

MILITARY COURT FOR THE TRIAL OF WAR CRIMINALS

ACCUSED

(1) Col. SAZAWA Hideo
(2) Lt. HIOKI Shiro
(3) Cpl. MATSUMURA Yoshio
of the Imperial Japanese Army attached to 2 Buffs.

62. 458.

PLACE AND
DATE OF TRIAL

HONG KONG. 21, 22, 23, 24, 27, 28, 29, 30, 31 May
and 2, 3, 4, 5, 9 June 1947.

COURT CONVENED BY

Commander Land Forces, HONG KONG.

PRESIDENT

Lt. Col. N.G. WAIT. Int. Corps.

MEMBERS

Major A. CLAYWORTH R.A.
Capt. R.B.R. GORELY K.R.R.C.

CHARGE

1st CHARGE Against all accused. COMMITTING A WAR CRIME, in that they at or near SHIROKAWA FORMOSA, between July 1943 and August 1945, the accused Colonel SAZAWA as Commandant Prisoner-of-War Camps Group, the accused Lieutenant HIOKI as Commandant of No. 4 Branch Camp, SHIROKAWA and the accused Corporal MATSUMURA as a member of the medical staff of the said Camp, being responsible for the well being of British and Allied Prisoners-of-War and civilian internees in the said No. 4 Branch Camp, were in violation of the laws and usages of war were together concerned in the illtreatment of Prisoners-of-War and civilians resulting in physical suffering to many of them.

2nd CHARGE Against Colonel SAZAWA only. COMMITTING A WAR CRIME, in that he at Formosa between July 1943 and March 1945 as Commandant Prisoner-of-War Camps Group and as such responsible for the well being of all British and Allied Prisoners-of-War and civilian internees in Formosa, was in violation of the laws and usages of war concerned in the illtreatment of Prisoners-of-War and internees at No. 1 Branch Camp KINKASEKI, No. 2 Branch Camp TAICHU, No. 3 Branch Camp HEITO, at Headquarters Camp at DAICHOKU and in transit resulting in the deaths of a number of the said Prisoners-of-War, and in physical suffering to many Prisoners-of-War, and civilian internees.

PLEA

1st charge Each accused - NOT GUILTY.
2nd charge NOT GUILTY.

FINDING

1st charge Each accused - GUILTY.
2nd charge GUILTY. Except for the words
"No. 2 Branch Camp, TAICHU"

SENTENCE

No. 1 accused - 15 years imprisonment.
No. 2 accused - 4 years imprisonment.
No. 3 accused - 10 years imprisonment.

CONFIRMED

14th August 1947. By G.O.C. Land Forces, HONGKONG.

PROMULGATED

19th August 1947.

REMARKS

DISPOSAL OF
PROCEEDINGS

To AG3 GHQ FARELF 2 Sep 47
JAG of the Forces _____

DJAG FARELF.
Case No. 65224.

ABSTRACT OF EVIDENCE IN THE CASE OF

Colonel SAZAWA Hideo.
1st Lieutenant HIOKI Shiro.
Corporal MATSUMURA Yoshio.

This case is concerned with the illtreatment of British and Allied Prisoners of war held in custody in the island of Formosa. The first accused - Colonel SAZAWA - was Chief Camp Commandant in Command of the 6 Prisoner of war Camps in Formosa from July 1943 until March 1945. He was relieved in March 1945 and became O.C. Taihoku Imperial University Military Training School. In his position as Chief Camp Commandant he was responsible for the conditions in every P.O.W. Camp in Formosa. It will be in evidence that he made frequent tours of inspection of the Camps under his Command. The Camps were:-

No. 1	Branch Camp	- KINKASEKI
No. 2	"	" - TAICHU
No. 3.	"	" - HEITO
No. 4	"	" - SHIRAKAWA
No. 5	"	" - CAMP FOR LT. GENERALS AND ABOVE.
No. 6	"	" - Daichoku

Colonel SAZAWA had his headquarters at DAICHOKU adjacent to the Prisoner of War enclosure. Written reports were sent from each of the Camps under his administration.

The second accused - Lieutenant HIOKI a camp officer and Camp Commander at the No. 4 Branch Camp from June 1943 to September 1945.

The third accused - Corporal MATSUMURA - was a member of the Camp Medical Staff at the No.4 Branch Camp from June 1943 until January 1945.

1ST CHARGE:

The 1st Charge concerns all the accused and relates to No.4 Branch Camp SHIRAKAWA, FORMOSA. In this Camp officers, rank of Major General and below and Government Officials of equal status and sick Prisoners of war were interned. Very little attention was paid to rank, and in fact a policy of humiliation of officers was carried out. The Affidavits which will be produced in support of this charge make frequent mention of each of the three accused.

