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from this presentation,**

HISTORICAL REPORT
WAR CRIMES DIVISION

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HISTORICAL REPORT WAR CRIMES DIVISION

SECTION I GENERAL

Introduction. August, 1950, loomed as a dark period in the history of free nations. Along the Korean battlefront, communist forces had all but driven the United Nations troops from the war-torn peninsula. When all seemed lost, the heroic defense of the Pusan perimeter turned the tide of battle. It was at this time that reports infiltrated back to General Headquarters describing barbaric and unspeakable atrocities that had been committed by the North Korean People's Army. Based on this information, General MacArthur, on 19 August 1950, issued a terse warning to the North Korean Premier, Kim Il Sung, stating: "I shall hold you and your commanders criminally accountable under the rules and precedents of war."

September, 1950, saw the United Nations counteroffensive get under way, and linked with the Inchon landing on September 17, gradually turn into a rout of the enemy. In the wake of this rapid allied advance there was unrolled a sordid, unbelievable tale of bestial war crimes committed against South Korean civilians and military prisoners of war by the retreating Communists. Thus, it was revealed that the Nuremberg and Tokyo trials did not write Finis to the violations of the rules of warfare, but rather, could only serve as precedents upon which to build, an even firmer body of International law in the hope that it may eventually serve as a deterrent against such inhumane activity.

The concept of war crimes. Modern thought has condemned the idea of aggressive war, wanton destruction, and inhumane acts in connection therewith. However, positive action has been slow in formulating. Napoleon was exiled to St. Helena for his "crimes". At the close of the First World War, public opinion demanded that those responsible be punished. Accordingly, trials were held in Germany, but of all those accused, only ten were sentenced, and the punishments were far out of proportion to the gravity of the charges. The futility of these Leipzig trials may be attributed to the fact that the prosecution was caught between the horns of the dual dilemma utilized by the defense. They were the freedom from criminality when operating under superior orders and the immunity of heads of States. The former defense justified all participants up to the top leaders and the latter defense protected them.

Building upon the foundation of this failure, the Geneva Convention has, since 1919, consistently sought to abolish, or at least humanize, war. It has reformed and redefined the laws of conflict, and has attempted to make aggressive war an international crime. In addition,, there evolved the idea that war crimes involved individual responsibility, and that the legibus soluti, or "acting under orders" doctrine was no longer a defense..

Following World War II, the irrelevance of the doctrines of acts of states and of immunity of State administrators, and the principle of individual penal responsibility of the latter in contemporary international law, received its highest judicial sanction at the trials of the Nazi war criminals at Nuremberg. These trials grew out of reports and proof that the Germans had been violating all laws of war. Among the things listed by complaining governments were expulsion of population, banishment of thousands of people to forced labor in Germany, mass executions and deportations to concentration camps, plundering of public and private property, extermination of the intellectual class and cultural life, spoliation of treasures of science and art and the persecution of all religious beliefs.

Probably the most important pronouncement on the subject of war crimes during World War II, and the one which set the pattern for the trials, not only of the major war criminals, but also of those responsible for atrocities in occupied countries, was the Moscow Declaration of Marshal Stalin, Prime Minister Churchill and President Roosevelt. Pertinent parts of the Declaration are:

"Accordingly, the aforesaid three Allied Powers, speaking in the interest of the 32 United Nations, hereby solemnly declare and give full warning of their declaration as follows

"At the time of the granting of any armistice to any Government which may be set up in Germany, those German officers and men and members of the Nazi Party who have been responsible for or have taken a consenting part in the above atrocities, massacres and executions will be sent back to the countries in which their abominable deeds were done in order that they may be judged and punished according to the laws of these liberated countries and of the Free Governments which will be erected therein.

"Let those who have hitherto not imbued their hands with innocent blood beware lest they join the ranks of the guilty, for most assuredly the three Allied Powers will pursue them to the uttermost ends of the earth and will deliver them to the accusers in order that justice may be done.

"The above declaration is without prejudice to the case of the major criminals whose offenses have no particular geographical location and who will be punished by a joint decision of the Governments of the Allies."

