

OF DEMOCRATIC LAWYERS

REPORT  
ON  
U.S. CRIMES  
IN  
KOREA

31st MARCH 1952

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Annexed to the Letter from the Permanent Representative of the Union of Soviet Socialist Republics, President of the Security Council, dated 30 June 1952: Annexes 1, 2, & 3, International Association of Democratic Lawyers, UN Security Council, S/2684/ADD.1, 30 June 1952

## ERRATA

- p. 5 14<sup>th</sup> line: "N. Pyengan Province" should be "S. Pyengan Province".
- p. 13 34<sup>th</sup> line should read: "the mass murder of October 18<sup>th</sup> 1950 was committed. The grave" instead of "the murder of October 20<sup>th</sup> was committed and the warehouses one".
- p. 15 The last line should read: "southward they were machinegunned and bombed by American planes. The witness who managed to" instead of "southward they were machine-gunned. The witness who managed to".
- p. 17 Section E. "Kou-Woo-Ri" should be "Koon-Woo-Ri".
- p. 26 The last word of 9<sup>th</sup> line should read "B-29s" instead of "B-20s".
- p. 36 Appendix: Chapter 3-Item 32 should read "Information supplied by Ly Chang Tai, Director of the Kang Won Province Department of Health" instead of "Information supplied by Ly Chang Tai, Director of the Kang Won Province doctors of the Won-San".
- Note: Piengan, Pyengan, Piengang and Pyengang mean the same place.

## Explanatory Notes

1. The Report is published by the Commission with the authority of the International Association of Democratic Lawyers. The Head Office of the Association is Avenue Legrand 70, Brussels, Belgium.
2. The Commission has been anxious to publish this Report without delay, and expresses its regret for any incorrect transliteration of Korean names and terms which may appear in the text.
3. Korea is divided into Provinces. Each Province is sub-divided into Goons or Regions; each Goon is divided into Myen or Districts; a Myen is divided into Ris or Villages. The term Ri is however also used for a sub-district of a City.
4. A Korean Mal (weight)  
Li (length)  
Pyung (surface measurement)  
(1 km. 5/8 ths of English Mile)
5. The numbers in brackets in the text refer to the documents and principal witnesses set out in the list at the end of the Report.
6. This Report has been signed by the members in the English language only.

## Chapter I

### INTRODUCTION

The Government of the Democratic People's Republic of Korea has repeatedly asked the United Nations to protest against violations of international law by their enemies on Korean territory, but U.N.O. has ignored these pleas.

The allegations made have been the subject of different enquiries, particularly in a report dated 27<sup>th</sup> May, 1951, made by the International Federation of Democratic Women who visited Korea.

The extreme gravity of these accusations led the Council of the International Association of Democratic Lawyers following the Berlin Congress of the Association in September 1951 to set up a Commission consisting of lawyers of different countries, to go to Korea and to investigate these allegations on the spot in conformity with legal methods of enquiry.

The Commission consisted of:

Heinrich Brandweiner, Professor of International Law in the University of Graz (Austria), President.

Luigi Cavalieri, Advocate at the Supreme Court of Rome (Italy), Vice-President.

Jack Gaster, Solicitor, London (Great Britain).

Marc Jacquier, Advocate at the Court of Appeal, Paris (France).

Ko Po-nien, Director of the Research Department of People's Institute of Foreign Affairs, Peking (China).

Marie-Louise Moerens, Advocate, Brussels (Belgium).

Letelba Rodrigues de Britto, Advocate, Rio de Janeiro (Brazil). Zofia Wasilkowska, Judge of the Supreme Court, Warsaw (Poland).

Zofia Wasilkowska, Judge of the Supreme Court, Warsaw (Poland)

The Commission was in Korea from March 3<sup>rd</sup> to March 19<sup>th</sup>, 1952. Members of the Commission visited the provinces of North and South Piengan, Hwang Hai, Kang Won, including the towns of Pyongyang, Nampo, Kaichen, Pek Dong, Anju, Anak, Sinchon, Sariwon, Wonsan etc.

The limited time which the Commission had at its disposal, and the state of war, made it impossible for the Commission to investigate all the allegations put before it, but the Commission, who received from the Korean authorities all necessary facilities for carrying out its mission, did make careful enquiry into those cases which seemed most significant, either owing to their size and the number of victims, or owing to the special character of the methods employed by their authors.

In all these cases, after examining the reports and statements supplied by competent authorities, the members of the Commission made direct investigations, in the course of which, they questioned more than a hundred witnesses.

The conclusions of the Commission are based on those cases proved before the Commission by direct evidence and duly corroborated together with the examination of all relevant documents.

Important evidence is analysed in this report, especially with reference to the use of bacteriological and chemical weapons, and documents of historical significance have been examined in connection with the origins of the war. The cases of bombardments of cities and protected buildings, assassinations, tortures and the murders of civil population quoted in this report are only those proved by direct evidence, duly corroborated. At the end, the Commission makes its conclusions which, the Commission considers, ought properly to be drawn from the facts proved.

The names of at least one witness in each case quoted, and a list of some of the more important documents referred to is included at the end of this Report. It is hoped to publish extracts from the evidence of the main witnesses and copies of the most important documents in a separate Volume as a supplement to this Report.

After classifying the facts proved, according to their nature, the Commission then considered whether they were crimes of war, or crimes against humanity according to the definition of Article 6 of the Charter of the International Military Tribunal of Nuremberg, whether they violated International Conventions now still in force, or were contrary to the laws and customs of war.

It would be foolhardy for a Commission of lawyers to attempt in a page to outline international law on the wide variety of matters that have come under examination during the enquiry. For the benefit of the general reader however, it thinks it right to indicate very briefly the principal treaties and agreements and customary laws which are relevant. It is not to be taken as comprehensive and cannot begin to deal with the many complex questions of interpretation and application of these and other laws which the Commission has carefully taken into account in arriving at its conclusions.

In the first place, the work of the Commission was to take as its basis the two conventions concerning the laws and customs of war on land dated July 29<sup>th</sup>, 1899 and October 18<sup>th</sup>, 1907—the Hague Regulations, for the reason that these conventions contain provisions for regulating the conduct of the fighting forces in an armed conflict, which are accepted as the expression of the customary law which binds all nations. The Hague Regulations contain the basic principles of the law of war which are that the nations engaged in war do not have unlimited freedom in the choice of the means of inflicting injuries upon the enemy; and that, among other things, they are forbidden to make direct attacks on civilian populations. The Hague Regulations distinguish between defended and undefended cities and localities, and accord privileges to certain buildings, such as churches, hospitals and schools; these conventions further forbid plundering and condemn the use of certain weapons and methods of warfare. These forbidden weapons, particularly include the use of poison and poisonous weapons, a term which also covers chemical and bacteriological weapons. These two prohibitions were further covered in detail in the Geneva Protocol of June 17<sup>th</sup>, 1925, concerning the prohibition of the use of suffocating, poisonous and similar gas as well as bacteriological weapons in war. The Commission further takes into consideration, among other things, the Geneva Convention, dated July 17<sup>th</sup> 1929, providing for the amelioration of the condition of the wounded and the sick of armies in the field, the agreement of the same date concerning the treatment of prisoners of war, and the Geneva Convention, dated August 12<sup>th</sup> 1949, concerning the treatment of prisoners of war. With regard to the application of the last mentioned treaty, the Minister of Foreign Affairs of the Democratic People's Republic of Korea, made a declaration on July 13<sup>th</sup> 1950, confirming the observation of the condition of that treaty by the Korean People's Army.

The Commission lays special emphasis upon the Nuremberg principles which found their expression in the Charter of the International Military Tribunal of Nuremberg and the verdicts it rendered. The Nuremberg principles distinguish among others two kinds of crimes against international law.

#### *a. War crimes:*

Violation of the laws of customs of war which include, but are not limited to, murder, ill-treatment or deportation to slave labour or for any other purpose of civilian population of or in occupied territory, murder or ill-treatment of prisoners of war or persons on the seas, killing of hostages, plunder of public or private property, wanton destruction of cities, towns, or villages, or devastation not justified by military necessity.

**b. Crimes against humanity:**

Murder, extermination, enslavement, deportation and other inhuman acts done against any civilian population, or persecutions on political, racial or religious grounds, when such acts are done or such persecutions are carried on in execution of or in connection with any crime against peace or any war crime.

These principles are further developments of the Hague Regulations as well as customary international law and are generally recognized.

Lastly, the Commission has taken into consideration the Convention concerning the prevention and punishment of the crime of genocide, which was adopted on December 9<sup>th</sup> 1948 by the General Assembly of the United Nations. By genocide is meant acts done or attempted against national ethnic, racial or religious groups with the intention of annihilating them. This includes also murder of members of these groups, grave attacks against the physical and mental integrity of these members and subjecting them to conditions of life which lead to their total or partial destructions.

As to the origin of the Korean war, though the Commission did not make a detailed examination of this question, it feels bound to make a few general remarks on this subject.

According to international law, a third party has in general no right to intervene in a civil war. This is reinforced by Article 2, Clause 4 of the Charter of the United Nations which prohibits members from employing force against the territorial integrity of any state, or in any manner inconsistent with the purposes of the United Nations and by Article 2, Clause 7, which precludes the United Nations from intervening in the domestic affairs of a country except in certain circumstances under Chapter VII of the Charter.

The United Nations decision to intervene was in itself contrary to the Charter, by virtue of the fact that the said decision was not taken with the concurring votes of all the permanent members of the Security Council in accordance with Article 27 (3) and was also in breach of Article 32.

The fact that President Truman had immediately ordered the American Navy and Air Force to intervene before the United Nations had taken the said unlawful decision mentioned above indicates that the intervention of the United States was unlawful, apparently prepared, premeditated and constitutes an aggressive act.

The intervention of other member states of the United Nations was also contrary to the United Nations Charter.

It is necessary also to point out that the forces contributed to the support of South Korea by member states of the United Nations were, on the recommendation of the United Nations, placed under the High Command of the United States Forces.

Besides making the above general remarks, the Commission hopes to include photostat-copies of some important documents examined by the Commission in Korea pertaining to the origin of the Korean War in the Supplement to this Report.

## Chapter 2

### BACTERIOLOGICAL WARFARE

On its arrival in Korea the Commission found itself faced with the unexpected task of investigating a most serious allegation that the American forces in Korea were using bacteriological weapons against the army and the civil population. Members of the Commission went to different regions of the country and took evidence on the spot, interrogated witnesses who found insects in unusual circumstances, examined and obtained evidence concerning the remains of containers found, examined experts, obtained data concerning health conditions during recent years and as to the outbreaks of disease from health service officials and experts and also examined official documents and other material put before them. The Commission was impressed by the clarity and obvious sincerity and veracity of the many simple peasants and others who gave evidence as to the facts.

