from acting as protectors of shot-down Allied Airmen.
Verdict: Not Guilty.
- 275) Trial of Kiko Kaneoka of the Japanese Army.
J. Date & Place of Trial: 14 - 17 October 1946 at Singapore.
Charge: Being concerned in the ill-treatment of prisoners of war, causing the death of some and the physical sufferings to others.
Verdict: Guilty, with exceptions.
Sentence: Death by hanging.
Confirmed.
- 276) Trial of Col. Sadayasu Komazawa and 7 other members of the Japanese Army.
J. Date & Place of Trial: 28 October 1946 at Singapore.
Charge: Ill-treatment of a party of British, Australian and Dutch prisoners of war in transit to and employed on the Burma-Siam Road, causing bodily suffering and injury to the health of many of them.
Verdict: Not Guilty.
- 277) Trial of Giovanni de Vito of the Italian Army.
Date & Place of Trial: 28 October 1946 at Naples.
Charge: Being concerned in the killing of a member of the Union Defence Forces, a PoW.
Verdict: Not Guilty.
- 278) Trial of Jakob Burgin, a German national.
Date & Place of Trial: 29th October 1946 at Recklinghausen.
Charge: Ill-treatment of an unknown R.A.F. prisoner of war.
Verdict: Guilty.
Sentence: Imprisonment for 5 months.
Confirmed.
- 279) Trial of Willy Lubbers, a German national.
Date & Place of Trial: 29th October 1946 at Hamburg.
Charge: Ill-treatment of an unknown British airman, a PoW.
Verdict: Guilty with the exception that for British, substitute Allied.
Sentence: Imprisonment for 9 months.
Confirmed.
- 280) Trial of Opl. Keizo Koderu of the Japanese Army.
J. Date & Place of Trial: 30th October and 1st November 1946 at Singapore.
Charge: Ill-treatment of British and Dutch prisoners of war employed on the Burma-Siam Railway.
Verdict: Not Guilty.
- 281) Trial of Johann Darnhofer of the German Army.
Date & Place of Trial: 5 - 6 November 1946 at Leoben, Austria.
Charge: Being concerned in the attempted killing of a British soldier, a prisoner of war.
Verdict: Not Guilty.

- 282) Trial of Fritz Erich Schmidtke, a German national.
 Date & Place of Trial: 11 - 15 November 1946 at Hamburg.
 Charge: That he killed an unknown Italian prisoner of war.
 Verdict: Guilty.
 Sentence: Imprisonment for 2 years.
 Not confirmed.
- 283) Trial of Eberhard von Mac ensen and Kurt Maelzer, German nationals.
 Date & Place of Trial: 18 - 30th November 1946 at Rome.
 Charge: That when in charge of Commander 56 Rest and Transit Camp ... they committed a war crime in that they at Rome, Italy, about the 24th March 1944, in violation of the laws and usages of war were concerned in the killing as a reprisal of some 335 Italian nationals in the Ardeatine Caves.
 Verdict: Both found guilty.
 Sentences: Death by shooting, 2.
- 284) Trial of Capt. Kenzo Nagahara and 3 other members of the Kempei Tai.
 J. Date & Place of Trial: 3 - 21 May 1946 at Rangoon.
 Charge: Ill-treatment of prisoners of war, resulting in the death of several and causing physical suffering to others. (4 charges against all and several of the accused).
 Verdict: Not Guilty, 2.
 Guilty, 2.
 Sentences: Imprisonment for 4 years, 1.
 " " 2 " , 1. .
 Confirmed.
- 285) Trial of Kanao Inouye of the Japanese Gendarmerie.
 J. Date & Place of Trial: 22 - 27 May 1946 at Hong Kong.
 Charge: Ill-treatment of Canadian soldiers, prisoners of war, and ill-treatment of civilian residents of Hong Kong, causing the death of four people and physical suffering of several others. (3 charges.)
 Verdict: Guilty.
 Sentence: Death by hanging.
 Not confirmed because it transpired after the trial that the accused was a Canadian subject.
- 286) Trial of Col. Nado Ideta and 9 others of the Kempeitai.
 J. Date & Place of Trial: 23rd May - 1st June 1946 at Rangoon.
 Charge: Being concerned in the ill-treatment of civilian residents of the villages of Yedwington and Nauglon, resulting in bodily suffering to the said persons.
 Verdict: Not Guilty, 2.
 Guilty, 8.
 The charge against the other accused was withdrawn by the prosecution with authority of the Convening officer.
 Sentences: Imprisonment for 8 years, 3,
 " " 6 " 2,
 " " 3 " 1,
 " " 1 month, 1.
 Confirmed.
- 287) Trial of W/O. Iku Yoshino of the Imperial Japanese Army.
 J. Date & Place of Trial: 4th and 6th July 1946 at Singapore.
 Charge: Being concerned in the killing of a civilian resident of British Borneo.
 Verdict: Guilty.
 Sentence: Imprisonment for 15 years.
 Confirmed.

- 288) Trial of Capt. Kenro Matsueka and 7 other members of the Japanese Army.
 J. Date & Place of Trial: 26th July - 27th August 1946 at Rangoon.
 Charges: (1) Looting of property of local civilians (of Kyaikto, Burma) and maltreatment and torture of 9 civilians.
 (2) Being concerned in the killing of 9 civilian in their custody.
 Verdict: Not Guilty, 1.
 Guilty, (of one or both charges) 7.
 Sentences: Death by hanging, 3,
 Imprisonment for 12 years, 2,
 " " 4 " 1,
 " " 3 " 1.
 Confirmation of finding and sentence of one accused withheld.
- 289) Trial of W/O Rikie Yabuki and 2 civilians attached to the Army.
 J. Date & Place of Trial: 2 - 9 August 1946 at Hong Kong.
 Charge: Ill-treatment of civilian residents of Hong Kong.
 (2 charges.)
 Verdict: All found guilty.
 Sentences: Imprisonment for 10 years, 1,
 " " 6 " 1,
 " " 3 " 1,
 Findings confirmed, but one year's imprisonment remitted from the sentence of 3 years, and 4 years remitted from the sentence of 6 years.
- 290) Trial of Major Yoshinebu Higashigawa and 34 others.
 J. Date & Place of Trial: 30th August - 28th September 1946 at Penang.
 Charge: (1) Ill-treatment of persons in their custody, resulting in the death of hundreds of persons and in physical suffering of many others.
 (2) Ill-treatment of 3 civilian residents of Taiping, in consequence of which one person died.
 Verdict: Not Guilty, 3.
 Guilty, 32.
 Sentences: Death by hanging, 20,
 " " shooting, (Recommendation for Mercy), 1,
 Imprisonment for 15 years 2,
 " " 12 " 4,
 " " 10 " 2,
 " " 8 " 1,
 " " 7 " 1,
 " " 5 " 1,
 Findings confirmed and sentence on Accused No. 2, (death by shooting), commuted to imprisonment for life.
- 291) Trial of Peter Gottling and 12 others, German nationals.
 Date & Place of Trial: 6 - 26 August, 1946 at Hamburg.
 Charge: Being concerned in the killing of 6 British PoW.
 Verdict: Not Guilty, 4.
 Guilty: 9.
 Sentences: Imprisonment for 14 years, 9.
 Confirmed.
- 292) Trial of August Flasche and 5 others, German nationals.
 Date & Place of Trial: 13th August - 5th September 1946 at Bochum.
 Charge: Being concerned in the ill-treatment of 3 American PoW.
 Verdict: Not Guilty, 2.
 Guilty: 4.
 Sentences: Imprisonment for 20 years, 1,
 " " 12 " 1,
 " " 10 " 1,
 " " 5 " 1.
 Confirmed, but one accused (12 years imprisonment) died before confirmation.

- 293) Trial of Wilhelm Leers, a German national.
 Date & Place of Trial: 22-23 August 1946 at Hamburg.
 Charge: That he, at Neuengamme and elsewhere between 1941 and 1945, when a Kapo in a concentration camp, was concerned in the killing and ill-treatment of Allied Nationals interned in such concentration camp.
 Verdict: Guilty.
 Sentence: Death by judicial hanging.
 Confirmed.
- 294) Trial of Georg Stutz, a German national.
 Date & Place of Trial: 22-23 August 1946 at Recklinghausen.
 Charge: (1) Ill-treatment of British prisoners of war.
 (2) Being concerned in the killing of a British PoW.
 Verdict: Guilty of both charges.
 Sentence: Death by shooting.
 Confirmed.
- 295) Trial of Capt. Yoshito Hayashi of the Imperial Japanese Army.
 J. Date & Place of Trial: 9 - 19 September 1946 at Rangoon.
 Charge: Being concerned in the killing of civilian residents at or near Tavoy. (2 charges).
 Verdict: Guilty of both charges.
 Sentence: Imprisonment for 7 years.
 Confirmed.
- 296) Trial of Maj. Hikosaku Kudo and 11 others of the Japanese Army.
 J. Date & Place of Trial: 13th September - 18th October 1946 at Singapore.
 Charges: (1) Ill-treatment of civilian inhabitants of Siam and Burma.
 (2) (Against 4 accused) Being concerned in the killing of several civilian inhabitants of Siam and Burma.
 (3) (Against 5 accused) Ill-treatment of British and Dutch prisoners of war.
 Verdict: Not Guilty, 1.
 Guilty, 11.
 Sentences: Death by hanging, 2,
 Imprisonment for life, 1,
 " " 20 years, 1,
 " " 15 " 1,
 " " 10 " 1,
 " " 5 " 1,
 " " 3 " 1,
 " " 2 " 1,
 " " 9 months, 1,
 " " 6 " 1.
 Confirmed.
- 297) Trial of Heinrich Ide and 4 others, German nationals.
 Date & Place of Trial: 17 September 1946 at Bochum.
 Charge: (1) Ill-treating and killing an unidentified British airman, a prisoner of war, believed to be an Australian.
 (2) (Against 3 accused only) Being concerned in the killing of two British airmen, prisoners of war, unidentified, believed to be Australians.
 Verdict: Not Guilty, 2.
 Guilty, 3.
 Sentences: Death by shooting, 1,
 Imprisonment for 15 years, 1,
 " " 1 " , 1.
 Confirmed.

- 298) Trial of Sjt. Ginzo Sakano
J. Date & Place of Trial: 25th and 27th September 1946 at Singapore.
Charge: Ill-treatment of British prisoners of war.
Verdict: Guilty.
Sentence: Imprisonment for 5 years.
Confirmed.
- 299) Trial of W/O Takashi Fujimori and Sgt. Yukio Hasimoto of the
J. Imperial Japanese Army.
Date & Place of Trial: 24 and 25 September 1946 at Rangoon, before
a court consisting of 1 Indian and 2 British officers.
Charge: Ill-treatment of a civilian resident of Rangoon.
Verdict: Guilty.
Sentence: Imprisonment for 3 years, 2.
Confirmed.
- 300) Trial of Kiyoyoshi Takamine, a civilian interpreter.
J. Date & Place of Trial: 8 - 10th October 1946 at Kuala Lumpur.
Charge: Ill-treatment of a person, resulting in his death.
Verdict: Guilty.
Sentence: Imprisonment for 17 years.
Confirmed.
- 301) Trial of Capt. Tsuguo Kasai and 9 others, all of or in the employ of the
J. Imperial Japanese Army.
Date & Place of Trial: 14th - 17th October 1946 at Singapore.
Charge: Being concerned in the killing of 28 civilian residents
of Miri, Sarawak.
Verdict: Guilty.
Sentences: Death by hanging, 2,
Imprisonment for 5 years, 2,
" " 18 months, 1,
" " 1 year, 2,
" " 6 months, 3.
Confirmed.
- 302) Trial of Karl Heinz Moehle, a German national.
Date & Place of Trial: 15 - 16 October 1946 at Hamburg.
Charge: That he at Kiel, between September 1942 and May 1945,
when Senior Officer of the 5th U-boat flotilla, in
violation of the laws and usages of war, gave orders
to Commanding Officers of U-boats who were due to leave
on war patrols, that they were to destroy ships and
their crews.
Verdict: Guilty.
Sentence: Imprisonment for 5 years.
Confirmed.
- 303) Trial of Frederick Kramer, a German national.
Date & Place of Trial: 22nd and 23rd October 1946 at Brunswick.
Charge: That he killed a Canadian Flying Officer, a PoW.
Verdict: Guilty.
Sentence: Death by shooting.
Confirmed.
- 304) Trial of Lt. Tautomu Eizawa and S/M Shingo Ishikawa of the Army.
J. Date & Place of Trial: 26th - 31st October 1946 at Kota Bahru, Malaya.
Charge: (1) Killing of several persons at Kota Bahru
(2) Ill-treatment of civilian residents of Malaya.
Verdict: Both guilty.
Sentence: Imprisonment for life, 1.
Death by hanging. 1.
Confirmed.

- 305) Trial of Keiichi Takemoto of the Imperial Japanese Army.
J. Date & Place of Trial: 31st October and 1st November 1946 at Singapore.
Charge: Ill-treatment of British prisoners of war.
Verdict: Guilty.
Sentence: Imprisonment for 2 years.
Confirmed.
- 306) Trial of S/Maj. Tsuyoshi Ogata of the Japanese Army.
J. Date & Place of Trial: 21 - 24th October 1946 at Kota Bharu.
Charge: (1) Ill-treatment of civilian residents of Malaya, resulting in the death of one and suffering of many others.
(2) Being concerned in the killing of a civilian resident of Malaya.
Verdict: Guilty.
Sentence: Imprisonment for 25 years.
Confirmed.
- 307) Trial of Karl Heinrich Schaefer, a German national.
Date & Place of Trial: 12 - 14 November 1946 at Wuppertal.
Charge: Being concerned in the killing of 3 unknown Canadian Airmen, prisoners of war.
Verdict: Guilty.
Sentence: Imprisonment for 15 years.
Confirmed.
- 308) Trial of Tadao Hirota attached to the Imperial Japanese Army.
J. Date & Place of Trial: 29th November - 6th December 1946 at Kuala Lumpur.
Charge: Ill-treatment of civilian residents of Malaya, causing the death of one and physical suffering to others.
Verdict: Guilty, with exceptions.
Sentence: Imprisonment for 8 years.
Confirmed.
- 309) Trial of Hatsutaro Suzuki.
J. Date & Place of Trial: 14 - 28th November 1946 at Kuala Lumpur.
Charge: Being concerned in the killing of 3 male Chinese civilian inhabitants of Mentakab, occupied territory.
Verdict: Guilty.
Sentence: Death by hanging, with recommendation for mercy. Findings confirmed, but sentence commuted to imprisonment for 12 years.
- 310) Trial of Moritada Itomitsu and Teruyoshi Fujiyama, Japanese civilian.
J. Date & Place of Trial: 7 - 22nd November 1946 at Kuala Lumpur.
Charge: Ill-treatment of civilian residents of Kuala Lipis, resulting in the deaths of 5 persons.
Verdict: Both found guilty, with exceptions.
Sentences: Death by hanging, 2.
Sentences confirmed and executed.
- 311) Trial of Lt. Seita Takizawa of the Japanese Army.
J. Date & Place of Trial: 11 - 12 November 1946 at Singapore.
Charge: Inhumane treatment of British prisoners of war employed on the Burma-Siam Railway, causing physical suffering.
Verdict: Guilty.
Sentence: Imprisonment for 3 years.
Confirmed.