Accordingly, the United Nations War Crimes Commission was organized on 20 October 1943, with the following objects and powers:

"1. It should investigate and record the evidence of war crimes, identifying where possible the individuals responsible.

"2. It should report to the Governments concerned cases in which it appeared that adequate evidence might be expected to be forthcoming."

Article 6 of the Charter of the International Military Tribunal at Nuremberg, classified war crimes and placed them in three broad categories, to stand as precedent for any future violations. These definitions are:

"(a) **Crimes against peace.** Namely, planning, preparation, initiation or waging of a war of aggression, or a war in violation of international treaties, agreements or assurances, or participation in a common plan or conspiracy for the accomplishment of any of the foregoing:

"(b) **War Crimes.** Namely, violations of the laws or customs of war. Such violations shall include, but not be limited to, murder, ill-treatment or deportation to slave labor or for any other purpose of civilian populations 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:

"(c) **Crimes against Humanity.** Namely, murder, extermination, enslavement, deportation, and other inhumane acts committed against any civilian population, before or during the war, or persecutions on political, racial or religious grounds in execution of or in connection with any crime within the jurisdiction of the Tribunal, whether or not in violation of the domestic law of the country where perpetrated."

Article 7 of the charter developed the present status of the. "Heads of State" doctrine, stating, "The official position of defendants, whether as Heads of State or responsible officials in Government Departments, shall not be considered as freeing them from responsibility or mitigating punishment."

"The other unreasonable defense was neutralized by Article 8, which says: "The fact that the Defendant acted pursuant to order of his Government or of a superior shall not free him from responsibility, but may be considered in mitigation of punishment if the Tribunal determines that justice so requires."

Because of heinous atrocities attributable to entire groups such as the Gestapo, SS (Schutzstaffeln), and Leadership Corps of the Nazi Party, the Commission developed a new theory in the international law of War Crimes. This grew out of the practice adopted by Committee I, established for the examination of cases and listing of War Criminals,, including all members of a military unit where it appeared that crimes were committed on such a scale that it could be presumed that all such persons could be suspected of participating in them. Accordingly, Article 10 of the Charter stated, "In cases where a group or organization is declared criminal by the Tribunal, the competent national authority of any Signatory shall have the right to bring individuals to trial for membership therein before national, military or occupation courts. In any such case the criminal nature of the group or organization is considered proved and shall not be questioned."

This body of international law of war crimes was further extended and solidified by the Tokyo trial of the Japanese leaders. Many of the defendants were found guilty of conspiracies which pointed toward various objectives, such as waging of unjust war, murder of prisoners of war and civilians, and commission of other conventional war crimes, and crimes against humanity.

Mr. Joseph B. Keenan, Chief of Counsel for the United States in these trials has stated:

"But the Prosecution never lost sight of the fact that the goal of punishing the accused was relatively unimportant, when compared with the grander and wider aim of the trial, (i.e.) to advance the cause of peace and right notions of international law."

Rules of evidence applied both at Tokyo and Nuremberg, permitted the admission of any relevant matter that had probative value. Considering the character and quality of the Justices appointed to such international tribunals, it was felt that the rigid evidentiary rules of the Anglo-American system were not justified.

The ultimate purpose of these trials was to establish an international jurisprudence that might be built upon and serve as a deterrent for those inclined to initiate aggressive wars or commit atrocities. As a similar pattern is revealed in Korea, the opportunity is afforded to follow the legal precedent established, and continue to build the law aimed toward humane conduct and the preservation of peace.

SECTION II

WAR CRIMES DIVISION IN KOREA

Early Activities. When it became apparent that atrocities were being committed in Korea on a large and increasing scale, Staff Memorandum No. 40, 14 July 1950, from General MacArthur's headquarters fixed the responsibility upon the Staff Judge Advocate for the investigation, accumulation of evidence, preparation for and conduct of trial, and review of cases of atrocities and other crimes committed by the enemy in violation of the laws and customs of war in connection with or arising during the Korean conflict. This was followed by a command letter, General Headquarters, Far East Command, 27 July 1950, circulated to the field commanders outlining the procedure to be employed in the collection and perpetuation of evidence relative to war crimes incidents. This directive required that judge advocates or legal officers be utilized wherever possible in active supervision of the program.