ILLEGAL & COLLECTIVE PUNISHMENT:

The humblest Japanese assumed the power to award arbitrary punishment. This took any form which the guard in question thought fit. Prisoners of War were slapped and butted with rifle stocks for failing to salute. It will be noted in the statement made by Colonel SAZAWA that he gave orders for the saluting by Allied officers of Japanese and Formosan Privates to stop. The evidence will show that if this order was given, it was never carried out. Other punishment for infringements of the rules took the form of standing for long periods in uncomfortable position, or performing physical exercises to the point of collapse. G/Captain Coggle in his statement mentions a beating of himself with a bamboo pole. Colonel Quinn cites an occasion when Colonel Braddock, of the U.S.A. Medical Corps was struck on the jaw by Hioki.

As a result of this blow two of Colonel Braddock's teeth were broken off. There appears to be little doubt that Hoiki was a willing participant in Sazawa's general policy.

At the beginning of SAZAWA's term of office all officer prisoners of war were working compulsorily. It would appear that Colonel SAZAWA had some qualms on this point and endeavoured to put the work on a more proper footing, requesting the officers to make a voluntary declaration of their willingness to work. When they refused to do this Colonel SAZAWA evidently became angry and commenced a "hate programme". Brigadier Brougher in his statement says that "Colonel SAZAWA made frequent visits to the Prison Camp and he initiated this project of forcing a vote by the officers as to whether they would volunteer to work. When we refused to volunteer to work, he was infuriated and then started a programme of reprisals against us". Many of the privileges which they had previously enjoyed were taken away. Rations were cut, recreation and amusements were reduced to a bare minimum, in fact confined to Sundays only. Boots and shoes were confiscated and stored outside the Camp. Private vegetable and flower gardens were destroyed, and the camp recreation park was placed out of bounds. It was forbidden to be seen talking in groups of more than three persons. Night roll-calls were introduced and took place between three and four times a week at any hour of the night. All these restrictions were brought about by SAZAWA himself, and in fact were passed on to the officer prisoners of war in a speech which he made to them. There are many references to this in the statements produced.

The sending of prisoners to the Camp Cells increased. It will be noted from the affidavits that when a prisoner of war was sentenced to solitary confinement, he was subjected to a period tantamount to torture - no bedding of any sort was allowed - no mosquito net despite the necessity for one. Often the prisoner would be kept standing from dawn to dusk through the period of his imprisonment. A number of the statement mention incidents where a group of prisoners were punished for the misdeeds of one of the group. Sergeant Gebow cites an occasion when he at Shirakawa stole a chicken and 28 other men were also punished with him for his act.

INADEQUATE MEDICAL FACILITIES:

The Medical position in Shirakawa is covered by statements from Colonels Gillespie and Glattly of the U.S.A. Medical Corps and Colonel Stringer R.A.M.C. all of whom state that the facilities were quite inadequate.

The third accused - Corporal MATSUMURA - was No. 2 of the Medical Squad. He appears to have been very much stronger than his next senior and most of the medical arrangements were in his hands. Colonel Gillespie says of him: "He was utterly unfitted for the office which he held, utterly unfitted to deal with the sick, by virtue of his consistently harsh attitude."

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Colonel Bell says: "I have personally seen him on two occasions beat prisoners over the head with the scabbard of his sabre, and kick and mistreat prisoners in other ways. This individual had the final say as to whether prisoners were physically able to work or not, and had an arbitrary rule that unless you had a temperature of 101 or more you will be able to work. He was one of the most vicious Japanese we came in contact with". Major General Key says of Matsumura: "He behaved like homicidal maniac and beat up more officers than any other individual". Major General Monmouth Jones states:- "The medical orderly then was named Matsumura. He made things just as miserable from the medical standpoint as he could".

INADEQUATE FOOD:

Affidavits by Medical Officers at SHIRAKAWA Camp will be adduced to show that the food was inadequate, poor quality and the cause of much suffering. Colonel Gillespie U.S. Medical Corps states:- "It is quite likely that the death of Brigadier General Allan McBride, in May 1944, was at least due to hard physical exertion on an inadequate diet in a man of his mid-fifties". Many other affidavits mention the food situation.

REFUSAL OF ACCESS TO PROTECTING POWERS:

At no time were prisoners of war allowed free access to the Protecting Power or Red Cross Representative. Air Vice Marshall Meltby mentions the occasion when Colonel SAZAWA informed prisoners that they had no right to appeal to their protecting power, and that the Protecting Power had no authority to give orders to the Imperial Nippon Army.