312) Trial of S/Maj. Chuichiro Kato, of the Japanese Army.

J. Date & Place of Trial: 20 - 22 November 1946 at Borneo.
 Charge: (1) Being concerned in the ill-treatment of a civilian resident of British Borneo.
 (2) Being concerned in the killing of the said civilian resident of British Borneo.
 (3) Being concerned in the ill-treatment of a Chinese female, a civilian resident of British Borneo.
 (4) Being concerned in the killing of a Chinese female by beheading her.
 Verdict: Not Guilty.

313) Trial of Seiichi Okada of the Japanese Army.

J. Date & Place of Trial: 4 - 7 November 1946 at Singapore.
 Charge: Ill-treatment of British and Australian POW, contributing to the death of some and physical suffering of others.
 Verdict: Guilty, with exceptions.
 Sentence: Imprisonment for 10 years.
 Confirmed.

314) Trial of S/Maj. Toshio Baba of the Japanese Army.

J. Date & Place of Trial: 9th and 10th December 1946 at Kuala Lumpur.
 Charge: Being concerned in the ill-treatment of civilian residents of Malacca.
 Verdict: Guilty.
 Sentence: Imprisonment for 8 years.
 Confirmed.

315) Trial of Chief Police Officer Masanao Suchi.

J. Date & Place of Trial: 9 - 12 December 1946 at Jesselton, B.N.B.
 Charge: Ill-treatment, resulting in the death of a police constable, a resident of British Borneo.
 Verdict: Guilty.
 Sentence: Imprisonment for 7 years.
 Confirmed.

316) Trial of Johann Schwarzhuber and 14 other German nationals, and Carmen Maria Mory a Swiss national, all in the charge of 98 Group Pioneer Corps.

Date & Place of Trial: 5th December 1946 - 3rd February 1947 at Hamburg, before a court consisting of 1 French officer, 1 Polish officer and 4 British officers as members.
 Charge: That they at Ravensbruck in the years 1939-1945, when members of the staff of Ravensbruck Concentration Camp, were concerned in the ill-treatment and killing of Allied nationals interned therein.
 Verdict: All found guilty, with the exception of one German national who died during the course of the trial, and in whose case the findings were not announced.
 Sentences: Death by hanging, 11,
 Imprisonment for 15 years, 2,
 " " 10 " , 2.

317) Trial of Major Seigi Ickikawa and 13 other members of the Japanese Army.

J. Date & Place of Trial: 22nd March - 10th April 1946 at Rangoon.
 Charge: (1) Unlawful killing of civilian inhabitants of the village of Kalagon, Burma.
 (2) Unlawful beating, torture, wounding and other maltreatment of civilian inhabitants of the village of Kalagon.
 (3) Abduction of women, civilian inhabitants of Kalagon.
 Verdict: Not guilty, 4.
 Guilty, 10.
 Sentences: Death by hanging, 1,
 " " shooting, 3,
 Imprisonment for 10 years, 3,
 " " 7 " 1,
 " " 5 " 2
 Confirmed.

318) Trial of Capt. Kunifusa Hachisuka and 23 others, members of the Japanese Army.

J. Date & Place of Trial: 24th July - 6th September 1946 at Singapore.

Charge: 9 charges against the accused jointly or separately, that when they were in charge of prisoner of war camps, firstly at Soengei Geron and later at Sumatra, they ill-treated the said prisoners of war, resulting in the deaths and/or physical suffering of many, and one charge of wilfully neglecting to provide proper medical attention and available medicine and drugs to sick prisoners of war, and permitting sick men to remain in unhygienic conditions.

Verdict: Not Guilty, 2.

Guilty: 22.

Sentence: Death by hanging, 9,
Imprisonment for life, 3,
" " 20 years, 3,
18 " 1,
15 " 2,
12, " 1,
10 " 2,
3 " 1.

Findings confirmed but 2 death sentences commuted to imprisonment for life, 2 death sentences commuted to imprisonment for 15 years, one life sentence mitigated to imprisonment for 15 years, and 7 other sentences mitigated to imprisonment for 10 years.

319) Trial of Lt. Hisashi Nobusawa and S/M Asaichi Eda of the Japanese Army.

J. Date & Place of Trial: 14th - 20th June 1946 at Singapore.

Charge: Inhumane treatment of British, Australian and Dutch prisoners of war, resulting in the deaths of some and physical suffering to others.

Verdict: Guilty.

Sentence: Death by hanging, 2.

Findings confirmed, but sentence on Eda commuted to Imprisonment for life.

320) Trial of Sgt. Hifumi Yamawaki of the Japanese Army.

J. Date & Place of Trial: 29th August - 6th September, 1946 at Rangoon.

Charge: Being concerned in the ill-treatment of 3 Indian soldiers in his custody, which resulted in the death of two.

Verdict: Guilty, but the ill-treatment resulted in the death of one person only.

Sentence: Death by hanging.

Sentence commuted to imprisonment for 10 years.

321) Trial of Capt. Koshiro Mikazawa and Takeshi Noda of the Japanese Army.

J. Date & Place of Trial: 14 November - 22nd December 1946 at Singapore.

Charge: That when they were responsible for the well-being of persons in custody in the Civil Section of the Outram Road Prison, they were together concerned as parties to the ill-treatment and neglect of certain of such persons causing the death of about 1,000 and physical suffering to other prisoners.

Verdict: Guilty.

Sentences: Imprisonment for life, 1,
" " 5 years, 1.

Confirmed.

322) Trial of Lt. Nobuo Suzuki and 3 others of the Japanese Army.

J. Date & Place of Trial: 21st Nov. - 2nd Dec., 1946 at Hong Kong.

Charge: Ill-treatment of prisoners of war in their custody, causing suffering to the said PoW.

Verdict: All accused found guilty.

Sentences: Imprisonment for 10 years, 1,
" " 7 " , 2,
" " 3 " , 1.

Confirmed.

- 323) Trial of Capt. Kanemitsu Joho and 7 others, of the Japanese Army.
 J. Date & Place of Trial: 28th Nov. - 13th Dec. 1946 at Singapore.
 Charge: Being concerned in the ill-treatment of prisoners of war, resulting in physical and mental suffering to many.
 Verdict: Guilty.
 Sentences: Imprisonment for 12 years, 1,
 " " 10 " 2,
 " " 7 " 1,
 " " 5 " 1,
 " " 3 " 2,
 " " 2 " 1.
 Findings confirmed but 6 years remitted from one sentence of 12 years and one of 10 years, 5 years remitted from sentence of 10 years, 4 years remitted from sentence of 7 years and 2 years remitted from sentence of 5 years.
- 324) Trial of S/M. Yoshihisa Kano of the Japanese Army.
 J. Date & Place of Trial: 3 - 18 December 1946 at Singapore.
 Charge: Ill-treatment of Chinese civilian inhabitants of Rhiouw Archipelago, causing the death of one person.(2 charges).
 Verdict: Guilty of second charge.
 Sentence: Imprisonment for 4 years.
 Confirmed.
- 325) Trial of Yoichi Nakamura, Interpreter in the Japanese Army.
 J. Date & Place of Trial: 5 - 6th December 1946 at Jesselton, B.N.B.
 Charge: Being concerned in the ill-treatment of civilian residents of Tuaran and of British Borneo. (2 charges).
 Verdict: Guilty.
 Sentence: Imprisonment for 5 years.
 Confirmed.
- 326) Trial of S/M. Shintaro Matsui of the Japanese Army.
 J. Date & Place of Trial: 10th and 11th January 1947 at Jesselton.
 Charge: Being concerned in the killing of civilian residents of Sandakan, British Borneo.
 Verdict: Guilty.
 Sentence: Imprisonment for 18 months.
 Confirmed.
- 327) Trial of Akinori Nishiuchi, a Japanese national.
 J. Date & Place of Trial: 14 - 17 January 1947 at Singapore.
 Charge: Being concerned in the ill-treatment of civilian inhabitants of Singapore, resulting in physical suffering.
 Verdict: Guilty.
 Sentence: Imprisonment for 12 months.
 Confirmed.
- 328) Trial of Sgt. Tokushi Takaura and Interpreter Tan Ten Chuan.
 J. Date & Place of Trial: 21 - 24 January 1947 at Kuala Lumpur.
 Charge: Being concerned in the ill-treatment of civilian residents of Malaya, Kuala Lipis and Raub. (3 charges).
 Verdict: Guilty.
 Sentences: Imprisonment for 5 years.
 Confirmed.
- 329) Trial of S/M. Kohei Takahashi and Cpl. Tatsuo Kase of the Japanese Army.
 J. Date & Place of Trial: 21 - 25 January 1947 at Singapore.
 Charge: Being concerned in the ill-treatment of Indian PoW.
 Verdict: Guilty.
 Sentence: Imprisonment for 6 months, 2.
 Confirmed.
- 330) Trial of Lt. Takeyoshi Kondo of the Japanese Army.
 J. Date & Place of Trial: 17 - 21 February 1947 at Singapore.
 Charge: Ill-treatment of Indian PoW.
 Verdict: Not Guilty.

IV. United States Cases.

- 119) Trial of Genji Matsuda and Jeichi Kuwashima, Japanese nationals.
J. Date & Place of Trial: 5 - 13 September 1946 at Shanghai.
Charge: Failure to treat American POW confined in a POW camp in accordance with the Geneva Prisoners of War Convention.
Verdict: Both accused found guilty.
Sentences: Kuwashima, death by hanging.
Matsuda, Imprisonment with hard labour for 7 years.
Confirmed.
- 120) Trial of Toyozo Morita, a Japanese national.
J. Date & Place of Trial: 13th May 1946 at Manila, P.I.
Charge: Murder and attempted murder of civilians near Davao City, P.I.
Verdict: Guilty.
Sentence: Imprisonment for life.
Disapproved by Commanding General, AFWESPAC.
Rehearing ordered.
- 121) Trial of Takeki Yamamoto and 5 others, Japanese nationals.
J. Date & Place of Trial: 16th September 1946 at Manila, P.I.
Charge: Murder, other assaults and mistreatments of civilians at Dumaguete and Sison, P.I.
Verdict: All the accused found guilty.
Sentences: Death by hanging, 5,
Death by musketry, 1.
- 122) Trial of Kiyoshi Nishikawa, a Japanese national.
J. Date & Place of Trial: 16th September 1946 at Manila, P.I.
Charge: Murder, cruelty and torture of civilians at or near Bago and Silay, P.I.
Verdict: Guilty.
Sentence: Death by hanging.
- 123) Trial of Juan Muna Duenas, a Guamanian.
J. Date & Place of Trial: 28th December 1944 at Guam.
Charge: Murder (two specifications).
Verdict: Guilty.
Sentence: Life imprisonment.
Confirmed.
- 124) Trial of Pedro Sablan Leon Guerrero, a Saipanese.
J. Date & Place of Trial: 2nd July 1945 at Guam.
Charge: Assault and Battery (11 specifications) against Guamanians.
Verdict: Guilty.
Sentence: Imprisonment for 5 years 6 months.
Confirmed.
- 125) Trial of Jose P. Villagomez, a Saipanese.
J. Date & Place of Trial: 26th February 1945 at Guam.
Charge: Murder.
Verdict: Guilty.
Sentence: Imprisonment for 10 years.
Confirmed.
- 126) Trial of Miguel A. Cruz, a Guamanian.
J. Date & Place of Trial: 22nd March 1946 at Guam.
Charge: Assault (2 specifications).
Verdict: Guilty.
Sentence: Imprisonment for one year.
Confirmed.

- 127) Trial of Nicolas T. Sablan, Saipanese.
J. Date & Place of Trial: 30th March 1945 at Guam.
Charge: Assault (four specifications) and Assault with intent to commit rape (two specifications).
Verdict: Guilty.
Sentence: Imprisonment for 10 years.
Confirmed.
- 128) Trial of Matsukichi Kobayashi, Japanese.
J. Date & Place of Trial: 10th April 1945 at Guam.
Charge: Murder of a Guamanian.
Verdict: Guilty.
Sentence: Imprisonment for life.
Confirmed.
- 129) Trial of Antonio Camacho and Juan Reyes, Saipanese.
J. Date & Place of Trial: 27th April 1945 at Guam.
Charge: Murder.
Verdict: Guilty.
Sentences: Death by hanging, 2.
Findings confirmed, but sentences commuted to imprisonment for life.
- 130) Trial of Manual Tudela Borja, a Guamanian.
J. Date & Place of Trial: 9th May 1945 at Guam.
Charge: Murder and Assault (2 charges), against Guamanians.
Verdict: Guilty of both charges.
Sentence: Death by hanging.
Findings confirmed, but sentence commuted to imprisonment for life.
- 131) Trial of Henry S. Pangelinan, a Saipanese.
J. Date & Place of Trial: 23rd May 1945 at Guam.
Charge: Assault (3 specifications) and assault and battery (2 specifications).
Verdict: Guilty.
Sentence: Imprisonment for 2 years.
Confirmed.
- 132) Trial of Mariano Tydingco Aguon, a Guamanian.
J. Date & Place of Trial: 9th June 1945 at Guam.
Charge: Sex perversion
Verdict: Guilty.
Sentence: Imprisonment for 3 years.
Confirmed.
- 133) Trial of Samuel T. Shinohara, Japanese.
J. Date & Place of Trial: 28th July 1945 at Guam.
Charge: Treason, Theft, Assault and Battery, Taking a female for the purpose of prostitution, Desecration of the flag. (seven charges).
Verdict: Not guilty of theft of desecration of the flag.
Guilty of 5 charges.
Sentence: Death by hanging.
- 134) Trial of Luis C. Crisostomo, a Saipanese.
J. Date & Place of Trial: 1st August 1945 at Guam.
Charge: Murder and Assault (2 charges, 13 specifications).
Verdict: Guilty.
Sentence: Death by hanging.
Findings confirmed, but sentence commuted to imprisonment for life.