Definitions were set forth therein as follows:

"a. **War Crimes.** For purposes hereof the term "war crimes" may be understood as including those acts committed by enemy nationals, or persons acting for them, which constitute violations of the laws and customs of war of general application and acceptance, including acts in contravention of treaties and conventions dealing with the conduct of war, as well as outrageous offenses against persons or property, committed in connection with military operations whether with or without orders or the sanction of commanders.

"b. **War Criminals.** For purposes hereof the term "war criminals" may be understood as including persons who have committed "war crimes" as defined above, or those who have aided and abetted, encouraged or conspired in the commission of "war crimes".

Instructions then provided for the investigation of those incidents reported where further action was deemed appropriate. The objectives were set forth as twofold. The first was to perpetuate all available evidence so as to permit the trial of the alleged war criminal at a subsequent date solely upon the evidence furnished by the report, in the absence of witnesses, if necessary. And, secondly, to collect evidence which, when properly correlated with evidence from other sources, might permit the fixing of responsibility at levels above that of the immediate perpetrators. All evidence having probative value to a reasonable man was to be received and included.

Initial Organization. With the end of the Korean conflict apparently in sight during early October, 1950, a letter order from General Headquarters, Far East Command, to the Commanding General, Eighth Army, directed the establishment of a War Crimes Division within the Judge Advocate Section. Included therewith was a table of distribution, calling for 26 officers, one warrant officer, and 35 enlisted men, the. Division Chief to be in the rank of Colonel. Organization was initially broken down into three branches: Administrative, Investigation and Apprehension and Trial. Colonel James W. Hanley was assigned as Division Chief and began organizing the unit in Seoul.

During this embryo period, the tactical picture underwent a drastic change. Chinese Communist forces swarmed across the Yalu River, forcing the withdrawal of United Nations troops and making it apparent that hostilities were to continue for an indefinite period of time. The War Crimes Division then encountered many. difficulties: Appropriate housing and adequate operational space was not available in Seoul; supply support was poor to unsatisfactory; and field units were unable to provide atrocity information.

Field investigation teams (as distinguished from field interrogation teams) constituted the Case Branch. They were given the task of taking the reported atrocity incidents and making an actual check of the situs to determine whether the act had been committed. Since the bulk of the cases opened were based initially upon the confession of a prisoner, it was essential that every effort be made to discover corroborating evidence to establish the fact that the incident had actually occurred, i.e. the corpus delecti. The method of operation consisted of assigning particular cases to an individual officer. He, in turn, would then secure a field file or all pertinent data in the case, and proceed to the locale of the reported war crime, accompanied by an enlisted driver and an indigenous interpreter. Efforts were made to locate the bodies or other physical evidence that the crimes had actually occurred. Questioning of the native populace, in search for witnesses or survivors, was included as a part of the investigation. Often, great. difficulty was encountered in locating the situi, due to the 'indefinite descriptions given in the original reports.

Screening and Checking Case Files. During March, 1952, the cases were screened and placed into two categories; those in which there was definite evidence of corpus delecti, or where a confessed perpetrator or eye-witness had, outside of the PW compound, verified his statement, and pointed out the location on the ground, and those others based. solely on confessions or statements of a PW, without verifications.

On 26 April 1952, the division moved to Taegu. Following this change of location, emphasis was directed toward completing the evidence contained in the case files, in order to make them legally sufficient as triable war crimes. Because of the limited personnel available, field trip investigations were reduced to a minimum, and additional corroboration was sought through cooperation with the Graves Registration units and the Minister of Home Affairs of the Republic of Korea.