EX POSURE OF PRISONERS OF WAR TO RIDICULE:

The evidence will show that prisoners of war were exposed to ridicule being made to perform menial tasks under guard in full view of the native population. Colonel Lilly states: "Generals and Colonels alike were constantly required to perform degrading work under armed guards". There are other mention of similar incidents.

GENERAL LIVING CONDITIONS:

The general living conditions at Shirakawa were at first extremely bad. The Camp was situated in a malarial area and accommodation was overcrowded. Colonel Gillespie, the Senior Medical Officer states: "From the Medical view-point, the location of this Camp was a menace to health, because of the presence of malaria. The area was heavily infested with malaria carrying mosquitos". He also mentions the sanitary conditions in this Camp were very poor, and the conditions of the latrines were generally bad, and was a considerable fly menace. However, it would appear that some improvements were made later.

2nd CHARGE:

This charge is against Colonel SAZAWA only and is concerned with his position as Chief Camp Commandant. In support of this charge evidence will be brought from Branch Camps Nos. 1, 2, 3 and 6. Evidence will be produced with the object of showing that the conditions of Prisoners of War in Formosa during Colonel SAZAWA's

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tenure of Office was the result of the policy directed by him.

No. 1 BRANCH CAMP - KINKASEKI.

Soon after Colonel SAZAWA assumed office a system of group punishment was introduced. All the Prisoners were divided into small groups between 8 and 10, and were forced to sign a certificate in which they agreed that if any of the group to which they belonged committed a wrong act the whole group would be punished equally. Despite this it would appear that there was some improvement in the general conditions in the Camp itself. The worst feature of the Kinkaseki Camp was the work which the inmates were required to perform. The function of this Camp was to provide labour for the Kinkaseki Copper Mine, and the conditions underground in this Mine were appalling. A brief description of them is given by W.O. EDWARDS in his affidavit. It will be seen from this affidavit that no improvements were made in the working conditions. Requests were made at various times for better safety measures, renewal of equipment - safety helmets, boots and clothing - with no good results. Colonel SAZAWA visited the men at their place of work below-ground and was well aware of the conditions under which they worked. The type of work demanded a high standard of physical fitness but the condition of the vast majority of the men sent into the Mine were very poor, the demand for labour was high, and as a result of this men who were unfit to work at all were sent underground.

Both Major CROSS and W.O. EDWARDS make mention of a conference which Colonel SAZAWA held in January 1944. It would appear that this conference was only a gesture on the part of Colonel SAZAWA since very little good came out of it.

During 1944 food was very poor. Reference is made in Appendix 'A' in Major General Cross' affidavit to the food which Prisoners of War had been receiving during this year. As a result of this the health of the Camp became extremely poor and in October 1944 the death rate made a sudden jump. Lt. Colonel CROSSLEY in his statement makes reference to a request made to the Branch Camp Commandant that Colonel SAZAWA be informed of the bad state of health in which many of the men were and also that permission be granted for the removal of the very sick men to a Hospital Camp. Major CROSS also refers to these requests. Even if these requests were not conveyed to Colonel SAZAWA he must have known of the sudden increase of deaths because of the reports which were rendered to him by the Branch Camps periodically. The Prisoner of War HQ Diary contains a death rate list and will be produced in evidence. Major CROSS also makes mention of the fact that on Colonel SAZAWA's orders the 350 men who remained in this Camp were left without a doctor and only a small quantity of drugs. He says "There was no necessity to leave the Camp without a doctor because at the Camp to which the Prisoners of War were sent there was a surfeit of Prisoner of War doctors and many of them were working on the land".

No. 2 BRANCH CAMP, TAICHU.

The accommodation at this Camp consisted of bamboo huts, roofed and walled with straw. A bamboo platform covered with a stray mat served as beds. Each man was allowed 2 feet by 6 feet. Major MOORE in his statement said that owing to these over-crowded conditions the huts eventually became verminous.

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The Camp was situated in a malarial area and almost every Prisoner of War suffered from malaria. The medical arrangements were in the hands of a Japanese Lance Corporal who frequently over-ruled the two British Prisoner of War doctors. Many men who were not fit to work were made to go. Major MOORE states that: "It was only when a sick man was in a dying condition that he was taken to a Japanese Hospital"

The food was insufficient. Sick and Officer Prisoners of War were only allowed half normal rations. Major MOORE says that the deaths in this Camp can be attributed to malnutrition and lack of proper treatment.

The Other Rank Prisoners of War were employed on a scheme to divert a river. This work was of a very heavy nature, digging and carrying bamboo stretchers loaded with rock. At the work site the men were under the charge of civilian guards and received much brutality at the hands of these guards.