- 135) Trial of Koji Shoji and Kiyoshi Takahashi of the Imperial Japanese Navy.
J. Date & Place of Trial: 30th August 1945 at Guam.
Charge: Murder (two specifications).
Verdict: Both found guilty.
Sentences: Death by hanging.
- 136) Trial of Akiyoshi Hosokawa, Japanese.
J. Date & Place of Trial: 12th September, 1945 at Guam.
Charge: Assault and battery (two specifications).
Verdict: Guilty.
Sentence: Imprisonment for 12 months.
Confirmed.
- 137) Trial of Kanzo Kawachi, a Japanese national.
J. Date & Place of Trial: 17th September 1945 at Guam.
Charge: Assault and battery of Guamanians (14 specifications).
Verdict: Guilty on all specifications.
Sentence: Imprisonment for 6 years and 6 months.
Confirmed.
- 138) Trial of Kyomon Miwa, a Japanese national.
J. Date & Place of Trial: 20th September 1945 at Guam.
Charge: Assault and Battery.
Verdict: Guilty.
Sentence: Imprisonment for 6 months.
Confirmed.
- 139) Trial of Jose C. Cabrera, a Saipanese.
J. Date & Place of Trial: 26th September 1945 at Guam.
Charge: Assault and Battery of Guamanians (11 specifications).
Verdict: Guilty of all specifications.
Sentence: Imprisonment for five years and six months.
Confirmed.
- 140) Trial of Hirose Ogawa, a Japanese.
J. Date & Place of Trial: 12th October 1945 at Guam.
Charge: Assault and battery of a Guamanian.
Verdict: Guilty.
Sentence: Imprisonment for 3 years and 6 months.
Confirmed.
- 141) Trial of Domingo S. Quintanilla, a Rotanese.
J. Date & Place of Trial: 15th October 1945 at Guam.
Charge: Assault and Battery of Guamanians (8 specifications).
Verdict: Guilty.
Sentence: Imprisonment for 4 years.
Confirmed.
- 142) Trial of Fritz Angocio Mendiola, a Rotanese.
J. Date & Place of Trial: 18th October 1945 at Guam.
Charge: Assault and battery of Guamanians (14 specifications).
Verdict: Guilty.
Sentence: Imprisonment for 5 years and 6 months.
Confirmed.
- 143) Trial of Jose P. Villagomez, a Saipanese.
J. Date & Place of Trial: 22nd October 1945 at Guam.
Charge: Assault and battery of Guamanians (7 specifications).
Verdict: Guilty.
Sentence: Imprisonment for 3 years.
Confirmed.

- 144) Trial of Francisco P. Sablan, a Saipanese.
J. Date & Place of Trial: 29th October 1945 at Guam.
Charge: Assault and battery of Guamanians (24 specifications).
Verdict: Guilty.
Sentence: Imprisonment for six years.
Confirmed.
- 145) Trial of Juan Villagomez, a Guamanian.
J. Date & Place of Trial: 31st October 1945 at Guam.
Charge: Murder and Assault and battery (2 charges)
Verdict: Guilty of both charges.
Sentence: Imprisonment for five years.
Confirmed.
- 146) Trial of Colonel Chosoto Oishi and 9 other members of the Japanese Army.
J. Date & Place of Trial: 21st November 1945 at U.S. Naval Air Base,
Kwajalein Island, Marshall Islands.
Charge: Murder and conspiracy to commit murder (2 charges).
Verdict: All found guilty of one or both charges.
Sentences: Death by hanging: 6,
Imprisonment for life, 2,
" " 20 years, 2.
- 147) Trial of Rear Admiral Shigematsu Sakaibara and two other officers
of the Imperial Japanese Navy.
J. Date & Place of Trial: 21st December 1945 at Kwajalein Island,
Marshall Islands.
Charges: (1) Murder,
(2) Murder (two specifications against Sakaibara).
Verdict: Guilty, 2.
(One of the accused Nol Pro (suicide).)
Sentences: Death by hanging, 2.
- 148) Trial of Tadao Igawa, a Japanese national.
J. Date & Place of Trial: 8th February 1946 at Guam.
Charge: Murder.
Verdict: Guilty.
Sentence: Death by hanging.
- 149) Trial of Capt. Susemi Kawasaki and two other officers of the
Japanese Navy.
J. Date & Place of Trial: 11th April 1946 at Guam.
Charge: Murder of 26 American prisoners of war - names unknown.
Verdict: Not Guilty, 1.
Guilty, 2.
Sentence: Death by hanging, 1.
Death by shooting, 1.
- 150) Trial of Vice Admiral Kose Abe and two other officers of the
Japanese Navy.
J. Date & Place of Trial: 15th May 1946 at Guam.
Charge: Murder of nine American prisoners of war, names unknown.
Verdict: Guilty, 3.
Sentences: Death by hanging, 1.
Imprisonment for 10 years, 1.
" " 5 " 1.
- 151) Trial of Capt. Meguru Isono and Capt. Noboru Nakajima, IJA.
J. Date & Place of Trial: 3rd June 1946 at Guam.
Charge: Murder of an American POW, name unknown.
Verdict: Isono not guilty,
Nakajima Guilty.
Sentence: Death by hanging.

- 152) Trial of Lt. Col. Kikuji Ito and 3 other members of the Japanese Army.
 J. Date & Place of Trial: 19th June 1946 at Guam.
 Charge: Murder of an American.
 Verdict: All found guilty.
 Sentences: Death by hanging, 1,
 Imprisonment for life, 1,
 " " 25 years, 1,
 " " 10 " 1.
- 153) Trial of Colonel Takemune Kato and 4 other members of the Japanese Army.
 J. Date & Place of Trial: 12th July 1946 at Guam.
 Charge: (1) Murder,
 (2) Neglect of duty (2 specifications against Kato only).
 Verdict: All found guilty, (Kato on first charge only).
 Sentences: Imprisonment for life, 2,
 " " 15 years, 2,
 " " 10 " 1.
- 154) Trial of Lt. Gen. Yoshio Tachibana, Vice Admiral Kunizo Mori and 12 other members of the Japanese Army or Navy.
 J. Date & Place of Trial: 15th August 1946 at Guam.
 Charges: (1) Murder (6 specifications)
 (2) Violation of the laws and customs of war (8 specifications).
 (3) Neglect of duty (24 specifications).
 The victims were 8 American subjects.
 Charges 1 and 2 also include allegations of cannibalism against several of the accused.
 Verdict: Not guilty, 1.
 Guilty of one or more charges, 13.
 Sentences: Death by hanging, 3,
 Imprisonment for life, 2,
 " " 20 years, 1,
 " " 15 " 2,
 " " 10 " 1,
 " " 8 " 1,
 " " 5, " 3.
 Confirmed.
- 155) Trial of Masayoshi Takano of the Japanese Army.
 J. Date & Place of Trial: 21st October 1946 at Guam.
 Charge: Murder of a Prisoner of war, an American, name unknown.
 Verdict: Guilty.
 Sentence: Imprisonment for 9 years.
 Confirmed.
- 156) Trial of Toshiro Takizawa, a Japanese.
 J. Date & Place of Trial: 5th June 1946 at Manila, P.I.
 Charge: Wilful and unlawful burning of the town of San Pablo, P.I.
 Verdict: Not Guilty.
- 157) Trial of Toshimi Kumai, a Japanese national.
 J. Date & Place of Trial: 8th July 1946 at Manila, P.I.
 Charge: Murder, cruelty and torture of civilians in the Philippine Islands.
 Verdict: Guilty.
 Sentence: Imprisonment for 25 years with hard labour.
 Confirmed.
- 158) Trial of Yuzuru Nakajima, a Japanese national.
 J. Date & Place of Trial: 2nd October 1946 at Manila, P.I.
 Charge: Murder, cruelty and torture of civilians at or near Bacolod, in the Philippine Islands.
 Verdict: Guilty.
 Sentence: Imprisonment for 5 years.

- 159) Trial of Tansaku Takahashi, a Japanese national.
 J. Date & Place of Trial: 19th September 1946 at Manila, P.I.
 Charge: Murder, cruelty and torture of civilians at Murcia, P.I.
 Verdict: Guilty.
 Sentence: Death by Muskettry.
- 160) Trial of Mamora Shiozawa, a Japanese national.
 J. Date & Place of Trial: 28th August 1946 at Yokohama, Japan.
 Charge: That at the Tokyo Area Prisoner of War Camp, he did violate the laws and customs of war.
 Verdict: Guilty.
 Sentence: Imprisonment for 20 years with hard labour.
- 161) Trial of Masaharu Tanaka, a Captain in the Japanese Navy, and 2 others.
 J. Date & Place of Trial: 5th November 1946 at Guam.
 Charges: Murder, Assault with intent to commit murder and neglect of duty in violation of the laws and customs of war. (3 charges).
 Verdict: All the accused guilty of one or more charges.
 Sentences: Death by hanging, 1,
 Imprisonment for life, 2.
 Confirmed.
- 162) Trial of Nobuyoshi Kasahara and Sohei Katsura, Japanese nationals.
 J. Date & Place of Trial: 21st December 1945 at Manila, P.I.
 Charge: Cruelty and torture of Filipino civilians at Leyte, P.I.
 Verdict: Kasahara, charge dismissed on motion of prosecutor.
 Katsura, Guilty.
 Sentence: Imprisonment for 5 years with hard labour.
 Confirmed.
- 163) Trial of Isamo Morimoto and six other Japanese nationals.
 J. Date & Place of Trial: 23rd November 1945 at Manila, P.I.
 Charge: Murder of prisoners of war and Filipino civilians.
 Verdict: Not guilty, 1.
 Guilty, 6.
 Sentences: Death by hanging, 3,
 Imprisonment for life, 1,
 " " 10 years, 2.
 Confirmed.
- 164) Trial of Hikotaro Tajima and 16 other Japanese nationals.
 J. Date & Place of Trial: 27th December 1945 at Manila, P.I.
 Charge: Murder, torture and mistreatment of prisoners of war and civilian residents of Batan Island.
 Verdict: 3 accused were not tried.
 14 were found guilty.
 Sentences: Death by hanging, 1,
 Imprisonment for life, 3,
 " " 30 years, 2,
 " " 25 " 1,
 " " 20 " 1,
 " " 15 " 1,
 " " 10 " 3,
 " " 5 " 2,
 Findings confirmed but 2 life sentences commuted to imprisonment for 25 years, one sentence of 30 years reduced to imprisonment for 10 years, and one sentence of 15 years commuted to imprisonment for 10 years.

- 165) Trial of Seiichi Ohta, a Japanese national.
 J. Date & Place of Trial: 27th December 1945 at Manila, P.I.
 Charge: Murder, torture, cruelty and mistreatment of prisoners of war and civilians at Manila, the civilians being Chinese and the prisoners of war, American and Filipino.
 Verdict: Guilty.
 Sentence: Death by hanging.
 Confirmed.
- 166) Trial of Takuma Higashiji, a Japanese national.
 J. Date & Place of Trial: 27th December 1945 at Manila, P.I.
 Charge: Murder, torture, cruelty, other assaults and mistreatments against Filipino civilians in the P.I.
 Verdict: Guilty.
 Sentence: Death by hanging.
 Confirmed.
- 167) Trial of Akira Nagahama, a Japanese national.
 J. Date & Place of Trial: 25th February 1946 at Manila, P.I.
 Charge: Murder, torture and cruelty, starvation and neglect, other assaults and mistreatments of Filipino civilians and prisoners of war in the P.I.
 Verdict: Guilty.
 Sentence: Death by hanging.
- 168) Trial of Takeji Ozawa, a Japanese national.
 J. Date & Place of Trial: 11th January 1946 at Manila, P.I.
 Charge: Murder and assaults of Filipino civilians.
 Verdict: Guilty.
 Sentence: Imprisonment for life with hard labour.
 Confirmed.
- 169) Trial of Zenzo Saito, a Japanese national.
 J. Date & Place of Trial: 11th January 1946 at Manila, P.I.
 Charge: Murder of Filipino civilians, and the unlawful and wilful burning of the Barrio of Nanipil, Mountain Province, on or about 16 April 1945.
 Verdict: Guilty.
 Sentence: Death by hanging.
 Sentence disapproved.
- 170) Trial of Masao Tachibana and 3 others, Japanese nationals.
 J. Date & Place of Trial: 30th January 1946 at Manila, P.I.
 Charge: Murder, torture, cruelty, other assaults and mistreatments against Filipino civilians and prisoners of war at P.I.
 Verdict: 2 of the accused not available for trial.
 The other two accused were found guilty.
 Sentence: Death by hanging, 2.
 Confirmed.
- 171) Trial of Tosimitsu Miyagi and Shoichi Kobayashi, Japanese nationals.
 J. Date & Place of Trial: 5 January 1946 at Manila, P.I.
 Charge: Murder, torture, cruelty, other assaults and mistreatments against Filipino civilians.
 Verdict: Miyagi, charge dismissed on motion of Prosecutor.
 Kobayashi, guilty.
 Sentence: Death by hanging.
 Confirmed.
- 172) Trial of Takashi Tohei, a Japanese national.
 J. Date & Place of Trial: 11th February 1946 at Manila, P.I.
 Charge: Murder, torture, cruelty, other assaults and mistreatments against Filipino civilians and Prisoners of War.
 Verdict: Guilty.
 Sentence: Imprisonment for life with hard labour.
 Confirmed.