The results of the Commission's inquiries are as follows:

According to the reports of observation posts of the Korean People's Army, the Chinese People's Volunteers and the Local Anti-aircraft Detachments, different kinds of insects were found in 169 areas of North Korea (1). The results of 15 typical cases in which expert examinations were carried out and insects found identified between 28<sup>th</sup> January and 12<sup>th</sup> March, 1952 are as follows:

1. January 28<sup>th</sup>, Peng Kang Goon, Kang Won Province, flies, fleas and spiders; (2)
2. February 11<sup>th</sup>, Chol Won Goon, Kang Won Province, flies and fleas (mosquitoes); (3)
3. February 17<sup>th</sup>, Pengang Goon, Kang Won Province, spiders;
4. February 18<sup>th</sup>, Anju Goon, S. Pyengan Province, flies and fleas;
5. February 23<sup>rd</sup>, Peng Won Goon, N. Pyengan Province, flies and fish;
6. February 25<sup>th</sup>, Dok Won Goon, Kang Won Province, fleas and other insects;
7. February 26<sup>th</sup>, Dia Dong Goon, S. Pyengan Province, flies and fleas;
8. February 27<sup>th</sup>, Kang Dong Goon, S. Pyengan Province, flies;
9. February 27<sup>th</sup>, Hwang Hai Province (military unit), lice;
10. February 27<sup>th</sup>, Senchen Goon, S. Pyengan Province, flies;
11. February 29<sup>th</sup>, Suan Goon, Hwanghai Province, flies and other insects;
12. March 1<sup>st</sup>, Chelsan Coon, S. Pyengan Province, flies and fleas;
13. March 1<sup>st</sup>, Yandog Goon, S. Pyengan Province, fleas and other insects;
14. March 2<sup>nd</sup>, Kowon Goon, Ham Kyeng Province, fleas and other insects;
15. March 4<sup>th</sup>, Pyongyang City, Middle District, flies.

In many cases special kinds of flies, fleas, spiders, beetles, bugs, crickets, mosquitoes and other insects were found, many of which were hitherto unknown in Korea. Insects were found in different cases far from human habitation, on snow, on the ice of rivers, on grass and among stones.

Considering the very low temperatures prevailing at the time (In January the maximum was 1° and in February 5°, but only for a few hours, the average temperatures being far below zero centigrade) which normally prevent the appearance of insects, and also considering that the insects were often found in great quantities and even in mixed groups or clusters consisting of different varieties of insects which would normally never be found together, like flies and spiders, the appearance of these insects roused suspicion. The results of the expert examination showed that great quantities of insects were infected.

In many cases it was also found that the insects were carrying eggs. In the opinion of experts it may be assumed that these insects were bred artificially. On 23<sup>rd</sup> February 1952, in Peng Won Goon, S. Pyengan

Province, on a mountain not far from Suk Shun Myen Village, in addition to flies, a great quantity of fishes of a species which live in the regions between fresh water and salt water, were found. The fish were found in a half rotten state and infected with cholera. It is assumed that these fishes were dropped by mistake on the mountains.

The kinds of bacteria found were: *Vibrio cholerae*, *pasteurella pestis*, *Eberthella typhosa*, *Bacillus paratyphi A* and *B*, *Rickettsia prowazeki* and *shigella dysenteriae*. The examinations confirmed the local reports that different kinds of insects were being dispersed, and also established that the insects dropped were infected with plague, cholera and other epidemic diseases. (1)

The Commission particularly investigated the following cases:

1. On the 30<sup>th</sup> January 1952, southeast of I Chon, Kang Won Province, flies, bugs and spiders were found alive on the snow and among stones. Though the place had been burnt immediately after discovering the insects, 20-30 specimens per square metre could still be found in an area of 600 to 700 m. in diameter.

Expert examination showed that the flies had been infected with the germ of cholera. At a distance of about 300 to 400 m. from the point where the insects had been discovered, remains of containers like leaflet bombs have been found with a special appliance that caused them to break open as soon as they touched the ground. An eye-witness identified this kind of bomb on the photos No. 8 and 9 (4) which is of the same type as the remains the Commission personally inspected.(5)

2. On 18<sup>th</sup> February 1952, in Bal Nam Ri, Anju Goon, Dai Ri Myen region, S. Pyengan Province, flies, spiders and bugs were found crowded into 1 yard square in 3 separate lots on open ground, each spot being about 1 metre from the next. One spot was covered with snow, others not. All the insects were alive. By the time the Investigation Group reached the spot, the insects had scattered over an area around. The flies were unusual, compared with the familiar Korean ones. The fly that was found had longer wings which were slightly spread; the body was bigger; the head was comparatively bigger in proportion to their body than those familiarly known. As to the spiders the familiar ones can be divided into 2 groups, large size and small size, and black in colour. Those found were of middle size with a little white on the body. As to the bugs, while the familiar ones have a rounded body and a little yellow colour, those found had flat bodies and were black. At this time of the year no flies or spiders have ever been found in this area before. The ground temperature was 20 degree below zero centigrade.

Towards midnight on the day before the discovery of the insects airplanes had been seen above this place, circling several times very low, without dropping any explosive or incendiary bomb, or machine gunning. Expert examination showed that the insects were infected with plague bacteria. On February 25<sup>th</sup>, plague broke out in that village. 50 persons were taken ill of whom 36 died (in a population of about 600) up to March 11th, and the disease had not then run its course. Plague has never previously occurred in this region. (6) (7)

1. February 22<sup>nd</sup>, in Jong Dong Hwang Hai Province, Pong San Goon, Cho Wa Myen region, flies were found in clusters, lying on ice and snow, over about an area of 200 meters in diameter, with 5 to 10 flies to the square meter. They were lying in the open field, far from human habitation.

Also in Wol San, same Goon and region flies were found 700 metres from the nearest house. In both cases, the flies had a smaller head, longer wings and hairier body than normally known. In the whole province 36 cases have been established up to March 12<sup>th</sup>, in which flies, mosquitoes, spiders and unfamiliar insects similar to fleas were found. (8)

2. Since 25<sup>th</sup> February in Kaichen Goon, S. Pyengan Province, flies and other insects were found in 9 cases. Some of them were discovered on snow. The insects found were of a type hitherto



unknown. Flies do not usually appear before April in this county. No outbreak of diseases had occurred up to the time of the visit of the members of the - Commission.

3. On February 26<sup>th</sup>, in Buk Myen, same Goon, a great quantity of flies and fleas were found on the snow, which later on spread from the village Nam Shin II to Nam Shin I. 2 km. away, clusters of insects were found, wrapped in yellow paper, crowded on a patch of wet earth where the snow had melted. (9)
6. On February 28<sup>th</sup>, near Song Ri, Kang Don Goon, Won Tan Myen region, S. Pyengan Province, on the ice of the bank of Puk Kang river (which serves the water supply of Pyongyang), ant-like insects were found in clusters of about 30 cm. diameter, with about 3 to 5 m. between each cluster. By the next day, the insects had already spread over an area of 800 m. The day before the insects were found, 5 American planes had been seen circling over the place for half an hour, without dropping explosive or incendiary bombs or machinegunning. The witness stated that the expert examination disclosed that the insects were infected with bacteria which caused a disease of the intestines. (10)
7. On March 3<sup>rd</sup>, flies of unusual appearance, crowded in one spot about 1 yard square, were found at Ko Eup, Jan Shan, Myen, Soonchen Goon, S. Pyengan Province. They were still alive, though lying on the snow at 10 degree below zero centigrade. The head of the fly' was smaller than a Korean fly's, the wings closed, the body longer than that of a familiar fly. Flies are not normally to be seen alive at this time of the year in the district. (11)
8. March 4<sup>th</sup>, the same kind of flies was found under similar conditions the same county in the village Ma Don, Sin Chen Myen. (11)
9. On the same day, several groups of mosquitoes were found near Anju City. A container similar to that described above, and which was identified by photograph No. 8, was found. (4) (12)
10. On the same day, mosquitoes were found in the village Cha Jang, Anju District. The insects were found in groups in various spots of this area. They were of an unusual type; while the familiar ones are covered lightly with fair hair from head to body, these were much more hairy. (6) (7)
11. On March 5<sup>th</sup> in Pyongyang City, Choong Koo District Quarter Hammoon Ri, large and small groups of flies were found in the street, spread over an area of about 1.5 to 5 m. The next day, cholera broke out in the neighbouring street. (13)
12. On March 11<sup>th</sup>, in Bek Dong Coon, a few kilometres from a POW Camp, some flies and other insects were found in clusters on the snow.

These groups of individual cases, proved by the Commission, represent only a small part of the real facts or it was not possible for the Commission to visit all the places affected. Where containers, like leaflet bombs have been found it should be made clear that no leaflets have been found in the neighbourhood.

In North Korea there have been no previous epidemics for at least 4 years and no case has up to the time of the Commission's visit been reported except in the immediate area where clusters of insects have been found as described above. The fact that no widespread epidemic has occurred in consequence of the deposits of infected insects is, from our own observation, undoubtedly due to the careful and strict anti-epidemic measures that have been taken by the authorities with the fullest and closest co-operation of the people.

The first case of cholera was diagnosed on February 20<sup>th</sup>. This was 40 year-old Kim Hak Mun of the Puk Myen region, Chel Won Goon, Kang Won Province, who died on February 23<sup>rd</sup>. On February 25<sup>th</sup>, 35 year-old Kim Shul Sun fell ill in the same village. In the S. Pyengan Province, Suk Chan Myen, two persons in the same village fell ill on March 5<sup>th</sup>, and both-died on the following day. On March 8<sup>th</sup>, 3 more persons fell ill, one of whom died the same day and another on March 9<sup>th</sup>. In Pyongyang City (as mentioned above) 2 persons fell ill on March 6<sup>th</sup>, and another one on March 8<sup>th</sup>. Two of them died on March -8<sup>th</sup>. The quarter has been isolated. In Hwang Hai Province, where the local register (as mentioned above) showed 36 cases of discovery insects, in Suan Goon, Su Gu Myen, Sok Dal Ri village,

2 persons fell ill on March 8, one of whom died on March 9. No soldier fell ill of cholera. Total number of cholera cases is 13, 9 of whom died. (1)

The first case of the plague was diagnosed on February 25<sup>th</sup> Hwang Li Shai, aged 29, of Bal Nam Ri, Anju Region. The disease took a turn. On February 29<sup>th</sup>, Pak Sun Ok, aged 26, of the same fell ill. In this case it was established that plague-infected fleas had been found on February 8<sup>th</sup>. The number of plague cases in the village amounted to 50, 36 of whom died, up to the time of the Commission's visit to Anju.