Confirmation of an atrocity may best be obtained by the actual discovery of the body of the victim. Since the Graves-Registration Division, Quartermaster Section, EUSAK, was responsible for the recovery of the bodies of United Nations personnel, a form letter, referred to as "GRO Check" was prepared to be forwarded to that unit in an effort to ascertain whether or not bodies had been recovered at the situs indicated by the war crimes case file. These requests included the date of the alleged atrocity, the number and nationality of reported victims, the situs to as exact a degree as available information permitted and any other information that might aid in, the identification of remains. Upon receipt of this form, Graves Registration personnel checked their records to determine whether or not such a recovery was made. If the result of the search was positive, they returned to War Crimes a report of interment, together with any other available relevant information. Prior to March, 1951, Graves Registration Units did not pin-point the situs of actual recovery of bodies, but rather noted the general locale. Consequently, as most incidents occurred during this period, very often accurate information was not available concerning them. Numerous files merited these checks in order that all possible evidence could be obtained in each case, but processing so many requests was hampered by the lack of personnel for assignment to this task. Enlisted men from War Crimes were sent to the Graves Registration unit in May, 1952, to work on this project. However, because of their unfamiliarity with procedures and records, little was accomplished and they were soon recalled. Liaison has now been established and present GRO Checks receive the most careful handling. In addition, recovery teams now bear in mind the need for evidence of atrocities and therefore accurately locate the situs as well as noting other factors, such as unusual torture wounds; bound hands and/or feet; and whether or not the body had been stripped.

An additional means of building up proof in each case was afforded through a check made by the local Republic of Korea National Police. This was obtained through the office of the Minister of Home Affairs of the Republic of Korea, and has been designated by the War Crimes Division as a "ROK Check".

Where screening of a particular case indicated that further information might be discovered through interrogation of the native population by local police, a letter was dispatched to the home affairs minister requesting such investigation. Each request contained extracts from the files containing the information therein, both in English and Korean translation, and, where possible, an overlay of the situs was included.

The request was then forwarded through Korean government channels to the local police concerned who made the investigation, and returned the information. The effectiveness of this procedure was lessened due to the normal period of time required for the request to be processed, which was from six to eight months. Lack of available detail presented a further handicap in this operation. Upon occasion, ROK Checks have been returned which, although negative as to the basic incident, nevertheless revealed that some other atrocity was committed within the vicinity. In such cases, an attempt was made to correlate the information with another file already incidence, or if the facts warranted, to open a new case.

Policy Reorientation. The responsibility for War Crimes activities was transferred from EUSAK to the Commanding General, Korean Communications Zone. This order provided for the transfer, effective 1 September 1952, of all personnel and records of the War Crimes Division. It further stated that the troop ceiling was to be adjusted under a new table of distribution.

In response to a request from EUSAK that there be a reorientation of war crimes activities, such was directed by 1st endorsement thereon, from Headquarters, Far East Command, dated 21 September 1952. This directive required the compilation and preparation of an historical and statistical report to enable reply to be made to requests for information and demands for data. The need to complete the report as expeditiously as possible was stressed. The directive also approved the continuance of investigative operations as long as conditions permitted. It further provided that planning should be undertaken to prepare for a possible prisoner exchange and more extensive field work in the event of a favorable tactical change in the front lines.

In November, 1952, the historical branch was formed in the division and began the work of organization of materiel and compilation of statistics for the purpose of writing the interim report and the drafting of the History in final form.

Toward the end of 1952, the division's activities were primarily devoted to the screening of case files and re-tabulation of statistics for the preparation of the interim report. In addition, investigation field teams were located in Yongdungpo and Chunchon, checking cases whose situi were in those areas, and an interrogation team was situated in Pusan to begin the re-interrogation of selected prisoners.

There were 1643 case files running the gamut from obviously falsified and invalid statements to the very accurate and wholly corroborated accounts of atrocities and brutality; from one soldier's questionable statement of capture by North Korean troops under Russian command to the well documented and eye-witnessed account of the Sunchon Tunnel massacre.

During the first half of 1953, 150 requests were forwarded to the Graves Registration Office and 322 requests for investigation were sent to the Minister of Home Affairs, Republic of Korea. In addition, during this period 319 field investigations were completed by the division, while 91 additional files and folders were prepared for future field checks by the teams. All administrative files and folders were screened and edited, with surplusage being destroyed and the remainder organized under appropriate Army filing systems. Unreliable statistics were re-checked and a new set of figures determined to reflect more accurately the actual status of the information contained in the War Crimes records. Definite plans were formulated for the interrogation of repatriated American and ROK prisoners of war who might have information concerning war atrocities.