- 173) Trial of Yoshioka (first name unknown) and 7 other Japanese nationals.
 J. Date & Place of Trial: 12th February 1946 at Manila.
 Charge: Murder and other assaults of American prisoners of war.
 Verdict: 2 accused dismissed prior to trial on motion of Prosecutor.
 Remaining 6 accused found guilty.
 Sentences: Death by hanging, 1,
 " " musketry, 1,
 Imprisonment for 40 years, with hard labour, 1,
 " " 30 " " " " 3.
 Findings confirmed but 2 sentences for 30 years reduced
 to imprisonment for 10 years.
- 174) Trial of Jyunji Sasaki, a Japanese national.
 J. Date & Place of Trial: 17th June 1946 at Manila.
 Charge: Murder and torture of identified and unidentified
 civilians, Filipinos.
 Verdict: Guilty.
 Sentence: Death by hanging.
 Confirmed.
- 175) Trial of Shuji Kawamori, a Japanese national.
 J. Date & Place of Trial: 4th October 1946 at Manila, P.I.
 Charge: Murder, cruelty and torture of civilians, Filipinos.
 Verdict: Guilty.
 Sentence: Imprisonment for life with hard labour.
- 176) Trial of Masao Nanjo, a Japanese national.
 J. Date & Place of Trial: 7th October 1946 at Manila.
 Charge: Murder, cruelty and torture, other assaults and mistreat-
 ments of Filipino civilians.
 Verdict: Guilty.
 Sentence: Death by hanging.
- 177) Trial of Koju Tsuda, a Japanese national.
 J. Date & Place of Trial: 17th September - 27th November 1946 at
 Yokohama, Honshu.
 Charge: That at a Prisoner of War Camp, the accused, a civilian
 employed by and serving with the Armed Forces of Japan,
 did violate the laws and customs of war.
 Verdict: Guilty.
 Sentence: Imprisonment for life with hard labour.
- 178) Trial of Takio Kaneke and Teshiharu Uchida, Japanese nationals.
 J. Date & Place of Trial: 5th September - 14th November 1946 at Yokohama.
 Charge: Contributing to the death of, beating and abusing of
 prisoners at a PoW Camp, the victims being Canadians.
 Verdict: Both the accused found guilty.
 Sentences: Kaneke, Imprisonment for 28 years.
 Uchida, " " 15 "
- 179) Trial of Sannojo Fujii, a Japanese national.
 J. Date & Place of Trial: 8th November - 13th November 1946 at Yokohama.
 Charge: Wilfully beating, mistreating and abusing numerous
 Allied prisoners of war.
 Verdict: Guilty.
 Sentence: Imprisonment for 5 years with hard labour.
- 180) Trial of Lt. Gen. Kurt Maelzer, a German National.
 Date & Place of Trial: 9 - 14 September 1946 at Florence, Italy.
 Charge: That he wrongfully caused to be exposed to acts of
 violence, insults and public curiosity about 200 soldiers
 of the U.S. Army, who were then PoW under his control, by
 causing them to be marched through the streets of Rome.
 Verdict: Guilty.
 Sentence: Imprisonment for 10 years.
 Findings confirmed, but 7 years remitted from sentence.

- 181) Trial of Matsujiro Nakasai, a Japanese national.
 J. Date & Place of Trial: 1 - 8 November 1946 at Yokohama, Honshu.
 Charge: That when serving with the Armed Forces of Japan, he did violate the laws and customs of war.
 Verdict: Guilty.
 Sentence: Imprisonment with hard labour for 20 years.
- 182) Trial of Tadashi Watanabe, a Japanese national.
 J. Date & Place of Trial: 23rd October 1946 at Manila, P.I.
 Charge: Murder, cruelty and torture of civilians, Filipinos.
 Verdict: Guilty.
 Sentence: Imprisonment for 15 years with hard labour.
- 183) Trial of Morikazu Ohsugi, a Japanese national.
 J. Date & Place of Trial: 1st October 1946 at Manila, P.I.
 Charge: Murder of prisoners of war at the Netherlands East Indies.
 Verdict: Guilty.
 Sentence: Imprisonment for life with hard labour.
- 184) Trial of Masaharu Homma, a Japanese national.
 J. Date & Place of Trial: 3rd January 1946 at Manila, P.I.
 Charge: Murder, torture, cruelty, starvation and neglect, other assaults and mistreatments throughout the Philippine Islands, the victims being American, Chinese and Filipino nationals.
 Verdict: Guilty.
 Sentence: Death by musketry.
 Confirmed.
- 185) Trial of Tsunao Toyonaga, a Japanese national.
 J. Date & Place of Trial: 4th March, 1946 at Manila, P.I.
 Charge: Murder, cruelty and torture, neglect, other assaults and mistreatments of prisoners of war and Filipino civilians at Manila.
 Verdict: Guilty.
 Sentence: Death by hanging.
 Confirmed.
- 186) Trial of Mitsugu Ueda, a Japanese national.
 J. Date & Place of Trial: 1st March 1946 at Manila.
 Charge: Murder, and assaults against American prisoners of war and Filipino civilians at Leyte Province, P.I.
 Verdict: Guilty.
 Sentence: Death by hanging.
 Confirmed.
- 187) Trial of Masatoshi Fujishige and 3 others, Japanese nationals.
 J. Date & Place of Trial: 13th February 1946 at Manila.
 Charge: Murder, cruelty and torture, assaults and other mistreatments, wilful and unlawful burning and destruction of private and religious property at Luzon, P.I.
 Verdict: All the accused were found guilty.
 Sentences: Death by hanging, 3.
 Imprisonment for 30 years, with hard labour, 1.
 Sentence of 30 years disapproved.
- 188) Trial of Toshitsugo amamaka and 2 others, Japanese nationals.
 J. Date & Place of Trial: 4th - 11th December 1946 at Yokohama.
 Charge: That as civilian guards employed by the Armed Forces of Japan, they did violate the laws and customs of war.
 Verdict: All the accused found guilty.
 Sentences: Imprisonment for 5 years with hard labour, 1,
 " " 4 1/2 " " " " 1,
 " " 4 " " " " 1.

189) Trial of Lt. Ryoji Tomita, Japanese Navy.

J. Date & Place of Trial: 21st November 1946 at Guam.

Charge: Murder (2 specifications).

Verdict: Not Guilty.

190) Trial of Maj.Gen. Otsuka, Maj.Gen. Hidaka, Maj.Kobayashi and 41 others.

J. Date & Place of Trial: 8th August - 10th October 1946 at Singapore.

Charge: Ill-treatment of prisoners of war and civilian internees resulting in the death of at least 41 people.

Verdict: Not guilty, 3,

Guilty, 39,

Accused No.17 not tried owing to illness, and no verdict or sentence is shown for accused No.27.

Sentences: Death, 5,
Imprisonment for life, 5,
" " 15 years, 1,
" " 12 " 4,
" " 10 " 5,
" " 8 " 1,
" " 7 " 6,
" " 5 " 5,
" " 4 " 2,
" " 3 " 4,
" " 1 " 1.

191) Trial of Shinnosuki Sato and Sukeo Tagusari.

J. Date & Place of Trial: 12 - 23 December 1946 at Yokohama.

Charge: That, as civilian guards of a PoW camp, they did violate the laws and customs of war.

Verdict: Both the accused found guilty.

Sentences: Imprisonment for 22 years with hard labour, 1,
" " 15 " " " " " , 1.

192) Trial of Tomoki Nakamura, Japanese national.

J. Date & Place of Trial: 18 September - 28th December 1946 at Yokohama.

Charge: That he did unlawfully withhold and convert to his own use Red Cross supplies intended for the use of Allied PoW, failed to discharge his duty as camp commander in that he failed to provide adequate food, quarters, medicines, etc. and permitted members of his command to mistreat and torture numerous American and Allied prisoners of war.

Verdict: Guilty.

Sentence: Imprisonment for 12 years with hard labour.

193) Trial of Hiroshi Fujii, a Japanese national.

J. Date & Place of Trial: 28 Sept. - 31 Dec. 1946 at Yokohama.

Charge: That he wilfully and unlawfully failed to discharge his duty at Medical Officer, forced men to work when physically unfit, refusing adequate medical drugs needed for sick prisoners of war and in so doing, in many cases caused the death of prisoners of war.

Verdict: Guilty.

Sentence: Imprisonment for 12 years with hard labour.

194) Trial of Kanechi Kondo, a Japanese national.

J. Date & Place of Trial: 23 - 24 December 1946 at Yokohama.

Charge: That he did beat, mistreat and torture numerous Allied prisoners of war.

Verdict: Guilty. (The accused pleaded guilty).

Sentence: Imprisonment for 1 year with hard labour.

- 195) Trial of Mario Carloni, Italo Simonitti and Benedetto Pilon,
Italian nationals.
Date & Place of Trial: 25th September - 4th October 1946 at Florence,
Italy.
Charge: That they did kill summarily an officer of the Army of the
United States who had been recently captured and was a
prisoner of war, by causing him to be shot to death with a
gun.
Verdict: Carloni, Not Guilty.
Simonitti and Pilon, Guilty.
Sentences: Simonitti, Death by musketry.
Pilon, Imprisonment with hard labour for his natural life.
Confirmed.
- 196) Trial of Tetsutoshi Yanaru, a Japanese National.
Date & Place of Trial: 16 September 1946 - 22 January 1947 at Yokohama.
Charge: Mistreatment and abuse of numerous Allied Prisoners of War,
in some cases causing death, the victims being British and
Canadian.
Verdict: Guilty.
Sentence: Imprisonment for 15 years with hard labour.
- 197) Trial of Morizo Shinjo, a Japanese national.
J. Date & Place of Trial: 6 Jan - 21 Jan 1947 at Yokohama.
Charge: Torture, beating and ill-treatment and other acts and
atrocities against numerous American Prisoners of War.
Verdict: Guilty.
Sentence: Imprisonment with hard labour for 28 years.
- 198) Trial of Yukitsuna Tanaka and Yoshinori Hayashi, Japanese nationals.
J. Date & Place of Trial: 8th January 1947 at Manila.
Charge: Murder of prisoners of war at Netherlands East Indies.
Verdict: Guilty, 2.
Sentences: Imprisonment for 30 years with hard labour, 2.
- 199) Trial of Sadaaki Konishi,
J. Date & Place of Trial: 23rd November 1946 at Manila.
Charge: Not shown on report at present available.
Verdict: Guilty.
Sentence: Death by hanging.
- 200) Trial of Masatoshi Fujishige and 5 others, Japanese nationals.
J. Date & Place of Trial: 1 May 1946 at Manila.
Charge: Murder, assault and mistreatment of Chinese and Filipino
civilians.
Verdict: Five charges dismissed on the motion of Prosecutor.
Guilty, 1.
Sentence: Imprisonment with hard labour for 30 years.
- 201) Trial of Tono Shirakura and 2 others, Japanese nationals.
J. Date & Place of Trial: 25 February 1946 at Manila.
Charge: Murder, torture, assaults and mistreatment of Filipino
and Chinese civilians.
Verdict: All three accused found guilty.
Sentences: Death by hanging, 3.
Sentences of 2 accused confirmed,
Sentence against Shirakura disapproved.
- 202) Trial of Mukai Kagajiro a Japanese national.
J. Date & Place of Trial: 27 February 1946 at Manila.
Charge: Murder, assaults and mistreatment of Filipino civilians.
Verdict: Guilty.
Sentence: Death by hanging.

- 195) Trial of Mario Carloni, Italo Simonitti and Benedetto Pilon,
Italian nationals.
Date & Place of Trial: 25th September - 4th October 1946 at Florence,
Italy.
Charge: That they did kill summarily an officer of the Army of the
United States who had been recently captured and was a
prisoner of war, by causing him to be shot to death with a
gun.
Verdict: Carloni, Not Guilty.
Simonitti and Pilon, Guilty.
Sentences: Simonitti, Death by musketry.
Pilon, Imprisonment with hard labour for his natural life.
Confirmed.
- 196) Trial of Tetsutoshi Yanaru, a Japanese National.
Date & Place of Trial: 16 September 1946 - 22 January 1947 at Yokohama.
Charge: Mistreatment and abuse of numerous Allied Prisoners of War,
in some cases causing death, the victims being British and
Canadian.
Verdict: Guilty.
Sentence: Imprisonment for 15 years with hard labour.
- 197) Trial of Morizo Shinjo, a Japanese national.
J. Date & Place of Trial: 6 Jan - 21 Jan 1947 at Yokohama.
Charge: Torture, beating and ill-treatment and other acts and
atrocities against numerous American Prisoners of War.
Verdict: Guilty.
Sentence: Imprisonment with hard labour for 28 years.
- 198) Trial of Yukitsuna Tanaka and Yoshinori Hayashi, Japanese nationals.
J. Date & Place of Trial: 8th January 1947 at Manila.
Charge: Murder of prisoners of war at Netherlands East Indies.
Verdict: Guilty, 2.
Sentences: Imprisonment for 30 years with hard labour, 2.
- 199) Trial of Sadaaki Konishi,
J. Date & Place of Trial: 23rd November 1946 at Manila.
Charge: Not shown on report at present available.
Verdict: Guilty.
Sentence: Death by hanging.
- 200) Trial of Masatoshi Fujishige and 5 others, Japanese nationals.
J. Date & Place of Trial: 1 May 1946 at Manila.
Charge: Murder, assault and mistreatment of Chinese and Filipino
civilians.
Verdict: Five charges dismissed on the motion of Prosecutor.
Guilty, 1.
Sentence: Imprisonment with hard labour for 30 years.
- 201) Trial of Tono Shirakura and 2 others, Japanese nationals.
J. Date & Place of Trial: 25 February 1946 at Manila.
Charge: Murder, torture, assaults and mistreatment of Filipino
and Chinese civilians.
Verdict: All three accused found guilty.
Sentences: Death by hanging, 3.
Sentences of 2 accused confirmed,
Sentence against Shirakura disapproved.
- 202) Trial of Mukai Kagajiro a Japanese national.
J. Date & Place of Trial: 27 February 1946 at Manila.
Charge: Murder, assaults and mistreatment of Filipino civilians.
Verdict: Guilty.
Sentence: Death by hanging.