3 cases of plague have been proved in the army:-

In Kang Won Province, Tan Wan Goon, Dong Ha region, on March 4<sup>th</sup>, one soldier fell ill and died on March 6<sup>th</sup>. In S. Pyongan Province, Jong Don Goon, Shoang I Dong village, one soldier fell ill on March 7<sup>th</sup>, and died the following day. In Han Kyon Nam Do Province, Ka Won Goon, Seng Nam Ri village, one soldier fell ill on March 11<sup>th</sup>, and died the following day.

The total number of plague-cases is 53, 39 of whom died. (1)

In a number of cases there is a local and temporal coincidence between the cases of cholera and plague and the discovery of infected insects.

In view of these facts the Commission states that it is beyond doubt that great quantities of insects, oftentimes of species unknown in Korea, were found under very low temperatures on the snow, on the open field or on the ice of rivers. The insects were proved to be infected in great number with plague, cholera and other contagious diseases. Close by the places where insects were discovered containers have been found whose construction permits the conclusion that they served for the carrying of great quantities of insects.

On a part of one of them a marking in English was discovered. In several cases a local and temporal coincidence between the objects found and the appearance of airplanes, which circled low above the place without firing or strafing was proved. Shortly after these discoveries cases of plague and cholera occurred. The cases investigated by the Commission which are only a few of the cases reported, have been set out above. These alone disclosed a serious and widespread deposit of such insects. In all the circumstances, the Commission must reach the conclusion that insects infected with epidemic diseases have been dropped over Korea by American airplanes.

## Chapter 3

### CHEMICAL WEAPONS

Commission and the verification of materials and documents presented to the Commission establish the following facts: the gas spread immediately after the explosion of the bombs which produced first a black smoke, then green-yellow and yellow, and then WEAPONS

American planes have on various occasions used asphyxiating and other gases or chemical weapons at least since 6<sup>th</sup> May, 1951.

According to evidence given to the Commission by the Head of the Health Section of Nampo City People's Committee (1) on the 6<sup>th</sup> May 1951, the city was bombarded four times, between 5.05 p.m. and 6.30pm. The bombardments took place in good weather and in a temperature of 23 degrees Centigrade. 13 districts were attacked. In the course of the last attack when the inhabitants had taken shelter, 3 B29s attacked the districts of Sam Hwa Hoopo Ri, Yong Chong Ri, Chook Dong Ri and a of Yong Soo Ri, over an area of 0.3 square k.m. with gas bombs. There re 1,379 casualties of whom 480 died of suffocation and 647 others were affected by gas. By other means during the raid, 76 people were killed and 176 injured.

The evidence of eye witnesses and of experts (2) (3) (4) (5) (6) (7) (8) (9) taken by the colourless; the smoke had a disagreeable smell, resembling the smell of chlorine; its poisonous effect lasted until it evaporated, within about two hours; people in the shelters (including many children) were particularly affected. The symptoms of the victims were described as follows: Difficulty in breathing, hoarse voice, fainting, coughing, watering of the eyes, running nose, headache, feeling exhausted, the skin feeling hot, vomiting, spitting foam and blood, fever, cyanosis, feeble pulse, the symptoms of acute bronchitis and photophobia. Examination of blood showed an augmentation of white and red corpuscles and of haemoglobin from 100 to 115 %. Post-mortem examination showed an augmentation of volume and weight of the lungs which carried on the periphery marks of the ribs, and a red-black liquid mixed with exudates flowed out of the parenchyma. The surface of the bronchial tubes became clear grey in colour and came away easily. The kidneys and the heart showed signs of loss of blood, and points caused by dilation of the capillary structure; the meninges were smoothened and their structures dilated; the spinal marrow which was dissected showed ecchymoses in the white matter. When the Commission was in Nampo, it examined the results of the autopsy.

In the affected area of the city it was noted that grass became yellow brown, objects containing an alloy of copper became blue green and rings of silver became black. The Commission saw some of these articles identified by witnesses.

At 8 a.m. on 6<sup>th</sup> July, 1951, two American "Jets" flew over the village of Poong-Po Ri to the south of Wong San from northeast to southwest. The temperature was about 27 degrees, a light wind blew from northwest, and the air was relatively wet. The sky was clear. Gas or some other unidentified chemical product spread over an area of about 100 to 200 m. at a point approximately 200 m. east of the village. (10) Two farmers, An Young Hwa and his wife Yang Choun Ok on their way to plough their land suffered burns on the skin, had difficulty in breathing, their eyes watered and could not remain open.

The scientific committee of the Ministry of Health sent a mission of inquiry (11) (12) (13) and witnesses and experts (14) (15) and case histories (16) (17) examined by the Commission established that the two victims were in good health up to 6<sup>th</sup> July 1951. Shortly after the planes had passed they (the victims) felt an itching on the exposed parts of the body (face, hands and feet); they observed red spots which grew to a size like haricot beans, which then swelled and were filled with pus. These injuries could not have

come from any sickness whatsoever and resembled second degree burns but with a much more, serious erosive action and taking a longer time to recover. The man had to remain in hospital from July 15<sup>th</sup> to August 15<sup>th</sup>, and the woman until August 21<sup>st</sup>. While they were in hospital, the blisters containing the pus or liquid broke and the dead skin fell off after the application of Pomatum, but leaving light scars.

Where the gas had spread 10% of agricultural plantations and more specially the leaves of beans showed round white spots which were about one cm. apart from one another, similar to the red spots found on the exposed parts of the victims' bodies.

The witnesses testified that there was no sound of any explosion of bombs, nor was there any machine-gunning.

On August 1st 1951, about 3 p.m. two bombs were dropped on the villages of Yen Seug Ri and Won Chol Ri, (Province of Hwanghai) one in each village. They broke in the air with an unusually feeble sound and produced a black smoke, and a yellow green cloud spread on the ground. Four civilians were killed and 40 poisoned with similar symptoms and results to these found during the bombardment of Nam-po on 6<sup>th</sup> May, 1951. The leaves of trees fell, cereals on the ground were damaged; brass objects became black. (18) (19) (20) (21)

On January 9<sup>th</sup>, 1952, at about 4 p.m. in clear sky and at temperature of at least 5 degrees, the small mountain village of Hak Seng north of Won San was bombed by two planes. After bombardment, 83 persons were poisoned and showed similar symptoms to those found after the Nam-po bombardment. They had, in addition, itching in the throat and felt a sweet taste in the mouth. These facts were established by witnesses including doctors examined by the Commission (22) (23) (24) (25) (26) (27) (28) (29) (30) (31) and were corroborated by the information supplied by the Director of the Kang Won (32) Province Department of Health, and by a report made by many doctors of the Won San Central Hospital (33).

The facts set out above prove beyond question that the American Forces in Korea have in their possession chemical weapons of various kinds and that these have been used on many occasions against the civilian population, causing numerous casualties.

## Chapter 4

### **MASS-MASSACRES, MURDERS AND OTHER ATROCITIES**

The evidence of mass-murders, individual murders and bestialities committed by the military forces of the U.S.A. against Korean civilians including women and children is overwhelming both in the quantities of the crimes committed and in the variety of methods employed.

The Commission in this section of its report has dealt only with cases investigated in two of the provinces visited namely:

1. The Hwanghai Province where the members of the Commission visited three cities: Sinchon, Sariwon and Ailak.
2. The South Pyongan Province where the members of the Commission visited 6 localities: Pyongyang city, Soonchown, Anju, Kaichen, Koon Woo Ri and Nampo.

### **PART 1. MASS-MASSACRES**

#### **1. Hwanghai Province**

The cases investigated (but a few of the many put before the Commission) disclosed the following:-

##### **A. SINCHON**

According to the evidence of Pyong Won Goon, the Chairman of the People's Committee, 35,383 civilians (19,149 men and 16,234 women) were murdered in the district of Sinchon during the American occupation, which lasted from October 17<sup>th</sup> till December 7<sup>th</sup> 1950 i.e. for less than two months. The number includes a substantial number of refugees who were in the district. (1) On the evidences examined, the following facts can be established beyond doubt:

On 18<sup>th</sup> October 1950 in the city of Sinchon behind the building of the People's Committee, a mass murder of about 900 men and women including about 300 children was committed. Some of the women were pregnant.

The murder was committed by order of the commander of the American occupying forces in the city—Harrison (described by one witness as Halison). Harrison was present when his order was fulfilled and took photographs of the execution.

The murder was committed as follows. All the people were pushed into an open deep grave. Harrison ordered them to take off their clothes, then ordered fuel-oil to be thrown over the victims who were set on fire. Those who tried to get out of the grave were shot.

A witness declared: "The cries and shrieks of these people were heartbreaking. Those who were not burnt to death were buried alive. Harrison came the next day and took photos."

On October 20<sup>th</sup> 1950 about 500 men and women including about 100 children were murdered. Harrison was again present.

All the people were forced into an air raid cave shelter, which had 2 entrances. This shelter was cut in rock in the city of Sinchon behind the police headquarters. On Harrison's orders, American Soldiers put explosives in the shelter with a fuse leading outside. Then both entrance were sealed with sacks of earth. Harrison ordered the fuse to be lit. All the people in the shelter were killed by the explosion.

In mid November 1950 another mass murder took place. About 500 people, including women and children were killed. Here are the facts of this case: Harrison had sent an expedition to the Koo Wol mountains in Sinchon district, where he stated guerilla fighters were hiding. The expedition was fruitless. The American officer in charge thereupon ordered the seizure of all the inhabitants of the neighboring villages. On the way back to Sinchon, in the village of Min Chon-ri the commanding American officer gave orders that those people be killed. They were shot by American soldiers with machine-guns.

When the American forces were about to withdraw from the area on 7<sup>th</sup> December 1950, Harrison addressed the officers of the American units and of the Syngman Rhee Auxiliary troops under his command. In a characteristic speech he is reported to have said the withdrawal was "temporary" and for "strategic reasons" and declared that the inhabitants who were still free should be told they should go South with the American troops. "Whoever stays will be treated as an active enemy, and an atom-bomb will be dropped on them. He ordered that all the dependents of the "reds" must be annihilated; all the families of soldiers of the Korean People's Army and of all those working for the state should be considered as red for this purpose. His order was executed.

Further mass-murder of about 900 people, men and women took place on that day in two warehouses in the Won-An-Ri ward of the Sinchon city. There were over 200 children in one of these buildings. The American soldiers threw fuel-oil over the people's clothes and set fire to them. Hand grenades were thrown into the buildings through the windows. One of the Korean women who was in the building with two children pushed the children out of the window. One child was shot. One fled. The mother was burned. Harrison and his officers were present. (2) (3) (4)

The members of the Commission have seen the grave in which the murder of October 20<sup>th</sup> was committed and the warehouses, one was partly open, in the presence of the members of the Commission.

The members of the Commission also saw the shelter in which the murder of October 20<sup>th</sup> was committed and the warehouses one of which was subsequently destroyed by bombardment. On the walls of the shelter and the warehouse there are traces of burning.

