

BR. 36.1

MILITARY COURT FOR THE TRIAL OF WAR CRIMINALS

ACCUSED

Sgt. TOBO Hisashi  
of the Imperial Japanese Army, att.  
HQ 41 Group, Indian Pioneer Corps.

PLACE AND  
DATE OF TRIAL

Rangoon

30th Sep, 1st Oct 1946.

COURT CONVENED BY

Offg. GOC-in-C Burma Command

PRESIDENT

Lt-Col. M.C. WALSH

2 Punjab Regt.

MEMBERS

Major G.C. LALA

RAOC BA  
(Advocate India).  
4th P.W.O.  
Gurkha Rifles.

Capt. J.D. HALL

CHARGE

COMMITTING A WAR CRIME in that he at Barr St.,  
Lock-up, Rangoon, Burma, between the 28th  
June 1944 and 28th October 1944 being a member  
of the Rangoon Port Kempeitai was in violation  
of the laws and usages of war concerned in the  
ill-treatment of Rupert James, Michael D'Lima  
and Ernest Rozarie civilian residents of Burma  
aforesaid.

PLEA

Guilty.

FINDING

Guilty of being concerned in the ill-treatment  
of three civilian residents of Rangoon.

SENTENCE

1st Oct 46.

To suffer Imprisonment  
for 10 years.

CONFIRMED

16 Nov 46.

G.O.C-in-C Burma Command

PROMULGATED

11 Dec 46.

REMARKS

DISPOSAL OF  
PROCEEDINGS

To AGS GHQ SEALF

7 July 47

JAG of the Forces

DJAG SEALF  
Case No. 65124

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ABSTRACT OF EVIDENCE  
in the case of  
Sgt TOBO HISASHI  
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At all relevant times the accused was a member of the Kempeitai stationed at Rangoon.

On the 28th June 1944, Rupert James was arrested by the accused and taken to Barr St., Lock-up Rangoon. The same morning, during an interrogation, which lasted two hours, the accused beat James with a large red and burnt the lobes of his ears with a cigarette.

In the afternoon of the same day the accused administered the water torture to suffocation point three times to, and beat James. This procedure lasted 3 hours.

The following day, whilst being interrogated by TOBO, James was made to kneel and hold his arms above his head, he was then beaten by the accused with a large rod. The water torture was administered four times.

For the next two months James was interrogated almost every day by the accused. In every interrogation he was beaten and received the water torture.

James was released on 28th October 1944.

Michael D'Lima was arrested on the 30th July 1944 by the accused and taken to Barr St Lock-up.

The accused made D'Lima kneel on a floor which had been sprinkled with sand. He then placed a large rod between legs at the back of the knees and pressed his thighs on it from the front. The accused then burnt D'Lima's arm for about 5 minutes. D'Lima was then made to stand against the wall with his hands above his head and was beaten by the accused with a large rod.

The accused then administered the water torture to D'Lima until he was nearly suffocated, and kicked and beat him while questioning him. The questioning went on for the whole day during which time the water torture was administered another two times.

Every day for the next 3 days D'Lima was interrogated and beaten by the accused and twice the water torture was administered by the accused.

On several occasions thereafter until his release D'Lima was questioned by the accused and was beaten and received the water torture.

Ernest Rozario was arrested by the accused on the 9th August 1944 and taken to Barr St Lock-up. He was interrogated by the accused who made him take his clothes off and kneel on the floor which was covered with sand, and with his arms above his head. The accused then flicked red hot ash on the body of Rozario.

On the second and third day Rozario was interrogated by the accused and beaten and kicked.

On the 12th August the accused administered the water torture to Rozario for half an hour and whipped and kicked him.

Every day for about nine days Rozario was taken from his cell and questioned for about 3 hours by the accused. Each time he was beaten and whipped.