- 203) Trial of Tadashi Yoshida and 8 others, Japanese nationals.
J. Date & Place of Trial: 17 June 1946 at Manila.
Charge: Murder, cruelty and torture, other assaults and mistreatments of Filipino civilians.
Verdict: Charge against one accused dismissed on motion of the Prosecutor.
The remaining 8 accused found guilty.
Sentences: Death by hanging, 3,
Imprisonment for life, 1,
" " 25 years, 3,
" " 5 " , 1.
- 204) Trial of Tokujiro Yoshida, a Japanese national.
J. Date & Place of Trial: 25 May 1946 at Manila.
Charge: Murder, torture, assaults and mistreatments of Filipino civilians.
Verdict: Guilty.
Sentence: Death by hanging.
Confirmed.
- 205) Trial of Takeshi Kono, a Japanese national.
J. Date & Place of Trial: 15 April 1946 at Manila.
Charge: Murder, cruelty and torture, other assaults and mistreatments, of Filipino and American nationals.
Verdict: Guilty.
Sentence: Death by hanging.
- 206) Trial of Seichi Onishi and 11 other Japanese nationals.
J. Date & Place of Trial: 8 April 1946 at Manila.
Charge: Murder, cruelty and torture, other assaults and mistreatments of Filipino civilians.
Verdict: Charge against six accused, dismissed on motion of the Prosecutor.
Six of the accused found guilty.
Sentences: Death by hanging, 6.
Confirmed.
- 207) Trial of Tetsuo Naito, a Japanese national.
J. Date & Place of Trial: 15 March 1946 at Manila.
Charge: Murder, cruelty and torture of Filipino civilians.
Verdict: Guilty.
Sentence: Death by hanging,
Confirmed and executed.
- 208) Trial of Chikanori Tabuo, a Japanese national.
J. Date & Place of Trial: 2 April 1946 at Manila.
Charge: Murder of a Filipino civilian.
Verdict: Guilty.
Sentence: Death by hanging.
Confirmed and executed.
- 209) Trial of Kin Ryu Rin, a Japanese national.
J. Date & Place of Trial: 29 April 1946 at Manila.
Charge: Murder of a prisoner of war of the armed forces of the U.S.A.
Verdict: Guilty.
Sentence: Death by hanging.
Confirmed and executed.
- 210) Trial of Koe Mikami and 13 others, all Japanese nationals.
J. Date & Place of Trial: 4 June 1946 at Manila.
Charge: Murder of Filipino civilians.
Verdict: Charge against one accused dismissed on the motion of the Prosecutor.
13 found guilty.
Sentences: Death by hanging, 1,
Imprisonment for life, 3,
" " 20 years, 5,
" " 10 " , 4,

- 211) Trial of Mitsuji Tanaka and two others, Japanese nationals.
 J. Date & Place of Trial: 6 May 1946 at Manila.
 Charge: Murder of prisoners of war, American nationals.
 Verdict: All the accused found guilty.
 Sentences: Imprisonment for life, 1,
 " " 20 years, 1,
 " " 10 " , 1.
 Confirmed.
- 212) Trial of Lothar Eisentraeger and 26 others, all German nationals.
 J. Date & Place of Trial: 3 October 1946 - 14 January 1947 at
 Shanghai.
 Charge: Violations of German surrender terms. The offences
 all occurred in Canton, Peiping and Shanghai, China,
 between 8 May 1945 and 15 August 1945.
 Verdict: Six of the accused were acquitted.
 21 found guilty.
 Sentences: Imprisonment for life, 1,
 " " 30 years, 2,
 " " 20 " 4,
 " " 15 " 1,
 " " 10 " 6,
 " " 8 " 1,
 " " 5 " 6.
- 213) Trial of Takeo Nakamura and 7 others, all Japanese nationals.
 J. Date & Place of Trial: 9 May 1946 at Manila.
 Charge: Murder, cruelty and torture, other assaults and mis-
 treatments of Filipino civilians.
 Verdict: Four accused dismissed on motion of Prosecutor.
 Four found guilty.
 Sentences: Death by hanging, 1,
 Imprisonment for 25 years, 2,
 " " 15 " 1.
 Sentences confirmed.
- 214) Trial of Satoru Ono, a Japanese national.
 J. Date & Place of Trial: 20 April 1946 at Manila.
 Charge: Murder of prisoners of war of the United States Army
 at or near Sarmi, New Guinea in October 1944.
 Verdict: Guilty.
 Sentence: Death by hanging.
 Confirmed and executed.
- 215) Trial of Mikio Taneichi and 3 others, Japanese nationals.
 J. Date & Place of Trial: 27 May 1946 at Manila.
 Charge: Murder, cruelty and torture, other assaults and mis-
 treatments of Filipino and Chinese civilians.
 Verdict: All found guilty.
 Sentences: Death by hanging, 1,
 Imprisonment for 30 years, 3.
 Findings confirmed, but all sentences reduced to
 imprisonment with hard labour for 15 years.
- 216) Trial of Bunji Unai, a Japanese national.
 J. Date & Place of Trial: 2 July 1946 at Manila.
 Charge: Murder, cruelty and torture of Filipino civilians.
 Verdict: Guilty.
 Sentence: Death by hanging.
- 217) Trial of Tomizo Hirakawa and Shiro Kajiyama, Japanese nationals.
 J. Date & Place of Trial: 15 July 1946 at Manila.
 Charge: Murder, cruelty and torture of Filipino civilians.
 Verdict: Both accused found guilty.
 Sentences: Death by hanging, 2.

- 218) Trial of Harumichi Nogi and Kiyosato Yoshizaki, Japanese nationals.
J. Date & Place of Trial: 14 June 1946 at Manila.
Charge: Murder of prisoners of war of the armed forces of the United States of America.
Verdict: Both found guilty.
Sentences: Imprisonment for 30 years, 1.
" " 25 " 1.
Approved.
- 219) Trial of Morio Matsuzaki, a Japanese national.
J. Date & Place of Trial: 5 August 1946 at Manila.
Charge: Cruelty and torture of Filipino civilians at or near Sara and Tigbauan, P.I.
Verdict: Guilty.
Sentence: Imprisonment with hard labour for 5 years.
Confirmed.
- 220) Trial of Ryoichi Tozuka, a Japanese national.
J. Date & Place of Trial: 20 June 1946 at Manila.
Charge: Murder, cruelty and torture of American, Filipino and Chinese civilians.
Verdict: Guilty.
Sentence: Death by hanging.
- 221) Trial of Tokizo Makita and Hisaki Itai, Japanese nationals.
J. Date & Place of Trial: 5 July 1946 at Manila.
Charge: Murder, cruelty and torture of Filipino civilians.
Verdict: Both accused found guilty.
Sentences: Death by hanging, 2.
- 222) Trial of Fusataro Shin, a Japanese national.
J. Date & Place of Trial: 16 July 1946 at Manila.
Charge: Murder, cruelty and torture of Filipino civilians.
Verdict: Guilty.
Sentence: Death by hanging.
- 223) Trial of Jiro Motoki, a Japanese national.
J. Date & Place of Trial: 29 July 1946 at Manila.
Charge: Murder, cruelty and torture of Filipino civilians.
Verdict: Guilty.
Sentence: Imprisonment for life.
Confirmed.
- 224) Trial of Minoru Toyama and 2 others, Japanese nationals.
J. Date & Place of Trial: 17 January 1946 at Manila.
Charge: Murder of prisoners of war at Maros Airfield, N.E.T.
Verdict: All the accused found guilty.
Sentences: Imprisonment for life, with hard labour, 1,
" " 25 years, with hard labour, 2.
- 225) Trial of Chiyomi Toyota, a Japanese national.
J. Date & Place of Trial: 20 July 1946 at Manila.
Charge: Murder, cruelty and torture of Filipino civilians.
Verdict: Guilty.
Sentence: Imprisonment for 25 years.
Confirmed.
- 226) Trial of Hajime Fujii.
J. Date & Place of Trial: 27 June 1946 at Manila.
Charge: Murder, cruelty and torture of Filipino civilians.
Verdict: Guilty.
Sentence: Death by hanging.

- 227) Trial of Noriyuki Otsuka and Tadataka Kuwano, Japanese nationals.
J. Date & Place of Trial: 1 July 1946 at Manila.
Charge: Murder, cruelty and torture of American, Filipino and Chinese civilians.
Verdict: Both the accused found guilty.
Sentences: Death by hanging, 1,
Imprisonment for life, 1,
- 228) Trial of Naraji Nogi, a Japanese national.
J. Date & Place of Trial: 16th January 1947 at Manila.
Charge: Starvation and neglect, other assaults and mistreatments of American prisoners of war.
Verdict: Guilty.
Sentence: Imprisonment for 25 years, with hard labour.
- 229) Trial of Masakazu Yamaguchi, a Japanese national.
J. Date & Place of Trial: 31 October 1946 at Manila.
Charge: Murder, cruelty and torture, other assaults and mistreatments of civilians, both Chinese and Filipino.
Verdict: Guilty.
Sentence: Death by hanging.
- 230) Trial of Masato Hada, a Japanese national.
J. Date & Place of Trial: 27 Jan.- 3 Feb. 1947 at Yokohama.
Charge: That at a PoW Camp in Japan, the accused, then a Private in the armed forces of Japan, did violate the laws and customs of war.
Verdict: Guilty.
Sentence: Imprisonment for life.
- 231) Trial of Hidemaro Nakajima, a Japanese national.
J. Date & Place of Trial: 24 December 1946 - 27 January 1947 at Yokohama.
Charge: That as a First Lieutenant in the Japanese Army, at different PoW camps, he did violate the laws and customs of war.
Verdict: Guilty.
Sentence: Imprisonment for 2 years with hard labour.
- 232) Trial of Yoshio Taguchi and 6 others, Japanese nationals.
J. Date & Place of Trial: 21 Nov. 1946 - 3 Feb. 1947 at Yokohama.
Charge: Torture, beating, murder, of American and Australian nationals.
Verdict: All the accused found guilty.
Sentences: Death, 2,
Imprisonment for life, 4,
" " 20 years, 1.
- 233) Trial of Kunio Miyatake, a Japanese national.
J. Date & Place of Trial: 21 - 31 January 1947 at Yokohama.
Charge: Beating, torture and contributing to the deaths of several prisoners of war, British, American and Australian nationals.
Verdict: Guilty.
Sentence: Imprisonment for 20 years with hard labour.
- 234) Trial of Saburo Mizukoshi and 7 others, Japanese nationals.
J. Date & Place of Trial: 27 January - 3 February 1946 at Yokohama.
Charge: Murder, beatings, torture, mistreatments of American, Canadian and British prisoners of war.
Verdict: All 8 accused found guilty.
Sentences: Death, 1,
Imprisonment for 30 years, 4, (with hard labour)
" " 15 " 1, " " "
" " 10 " 1, " " "
" " 5 " 1, " " "

235) Trial of Giulio Oldani, an Italian National.

Date & Place of Trial: 31 October - 7 November 1946 at Florence, Italy.

Charge: That he failed to treat with humanity, and subjected to acts of violence, American soldiers, prisoners of war, by beating, ill-treating and humiliating them, and also by depriving them of food and compelling them to do work for which they were physically unfit. (11 specifications).

Verdict: Not Guilty.

236) Trial of Pietro Magi, an Italian National.

Date & Place of Trial: 24 - 30 October, 1946 at Florence, Italy.

Charge: That he killed by bayoneting, an American pilot, who had recently been captured and was a prisoner of war.

Verdict: Guilty.

Sentence: Imprisonment for 20 years, with hard labour. Confirmed.

237) Trial of Takeo Katsura, a Japanese national.

J. Date & Place of Trial: 11 Feb. - 20 Feb. 1947 at Yokohama.

Charge: That, as a private in the armed forces of Japan, at a Prisoner of War Camp, he did violate the laws and customs of war.

Verdict: Guilty.

Sentence: Imprisonment for 40 years, with hard labour.

238) Trial of Kazuo Fukami, a Japanese national.

J. Date & Place of Trial: 11 - 12 February 1947 at Yokohama.

Charge: That he beat, ill-treated and abused numerous Allied prisoners of war.

Verdict: Guilty.

Sentence: Imprisonment with hard labour for 10 years.

239) Trial of Takeo Takahashi and Katsuyau Sato, and 2 others, all Japanese nationals.

J. Date & Place of Trial: 25th September 1946 to 11th February 1947 at Yokohama.

Charge: Unlawful beating, abuse and torture of numerous American and Allied PoW, in some case the mistreatments and tortures are alleged to have contributed to the deaths of the prisoners.

Verdict: Two of the accused severed from the charges. Two found guilty.

Sentences: Imprisonment with hard labour for 40 years, 1,
" " " " " 15 " 1.

240) Trial of Masayoshi Kato, a Japanese national.

J. Date & Place of Trial: 25 Jan. - 5 Feb. 1947 at Yokohama.

Charge: That at a hospital and at a PoW camp, he beat and mistreated numerous American and Allied PoW.

Verdict: Guilty.

Sentence: Imprisonment for 25 years with hard labour.

241) Trial of Chogo Hashimoto, a Japanese national.

J. Date & Place of Trial: 11 - 17 February, 1947 at Yokohama.

Charge: Beating and abuse of Prisoners of war.

Verdict: Guilty.

Sentence: Imprisonment for 15 years with hard labour.

242) Trial of Mariano Uyeki, alias Sekimasa Uyeki, a Japanese national.

J. Date & Place of Trial: 22 January 1946 at Manila.
 Charge: Murder of a Filipino.
 Verdict: Guilty.
 Sentence: Death by hanging.
 Re-trial:
 Date & Place of Trial: 15 April 1946 at Manila.
 Charge: As before.
 Verdict: Guilty.
 Sentence: Death by hanging.
 Sentence confirmed and ordered executed by Gen. McArthur.
 Uyeki released 28 December 1946 by direction of the Secretary of War.

243) Trial of Teodoro Tatishi, alias Teodoro Cantos, a Japanese national.

J. Date & Place of Trial: 20 May 1946 at Manila.
 Charge: Murder, other assaults and mistreatments of Filipino civilians.
 Verdict: Guilty.
 Sentence: Death by hanging.
 Accused released by direction of the Secretary of War.

244) Trial of Michinori Nakamura and 6 others, Japanese nationals.

J. Date & Place of Trial: 24 January 1947 at Manila.
 Charge: Murder of 5 American POW.
 Verdict: All the accused found guilty.
 Sentences: Death by hanging, 3,
 " " shooting, 1,
 Imprisonment for life, with hard labour, 3.

245) Trial of Shoichi Kadomatsu, a Japanese national.

J. Date & Place of Trial: 13 January 1947 at Manila.
 Charge: Murder, cruelty and torture of American POW.
 Verdict: Guilty.
 Sentence: Death by hanging.

246) Trial of Masanabu Narikawa,

J. Date & Place of Trial: 24 Feb. - 11 Mar. 1947 at Yokohama.
 Charge: That as a civilian guard serving with the armed forces of Japan at a POW camp, he did violate the laws and customs of war.
 Verdict: Guilty.
 Sentence: Imprisonment for 40 years, with hard labour.

247) Trial of Shumpei Hagino and 10 others, Japanese nationals.

J. Date & Place of Trial: 31 January 1947 at Manila.
 Charge: Murder of civilians of the Philippine Islands.
 Verdict: Two of the accused died before trial.
 Three were found not guilty.
 6 Found Guilty.
 Sentences: Death by musketry, 1,
 Imprisonment for life with hard labour, 2,
 " " 30 years, " " 1,
 " " 25 " " 1,
 " " 20 " " 1,

248) Trial of Gosuke Taniguchi and 4 others, Japanese nationals.

J. Date & Place of Trial: 14 February 1947 at Manila.
 Charge: Murder of five unidentified American prisoners of war.
 Verdict: All the accused found guilty.
 Sentences: Death by musketry, 1.
 Imprisonment for life, with hard labour, 4.

- 249) Trial of Naoki Hamasaki, a Japanese national.
J. Date & Place of Trial: 14 February 1947 at Manila.
Charge: Murder, cruelty and torture, other assaults and mistreatments of Filipino civilians.
Verdict: Guilty.
Sentence: Death by hanging.
- 250) Trial of Yasuo Hiroshi and Masaru Takata, Japanese nationals.
J. Date & Place of Trial: 10 February 1947 at Manila.
Charge: Murder, cruelty and torture, other assaults and mistreatments of Filipino civilians.
Verdict: Both found guilty.
Sentences: Death by hanging, 1.
Imprisonment for 20 years, with hard labour, 1.
- 251) Trial of Kumao Tani, a Japanese national.
J. Date & Place of Trial: 20 February 1947 at Manila.
Charge: Cruelty and torture of a Filipino civilian.
Verdict: Guilty.
Sentence: Imprisonment for 5 years with hard labour.
- 252) Trial of Tanaka Hisakazu and 5 others, Japanese nationals.
J. Date & Place of Trial: 16 - 31 August 1946 at Shanghai.
Charge: Illegal trial and execution of a United States citizen in April 1945.
Verdict: Not guilty, 1.
Guilty, 5.
Sentences: Death, 2,
Imprisonment for life, 2,
" " 50 years, 1.
One Death sentence disapproved; one death sentence commuted to life imprisonment; two life sentences reduced to imprisonment for 10 years, one sentence approved.