Mass-murders were also committed in other parts of the Sinchon district.

For instance:

On the day of their entry into Sam-Song-Ri, Yong-Chin-Myen region Sinchon Goon - the American soldiers forced about 400 people into an open grave. Among them was a young girl, who gave evidence, who was there together with her family consisting of 15 people. All these people were buried alive. Afterwards the witness and another young girl managed to extricate themselves from the grave and fled to the mountains. (5)

On the Oct 17<sup>th</sup>, 1950 in the locality of Boo-Jung-Ri the Americans forced 400 women and men into a cellar. According to the deposition of an eye witness the cellar was so crowded, that it was not possible to move in it. On October 18<sup>th</sup> 1950 about 7 p.m. the Americans put fuel-oil on the people and burned them alive. The burned bodies remained in the cellar till the locality was liberated and were then discovered by their families.

The witness managed to get out through a ventilation opening and in spite of the wounds he sustained, he escaped and saved his life. (6)

In the locality Sol-Ma-Ri, Sinchon district, 2,000 people (men and women) were seized and murdered by various methods during the American occupation. These included children of 1 year old and old people over 70. An eye witness gave evidence of the horrible conditions in the jail. People were constantly beaten. A number were killed with knives or clubs. The witness was in a group of 80 which had to be murdered. He heard a shot and was hurt with a spear. He lost consciousness and after recovered he managed to escape. On many occasions he saw groups of people murdered and put into a grave. (7)

The Commission could not examine all the eye witnesses of mass murders who were available. But having regard to the facts proved, the Commission concluded that the number of over 35,000 murdered in the district of Sinchon declared by the Chairman of the People's Committee and based on the data of the Korean Commission for investigation into war crimes corresponds to reality.

### **B. Sariwon**

An eye witness (8) told the Commission how about 950 people including many women, were shot on the mountains of Mi Ra (8 k.m. from Sariwon) on December 5<sup>th</sup> 1950 by order of an American officer commanding a military unit.

The shooting took place by machine-gunning just before the American troops were forced to leave the city. The members of the Commission have seen the pass in which the execution took place and the graves of the victims, which were opened for inspection by the Commission.

Immediately after the American troops entered the locality of Dai-Won-Ri district of Sariwon many inhabitants were seized including all the families of people serving in the Korean People's Army. An eye witness (9) a young girl who was also seized with a group of about 50 women and 30 men, including children of 1-2 years old told how horribly the American soldiers tortured the prisoners. The prisoners were beaten ceaselessly. The most frequently used method of torture was to put people on a table and to pour water through the nose. Every day people were killed in the prison. Some were hung by the hair and the American soldiers shot at them as at a target. Or they were beaten till they died. Or they were stoned to death. 29 people including 3 women were killed in this way. Other prisoners were forced to watch the murders.

Just before the Americans had to leave the city, the prisoners who were still alive were taken out of the prison, and shot. The father and brother of the witness were killed. She managed to escape when the people were being led out to execution.

Another witness (10) was for 20 days, with a group of about 700 people in the prison of Sariwon. All the prisoners were beaten. Water was poured into their throats. Among the prisoners there were many women with small children. One pregnant woman was beaten so much that she had an abortion. Every evening the American soldiers came to the prison and chose several women who returned after several hours crawling on all fours, their clothing torn to pieces, crying half-mad.

On December 5<sup>th</sup> 1950 when the Americans retreated the prisoners were taken away in groups. A witness who was in the last group managed to escape. He found afterwards that all the other prisoners were killed.

### **C. Anak**

The American occupation lasted in Anak from 18<sup>th</sup> October to 5<sup>th</sup> December 1950. During this time, according to the records made and produced by the Chairman of the People's Committee Mung Young Song, the American murdered 19,072 people. (11) The Commission heard the deposition of eye witnesses only as to a part of those murders.

On October 25<sup>th</sup> 1950 a witness was seized, because her older son was in the Korean People's Army. Her second son fled. On the same evening the Americans conducted the prisoners numbering several thousands and including the witness and her two younger sons to the river near Tolmuzi. The people were bound in twos. The execution took place by shooting or by bayonet. The witness was bound to a young girl who was bayoneted. She said, "I was shot and we both lost consciousness. When I recovered I felt my back heavily pressed, for corpses were heaped upon me, and I was wet with their blood." She and the girl, though wounded, managed to escape. Both of her younger sons were shot. (12)

In the beginning of November 1950 in the locality Sinchang-Ri in the region and District of Anak about 1,000 people were buried alive. This was stated by an eye witness whose son and grandson were among those buried. (13)

During their withdrawal the Americans ordered the population to go with them to the south. They threatened the people saying, that after their withdrawal an atom-bomb would be dropped on the locality. When thousands of people with their families were going southward they were machine-gunned. The witness who managed to escape told the Commission that the number of killed was about 1,500. (14)

#### **D. Other localities**

When the Commission was at Sinchon, witnesses from other localities arrived and asked to be given the opportunity of giving evidence. In only a few cases was the Commission able to meet this request. Among these interrogated were witnesses from the localities Haiju, the Tong Gang coast and the Yeng-Pyeng island.

During the American occupation about 6,000 people, men, women and children were murdered in Haiju including the teachers and many students at the large College of Arts in the district. An eye witness (15) was in jail with a group of 500 people including women. All those people were taken out in groups to be shot. The witness managed to escape. One of his acquaintances who was in one of these groups was shot and received three wounds but did not die and later escaped. All the others were killed.

On the Tong Gang coast, at the end of December 1950, an eye witness (16) saw the American soldiers murder about 300 Korean people including many women and children. The people were shot or beheaded with Japanese sabres. The American soldiers had whole collections of such sabres.

During the last days of December 1950 mass murders took place on the Yeng Pyeng island. An eye witness gives the number of murdered people as approximately 2,000, mostly young boys and girls. The victims were shot or they were put on a ship and thrown into the sea. The witness saw the shooting himself and heard the Americans talking about the drowning.

## **2. South Piengang Province**

In this province members of the Commission visited the following localities: Pyongyang, Soonchown, Anju, Kaichen, Ku-Riu-Ri, Nampo.

### **A. Pyongyang City**

At the time of the American withdrawal, through leaflets and other means they threatened the people with the atom-bomb and compelled thousands of them to cross the river Dai Dong. During the crossing the American airforce strafed and bombed the unarmed people. On 4<sup>th</sup> December 1950, some 1,000 and on 5<sup>th</sup> December 1950, some 3,000 Korean people including many women and children were killed in this way. (17) (18) (19) (20)

### **B. SOONCHOWN**

An eye witness, told how 143 people including women and little children were killed on November 27<sup>th</sup> 1950. (21)

Another witness described three murders committed by the Americans on October 20<sup>th</sup>, October 21<sup>st</sup> and December 2<sup>nd</sup>.

In the first case one woman was shot, in the second two women and in the third 51 persons among them 5 pregnant woman and some children 5-6 years old. The executions took place on the riverbank in the locality Kang Dong Ri.



**C. Anju**

On November 11th 1950 American soldiers from the 24 Division shot 25 Korean people, believed to be members of the Workers Party. Before the execution they were imprisoned and beaten and tortured systematically. Several were tortured by electric shocks. (23)

On November 19<sup>th</sup> 1950, the American soldiers seized and killed four Koreans. Three days later they took about 20 people and shot them in a nearby valley. (24)

On October 23<sup>rd</sup> 1950 in the locality of Rying Don Ri---of the Dong Myen Region Anju District American soldiers killed 9 workers by throwing them alive into a well and throwing stones on top of them. (25)

**D. Kaichen**

On November 29<sup>th</sup> 1950, the American soldiers murdered over 400 Koreans in the locality Eul Ryong Ri. Some 30 soldiers took part in this mass-murder. Before the execution the Koreans were imprisoned for 8 days, and many were beaten and tortured by means of electric power. (26)

**E. Kou-Woo-Ri**

23<sup>rd</sup> October 1950, a large number of people including 60 children under 5 years of age, 8 pregnant women and 5 old people over 60 years of age were shot by 3 American and one Syngman Rhee soldier. (27)

23<sup>rd</sup> or 24<sup>th</sup> October 1950, about 80 people including mothers carrying their babies on their backs and some children were murdered by American and Syngman Rhee troops. The adults were shot, the children buried alive. A witness saw her father killed in this massacre. (28)

A peasant Ku Son Chin was taken by American and Syngman Rhee soldiers together with 8 other peasants to a nearby hillside, forced into an open grave and shot. He was wounded and lost consciousness. Apparently he must have been taken as dead, for when he recovered consciousness the Americans had gone and he managed to escape. (29) Members of the Commission saw the grave, in company with Ku Son Chin. They saw the remains of bodies.

23<sup>rd</sup> November 1950, 50 people of Kwan Son Kwong were shot by American troops. Those killed included the witness' father and one of her brothers. She saw this murder. Her mother, grandmother, four sisters (youngest 3 years old), two other brothers and about 6 of the neighbours' children aged between 5 and 14 were also killed.

Some being shot, others buried alive. The witness saw the murder of the children. The other bodies were discovered after the American withdrawal from the area. (30)

**F. Nampo**

5th December 1950, on the day of their withdrawal, American troops took 64 workers at a factory to a nearby shelter and murdered them by shooting and throwing hand grenades. (31)

**PART II. TORTURES, VIOLATIONS AND MURDERS  
AGAINST INDIVIDUALS**

Cases of murders and violations against Korean men, women and children given in this section are drawn from the same provinces as the facts described above. Only cases in respect of which direct evidence was investigated and accepted have been considered in this report.

**1. Hwanghai Province****A. Sinchon**

On the very day American troops entered the locality Wuol San Ri of the Cho Ri Region, Sinchen Myen they committed a particularly horrible murder against the Woo Mal Che family. (32) The Americans pierced a wire through the hands, ears and nose of the witness' husband. On his forehead they fastened with a nail, a diploma for work found in the room and tortured him until he died. 11 children of the family Woo Mal Che ranging from 5 till 25 years of age were shot on the spot. Woo Mal Che's daughter-in-law seeing the American soldiers torturing her father-in-law tried to defend him. The Americans attached her by her hair to a tree, cut off her breasts, put a wooden club in her vagina, poured fuel-oil on it and set fire to it. They then poured oil over her and burned her alive. About 20 American soldiers took part in this murder.

In the locality Mi Gok Ri of the Jong Chang Myen Region on the 5<sup>th</sup> December 1950, Bak Yong Nye, aged 23 was raped by 3 American soldiers. In the same locality and on the same date another woman 38 years old was raped by 4 American soldiers. (33) (34)

**B. Anak**

On October 18<sup>th</sup> 1950 in the locality Song San Ri, American soldiers forced all the inhabitants-adults and children into the school building. One woman Kim-Hwa Sil who defended herself against attempted rape was put naked in the courtyard. All the prisoners were compelled to watch her further torture. A club one meter long was put into her vagina. She died immediately. Her body was hung on a telegraph pole, where it remained till the end of the American occupation. All those scenes were photographed by the Americans.

