

U. S. War Department

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Sub

File No.

107-0

WAR CRIMES OFFICE

Judge Advocate General's  
Office

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## DISCUSSION

## 1. The value of Japanese BW information.

✓ a. Data already obtained from Ishii and his colleagues have proven to be of great value in confirming, supplementing and complementing several phases of U.S. research in BW, and may suggest new fields for future research.

✓ b. This Japanese information is the only known source of data from scientifically controlled experiments showing the direct effect of BW agents on man. In the past it has been necessary to evaluate the effects of BW agents on man from data obtained through animal experimentation. Such evaluation is inconclusive and far less complete than results obtained from certain types of human experimentation.

✓ c. In addition to the results of human experimentation much valuable data is available from the Japanese experiments on animals and food crops. The voluntary imparting of this BW information may serve as a forerunner for obtaining much additional information in other fields of research.

## 2. Desirability of avoiding "war crimes" involvement.

✓ a. Since it is believed that the USSR possesses only a small portion of technical information, and since any "war crimes" disclosure would completely reveal such data to all nations, it is felt that such publicity must be avoided in interests of defense and security of the U.S.

It is believed also that the prosecution of Ishii and his associates would serve to stop the flow of much additional information of a technical and scientific nature.

✓ b. It is felt that the use of this information as a basis for "war crimes" evidence would be a grave detriment to Japanese cooperation with the United States occupation forces in Japan.

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c. For all practical purposes an agreement with Ishii and his associates that information given by them on the Japanese BW program will be retained in intelligence channels is equivalent to an agreement that this Government will not prosecute any of those involved in BW activities in which war crimes were committed. Such an understanding would be of great value to the security of the American people because of the information which Ishii and his associates have already furnished and will continue to furnish. However, it should be kept in mind that there is a remote possibility that independent investigation conducted by the Soviets in the Mukden Area may have disclosed evidence that American prisoners of war were used for experimental purposes of a BW nature and that they lost their lives as a result of these experiments, and further, that such evidence may be introduced by the Soviet prosecutors in the course of cross-examination of certain of the major Japanese war criminals now on trial at Tokyo, particularly during the cross-examination of Umezu, Commander of the Kwantung Army from 1939 to 1944 of which army the Ishii BW group was a part. In addition, there is a strong possibility that the Soviet prosecutors will, in the course of cross-examination of Umezu, introduce evidence of experiments conducted on human beings by the Ishii BW group, which experiments do not differ greatly from those for which this Government is now prosecuting German scientists and medical doctors at Nuremberg.

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