Nuremberg Subsequent Trials.

- 253) Trial of Karl Brandt and 22 others, German nationals.
Date & Place of Trial: The indictment is dated 25th October 1946, and the trial is still in progress at No.1 Court, Nuremberg.
Charge: That the defendants participated in a Common Design or Conspiracy to commit and did commit War Crimes and Crimes against Humanity, as defined in Control Council Law No.10, ...these crimes included murders, brutality, cruelties, tortures, atrocities and other inhumane acts. Certain defendants are further charged with membership in a criminal organization.
- 254) Trial of Erhard Milch, a German national.
Date & Place of Trial: The indictment is dated 13 November 1946 and the trial is still in progress at No.2. Court, Nuremberg.
Charge: War Crimes and Crimes against Humanity as defined in Control Council Law No.10, which included deportation, enslavement and mis-treatment of millions of persons, participation in criminal medical experiments upon human beings and murders, brutalities, cruelties, tortures, atrocities and other inhumane acts.

255) Trial of Josef Altstötter and 15 others, German nationals.

Date & Place of Trial: The indictment is dated 16th December 1946 and the trial is still in progress at No.3. Court, Nuremberg.

Charge: Participation in a Common Design or Conspiracy to commit and did commit War Crimes and Crimes against Humanity, as defined in Control Council Law No.10. These crimes included murders, brutalities, cruelties, tortures, atrocities, plunder of private property and other inhumane acts. Certain defendants are further charged with membership in Criminal Organizations.

256) Trial of Oswald Pohl and 17 others, German nationals.

Date & Place of Trial: The trial commenced on 10 March 1946 at No. 4 Court, Nuremberg, and is still in progress.

Charge: That the defendants participated in a Common Design or Conspiracy to commit and did commit War Crimes and Crimes Against Humanity, as defined in the Control Council Law No.10... These crimes included murders, brutalities, cruelties, tortures, atrocities, deportations, enslavement, forced labour, plunder of property and other inhumane and unlawful acts. All except one of the defendants are further charged with membership of a Criminal Organisation.

257) Trial of Friedrich Flick and 5 others, German nationals.

Date & Place of Trial: The indictment is dated 18 March 1947 and the trial is now in progress at No.5 Court, Nuremberg.

Charge: That they committed War Crimes and Crimes against Humanity as defined in Control Council Law No.10. These crimes included murders, brutalities, cruelties, tortures, atrocities, deportation, enslavement, plunder of public and private property, persecutions and other inhumane acts.

VII. Australian Cases.

- 2) Trial of 1st Lt. Takehiko Tazaki, a Japanese national.
Date & Place of Trial: 30th November, 1945 at Wewak.
Charge: Mutilation of the dead, and cannibalism. (2 charges).
Verdict: Guilty.
Sentence: Death by hanging.
Findings confirmed but sentence mitigated to imprisonment for 5 years, with hard labour.
- 3) Trial of S/Maj. Tsuruo Sugino, a Japanese national.
Date & Place of Trial: 4 December 1945 at Labuan.
Charge: Massacre of approximately 36 prisoners, and Massacre of approximately 15 prisoners. (2 charges);
Verdict: Guilty.
Sentence: Death by shooting.
Confirmed and executed.
- 4) Trial of Capt. Michiaki Misumi and Sup.Pte. Siataro Goto.
Date & Place of Trial: 7 - 13 December 1945 at Morotai.
Charge: Murder of a prisoners of war.
Verdict: Guilty.
Sentence: Misumi, Death by shooting,
Goto, Imprisonment for 10 years.
Confirmed.
- 5) Trial of Guard Hideo Matsumoto and 14 others.
Date & Place of Trial: 8 December 1945 at Labuan.
Charge: Massacre of allied PoW.
Verdict: Guilty.
Sentences: Death by being shot.
Sentences mitigated to 10 years imprisonment with hard labour.
- 6) Trial of Seiichi Hirota and 6 others.
Date & Place of Trial: 8 December 1945 at Labuan.
Charge: Massacre of 51 allied PoW.
Verdict: Guilty.
Sentence: Death by shooting.
Sentence mitigated to imprisonment for 10 years, with hard labour.
- 7) Trial of Sgt.Maj. Yoshiteru Hidano.
Date & Place of Trial: 11 December 1945 at Wewak, New Guinea
Charge: Murder of a New Guinea native, and Cannibalism.
(2 charges).
Verdict: Not Guilty.
- 8) Trial of W/O Toraturo Matsumoto and S/Maj. Masaku Inagaki.
Date & Place of Trial: 12 December 1945 at Rabaul.
Charge: Torture of civilians.
Verdict: Inagaki, not guilty.
Matsumoto, guilty.
Sentence: Imprisonment for life.
Sentence mitigated to imprisonment for 10 years.
- 9) Trial of L/Cpl. Rehei Okumura and 2 others.
Date & Place of Trial: 13 - 18 December 1945 at Rabaul.
Charge: Murder of a Chinaman.
Verdict: Guilty.
Sentences: Death by hanging.
Confirmed.

- 10) Trial of Capt. Tokio Iwasa.
Date & Place of Trial: 13 December 1945 at Morotai.
Charge: Murder of a prisoner of war.
Verdict: Guilty.
Sentence: Death by shooting.
Confirmed and executed.
- 11) Trial of Sup.Pte. Asamasa Susuki and 2 others.
Date & Place of Trial: 13 December 1945 at Morotai.
Charge: Murder of a prisoner of war.
Verdict: Not Guilty, 1.
Guilty, 2.
Sentences: Imprisonment for 10 years, 2.
Sentences mitigated to imprisonment for 5 years.
- 12) Trial of Lt. Seizo Tanaka and Pte. Maseo Fujisaki.
Date & Place of Trial: 13 December 1945 at Morotai.
Charge: Murder of a prisoner of war.
Verdict: Guilty.
Sentences: Tanaka, death by shooting.
Fujisaki, Imprisonment for 10 years.
Fujisaki's sentence mitigated to imprisonment for 5 years.
- 13) Trial of Lt. Tokuhiko Yabe and 2 others.
Date & Place of Trial: 13 December 1945 at Morotai.
Charge: Murder of a prisoner of war.
Verdict: Guilty.
Sentence: Death by shooting, 2.
Imprisonment for 10 years, 1.
Confirmed.
- 14) Trial of Pte. Takeo Tanaka.
Date & Place of Trial: 13 December 1945 at Morotai.
Charge: Murder of a prisoner of war.
Verdict: Guilty.
Sentence: Imprisonment for 10 years.
Sentence mitigated to imprisonment for 5 years.
- 15) Trial of Sgt. Yoshio Yaki.
Date & Place of Trial: 13 December 1945 at Rabaul.
Charge: Rape of a Chinese civilian and torture of the same woman. (2 charges).
Verdict: Guilty.
Sentence: Death by hanging.
Confirmed and executed.
- 16) Trial of Col. Shigeru Koba and Maj. T. Tamura.
Date & Place of Trial: 15 December 1945 at Morotai.
Charge: Murder of prisoners of war.
Verdict: Guilty.
Sentence: Death by shooting, 2.
Confirmed and executed.
- 17) Trial of Capt. Takeo Nakato and 3 others.
Date & Place of Trial: 15 - 22 December 1945 at Labuan.
Charge: Ill-treatment of prisoners of war, by authorising and permitting men under their command frequent assaults upon POW and civilian internees, by denying them sufficient food and medical supplies and by forcing many when sick and starving to do heavy manual work. (3 charges.)
Verdict: Guilty.
Sentences: All accused to suffer death by shooting.
2 sentences commuted to imprisonment for 5 years.

18) Trial of Lt. Fumiwo Yunomura.
 Date & Place of Trial: 20 December 1945 at Morotai.
 Charge: Murder of prisoners of war in that he unlawfully ordered and caused to be carried out the killing of the PoW.
 Verdict: Guilty.
 Sentence: Death by shooting.
 Sentence commuted to imprisonment for 5 years.

19) Trial of Sgt. Naogi Hosotani.
 Date & Place of Trial: 29 December 1945 at Labuan.
 Charge: Murder of prisoners of war.
 Verdict: Guilty.
 Sentence: Death by shooting.
 Confirmed and executed.

20) Trial of Sgt. Shigaru Iwabe and 6 others.
 Date & Place of Trial: 29 - 31 December 1945 at Labuan.
 Charge: Massacre, i.e. killing of unknown prisoners of war.
 Verdict: Not guilty, 1.
 Guilty, 6.
 Sentences: Imprisonment for 15 years, 1,
 " " 14 " 1,
 " " 12 " 1,
 " " 10 " 2,
 " " 5 " 1.

21) Trial of Capt. Wadami Shirozu and 35 others.
 Date & Place of Trial: 2 - 18 January 1946 at Ambon and 25 January to 15 February 1946 at Morotai.
 Charge: Ill-treatment of Australian and Dutch prisoners of war by physical beatings and torture, compelling sick and infirm PoW to go out on working parties, failing to ensure the provision of proper food supplies and failing to ensure the provision of proper medical supplies and medical care.
 Verdict: Guilty.
 Sentences: Death by shooting, 4,
 Imprisonment for 20 years, 2,
 " " 18 " 1,
 " " 15 " 1,
 " " 12 " 1,
 " " 10 " 2,
 " " 8 " 1,
 " " 7 " 1,
 " " 6 " 2,
 " " 5 " 5,
 " " 4 " 2,
 " " 3 " 2,
 " " 2 " 5,
 " " 1 1/2 " 1,
 " " 1 " 6.

22) Trial of Capt. Takuo Takakuwa and Capt. Genzo Watanabe.
 Date & Place of Trial: 3 - 5 January 1946 at Labuan.
 Charge: Murder and massacre of prisoners of war. (4 charges).
 Verdict: Guilty.
 Sentences: Takakuwa, Death by hanging.
 Watanabe, " " shooting.
 Confirmed and executed.

23) Trial of Haruo Kikawa.
 Date & Place of Trial: 4 and 10 January 1946 at Rabaul.
 Charge: Murder of native civilians. (2 charges).
 Verdict: Guilty.
 Sentence: Death by hanging.
 Confirmed.

- 24) Trial of Capt. Susumu Hoshijima.
Date & Place of Trial: 8 - 20 January 1946 at Labuan.
Charge: Ill-treatment of prisoners of war at British North Borneo, when Commandant of a PoW camp. (4 charges).
Verdict: Guilty of all charges.
Sentence: Death by hanging.
Sentence confirmed and executed.
- 25) Trial of Rear Admiral Kyoho Hamanaka and Commander Masimitsu Takasaki.
Date & Place of Trial: 11 - 12 January 1946 at Morotai.
Charge: Murder of prisoners of war.
Verdict: Takasaki, not guilty.
Hamanaka, guilty.
Sentence: Death by shooting.
Sentence commuted to imprisonment for 15 years.
- 26) Trial of Sgt. Toshiharu Okada and 9 others.
Date & Place of Trial: 11, 12 and 13 January 1946 at Labuan.
Charge: Massacre of unknown PoW, approximately 17 in number.
Verdict: All the accused found guilty.
Sentences: Imprisonment for life, 3,
" " 20 years, 1,
" " 15 " 3,
" " 10 " 1,
" " 8 " 1.
Sentence against one accused not shown.
Confirmed.
- 27) Trial of Tsuneyoshi Goto and 7 others.
Date & Place of Trial: 13 - 14 January 1946 at Labuan.
Charge: Massacre of 11 unknown prisoners of war.
Verdict: All the accused found guilty.
Sentences: Imprisonment for 20 years, 2,
" " 15 " 4,
" " 12 " 1.
Sentence against one accused not shown.
Other sentences confirmed.
- 28) Trial of Capt. Kihachiro Kato.
Date & Place of Trial: 14 January 1946 at Morotai.
Charge: Murder of a prisoner of war.
Verdict: Guilty.
Sentence: Death by shooting.
Sentence confirmed and executed.
- 29) Trial of Yoichi Beppu and 6 others.
Date & Place of Trial: 14 - 15 January 1946 at Labuan.
Charge: Massacre of about five unknown prisoners of war.
Verdict: Not guilty, 2,
Guilty, 5.
Sentences: Imprisonment for 15 years, 4,
" " 10 " 1.
Findings and sentences confirmed.
- 30) Trial of Lt. Col. Takeyo Komura.
Date & Place of Trial: 16 - 18 January 1946 at Morotai.
Charge: Murder of prisoners of war, i.e. that he unlawfully ordered and caused to be carried out the killing of 3 members of the R.A.A.F., PoW.
Verdict: Guilty.
Sentence: Death by shooting.
Confirmed and executed.