10 other women were one after another raped by 2 or 3 soldiers. They were also beaten with clubs, kicked and clubs were put between their legs. The children were taken from their mothers' breasts. Beating, raping and murdering lasted for 8 days. On the 26<sup>th</sup> October 1950, the survivors were taken to the seashore and shot. The witness escaped from the convoy when there was a hold up on the road and the guards were temporarily distracted. She was the only one who lived.

At Sam Seng Ri, Yong Jin Myen, Sunchen Goon, when the 12 year-old brother of witness Kim Hyen Choon tried to defend his peasant father from beating by American troops, they beat the boy and then dug out his eyes. (37)

**C. Sariwon**

On October 25<sup>th</sup> 1950 in the city of Sariwon-an American soldier with the letters M.P. on his arm committed a horrifying murder on a man named Kim Chan Du. Using a knife he cut off the victim's skin from the throat to the abdomen and started to skin him alive. As he had some difficulty in doing this, he threw stones at his victim until the victim died.

On November 11<sup>th</sup> 1950 a young girl was raped by 3 Americans. She was also cruelly beaten, kicked, and water was poured down her throat. Other soldiers raped a 56 years old woman. (36)

**D. Haiju**

In the city of Haiju, American soldiers tortured a young Korean girl named Jo Ok Hi who was chairman of the local women's Organisation and was in prison in the same room as the witness. According to the testimony of the witness who was examined by members of the Commission, the American troops submitted her to slow torture, first putting out her eyes, after a lapse of time cutting off her nose, still later cutting off her breasts. (38)

**2. South Pyengang Province****A. Pyongyong City**

American atrocities and crimes were numerous in the city of Phenyang. Typical individual crimes were raping, torturing and murders. Here are some cases:

24<sup>th</sup> October 1950, in Yin Heung Ri the whole family of An-Duk-Sil consisting of father, mother, 2 sons, 2 daughters and 11 other relatives including in all 8 children of whom two were babies were buried alive by 10 American soldiers. The bodies were discovered when the grave was opened after the withdrawal of American troops. (39)

Yin Heung Ri, 5<sup>th</sup> November to 3<sup>rd</sup> December 1950. Torture by electric shock and beating of civilian Choi Ki Ok aged 25 who was also stripped and dragged naked through the street. She was accused of being "a Red". (40)

Song Seuk Ri: 25<sup>th</sup> November 1950. Murder of mother Kim Young Sook, aged 12, by shooting on the ground that she was "a Red". (41)

Cho Hak Reul, schoolteacher, was seized in Heung Ri, 2<sup>nd</sup> November to 3<sup>rd</sup> December 1950 on the ground that he was "a Red". He was tortured and murdered. Ge Kil Ryeu, his mother, was seized and imprisoned and because she had "given birth to a Red". (42)

**B. Kaichen**

On October 25<sup>th</sup> 1950 the Americans took from their house a serving soldier and his mother. (see Chapter 6) They killed the mother and the son by shooting in the neck. The father who was in hiding in the hills nearby, saw the arrests and later recovered the bodies. (43)

In October 1950 American soldiers took a mother of 4 children from her home. Two of those children--a 7 years old girl and a 2 years old boy clung to her skirts--the American soldiers killed both children strangling the girl and beating the boy to death with the butt of a rifle the presence of their mother. (44)

On November 17<sup>th</sup> 1950 Ree Sam Sil, a leading member of the local women Organisation was put in jail where she remained till November 29<sup>th</sup>. She was tortured by means of electricity, raped by two soldiers, stripped and dragged naked through the streets. On the very day of the withdrawal of the Americans she managed to escape. (45)

From November 11<sup>th</sup> till November 29<sup>th</sup> 1950 the witness Kim Yong Son was in jail. He was beaten and tortured with electricity. On November 29<sup>th</sup> 1950 he was conducted with other prisoners to be killed and was shot. He was seriously wounded, lost consciousness awakened by night and managed to escape. (26)

### C. Anju

Heung Hyep Ri: Imprisoned and tortured with electricity and beating of Kim Tai Soon, age 25, schoolteacher, because "he was a Red". 20<sup>th</sup> to 30<sup>th</sup> November 1950.

Book Soong Ri: Seizure of Chai Ming Som as "a Red", beating in prison and subsequently murdered. Body recovered from nearby lake by his father. 19<sup>th</sup> November 1950. (45)

Book Song Ri, seizure and subsequent murder of three peasants who refused confiscation of their grain without authority, receipt or compensation. 19<sup>th</sup> November 1950. (46)

Dong Maing Ri: Seizure of Pak Chang Rok, aged 38, peasant on 23<sup>rd</sup> October 1950 for refusing pigs and grain without production of authority, or receipt or compensation. Murdered on same day (with others), being bound and dropped alive in a well shaft, head first. Body recovered by mother a month later immediately after evacuation of area by U.S. troops. (47)

O Ri: November 1950, murder of Ri Seum Ok married woman aged 28, after she had resisted rape. (48)

Koo Teung Ri: 20<sup>th</sup> November 1950, taking of child Cha Deuk Keun, aged 12 with his peasant father and mother, and attempted murder by shooting (from which peasants died but child only injured and subsequently escaped). (49)

Song Seuk Ri: 25<sup>th</sup> November 1950. Murder of mother of Ri Yoon Sook, aged 12, by shooting on the ground that she was "a Red". (50)

Boug Rim Ri: 21<sup>st</sup>-29<sup>th</sup> November 1950. Beating and murder of Ri Wha Soon, peasant, for refusing grain without authority, receipt or compensation. (51)

Nong Rim Ri: 1 20<sup>th</sup>-30<sup>th</sup> November 1950. Seizure and imprisonment of whole family of a peasant including 3 children for resisting confiscation of grain. Murder of mother and one child and attempted murder of other 2 children including Ri Yoon Sook aged 16. The two surviving children were wounded by grenades but subsequently escaped. (50)

### D. Soonchen

Sang Ri, November 1950, rape of Mrs. Ree, aged 64. (52)

### E. Koon-Woo-Ri

23<sup>rd</sup> October 1950, O-Beng-Nyong a peasant was seized and imprisoned. Tortured with red hot iron by Syngman Rhee troops under the orders and in the presence of American soldiers.

This witness also deposed to the torture and subsequent murder of a woman named Joo Sung Byek in the same prison by American and Syngman Rhee troops. (27)

\* \* \* \*

In this section of the report, the Commission has confined itself to a statement of those facts which were proved by direct evidence which in the opinion of the Commission was corroborated and established beyond doubt. A considerable volume of written statements was submitted to the Commission, which have been taken into account only by way of corroboration of facts proved by primary evidence. We were invited to investigate many similar cases to those stated above in various parts of the country, and it was time alone that prevented this from being done.

The members of the Commission were especially concerned to be satisfied in each case that the victims were indisputably civilians, and entitled to be treated as such; that they were given no trial, or even advised of any offence against the occupying power.

The circumstances surrounding the detention or mass murder of people reveal certain common features at all the major places which the Commission visited, and cannot, therefore, in the opinion of the Commission, be treated simply as cases of excesses committed by individual soldiers or units.

The wholesale killings fall substantially into two categories, the killing of the inhabitants of a locality, and the killing of refugees.

As to the former, it was established that on the entering a locality the American troops either alone or using for their purposes Syngman Rhee auxiliaries or also using Japanese agents rounded up the families of all men serving in the Korean People's Army or of men who worked in state enterprises or government, or who were active in the Workers Party or leading movement of women's league. In many cases this meant in practice the seizure of all families in which no young men were present. In nearly every case those seized included men, women and children of all ages. In some cases all the civilian inhabitants of a locality were seized. In addition, in many villages, peasants and their families were taken when they refused to hand over grain and livestock without any requisitioning authority being produced, and without any receipt being rendered or compensation offered.

While the group killings continued in each area throughout the period of occupation, it would appear that the greatest number of those killed were exterminated, either within the first few days of the occupation, or immediately before withdrawal from the area. In every town visited, it was clear that the occupation troops had on the day before, or on the day of retreat, taken the people in detention for whatever cause and deliberately exterminated them.

As to the killing of refugees, this falls into two periods: --

- (a) When the American troops were advancing Northwards in September and October 1950, large numbers of refugees fleeing northwards were cut off by the advancing troops particularly in the areas of Sinchon and Anak. -These refugees were clearly distinguishable as refugees (whole families including women and children. The men wearing the traditional Korean white clothes, and the women long skirts in color) who were not at the time intermingled with troops of the Korean People's Army. It was these groups which were systematically exterminated as related above.
- (b) When the American troops retreated in November-December 1950, it is established that large numbers of the inhabitants of the major cities were induced by leaflets and threats to believe that the atom bomb would be dropped and that they should move south with the American troops. These refugees were deliberately exterminated in their thousands by American forces.

The tortures and bestialities committed against individuals again reveal a common pattern of behaviour throughout the area visited, and cannot be passed over as the sadistic excesses of individuals.

The whole series of cases cited in this chapter of the report must not be taken as the whole evidence of cases committed but as typical of a vast number of similar cases brought to the attention of the

**Commission for examination. The torturing of people by beating, kicking, electric shocks, pouring water in the nose and throat to excess, cutting off various parts of the body, mutilation and the killing by shooting, bayoneting, suffocation, blowing up, burning alive and burying alive could be repeated again and again in sickening detail.**

**The Commission draws conclusions from these established facts, which are set out later.**

## Chapter 5

## AIR ATTACKS ON CIVILIAN POPULATION

## I. Destruction of cities and villages

While travelling through many regions of Korea north of the 38<sup>th</sup> Parallel, the members of the Commission have seen for themselves that all the towns through which they passed, or in which they stayed, were completely destroyed or have only a small number of intact buildings left standing. They also saw heavy damage in many villages. Enquiries into some characteristic cases established the circumstances in which this destruction was effected by air attacks by American planes:

## (1) The City of Pyongyang

The capital of North Korea is a large city dominated by the Moran Hill. Before the war it had a population of 464,000 which had dropped to 181,000 by December 31, 1951.