SECTION III

OPERATION "LITTLE SWITCH"

Mission and Objectives. After more than one and one-half years of deliberations and negotiations between UN and enemy delegations, the first American sick and wounded prisoners of war crossed the line to freedom at Panmunjon on 20 April 1953. The War Crimes Division played no small part in documenting the sordid tales of murder and mistreatment as related by returning survivors of Communist barbarity.

To coordinate the many interested agencies involved in the interrogation of the exchangee's, a standing operating procedure, pursuant to AFFE Operations Plan 1-53, was adopted under the supervision of the Intelligence Service Command. Complementary to the information provided by the Far East Command, Hq., Korean Communications Zone published KCOMZ Operations Plan 2-53 for guidance in the operation as it was to be conducted in regard to ROK returnees.

The primary mission and objective of the interrogators involved in this' operation was to ascertain the treatment accorded captured UN and ROK personnel and evaluate living conditions in enemy prisoner of war camps. Murder, brutality, mistreatment, and other acts of violence were recorded for possible correlation with existing case files, and as a natural concomitant thereto, much evidence has been adduced revealing indicia of incidents heretofore unknown.

To facilitate thorough, complete and accurate interrogations in the minimum amount of time, all field operations of this division were suspended and personnel reassigned to meet the demands of the approaching operation.

Operation. To handle the interrogations of American returnees, two officers and two enlisted men proceeded to Tokyo on 16 April 1953. This team was augmented by four additional officers and four stenographers from the office of the Staff Judge Advocate, Far East Command. For purposes of orientation, military personnel attended lectures on administrative procedures and interrogation techniques that were to be utilized. Three officers, one enlisted man, and two civilian stenographers were on duty at each of two Army hospitals where the exchangees were to be processed.

Sixty-nine United States Army exchangees were interrogated, 66 of whom had sufficient knowledge of war crimes or atrocities to warrant taking their sworn statements. Although Navy and Marine returnees were not available for interrogation to members of this division their statements, as made to COMNAFE, were examined by War Crimes personnel and pertinent information extracted therefrom.

The constant pressure, stemming from the desire for a speedy evacuation of the exchanges, placed a severe handicap on the operations of all teams, but much information of great value and importance was secured.

Concurrently, in Seoul, Korea, medical, intelligence, and administrative processing was accomplished on Republic of Korea returnees. War Crimes personnel in this proceeding consisted of four officers, 10 enlisted men, and six indigenous interpreters.

In the course of "dry runs" preparatory to actual operations, it was ascertained that the translation into Korean of the verbatim question and answer statement furnished by the returnee would take an excessive amount of time. Therefore, interrogation procedures were somewhat modified, still conforming basically, however, to the KCOMZ Operation Plan. As a result thereof, the language barrier presented no threat to the completion and success of the assigned mission.

Since the problem of evacuation was non-existent here, fewer Phase II interrogations were received than originally anticipated. Consequently, a portion of this detachment was relieved and returned to normal duties in the office of the War Crimes Division. The remaining officers and men concluded the interrogations on 15 June 1953 with 166 statements having been taken.

Mistreatment of Prisoners. Although it will take a minimum or several months to completely integrate the information received in Operation "Little Switch" with the mass of already compiled and documented material now in the War Crimes case files, several trends may be established on the evidence so far gathered. It may be said generally, that the treatment received at the hands of the enemy falls into two categories; acts of commission and acts of omission.

The former, the acts of brutality such as willful murder, attempted murder, mutilation, and various, forms of torture, have greatly declined from the shocking rate prevalent in the early stages of the war. However, as the war progressed and more men fell into the hands of the enemy, coupled with his limited ability to provide sufficient food, proper medical care, necessary clothing and shelter resulted in appalling death rates in the various camps and collecting points.