- 31) Trial of S/Maj. Hisao Mutozumi and 10 others.
 Date & Place of Trial: 18 - 19 January 1946 at Labuan.
 Charge: Massacre in that they without lawful cause or excuse, killed unknown prisoners of war, numbering about 23.
 Verdict: Not guilty, 3.
 Guilty, 8.
 Sentences: Imprisonment for life, 1,
 15 years, 4,
 12 " , 3.
 One sentence of 12 years' imprisonment mitigated to two years. All other sentences confirmed.
- 32) Trial of Sgt. Tomiyoshi Okada and S/Maj. Kazuma Hondo.
 Date & Place of Trial: 21-23 January 1946 at Morotai.
 Charge: Murder of two members of the R.A.A.F., then POW.
 Verdict: Hondo, not guilty.
 Okada, guilty.
 Sentence: Death by shooting.
 Confirmed and executed.
- 33) Trial of Sgt. Kyuichi Sano and Jnr. Civ. Offr. Goro Tamaki.
 Date & Place of Trial: 28 January 1946 at Rabaul.
 Charge: Torturing a civilian.
 Verdict: Guilty.
 Sentences: Imprisonment for 5 years with hard labour, 1.
 " " 2 " " " " , 1.
 Confirmed.
- 34) Trial of Lt. Taisuke Kawazumi and 8 others.
 Date & Place of Trial: 5 - 14 February 1946 at Morotai.
 Charge: Ill-treatment of prisoners of war at a camp.
 Verdict: Not guilty, 2.
 Guilty, 7.
 Sentences: Imprisonment for 10 years, 4,
 " " 8 " , 1,
 " " 6 " , 1,
 " " 2 " , 1.
 Confirmed.
- 35) Trial of Lt. Tameyoshi Katagiri.
 Date & Place of Trial: 15 February 1946 at Morotai.
 Charge: Murder of 2 members of the R.A.A.F., prisoners of war.
 Verdict: Guilty.
 Sentence: Imprisonment for 10 years.
 Confirmed.
- 36) Trial of Sub-Lt. Matagi Honji and PO Eizo Kurokawa.
 Date & Place of Trial: 18 February 1946 at Morotai.
 Charge: Murder of a prisoner of war
 Guilty.
 Honji, death by shooting.
 Kurokawa, Imprisonment for 15 years.
- 37) Trial of Sub-Lt. Hideo Katayama and 2 others.
 Date & Place of Trial: 25 - 28 February 1946 at Morotai.
 Charge: Murder of four R.A.A.F. prisoners of war.
 Verdict: Guilty.
 Sentences: Death by shooting, 3.
 One of the accused executed, the others held as a witnesses in pending trials.
- 38) Trial of W/O Masuo Hamazaki and 2 others.
 Date & Place of Trial: 1 - 2 March 1946 at Rabaul.
 Charge: Murder of a civilian.
 Verdict: Guilty.
 Sentence: Imprisonment for 25 years, 1.
 " " 15 " , 2.
 Confirmed.

- 39) Trial of Sgt. Kazuo Osaki,
 Date & Place of Trial: 6 - 8 March 1946 at Rabaul.
 Charge: Murder of a member of the Chinese National Army.
 Verdict: Guilty.
 Sentence: Death by hanging.
 Confirmed and executed.
- 40) Trial of Capt. Hisaneo Mitsuba and 3 others.
 Date & Place of Trial: 15 - 18 March 1946 at Rabaul.
 Charge: Murder of an Indian Army officer.
 Verdict: One accused, not guilty.
 Three found guilty.
 Sentences: Imprisonment for 20 years, 2,
 " " 5 " 1.
 Confirmed. One accused committed suicide.
- 41) Trial of Capt. Namio Izumi and 4 others.
 Date & Place of Trial: 18 - 19 March 1946 at Rabaul.
 Charge: Murder of a member of the Indian Army.
 Verdict: Guilty, 4,
 Not Guilty, 1.
 Sentences: Death by hanging, 2,
 Imprisonment for 15 years, 1,
 " " 10 " 1,
 Confirmed.
- 42) Trial of Lt. Col. Yujiro Yutani and 2 others.
 Date & Place of Trial: 19 March 1946 - 10 April 1946 at Darwin.
 Charge: Ill-treatment of prisoners of war by beating and torturing.
 Verdict: Not guilty, 1,
 Guilty, 2.
 Sentences: Imprisonment for 10 years with hard labour, 1.
 " " 6 months, 1.
 Confirmed.
- 43) Trial of S/Maj. Shigeru Ohashi and 6 others.
 Date & Place of Trial: 20 - 23 March 1946 at Rabaul.
 Charge: Murder by beheading of one half caste and 17 natives.
 Verdict: Not guilty, 5,
 Guilty, 2.
 Sentences: Imprisonment for life, 2.
 Findings confirmed and sentences commuted to imprisonment for 2 years in each case.
- 44) Trial of Lt. Hisaneo Mitsuba and 4 others.
 Date & Place of Trial: 21 - 22 March 1946 at Rabaul.
 Charge: Murder of two members of the Indian Army.
 Verdict: Guilty.
 Sentences: Death by hanging, 1,
 Imprisonment for 15 years, 4.
 First accused committed suicide before sentence could be carried out.
- 45) Trial of Hisaneo Mitsuba and 2 others.
 Date & Place of Trial: 22 March 1946 at Rabaul.
 Charge: Murder of 2 unknown Indian prisoners of war.
 Verdict: Not guilty, 2.
 Guilty, 1.
 Sentence: Death by hanging.
 Accused committed suicide before execution of sentence.
- 46) Trial of Lt. Jintaro Yamamoto and another.
 Date & Place of Trial: 25 March 1946 at Rabaul.
 Charge: Murder of three Indians, names unknown.
 Verdict: Guilty.
 Sentences: Death by hanging, 2.
 Findings confirmed but sentences commuted to imprisonment for 15 years.

- 47) Trial of Sgt. Shotaro Kobayashi and L/Cpl. Hideo Shibata.
 Date & Place of Trial: 25 - 26 March 1946 at Rabaul.
 Charge: Murder of 6 Indian prisoners of war.
 Verdict: Guilty.
 Sentences: Both to suffer death by hanging.
 Confirmed and executed.
- 48) Trial of Maj. Masao Kudo and 2 others.
 Date & Place of Trial: 26 - 28 March 1946 at Rabaul.
 Charge: Murder of three Indian prisoners of war.
 Verdict: Not guilty, 1.
 Guilty, 2. (of manslaughter).
 Sentences: Imprisonment for 10 years, 1,
 7 " 1.
 Confirmed.
- 49) Trial of Col. Satoru Kikuchi,
 Date & Place of Trial: 28 - 29 March 1946 at Rabaul.
 Charge: Murder of a Chinese man.
 Verdict: Guilty.
 Sentence: Death by hanging.
 Sentence commuted to imprisonment for 7 years.
- 50) Trial of Lt. Masaru Matsuo and W/O Gunichi Yamanaka.
 Date & Place of Trial: 29 March 1946 at Rabaul.
 Charge: Murder of seven Indians.
 Verdict: Guilty.
 Sentence: Death by hanging.
 Confirmed and executed.
- 51) Trial of Maj. Masao Kudo and 3 others.
 Date & Place of Trial: 30 March - 1 April 1946 at Rabaul.
 Charge: Murder of 2 members of the Indian Army, POW.
 Verdict: All accused guilty of manslaughter.
 Sentences: Imprisonment for 15 years, 1,
 " " 10 " 1,
 " " 5 " 2.
 Confirmed.
- 52) Trial of Capt. Eitaro Shinohara and 2 others.
 Date & Place of Trial: 30 March - 1 April 1946 at Rabaul.
 Charge: That when members of a Military Court convened to
 try two natives of Kanbanguru, failed to ensure that
 such natives were afforded a fair and proper trial.
 Verdict: Guilty.
 Sentences: Imprisonment for 5 years.
 Confirmed.
- 53) Trial of Lt. Hisato Tomiyasu.
 Date & Place of Trial: 2 April 1946 at Rabaul.
 Charge: Murder of certain unknown Indian POW, and Cannibalism.
 (2 charges).
 Verdict: Guilty of both charges.
 Sentence: Death by hanging.
 Commuted to imprisonment for 15 years.
- 54) Trial of Lt. Hisaneo Mitsuba and 3 others.
 Date & Place of Trial: 3 - 4 April 1946 at Rabaul.
 Charge: Murder of 4 Indian Army officers.
 Verdict: Guilty.
 Sentences: Death by hanging, 2,
 Imprisonment for 15 years, 2.
 One accused committed suicide. Sentences confirmed
 to the other accused.

- 55) Trial of L/Cpl. Bishin Maeda.
Date & Place of Trial: 4 - 5 April 1946 at Rabaul.
Charge: Murder of a member of the Indian Army.
Verdict: Guilty.
Sentence: Death by hanging.
Confirmed and executed.
- 56) Trial of Capt. Naoji Kashimoto and Sgt. Shotaro Kobayashi.
Date & Place of Trial: 5 - 6 April 1946 at Rabaul.
Charge: Murder of a member of the Indian Army.
Verdict: Not guilty, 1,
Guilty, 1.
Sentence: Death by hanging.
Confirmed and executed.
- 57) Trial of W/O Tsugiji Matsumoto and 2 others.
Date & Place of Trial: 6 April 1946 at Rabaul.
Charge: Torture of a civilian woman at Laguramau.
Verdict: Guilty.
Sentence: Death by hanging.
Confirmed and executed.
- 58) Trial of Cpl. Kumakichi Ishiyama and another.
Date & Place of Trial: 8 - 9 April 1946 at Rabaul.
Charge: Murder of two Indian prisoners of war.
Verdict: Guilty, 1,
Not Guilty, 1.
Sentence: Death by hanging.
Confirmed and executed.
- 59) Trial of Sgt. Tetsuo Yamaoka and L/Cpl. Kazuhide Sumitomo,
Date & Place of Trial: 9 April 1946 at Rabaul.
Charge: Ill-treatment of an Indian army officer.
Verdict: Guilty.
Sentence: Imprisonment for 15 years, 2.
Confirmed.
- 60) Trial of S/Maj. Junei Hasegawa and Sgt. Tsurumatsu Numamichi.
Date & Place of Trial: 10 - 11 April 1946 at Rabaul.
Charge: Murder of an Indian prisoner of war.
Verdict: Guilty.
Sentences: Death by hanging, 2.
Confirmed and executed.
- 61) Trial of Sgt. Tozaburo Matsushima and 8 others.
Date & Place of Trial: 10 - 16 April 1946 at Rabaul.
Charge: Murder of 24 Chinese prisoners of war, and murder
of 6 Chinese prisoners of war. (2 charges).
Verdict: All accused guilty of both charges.
Sentences: Death by hanging, 9.
Confirmed.
- 62) Trial of Sgt. Ryosaku Kishi.
Date & Place of Trial: 11 - 12 April 1946 at Rabaul.
Charge: Murder of a member of the Indian army.
Verdict: Guilty.
Sentence: Death by hanging.
Confirmed and executed.
- 63) Trial of Capt. Moriyuki Nakamura and 2 others.
Date & Place of Trial: 13 April 1946 at Rabaul.
Charge: Murder of two Indian prisoners of war.
Verdict: Not guilty, 1,
Guilty, 2.
Sentences: Death by hanging, 2.
Confirmed and executed.

- 64) Trial of Capt. Takashi Takahashi and 6 others.
Date & Place of Trial: 15 - 16 April 1946 at Rabaul.
Charge: Cannibalism by eating the flesh of 2 Indian PoW.
Verdict: Not Guilty, 3,
Guilty, 4.
Sentences: Death by hanging, 1,
Imprisonment for 10 years, 3.
Not confirmed.
- 65) Trial of Lt. Col. Yujiro Yutani and 9 others.
Date & Place of Trial: 15 - 29 April 1946 at Darwin.
Charge: Murder of two British army prisoners of war (2 charges).
Verdict: Not guilty, 5,
Guilty, 5.
Sentences: Death by shooting, 1,
Imprisonment for 5 years with hard labour, 2,
" " 4 " " " " 2,
Confirmed.
- 66) Trial of Sgt. Maj. Hisao Shimizu and 2 others.
Date & Place of Trial: 17 April 1946 at Rabaul.
Charge: Murder of 11 Indian prisoners of war.
Verdict: Guilty.
Sentences: Imprisonment for 20 years, 2,
" " 15 " 1.
Confirmed.
- 67) Trial of Lt. Mitsusada Otsubo.
Date & Place of Trial: 18 April, 1946 at Rabaul.
Charge: Murder of 3 Indian PoW at Kata Kata and one at Tabuna
(2 separate charges).
Verdict: Guilty.
Sentence: Death by hanging.
Accused accidentally killed.
- 68) Trial of Cpl. Kazuyoshi Takai and L/Cpl. Takashi Sakai.
Date & Place of Trial: 23 April 1946 at Rabaul.
Charge: Murder of an Indian prisoner of war.
Verdict: Guilty.
Sentences: Death by hanging, 2.
Confirmed and executed.
- 69) Trial of Lt. Kenosuke Uetoge.
Date & Place of Trial: 24 - 25 April 1946 at Rabaul.
Charge: Murder 11 members of the Chinese army.
Verdict: Guilty.
Sentence: Death by hanging.
Confirmed and executed.
- 70) Trial of Lt. Comd. Naomichi Suzuki and Lt. Yoshio Nara.
Date & Place of Trial: 26 April 1946 at Rabaul.
Charge: Murder of a native of Ocean Island.
Verdict: Both accused found guilty.
Sentences: Death by hanging.
Sentence in the case of Suzuki confirmed.
" " " " Nara commuted to
imprisonment for 20 years.
- 71) Trial of Lt. Wataru Sakuma and 3 others.
Date & Place of Trial: 27 April 1946 at Rabaul.
Charge: Murder of persons unknown at Ocean Island.
Verdict: All the accused found guilty.
Sentences: Death by hanging, 4.
Confirmed and executed.

- 72) Trial of Lt. Hiroe Sakoda and 5 others.
 Date & Place of Trial: 26 - 29 April 1946 at Rabaul.
 Charge: Torture of a native at Nauru Island.
 Verdict: All accused found guilty.
 Sentences: Death by hanging, 2,
 Imprisonment for 20 years, 2,
 15 2.
 Confirmed.
- 73) Trial of Capt. Kasukane Saiki and 8 others.
 Date & Place of Trial: 1 - 15 May 1946 at Darwin.
 Charge: Ill-treatment of prisoners of war in Timor.
 Verdict: Not Guilty, 6,
 Guilty, 3.
 Sentences: Imprisonment for 3 months, 1,
 " " 1 month, 2.
 Confirmed.
- 74) Trial of W/O Yosutaki Hatakeyama and 5 others.
 Date & Place of Trial: 1 - 2 May 1946 at Rabaul.
 Charge: Murder of a Chinese civilian.
 Verdict: Not guilty, 1,
 Guilty, 5.
 Sentences: Death by hanging, 5.
 Confirmed and executed.
- 75) Trial of Lt. Denji Miyasaka and 3 others.
 Date & Place of Trial: 2 May 1946 at Rabaul.
 Charge: Murder of persons unknown.
 Verdict: Guilty.
 Sentences: Death by hanging, 1,
 Imprisonment for 20 years, 3.
 Confirmed.
- 76) Trial of Sgt. Kuniyoshi Mawatari and another.
 Date & Place of Trial: 2 - 3 May 1946 at Rabaul.
 Charge: Murder of a member of the Indian army.
 Verdict: Not guilty, 1,
 Guilty, 1.
 Sentence: Death by hanging.
 Confirmed and executed.
- 77) Trial of Capt. Hyotaro Yamamoto and 12 others.
 Date & Place of Trial: 3 - 6 May 1946 at Rabaul.
 Charge: Murder of 9 members of the Dutch East Indies Army and
 1 member of the Indian army.
 Verdict: All the accused guilty, except 2.
 Sentences: Death by hanging, 3,
 Imprisonment for 20 years, 7,
 " 15 " , 1.
 Confirmed.
- 78) Trial of Lt. Daisaku Goto.
 Date & Place of Trial: 6 - 7 May 1946 at Rabaul.
 Charge: Murder of 3 native residents of Petats, murder of a
 native at Matzungan, murder of 2 Matzungan native women
 and murder of 3 natives at Sohanah (4 charges).
 Verdict: Guilty of 3 charges, not guilty of the last charge.
 Sentence: Death by shooting.
 Confirmed.
- 79) Trial of L/Cpl. Masanori Tokawa.
 Date & Place of Trial: 7 May 1946 at Rabaul.
 Charge: Murder of a Prisoner of War.
 Verdict: Guilty.
 Sentence: Death by hanging.
 Confirmed and executed.