Kin Hak Sun, the Deputy Chairman of the Municipal People's Committee, gave the Commission the following information:

Since June 27, 1950, the city of Pyongyang has been the target of many air attacks both by day and by night. In the course of these bombardments, more than 30,000 bombs (explosives, incendiaries and multiple explosives) have been dropped on the city. Up to December 31, 1951, out of 80,000 houses 64,000 were destroyed. In the year 1951 alone, 4,768 people were killed, and 2,438 seriously injured by these bombardments; 32 hospitals and dispensaries, 64 churches, 99 schools and university buildings, 1 museum and 29 theatres were completely destroyed. The hospitals which were under the control of the civil administration were marked with a red cross. On the 18<sup>th</sup> August 1950, the Military Council of the Democratic People's Republic of Korea ordered that all buildings and vehicles used in the public health service should be marked with the Red Cross as soon as possible so that the sign should be clearly recognised from the air and from every side. (1)

Lieutenant-general Yu Song-Chol, Vice-Chief of the General Staff of the Korean People's Army states that the city of Pyongyang did not possess a single arsenal or any factory that was used for military purposes. Nor had it any troops stationed there for the defence of the city. Further it has never had any A-A batteries in the city; they were placed outside and at some distance from the city. (2)

The members of the Commission have visited the city and seen the wholesale destruction of most of the dwelling houses. They have seen the ruins of several churches, still recognisable by their remainder of the steeples. They have also seen the ruin of the Kim Il Sung University. This grand building situated on a hill far from the centre of the city was bombed several times before and after being set on fire by the American troops when they evacuated the city.

Witnesses described one of the bombardments of Pyongyang as follow:

On 16<sup>th</sup> September, 1950, when fighting was going on at a considerable distance away, the city was first attacked with incendiary bombs by more than 100 B-29s and then after a pause by 40 Gramans. These attacks took place in fine weather from about 10 a.m. in the morning till about 1 p.m. in the afternoon. Multiple explosive bombs exploding first in the air and again on contact with the earth were dropped for the first time on the town.

The burning of houses caused many victims. These victims included many people trying to find refuge on the Moran Hill, near the Monument of Liberation. In this place alone there were 70 deaths and the near the entrance to the shelter, 17 deaths. (3) (4) (5) Among the buildings destroyed in this bombardment, a church situated in Kwang Hu Ri quarter, could be identified by its steeple and its cross.

(6)

Other air attacks were made, specially on December 3, 1950 (during the night) by a group of 6 B-29s; other attacks were during day-time and in fine weather on December 8<sup>th</sup>, 1950 by 7 B-29s; on

December 24<sup>th</sup>, 1950 by 6 B-29s; on December 27<sup>th</sup>, 1950 by 11 B-29s; on January 3<sup>rd</sup>, 1951 by many B-29s with incendiary bombs; on July 30<sup>th</sup>, 1951 by 50 "Jets", flying very low; on August 15<sup>th</sup>, 1951 by a great number of fighters and bombers. Many of these attacks were after the departure of the American troops who occupied the city from October 19<sup>th</sup> to December 3<sup>rd</sup>, 1950. Many witnesses gave particulars to the Commission of the destruction of churches and schools. (7) (8) (9)

## (2) The City of Soonchown, S. Pyengang Province

This city, when there were no troops, no A-A battery either at the time of attack or before, and had only a chemical factory, has been bombed a great many times and nearly completely destroyed.

Witnesses heard by the Commission gave full particulars of some of the destruction caused by the most intense attacks:--

On the 4<sup>th</sup> December, 1950 the day after the American troops withdrew from the city, a school clearly distinguishable by its playground, was bombed and destroyed.

On the 15<sup>th</sup> December 1950 in the morning an attack by "Jets" destroyed a large number of buildings and caused many casualties. 50 people were killed during raid, of whom 11 were machine-gunned.

On the 11<sup>th</sup> January 1951 about 30 B-29s bombed the town and destroyed some churches which it was impossible to mistake for other buildings. (10) (11) (12) (13)

## (3) The City of Kaichen, South Piengang Province

This city was completely reduced to ruins.

One of the witnesses heard by the Commission said the most intense raids were on 20<sup>th</sup> July and 13<sup>th</sup> October 1950. In these two raids alone, out of a population of 7,500 nearly 1,000 were killed and 600 seriously injured. Planes dived and machine-gunned civilians in the streets. (14)

Another witness gave particulars of the destruction on 13<sup>th</sup> August of a school easily identifiable as such. (15)

The Commission visited the remains of this city. There did not appear to be a single dwelling above ground.

Every hospital, school, church, public building was destroyed.

The delegates of the International Democratic Federation of Women who visited Kaichen in May 1951 indicated in their report that they could see a big red cross still visible on the then remaining part of the roof of one of the town's hospitals; but, when the members of the Commission were in Kaichen in March 1952, this mark was no more to be seen as the remainder of the building had been wholly destroyed in the interval.

Out of the prewar houses 1342, only 15 remained standing.

The present population is 460, mainly living in holes dug in the neighbouring hills or in the rubble of the town itself.

There were no troops, no A-A battery, no military objectives in the town, apart from a railway line on the outskirts.



**(4) The City of Anju**

This town has suffered very heavy damage.

Two hospitals, a Catholic church, and many schools have been destroyed in the raids.

Out of 2708 dwelling houses before the war, 2172 have been destroyed.

In one of the bombardments the day after the Americans withdrew 63 people were killed. (16)

None of these buildings was situated in the neighbourhood of the railway; there was no military formation in or near the city; no A-A batteries, no military installations, no factory that was used for military purposes.

**(5) The city of Nampo**

The Vice-President of the People's Committee of Nampo informed the Commission of the following:

The city which had 100,000 inhabitants before the war was attacked on July 6<sup>th</sup>, 1950 for the first time by American planes including several B-29s.

In the course of this bombardment a granary was attacked and a very large quantity sacks of cereals destroyed.

New attacks took place on July 8<sup>th</sup> and July 12<sup>th</sup>, 1950. In course of this last bombardment, 17 schools, 2 hospitals, 2 dispensaries and a theatre were destroyed. The bombardments lasted till the occupation of the city by the American troops, and after their evacuation of the city, bombardments by planes and battleships were renewed.

Particularly violent and murderous bombardments by B-20s, took place on 6<sup>th</sup> May, 1951. (17) (18) (See Chapter 3)

There were no troops, no military installations, no factory manufacturing arms in this city. The harbour was only used for fishing boats.

A glass-works and a foundry situated outside the city have been destroyed since the commencement of hostilities. The railway line has been repeatedly bombed.

During their visit to the city, members of the Commission saw the total destruction of the city and the ruins of a big secondary school. This school was situated alone on a hill and surrounded by sport grounds. Ruins of several churches and of one hospital, also surrounded by open ground, were to be seen. They saw traces of a painted red cross on the roof of the hospital. Many marks of machine-gunning were seen.

**(6) The City of Sariwon**

This city was completely destroyed.

Mr. Mok Youn-Dal, Deputy Chairman of the Municipal People's Committee indicated to the Commission that it has been frequently bombarded. The most violent attacks were made in fine weather on September 14<sup>th</sup>, September 21<sup>st</sup>, 1950; October 12<sup>th</sup>, 1950; February 5<sup>th</sup>, April 3<sup>rd</sup>, and 23<sup>rd</sup>, May 15<sup>th</sup>, August 1<sup>st</sup>, October 12<sup>th</sup> and December 25<sup>th</sup>, 1951 by B-29s, 2 engine planes and Gramans. The number of bombs dropped in the city is estimated at 3,000.

In the city there were no factory used for military purposes, no troops stationed, no military installations, and the railway line has not been used since the beginning of the hostilities. A-A batteries were only installed in the second half of 1951.

Among the buildings destroyed in the course of the bombardments were 11 schools, 1 public library, 4 clubs, 4 churches, 16 dispensaries and hospitals. These hospitals were under civil administration, and marked with a red cross according to the instructions of the People's Committee. 1391 people were killed by bombing and machine-gunning and over 3000 wounded. (19) (20) (21) (22) (23)

**(7) The City of Sinchon**

Many bombardments were made by B-59s, 2 engine planes and Gramans, particularly on August 13, 1950 and on December 23, 1951.

The attacks took place generally in day-time and in fine weather; they lasted half an hour to an hour. There was never any fighting near the city.

The city of Sinchon had no factory that was used for military purposes; no military installations and no A-A batteries. No troops were stationed there.

The railway line had been destroyed early in the war and was not used.

The hospitals were under civil administration and were marked with a red cross. (24)

**(8) The City of Anak**

Mr. Mon Teum Seung, Chairman of the Municipal People's Committee of the city pointed out that the city has been very frequently bombarded since the beginning of the hostilities. The principal attacks were made on about 20<sup>th</sup> September, 1950 and during the months of April and May 1951 by B-29s and Jets. There were no soldiers stationed in the city. There were no military installation, no factory used for military purposes, no A-A batteries and no railway line. 2 churches, 8 schools, and 1 hospital were destroyed. The hospital was under civil administration and was marked with a red cross.

911 persons were killed by machine-gunning.

At the time of bombardments, the front was 120-200 km. away from the city. (25)

**(9) The Village of Yongkang**

The members of the Commission thought it useful to investigate one case, taken as an example, of a village destroyed by bombardment and visited the village of Yongkang.

This village is situated to the southwest of Pyongyang. It was attacked on January 12<sup>th</sup>, 1951, at 11 a.m. for three hours by six 2 engine planes which dropped about 150 incendiary bombs and machine-gunned the inhabitants. 36 among 115 houses were completely burned. There were 8 persons killed including 6 children from 2 to 15 years of age and 2 persons badly burned. (26) (27)

The preceding examples show that the American planes flew over cities and villages behind the front which had in general no military objectives. The planes bombarded them without discrimination, and caused many casualties among civil population. Hospitals, indicated by a red cross, and churches and school easily recognizable were destroyed.

**2. Destruction of Isolated Buildings****(1) Destruction of a School at Kou Ryen Ri**

On March 11, 1952, at 9:30 a.m. when the Commission proceeded to this locality to make enquiries, 4 Graman planes attacked a school with explosive bombs. This school was situated about 1 km. from the houses of its inhabitants. This school was easily recognizable from the form of its construction. It could not even be confused with a factory.

The members of the Commission could see on their arrival that the building was intact. Thereafter the roof was damaged by the bombardment. The planes then dived and machine gunned, but caused no victim.

The village Koo Ryen Ri is situated 40 km. from any railway line. It had no military installation, no factory used for military purposes and no troops stationed there.

Immediately after the bombardment, the members of the Commission heard the evidence of a witness who had seen the bombardment. The members of the Commission also examined the damage themselves. (28)

## (2) Destruction of Buildings of Culture

Dr. Han Heung Soa, President of the Commissariat for Research and Conservation of Cultural Objects has furnished the Commission with a report about the destruction of buildings and cultural objects. Dr. Han also furnished the Commission with a list of 29 buildings (temples, palaces, pavilions) of great archaeological artistic or historical value destroyed. These buildings were generally bombed shortly after the retreat of the American troops. The American command could not ignore the cultural value of the objects bombed. Dr. Han pointed out that most of the buildings were constructed with the customary architectural features according to religious traditions. Dr. Han Hung Soa gave many photos to the Commission, which showed that the destroyed temples were built in groups of buildings in the characteristic style, and many were situated in isolated places. (29)

The Commission proceeded to Pyongyang to make enquiry about the destruction of Temple Yang Myong which was one of the most ancient buildings built on the 11th century. It was situated in a park on the slope of Moran Hill overlooking on the Daidong River. There was no other building in the immediate vicinity of the temple.