From the statements received, it is possible to establish a certain pattern of existence as lived by the captives. The usual procedure was to march prisoners from the point of capture to a collecting point which varied in distance from 20 to 100 miles. On these grueling and physically severe marches, most deaths resulted from non-treatment of combat wounds aggravated by lack of water, food and clothing. It should be indicated that it was in this initial stage of capture where most acts of violence were perpetrated against the prisoners. The stay in a collection point varied from two weeks to five months when another march was undertaken to a more permanent camp.

Now, however, the prisoner's condition was so weakened that this second march became a death march and many failed to survive. Malnutrition and dysentery became more common, and deaths resulting therefrom did not cease with their arrival at the camp.

The Chinese, soon after the beginning of the truce talks in July, 1951, realizing the propaganda value of prisoners, commenced a "program of leniency" which resulted in slightly better treatment of captured personnel. Medical care, still woefully lacking, was augmented with some of the newer drugs to combat disease and infections. The quantity of food, still pitifully small, was raised to a more life sustaining level.

Resulting Developments. War Crimes and atrocities, long the object of Congressional interest, came under minute scrutiny with the revelation of these latest acts of enemy brutality. As early as December, 1952, a special House committee unanimously called for Congressional investigation of Communist war atrocities inflicted on American and other United Nations troops in Korea. The stories of returning prisoners of war resulted in increased concern in the halls of Congress, which was mirrored in the anxiety of the American people and the attendant coverage in the American press.

However, to preclude endangering the fate of untold thousands still in the hands of the enemy, Congressional hearings concerned with ferreting out the sordid details of horror and violence were conducted behind closed doors.

Though abated for the moment, it is evident that with a successful exchange of remaining prisoners of war, new questions and inquiries will again arise as to the fate of the many thousands of PWs now listed as missing in action. The compilation of evidence as documented by the War Crimes Division may well reconcile a large part of the difference between the number of those missing and the number of those who will return to the control of the United Nations.

Following the completion of interrogations, the War Crimes Division was called upon by the Department of the Army, to furnish a "best estimate" of American victims whose deaths resulted from illegal post-capture enemy activity. This information was transmitted 24 hours after receipt of the request on 13 May 1953 to the Department of the Army.

Further, all interested agencies were called upon by G-1 and G-2 AFPE, for constructive criticism on the intelligence processing in "Little Switch" Operation and recommendations for any future operations in connection with repatriation activities. Toward that end, a representative from War Crimes Division was dispatched to Tokyo on the last day of June, 1953 to attend a two day briefing and orientation on tentative procedures, in the event such an operation should materialize.

Analysis of the statements taken from returned prisoners of war is now in process. A few trends are being established which will be undoubtedly corroborated with the discovery of new evidence upon the repatriation of remaining personnel in Operation "Big Switch".

SECTION IV

WAR CRIMES REFERABLE FOR TRIAL

Scope of Referables. To date, 34 cases are referable to higher headquarters as being ready for trial. It seems apparent that in making such referrals primary importance was placed upon whether or not one or more of the suspected perpetrators were in United Nations custody. If such was the fact, and the evidence appeared adequate to obtain a conviction, the case was then forwarded. Brief summaries of these cases follow, categorized into those involving American personnel, and those which do not.

Selected Referable Cases Involving Americans. The following referred cases are those in which American soldiers were the atrocity victims.

a. **KWC 16. Hill 303.** Before dawn on the morning of 15 August 1950, a mortar platoon leader of the 5th Cavalry Regiment called for reinforcements to defend his forward position, and was informed that a platoon of 60 South Koreans was being sent, under a Lieutenant. About daybreak, the soldiers saw a group of Koreans approaching, the commander identifying himself as Lieutenant and the Americans were overrun before they found out that their "reinforcements" were actually the enemy. The captives were then escorted to a nearby orchard where their boots and dog tags were removed and all their personal property confiscated. The prisoners' hands were tied behind them with either wire or their own boot-laces.

For two days they were kept hidden in ravines during the day and forced to march at night. Suddenly, on the afternoon of 17 August 1950, without warning, their North Korean guards opened fire upon these bound victims and then left the scene.

