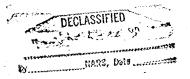
## N. S. War Department

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## WAR CRIMES OFFICE

## Judge Advocate General's Office



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## DISCUSSION

- 1. The value of Japanese BW information.
- 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 small portionownerable Total and since confidential on confidential on any "war crime obscires it would sample to by reveal such data classified by to all nations, it is felt that such publicity must be avoided in interests of defense and inseminately of the U.S. It is believed also that such publicity necessary of the U.S. It is believed also that such security review of the U.S. It is believed also that such security review of the U.S. It is believed also that such Security review of the U.S. It is believed also that such security review of the U.S. It is believed also that such security review of the U.S. It is believed also that such security review of the U.S. It is believed also that such security review of the U.S. It is believed also that such security review.
- 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.

HEREFFEE

o. For all practical purposes an agreement with Tshi 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 crossexamination of certain of the major Japanese war criminals now on trial at Tokyo, particularly during the crossexamination 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 Covernment is now prosecuting German scientists and medical acctors at Nuremberg.

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