The bombardment of Yang Myong Temple took place on January 3, 1951 shortly after the retreat of the American troops. It attacked by B-29s with incendiary bombs in fine weather between 10 a.m. and 2 p.m. In the course of the same attack incendiary bombs were also dropped on the city 800 meters away from the temple. No other part of the Moran hill was bombed on that day. (30).

On visiting the place, the members of the Commission could testify that the temple was completely destroyed.

The Commission in its lengthy journeys through Korea has seen for itself the terrible destruction of towns and villages, of hospitals, churches, schools, factories, mills and means of communication. It has seen for itself on innumerable occasions the destruction wrought by indiscriminate bombing on places that could not conceivably have been military targets as understood in international law. Differentiation between defended and undefended cities apparently did not exist. Whether a building was protected under the Rules of War or not appears to have made no difference.

It has also seen how the Korean people despite the destruction of their homes and villages is living today. In holes dug in the rubble of cities, in holes dug in the sides of hills, the Korean people are continuing their daily occupations, tending the fields, working in underground factories, sending the children to underground or cavelike schools, and in their leisure moments going to an underground cinema or theatre.

The devastation caused by American planes is contrary to all concepts of international law, and must be understood in this light.

## Chapter 6

### OTHER WAR CRIMES

#### A. Wilful Destruction of Civil Property

In almost every town or village occupied at some time by American troops and visited by members of the Commission cases of the deliberate destruction of civilian properties were brought forward for examination and reports made by the Investigating Commissions appointed by local People's Committees after the evacuation of American troops were produced.

The Commission investigated typical cases in some towns and examined eyewitnesses.

**Kaichen District.** The Kaichen Higher Middle School and Primary Middle School, a modern building standing in its own grounds was used during the occupation of the town by American troops for military purposes. On 30<sup>th</sup> November 1950, the day when they evacuated the town gasoline was thrown onto the buildings, which were then fired and destroyed. Other public buildings in this district were similarly destroyed. (1) (2)

**Sookshen S. Pyengang Province.** On 4<sup>th</sup> December 1950, the day of evacuation by American troops, Soon Tang People's School (Primary) Kwang San Il Ri which had used as an American military hospital, was fired with gasoline by the retreating forces and destroyed. (3)

The following buildings in this district were similarly destroyed by fire on 3<sup>rd</sup> and 4<sup>th</sup> December 1950:

- Soonchown Girls' Middle School
- Soonchown People's School (Primary)
- Eunshan Middle School for Girls
- Eunshan Middle School for Boys
- Soonchown Boys' Middle School
- Two People's Schools in Milcheun
- Soonchown "Father in Heaven" Church (Roman Catholic) (4) (5)

#### B. Pillage and Destruction of Objects of Cultural Interests

**Pyongyang Museum.** This most important of the Museums of the Democratic People's Republic of Korea was pillaged by American troops occupying Pyongyang, on the 29<sup>th</sup> October and 3<sup>rd</sup> November 1950. Evidence was given by the Director of the Museum who saw the pillage of the Museum. (6)

A concrete cavern had been constructed in the grounds of the Museum, which stands on a hill surrounded by parkland. The treasures of the Museum were placed in this cavern which was sealed up so far as necessary ventilation permitted, and concealed by earth before the American occupation. American troops operating under orders of a Superior searched for and found this cavern, which was broken open and what seemed from their appearance to be the most valuable objects were taken away in American army trucks.

A safe in the Museum was blown open and statuary wantonly damaged. (6)

Professor Han Heung-Soa who was for many years before the present hostilities President of the Commissariat for Research and Conservation of Cultural objects in Korea, and who has since hostilities began been responsible for the investigation of destruction and loss of such objects. His evidence as to the destruction of such buildings by air bombardment is referred to in Chapter 5 of this report.

He states that during the period of American occupation, they entered, in addition to the Pyongyang Museum referred to above, the Historical Museum of Kim Il-Sung University, the Historical Museum of Cheung-jin, the Historical Museum of Hamheung, the Special Museum of Me Myohyang, N. Pyengang Province and the Historical Museum of Haijoo, Whanghai Province. 6709 objects of artistic or historical interest were pillaged or destroyed while materials and books were burned. Among other places of historic interest wantonly damaged or destroyed were an ancient grave of KOKOORYO Period (circa 400 with frescoes at Kang-Seu, S. Piengang Province which was destroyed and used as a warehouse; an ancient grave decorated with brilliant frescoes in Ryong-Gang, S. Pyengang Province, utilized as a gaol for the imprisonment of Korean civilians; an ancient grave of the Kokooryo period with frescoes in Anak, Hwanghai Province, which was damaged by hand grenades, and later bombed. (7)

### C. Destruction and Confiscation of Grains

In a number of cases referred to above (in Chapter 4) the initial seizure of persons subsequently ill-treated or murdered was on their refusing to give up grain or livestock without production of proper authority to requisition, and without being offered a receipt or compensation. In addition, statistics prepared by Investigating Commissions of Goon People's Committees after evacuation of their respective areas by American troops were produced to the Commission which disclosed substantial seizures and wanton destruction of foodstuffs and livestock by the occupying forces, not needed to supply the occupying forces, and without regard to the requirements of the civilian population. (2) (5) Typical cases investigated by the Commission are:-

**Chang I Ri Soonchown Goon.** 15<sup>th</sup> December 1950. Shortly after evacuation of the area by American troops, grain stacked in sacks in an open field was destroyed by incendiary bombs dropped by low flying American planes in daylight. (8)

**Nong Rim Ri, Anju Goon.** 19<sup>th</sup> October 1950, family of peasants, together with 30 other villagers seized and imprisoned, for refusing to hand over grain and livestock to U.S. troops without requisitioning authority, and without receipt or compensation. (9)

**Kaichen.** 2<sup>nd</sup> of October 1950, 500 sacks of unhusked rice and corn taken by U.S. troops by truck from Warehouse of Taxes in -Kind and used as a bridge. (10)

**Sam Po Ri, Kaichen Goon.** 5<sup>th</sup> November 1950, 500 mals of rice in the yards of 2 peasant farmers set on fire by U.S. troops with gasoline and destroyed. (10)

**Book Song Ri, Anju Goon.** 19<sup>th</sup> November 1950, Grain and livestock demanded by American troops without producing any authority to requisition, or rendering receipt or compensation. (11)

### D. Offences against P.O.W.'s

**Kaichen.** A soldier of the Korean People's Army in uniform, with military identification card was taken prisoner by American soldiers at the home of his father Cha Yu Suk, together with his mother (see above Chapter 4). He and his mother were shot by the Americans two days later, and the bodies recovered by the father. (12)

**Bek Dong.** No. Pyengang Province No. 5 P.O.W. Camp was bombed three times by U.S. planes:

2 p.m. 9<sup>th</sup> November 1950

9:30 a.m. 14<sup>th</sup> November 1950

1:30 p.m. 19<sup>th</sup> November 1950

The commission was informed by the Korean Authorities that after the first attack a protest was made to U.N.O. which gave particulars of the situation of this camp, but has not itself seen the relevant document.

The camp is now marked with a large sign visible from the air. On all these occasions the weather was clear, and the camp, standing at the tip of a small peninsula at the confluence of the Yalu River, and a tributary cannot possibly be mistaken for any other objective. The P.O.W.s having taken shelter there were no casualties, but buildings were destroyed.

**Chonsan.** N. Pyengang Province No. 1 P.O.W. camp has been bombed twice by American planes. 10 p.m. 13<sup>th</sup> October 1951, bombed with anti-personnel bombs and high explosive. 2 British officers, 1 British and 5 U.S. P.O.W.s were injured, 3 U.S. casualties later dying from wounds. Among the camp staff, two men killed and 1 wounded. Fragments of bombs and tail fins bearing U.S. markings were found.

**16<sup>th</sup> March 1952.** Bombed again with damage to 3 British P.O.W. huts and injury to 1 British P.O.W.

The camp is situated in mountainous country in N. Korea. There is no railway, military camp, depot or installation or any possible military objective in the vicinity of the camp.

The evidence concerning these two raids was given to the Commission by a number of British P.O.W.s in the Camp. (13) (14)

## Chapter 7

## CONCLUSIONS

The Commission has given very careful consideration to the facts disclosed in this Report, to which it has applied the principles of international law universally accepted by civilised states.

It is not the function of this Commission to pass a final judgment. It is not a Tribunal that is competent to do so. Its duty is limited to an investigation of the facts, and to indicate the offences against international law, which, in its opinion, these facts disclose. If there be a defence to the crimes this Report discloses, that defence must be heard by an appropriate international Tribunal before final judgment can be passed.

On this footing the Commission reaches the following conclusions:-

1. By the deliberate dispersion of flies and other insects artificially infected with bacteria against the Korean People's Army and among the civilian population of North Korea, with the intention of spreading death and disease, a most grave and horrible crime has been perpetrated by U.S. forces in Korea, contrary to the provisions of the Hague Convention concerning the laws and customs of war on land of 1907, and to the universally accepted law prohibiting bacteriological warfare which was re-stated in the Geneva Protocol of 1925.
2. By the use of poison gas bombs, and other chemical substances among the civilian population of North Korea, the U.S. forces are guilty of a planned and deliberate breach of the Hague Regulations 1907 Article 23 (a) and (c) and of the Geneva Protocol of 1925.
3. By the murder en masse of civilians or of individuals without charge, without trial, including many women and children throughout the areas occupied by them the United States forces and Syngman Rhee soldiers under their command have acted in defiance of the express provisions of the Hague Regulations of 1907 (Art. 46) imposing a duty on the occupying power to protect the lives of inhabitants.
4. By the wrongful seizure and imprisonment, ill-treatment and tortures of the civilian inhabitants in the areas occupied, the U.S. forces and Syngman Rhee soldiers under their command have again broken the express provisions of the Hague Regulations of 1907.
5. By the bombardment of undefended towns and villages far from the front and the indiscriminate destruction from the air of nonmilitary objectives, the American forces have again acted in defiance of the accepted laws and customs of war, and in particular in breach of the Hague Regulations.
6. By the destruction of protected buildings, such as buildings dedicated to public worship, art, science, historic monuments and hospitals, in some cases in the indiscriminate bombardment of undefended towns and villages, and in others by deliberate attack on these protected buildings, when they were being used solely for the purpose for which they were intended, and where necessary, marked with appropriate signs. The American forces have again broken the Hague Regulations of 1907 and in particular Article 27.
7. By the deliberate destruction by fire and explosive of public buildings of a civil or non-military character when such destruction was not imperatively demanded by the exigencies of war, the American forces are in breach of the Hague Regulations and in particular of Articles 55 and 56.