- 80) Trial of Capt. Eikichi Kato.
 Date & Place of Trial: 7 May 1946 at Rabaul.
 Charge: Murder of 3 Petats natives and murder of 3 Matsungen women and one child. (2 charges).
 Verdict: Guilty of both charges except the words "and one child".
 Sentence: Death by shooting.
 Confirmed and executed.
- 81) Trial of L/Cpl. Masanori Tokawa.
 Date & Place of Trial: 8 May 1946 at Rabaul.
 Charge: Ill-treatment of a prisoner of war.
 Verdict: Guilty.
 Sentence: Imprisonment for 5 years.
 Prisoner executed in respect of other charge.
 See case No. Aus.79.
- 82) Trial of Civilian Employee Hikoju Sato.
 Date & Place of Trial: 8 - 9 May 1946 at Rabaul.
 Charge: Murder of two Nauruan natives.
 Verdict: Guilty.
 Sentence: Death by hanging.
 Confirmed and executed.
- 83) Trial of Sgt. Takaharu Sakamoto and 2 others.
 Date & Place of Trial: 10 May 1946 at Rabaul.
 Charge: Violations of the laws and usages of war by cruelly beating 11 Nauruans.
 Verdict: All the accused guilty except concerning 4 victims.
 Sentences: Imprisonment for 5 years, 3.
 Findings and sentences confirmed in the case of 2 accused, and not confirmed in the case of one accused.
- 84) Trial of Lt. Teruma Hiranaka and Lt. Osamu Katagiri.
 Date & Place of Trial: 13 May 1946 at Rabaul.
 Charge: Murder of 15 Indians, prisoners of war.
 Verdict: Both accused found guilty.
 Sentences: Death by hanging, 2.
 Confirmed and executed.
- 85) Trial of Capt. Toma Ikeba and 2 others.
 Date & Place of Trial: 14 - 15 May 1946 at Rabaul.
 Charge: Murder of 9 Indonesians.
 Verdict: All found guilty.
 Sentences: Death by hanging, 3.
 Confirmation of finding and sentences not promulgated to accused, as all three were executed in respect of other charges.
- 86) Trial of Lt. Cndr. Hiromi Nakayama.
 Date & Place of Trial: 15 May 1946 at Rabaul.
 Charge: Murder of the Administrator of Nauru Is. and 4 other British persons, members of the British Phosphate Commission.
 Verdict: Guilty.
 Sentence: Death by hanging.
 Confirmed and executed.
- 87) Trial of Capt. Toma Ikeba and 3 others.
 Date & Place of Trial: 15 - 16 May 1946 at Rabaul.
 Charge: Murder of 12 Indians.
 Verdict: Not guilty, 1,
 Guilty, 3.
 Sentences: Imprisonment for 10 years, 1,
 " " 5 " , 1,
 " " 2 " , 1.
 Confirmation of finding and sentence promulgated to one accused only. The other two accused were executed in respect of other charges.

- 88) Trial of Sgt. Hiroshi Sato.
Date & Place of Trial: 16 May 1946 at Rabaul.
Charge: Ill-treatment of a Prisoner of War.
Verdict: Guilty.
Sentence: Imprisonment for 5 years.
Confirmed.
- 89) Trial of Paymaster Sergeant Major Hachiro Uo.
Date & Place of Trial: 16 May 1946 at Rabaul.
Charge: Ill-treatment of a prisoner of war.
Verdict: Guilty.
Sentence: Imprisonment for 5 years.
Confirmed.
- 90) Trial of Opl. Saikai Ozawa.
Date & Place of Trial: 17 May 1946 at Rabaul.
Charge: Illtreatment of a prisoner of war.
Verdict: Guilty.
Sentence: Imprisonment for 3 years.
Confirmed.
- 91) Trial of Capt. Toma Ikeba and 3 others.
Date & Place of Trial: 17 May 1946 at Rabaul.
Charge: Murder of an Indian.
Verdict: All accused found guilty.
Sentences: Death by hanging, 1,
Imprisonment for 10 years, 1,
" " 1 " , 2.
Confirmed.
- 92) Trial of Sgt. Yasuaki Okubo.
Date & Place of Trial: 18 May 1946 at Rabaul.
Charge: Ill-treatment of a prisoner of war.
Verdict: Guilty.
Sentence: Imprisonment for 1 year.
Confirmed.
- 93) Trial of Paymaster Lt. Tadayashu Ooishi and Opl. Tsutamu Yamada.
Date & Place of Trial: 18 May 1946 at Rabaul.
Charge: Ill-treatment of 3 prisoners of war, Indians.
Verdict: Both found guilty.
Sentences: Imprisonment for 2 years, 1,
" " 6 months, 1.
Confirmed.
- 94) Trial of Opl. Kazutoshi Okuri.
Date & Place of Trial: 18 May 1946 at Rabaul.
Charge: Murder of a Chinese labourer, or alternatively, unlawfully assaulting the said person, thereby occasioning him actual bodily harm.
Verdict: Guilty of second charge, not guilty of first charge.
Sentence: Imprisonment for 2 years.
Confirmed.
- 95) Trial of Capt. Masao Okubo.
Date & Place of Trial: 22 May 1946 at Rabaul.
Charge: Murder of 2 prisoners of war at New Guinea (2 charges).
Verdict: Guilty of both charges.
Sentence: Death by hanging.
Confirmed and executed.
- 96) Trial of Sgt. Maj. Kazuyoshi Shimada.
Date & Place of Trial: 29 May 1946 at Rabaul.
Charge: Ill-treatment of a number of Indian prisoners of war.
Verdict: Guilty.
Sentence: Imprisonment for 2 years.
Confirmed.

- 88) Trial of Sgt. Hiroshi Sato.
Date & Place of Trial: 16 May 1946 at Rabaul.
Charge: Ill-treatment of a Prisoner of War.
Verdict: Guilty.
Sentence: Imprisonment for 5 years.
Confirmed.
- 89) Trial of Paymaster Sergeant Major Hachiro Uo.
Date & Place of Trial: 16 May 1946 at Rabaul.
Charge: Ill-treatment of a prisoner of war.
Verdict: Guilty.
Sentence: Imprisonment for 5 years.
Confirmed.
- 90) Trial of Cpl. Saikai Ozawa.
Date & Place of Trial: 17 May 1946 at Rabaul.
Charge: Ill-treatment of a prisoner of war.
Verdict: Guilty.
Sentence: Imprisonment for 3 years.
Confirmed.
- 91) Trial of Capt. Toma Ikeba and 3 others.
Date & Place of Trial: 17 May 1946 at Rabaul.
Charge: Murder of an Indian.
Verdict: All accused found guilty.
Sentences: Death by hanging, 1,
Imprisonment for 10 years, 1,
" " 1 " , 2.
Confirmed.
- 92) Trial of Sgt. Yasuaki Okubo.
Date & Place of Trial: 18 May 1946 at Rabaul.
Charge: Ill-treatment of a prisoner of war.
Verdict: Guilty.
Sentence: Imprisonment for 1 year.
Confirmed.
- 93) Trial of Paymaster Lt. Tadayashu Ooishi and Cpl. Tsutomu Yamada.
Date & Place of Trial: 18 May 1946 at Rabaul.
Charge: Ill-treatment of 3 prisoners of war, Indians.
Verdict: Both found guilty.
Sentences: Imprisonment for 2 years, 1,
" " 6 months, 1.
Confirmed.
- 94) Trial of Cpl. Kazutoshi Okuri.
Date & Place of Trial: 18 May 1946 at Rabaul.
Charge: Murder of a Chinese labourer, or alternatively, unlawfully assaulting the said person, thereby occasioning him actual bodily harm.
Verdict: Guilty of second charge, not guilty of first charge.
Sentence: Imprisonment for 2 years.
Confirmed.
- 95) Trial of Capt. Masao Okubo.
Date & Place of Trial: 22 May 1946 at Rabaul.
Charge: Murder of 2 prisoners of war at New Guinea (2 charges).
Verdict: Guilty of both charges.
Sentence: Death by hanging.
Confirmed and executed.
- 96) Trial of Sgt. Maj. Kazuyoshi Shimada.
Date & Place of Trial: 29 May 1946 at Rabaul.
Charge: Ill-treatment of a number of Indian prisoners of war.
Verdict: Guilty.
Sentence: Imprisonment for 2 years.
Confirmed.

- 97) Trial of Civilian Officer Hisashi Yamamoto and Minor Civ. Officer.
Fuminiko Katayama.
Date & Place of Trial: 30-31 May 1946 at Rabaul.
Charge: Murder of 2 natives of New Britain, 2 separate charges.
Verdict: Guilty of both charges.
Sentence: Yamamoto, Death by hanging,
Katayama, Imprisonment for 5 years.
Confirmed.
- 98) Trial of Pte. Masao Fukushima.
Date & Place of Trial: 30 - 31 May 1946 at Rabaul.
Charge: Murder of a member of the Australian Imperial Force.
Verdict: Guilty.
Sentence: Death by hanging.
- 99) Trial of Sgt. Isao Mukai.
Date & Place of Trial: 6 June 1946 at Rabaul.
Charge: Ill-treatment of 2 prisoners of war, 2 separate charges.
Verdict: Guilty of both charges.
Sentence: Imprisonment for 2 years.
Findings and sentence on first charge not confirmed.
Confirmed on second charge.
- 100) Trial of S/Maj. Shigeru Okimura and Cpl. Eisaku Kasai.
Date & Place of Trial: 6 July 1946 at Rabaul.
Charge: Ill-treatment of an Indian prisoner of war.
Verdict: Guilty.
Sentences: Imprisonment for 18 months, 1,
" " 1 year, 1.
Confirmed.
- 101) Trial of S/Maj. Kiichi Ninomiya.
Date & Place of Trial: 8 June 1946 at Rabaul.
Charge: Ill-treatment of prisoners of war in that he failed
to provide them with proper food.
Verdict: Guilty.
Sentence: Imprisonment for 1 year.
Confirmed.
- 102) Trial of Cpl. Susumu Sakairi.
Date & Place of Trial: 11 June 1946 at Rabaul.
Charge: Unlawful assault of a Chinese national.
Verdict: Guilty.
Sentence: Imprisonment for 6 months.
Confirmed.
- 103) Trial of Cpl. Mitsuo Kataoka.
Date & Place of Trial: 13 June 1946 at Rabaul.
Charge: Ill-treatment of a Chinese prisoner of war.
Verdict: Guilty.
Sentence: Imprisonment for 2 years.
Confirmed.
- 104) Trial of Cpl. Kyuji Kato.
Date & Place of Trial: 13 June 1946 at Rabaul.
Charge: Ill-treatment of a Chinese prisoner of war.
Verdict: Guilty.
Sentence: Imprisonment for 2 years.
Confirmed.
- 105) Trial of Sgt. Toshio Shigeta.
Date & Place of Trial: 14 June 1946 at Rabaul.
Charge: Ill-treatment of a Chinese prisoner of war.
Verdict: Guilty.
Sentence: Imprisonment for 2 years.
Confirmed.

- 106) Trial of Cpl. Denshiro Suzuki.
 Date & Place of Trial: 14 - 15 June 1946 at Rabaul.
 Charge: Ill-treatment of a Chinese prisoner of war.
 Verdict: Guilty.
 Sentence: Imprisonment for 3 years.
 Confirmed.
- 107) Trial of Cpl. Kameo Nakamura.
 Date & Place of Trial: 15 June 1946 at Rabaul.
 Charge: Ill-treatment of a Chinese prisoner of war.
 Verdict: Guilty.
 Sentence: Imprisonment for 4 years.
 Confirmed.
- 108) Trial of Cpl. Tsutomu Yamada.
 Date & Place of Trial: 17 June 1946 at Rabaul.
 Charge: Ill-treatment of 2 Chinese prisoners of war (2 separate charges).
 Verdict: Guilty on both charges.
 Sentence: Imprisonment for 3 years.
 Confirmed.
- 109) Trial of Sgt. Maj. Makitaro Yoshioka and 2 others.
 Date & Place of Trial: 8 - 9 July 1946 at Rabaul.
 Charge: (1) Ill-treatment of 2 Indian prisoners of war.
 (2) Ill-treatment of 3 Indian prisoners of war.
 (3) That they beat an Indian prisoner of war.
 (4) That they beat 2 Indian prisoners of war.
 (Charges against one or more of the accused).
 Verdict: All found guilty on one or more charges.
 Sentences: Imprisonment for 5 years, 1,
 " " 2 " 1,
 " " 6 months, 1.
 Confirmed.
- 110) Trial of Sgt. Morizo Sakashita.
 Date & Place of Trial: 8 July 1946 at Rabaul.
 Charge: Ill-treatment of an Indian prisoner of war.
 Verdict: Guilty.
 Sentence: Imprisonment for 2 years.
 Confirmed.
- 111) Trial of 2/Lt. Surgeon Sodami Mukohata and 3 others.
 Date & Place of Trial: 10 - 12 July 1946 at Rabaul.
 Charge: Ill-treatment of Indian prisoners of war (2 charges).
 Verdict: Not guilty, 1,
 Guilty, 3.
 Sentences: Imprisonment for 15 years, 1,
 " " 7 " 1,
 " " 3 " 1.
 Confirmed.
- 112) Trial of 1st Lt. Tadenori Kishi and Cpl. Jitchoku Shinihiri.
 Date & Place of Trial: 11th July 1946 at Rabaul.
 Charge: Ill-treatment of 3 Indian prisoners of war (3 separate charges).
 Verdict: Both accused found guilty on one or more charges.
 Sentences: Imprisonment for 12 months, 1,
 " " 3 years, 1.
 Confirmed.
- 113) Trial of Sgt. Maj. Chuichi Tanaka and 2 others.
 Date & Place of Trial: 12 July 1946 at Rabaul.
 Charge: Ill-treatment of 3 Indian prisoners of war (2 charges).
 Verdict: Guilty.
 Sentences: Imprisonment for 2 years, 1,
 " " 12 months, 1,
 " " 6 " 1.
 Confirmed.