Thirty-four American soldiers were slaughtered in this massacre. However there were four survivors. Later the same day, these men were rescued by a United Nations patrol, who also recovered the bodies, took photographs and captured two enemy soldiers. Since this time, confessions have been obtained from communist prisoners admitting participation in the crime, and the incident is now referable. (See Appendix 2, Exhibits J-1, J-2, J-3, J-4, J-5 and J-6).

b. **KWC 67, Naedae Murders.** Photographs clearly reveal that the six American soldiers detained as prisoners in a Korean house near Neadae were shot in cold blood and probably bayoneted.

Ironically, this slaughter took place in front of a Communist propaganda bulletin board. However there were five survivors, wounded in the massacre, who escaped by feigning death. In addition a captive North Korean sergeant has admitted participation in the murders. Close examination of the evidence leaves some doubt as to whether this case was properly referred, since there seems to be discrepancies between the confession and the survivors' statements. (See Appendix 2, Exhibits K-1, K-2 and K-3).

c. **KWC # 75. Seoul-Pvongyang Death March.** The Seoul-Pyongyang Death March has not been referred because no known perpetrators have been located in custody. However, since it leads up to KWC # 76, it is included here for purposes of continuity.

On 26 September 1950, Korea added its counterpart to the infamous Bataan Death March involving approximately 376 American prisoners of war. Only 296 survivors completed this two-week horror hike.

In August, 1950, these prisoners were being held in Seoul, awaiting movement northward. Nearly half of the group was wounded, many seriously, but despite this they received practically no medical care. Instead, they were beaten often, and on at least one occasion were subjected to the humiliation of being forced to parade down the main street of the city. Their personal belongings were all stolen, and in addition, their combat boots were confiscated, many being left barefoot, and a few receiving ill-fitting Korean shoes in return.

During the ordeal of the march to Pyongyang, many of the sick and wounded were unable to maintain the pace. At this time the Communists demonstrated a policy that runs like a connecting thread through all the reported atrocity cases. That policy was the summary execution of any prisoner whose physical condition would burden their operations. These bodies were always left unburied along the roadside.

Beatings from the guards were commonplace throughout the ordeal. No medical care was provided and the only food was one or two rice balls per day. For water, the unfortunate survivors had to shift for themselves, drinking from roadside ditches and adjoining rice-paddies. As a result, most of them suffered from attacks of diarrhea and dysentery.

Some of the wounded managed to ride on an ox-cart, but with no medical care, their wounds became infected and maggot-laden. The senior officer among the prisoners, a major, constantly pleaded with the captors for medicine, water, and more food. For his efforts, this officer received only additional abuse and beatings.

At one time, when an opportunity to escape afforded itself, he refused to accompany those leaving, stating that he felt his duty required him to remain and do what he could to alleviate the suffering of the men.

Once an American plane flew over the hapless column and dropped supplies for them. However, the North Korean captors immediately and methodically collected these items, appropriating them to their own use. Some 33 soldiers managed to escape during the march and were rescued by friendly forces. In all cases, these individuals were undernourished and suffering from severe malnutrition. Others were in dire need of medical care for neglected wounds.

d. **KWC # 76. Sunchon Tunnel Massacre.** When the fall of the North Korean capitol of Pyongyang to United Nations forces seemed imminent, all prisoners of war were entrained by the Communists for movement northward. The men were herded into open gondolas, packed to overflowing, and forced to ride unprotected in the raw October weather. Pneumonia and exposure then started taking its daily toll from the weakened survivors, and their buddies conducted burial parties for them whenever an adequate halt was made. After they had suffered such inhumane treatment for a period of nine days, their train arrived at a railroad tunnel approximately 42 miles northwest of Sunchon, and remained inside the mountain all day to avoid the United Nations air activity taking place in the area.

During the early afternoon of 20 October 1950, the starving men were promised their first meal in several days, having eaten only hard crackers distributed intermittently during the journey. Their North Korean tormentors took the American major, together with a group of selected prisoners, purportedly as a detail to go to a nearby village to prepare the food. They were never seen nor heard from again. Hours later, the men remaining in the tunnel were informed that food had been prepared for them, and that they were to be conducted to a Korean house to eat, but due to the limited space they must go in small units, alternately.