8. By the confiscation without requisitioning authority, and without compensation or receipt, or by the deliberate destruction of foodstuffs and the private property of civilians, not necessary for the maintenance of the occupying forces, the American troops have again broken the Hague Regulations and in particular Articles 46 and 52.
9. By the murder of prisoners of war, American troops have been guilty of a breach of the Conventions of 1929 and 1949 concerning the treatment of Prisoners of War.
10. By the pillage of historic works of arts, and of private property, the American forces have been guilty of offences against Hague Regulations (Art. 47).

In the opinion of the Commission all the above constitute war crimes as defined by Article 6 of the Charter of the International Military Tribunal of Nuremberg.

Having regard to the extent and character of the crimes revealed, the Commission is of the opinion that the American forces in Korea been guilty of crimes against humanity as defined by the Charter, as follows:-

1. By the wholesale destruction or extermination of sections of the civilian inhabitants, and in particular of refugees without any attempt to bring any to trial for any offence, and by the terroristic methods adopted against whole sections of the Korean people, and since 28<sup>th</sup> January 1952 by the use on a large scale of the bacteriological weapons against civilians;
2. By the destruction or attempted destruction of the way of life of the people of North, Korea, by the destruction of its schools, university, museums, its historic monuments and cultural objects, by the destruction of the organs of government and the murder of its officials.

Taking the view that the extensive murders are not the result of individual excesses, but indicate a pattern of behaviour by the U.S. forces throughout the areas occupied by them, and taking into account that the employment of bacteriological and chemical weapons over extensive areas of the country must constitute an attempt to destroy a whole people or part of a people, the Commission is of the opinion that the American forces are guilty of the crime of Genocide as defined by the Genocide Convention of 1948.

In the light of these conclusions, the Commission must name those who should be brought to the bar of world justice to answer for these crimes. The Commission has no hesitation in saying that many of these crimes could not have been committed without the fullest knowledge of and planning by the leaders of the government of the U.S.A. and of the High Command of the U.S. Forces. It therefore indicts these people and all officers commanding in the field who are responsible for these crimes together with all individual soldiers who accepted and carried out orders contrary to international law.

With these conclusions we have completed the task that was imposed upon us by the International Association of Democratic Lawyers.

We feel bound to say that our experiences in Korea, in the conduct of our investigation have filled us with horror and dismay at the savagery revealed. We know that there are many, who, like some of ourselves before our journey, will find it difficult to accept the terrible facts established in this Report. We therefore solemnly pledge our honour as lawyers and as ordinary men and women to the truth of the facts disclosed. We have come from different countries, we do are a common religion, a common political outlook, or even a common tongue. We have endeavoured to perform our task conscientiously and with full regard to our responsibilities as lawyers.

This Report, the result of our labours, is unanimous.



We believe that those who read it will share our horror and detestation of the crimes and criminals.

We ourselves are determined that the rule of law shall be upheld in the world, that no state, no individual, however mighty, shall escape the consequences of their crimes,

Justice will prevail, and to secure justice, the world must secure peace.

This Report, we hope, will be a contribution to the struggle for world peace, and especially for Korea whose sufferings must never be forgotten, and whose peace must be rapidly secured.

We must conclude by expressing our conviction that the events in Korea cannot be treated as an isolated incident, but as a phase in the development of active war that may endanger and engulf the whole world. The use of such inhuman weapons as bacteriological warfare must be taken to indicate a new degree of savagery in the conduct of so-called civilised states which must threaten every man, woman and child. All who cherish a desire for a life of peace and security for themselves and their children, must understand the lesson. Peace is the property of the people and must be preserved by the active struggle of the people.

This report is written in English and signed by all the members of the Commission, in Peking on 31<sup>st</sup> March 1952.

Dr. Brandweiner

L. Cavalieri

Jack Gaster

Marc Jacquier

Ko Po-nien (in Chinese)

M. L. Moerens

Letelba Rodrigues De Britto

Z. Wasilkowska.

**APPENDIX**  
**LIST OF DOCUMENTS AND OF PRINCIPAL WITNESSES**  
**REFERRED TO IN REPORT**

*Chapter 2*

**BACTERIOLOGICAL WARFARE**

- |                        |                   |
|------------------------|-------------------|
| 1. Report              | 8. Kim Il Sun     |
| 2. Act No. 1           | 9. Ra Dong Sook   |
| 3. Act No. 2           | 10. O Ching Keun  |
| 4. Photos Nos. 8 and 9 | 11. Kim Yong Chan |
| 5. Kim Tu Wan          | 12. Kim Jin Soon  |
| 6. Ri Yang Rin         | 13. Choi Du Sop   |
| 7. An Kyo Tai          |                   |

*Chapter 3*

**CHEMICAL WARFARE**

- |  |  |
|--|--|
| 1. Report of the Head of the Health Section of Nampo City People's Committees        | 17. Case history of Yang Choon-Ok  |
| 2. Doctor Kim Chu Hwa  | 18. Doctor Ri Kuk Bom  |
| 3. Doctor Kim Chu Hwa  | 19. Doctor Huang He Nam  |
| 4. Doctor Kim Chu Hwa  | 20. Doctor Jo Yeb Boon   |
| 5. Doctor Kim Chu Hwa and 9 others   | 21. Doctor Kim Yun Kuan  |
| 6. Doctor Kim-Won-Son  | 22. Doctor Li Kang Chel  |
| 7. Doctors Ryu Cha Jin and 0 Choong Hyen   | 23. Doctor Choi Suk Bok  |
| 8. Choi Dong Kyu and 5 others  | 24. You Ok Nyo   |
| 9. Choi-Chung-Mun and 2 others   | 25. Kim Jung Ja  |
| 10. Map of bombed area of Poong-po si  | 26. Kang Kyeng Ok  |
| 11. Report of the mission sent by the Scientific Committee of the Ministry of Health | 27. You Kouk Lyol  |
| 12. Photo of An Yung Ha  | 28. Li Rong Choung   |
| 13. Photo of Yang Choon Ok   | 29. Han Myong Dong   |
| 14. Han Sang Ok, Doctor  | 30. Bak Kyong Soun   |
| 15. Doctor Jo Hi Dong  | 31. Li Ok Nyo  |
| 16. Case history of An Yung Ha   | 32. Information supplied by Ly Chang Tai, Director of the Kang Won Province doctors of the Won-San |
|  | 33. Report made by many doctors of the Won-San Central Hospital                                    |

*Chapter 4***MASSACRES, MURDERS AND OTHER ATROCITIES**

- |                    |                     |
|--------------------|---------------------|
| 1. Byen. Yoon Kyoo | 27. O Bong Nyung    |
| 2. Kim Man Suk     | 28. Choi Sun Ok     |
| 3. O Tai Sin       | 29. Koo Sung Jin    |
| 4. Heu Pil Soon    | 30. Choi Ki Suk     |
| 5. Kim Hyen Choon  | 31. Kim Dol Suk     |
| 6. Choi Kye Hyen   | 32. Woo Mal Che     |
| 7. Kim Sun Soo     | 33. Pak Yong Nyo    |
| 8. Pak Chung Hi    | 34. Li Kab Bye      |
| 9. Choi Soon Sil   | 35. Kim Sang Hyen   |
| 10. O Choong Dong  | 36. Choi Soon Sil   |
| 11. Moon           | 37. Kim Hyen Choon  |
| 12. Choi In Wha    | 38. Yoo Joon Soo    |
| 13. O Yeb Poon     | 39. Ah Deuk Si.l    |
| 14. Kim Yang Sun   | 40. Choi Ki Ok      |
| 15. Yoo Joon Soo   | 41. Kim Young Sook  |
| 16. Choi Myeng     | 42. Ge Kil Ryeu     |
| 17. Ri Sung Bong   | 43. Cha Yoo Suk     |
| 18. Chung Chi Eun  | 44. Kang Jin Hyen   |
| 19. Kim Sung Choon | 45. Ri Sun Sil      |
| 20. Chun Deuk Woo  | 46. Choi Yeum Jeung |
| 21. Seu Ki Ho      | 47. Kim Ke Wol      |
| 22. Han Bo Boo     | 48. Pai Jin Kyem    |
| 23. Kim Tai Soon   | 49. Cha Deuk Keun   |
| 24. Choi Yoon Yeng | 50. Ri Yoon Sook    |
| 25. Kim Ke Wol     | 51. Pak Myeng Deuk  |
| 26. Kim Yong Sun   | 52. Mrs. Rec        |

*Chapter 5*  
**AIR ATTACKS ON CIVILIANS**

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| 1.  | Instruction 5 of the Military Council of the Democratic People's Republic of Korea, 18 <sup>th</sup> August 1950 | 10. | Jo Do Won                  |
| 2.  | Statement of Vice Chief of Staff of the Korean People's Army   | 11. | Kim So Jo                  |
| 3.  | Choi Seng Hwan   | 12. | Kim Ok Soon                |
| 4.  | Choi Tai Jin   | 13. | Chung Sin Kyun             |
| 5.  | Ri Sam Hwa   | 14. | Kim Kwan Bong              |
| 6.  | Byen Rin Se  | 15. | Ri Dong Seb                |
| 7.  | Ri Hak   | 16. | Kim Hyen Young             |
| 8.  | Kim Ok Kyun  | 17. | Choi Dong Kyu              |
| 9.  | Ri Woon Ryong  | 18. | Kim Chu Hwa                |
|     |  | 19. | Ok Yeng Ja                 |
|     |  | 20. | Yang Tai Il                |
|     |  | 21. | Rim Boong Jin              |
|     |  | 22. | Bong Pal                   |
|     |  | 23. | Eak Doo Hieng              |
| 24. | Bien Un Gu   | 28. | Lim Byng Lhik              |
| 25. | Mun Jung Seung   | 29. | Report of M. Han Heung soo |
| 26. | Hong Chun Cha  | 30. | Choi Serg Hwan             |
| 27. | Li Chang Chun  |     |                            |

*Chapter 6*  
**OTHER WAR CRIMES**

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|----|---|-----|--|
| 1. | Ri Sung Sub                               | 8.  | Kim So Jo                                  |
| 2. | Statistical Summary of Damage Kaichen     | 9.  | Ri Yoon Sook                               |
| 3. | C - hun Woon Hak                          | 10. | Kim Eung Ryel                              |
| 4. | Teun Tai Seung                            | 11. | Choi Yoon Yeng                             |
| 5. | Statistical Summary of Damage at Sookchen | 12. | Cha Yoo Suk                                |
| 6. | Hwang Wook                                | 13. | Statement of British P. O. W.s (Photostat) |
| 7. | Professor Han Heng Soo                    | 14. | Statement of British P. O. W.s (Photostat) |