The Officer prisoners of war were not employed on this project but were compelled to work at other tasks in the Camp.

In August 1943 a complaint was made about Officers being ordered to perform menial ~~menial~~ tasks as punishment for this complaint all the Officers in the Camp with the exception of the doctors, were made to clean the lavatories and carry away the night soil for 15 days.

Colonel SAZAWA in his statement admits visiting all Prisoner of War Camps and must have been aware of the conditions existing in this Camp.

No.3 BRANCH CAMP - HEITO:

This Camp was situated in a highly endemic area. The huts were of bamboo construction, extremely primitive and overcrowded. Sanitary conditions were most primitive and medical facilities were non-existent.

The work which Prisoners of War were required to do consisted of clearing a dried-up river bed of boulders and preparing the land for cultivation. The hours of work were from dawn to dark. The medical arrangements were in the hands of a Japanese Sergeant and the decision as to whether a man was fit to work or not rested entirely with him. Captain O'DONNELL in his affidavit says: "Frequently, despite protests, sick men were made to do impossible manual labour".

Food was at all times inadequate and consequently the Prisoners of War showed signs of malnutrition. As a result of this undernourishment men were prone to such diseases as malaria, dysentery and beri-beri. Medical supplies to combat these diseases were in extremely short supply and were of very poor quality.

Major MEAD cites a number of incidents of mistreatment and also mentions the conference which took place on the 26th October 1943, conducted by SAZAWA. At this conference Major MEAD himself put forward the request for more food, to which SAZAWA replied that nothing could be done. If men were sick they should see the doctor and he would make them well.

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Major MEAD also mentions the lack of control that SAZAWA exercised over the Japanese, and as a result such things as stealing Prisoners' rations were much increased during this time.

In October 1944 American air-raiding on FORMOSA began in earnest, and many requests were made for protection of Prisoners of War, such as marking the Camp, trenches etc., no facilities were granted.

On the 7th February 1945 this Camp was heavily bombed, and as a result 30 Prisoners of War lost their lives.

No.6 BRANCH CAMP - DAICHOKU.

The general conditions prevailing in this Camp are described in the affidavits of Major GIBBONS and Captain PUGH. Speaking of the three Chief Camp Commandants of whom SAZAWA was one, Captain PUGH says "These three men condoned the cruelties, organised the thieving of amenities sent to the Prisoners by the International Red Cross"

Here again there were constant indiscriminate beat ups of Prisoners of War for minor infringements of regulations. On numerous occasions even sick men were compelled to do "push-ups" and made to stand to attention whilst the guards slapped them or beat them with rifle butts. Some of the Prisoners so punished required hospital treatment.

As in the other Camps food was inadequate and Major GIBBONS states that often the amount of bulk ration issued were 20% less than the Japanese scale for Prisoners of War.

A party of technicians from this Camp were required to work in a railway factory. Major GIBBONS says "A party of 190 Prisoners of War were moved into a billet next door to the railway factory, in the middle of the bombing area, exposing the Prisoners of War to constant danger from the air with completely inadequate air-raid precautionary measures". An entry appears in the Prisoner of War Camps H.Q.'s Diary setting out the arrangements for this employment. There is no question that this work was of direct aid to Japan's war effort. The hours of work are given as "About 10 hours a day". The wages to be paid Privates 10 sen a day, N.C.Os. 15 sen a day, Sub Officers 25 sen a day, with an opportunity to reach 35 sen a day if work was good. There are other entries showing that prisoners were used to repair Air Defence weapons and Army vehicles. The whole of these arrangements passed through Colonel SAZAWA's office and he signified his approval of them by his recommendations to the Commander-in-Chief of the Formosan Army.

GENERAL:

An extract from the journal of the Taiwan Prisoner of War Camp Headquarters' concerning the disposition of Prisoners of War in the event of an Allied landing on Formosa, attention is drawn to Section 2 "The Methods" Paragraph B - "In any case it is the aim not allow the escape of a single one, to annihilate them all, and not to leave any traces".

EVIDENCE TO BE ADDUCED IN SUPPORT OF CHARGES.

A certain number of live witnesses are available for this trial. Major J.T.N. CROSS, R.A. and R.S.M. EDWARDS will give evidence relating to KINKASEKI. Major GIBBONS will give evidence relating to the period spent by him at Headquarters Camp - DAICHOKU.

It is expected that Mr(ex-Lieutenant) COMFORT will be able to give evidence regarding SHIRAKAWA. The remaining evidence is in the form of statements and 'Q' Forms. All the accused have made statements which will be included in evidence by the Prosecution. These statements were made after caution.