Accordingly, the first group of 30 men was removed from the tunnel, escorted down the tracks and told to hide in an erosion ditch until food was brought to them. As soon as they had relaxed on the ground, their guards opened pointblank fire in cold blood with Russian made burp guns and rifles. Those living through the initial massacre and still showing signs of life, were dispatched by shooting or bludgeoning. Some of the victims survived by feigning death.

Remaining groups were then brought out and treated in a like manner, in each case, the men being slaughtered while sitting on the ground, or standing around helplessly with empty rice bowls in their hands.

United Nations forces overran the Sunchon area on the following day, recovering the bodies of 68 murdered Americans, and in addition, discovering seven more inside the tunnel who had apparently died of malnutrition. Among the corpses were found some seriously wounded survivors who were evacuated. In addition, others who had escaped the atrocity found their way back to friendly troops.

Summation of this diabolical movement and massacre reveals that at least 138 American soldiers lost their lives in this war crime. The evidence is convincing and confirmed. An actual perpetrator is in custody in the case of the "death march", but the entire happening, should be scored against the Red leaders who condone and encourage such activity. (See Appendix 2, Exhibit L).

e. **KWC # 125.** On or about 20 July 1950, two American soldiers were killed in combat, with North Korean soldiers and their bodies were recovered in November 1950 upon information supplied by a South Korean civilian. He confessed that he had seen the Americans hiding in a cave and had reported this fact to the North Korean soldiers, who went to the site and apparently shot them. This statement is corroborated by that of another civilian who assisted in the burial of the bodies. It is doubtful that this case should be considered as an atrocity, but appears at best to be a case of collaboration with the enemy.

f. **KWC # 143. 27th I & R Platoon.** Personnel of the I & R platoon of the 27th Infantry Regiment, consisting of two officers, 11 enlisted men, and three Republic of Korea Army soldiers were ambushed and captured by North Koreans on 6 November 1950 in the vicinity of Togan-ni. The captives were stripped naked, even their shoes and dog tags being removed, and then marched about five miles to the headquarters of a communist unit for interrogation. One of the officers was singled out for questioning and subjected to particularly brutal beatings for having warned the men to withhold all information other than that required by the rules of warfare. Soon thereafter, having been promised a warm meal, the prisoners were led to the vicinity of Yultong-ni. Their captors held a conference, and laughing among themselves, started shooting their victims in cold blood.

There was one survivor of this atrocity, who managed to return to friendly lines and tell the story. In addition, the bodies were recovered later at the scene and all of them identified. The following day, a captured North Korean confessed to participation in the crime, completing the chain of evidence.

g. **KWC # 185. Marine Patrol.** Ten marines from the 1st Marine Division went on a reconnaissance patrol near Nakchon Dong on 29 January 1951.. They never returned from this mission. In March, 1951, checking on a National Police report, a patrol from the 2d ROK Division found their bodies, together with those of 10 Republic of Korea Army soldiers, four National Police, and one Korean civilian. These corpses were stripped naked with the hands bound behind them, and the physical appearance of the remains revealed that the decedents had either been bayoneted in the back and chest or had their skulls crushed with clubs.

Interrogation of native villagers indicated that these Americans were captured about 30 January and held prisoners until their murder on 5 February 1951.

Two North Korean lieutenants, discovered among captured Communist prisoners, have confessed to participation in this crime. Although their statements were recorded at different times and places, the factual data is the same. They, relate that their commanding officer told them to prepare to execute the prisoners secretly. For this purpose, they decided to use bayonets. Accordingly, the graves were dug in advance, then the victims were led forth individually, stripped, bound and ordered to sit on the ground. In this position, each man was used for bayonet practice, and if death came too slowly or resistance was offered, his head was smashed with a rifle butt. Blood stains were swept from the ground and the bodies buried.

h. **KWC # 123, KWC # 154 and KWC # 184.** These cases are all similar in that each involves the murder of a wounded American prisoner by civilians. In each, the perpetrator has confessed, and the confession is corroborated by the recovery of the body of the victim at the situs pointed out. Two of the cases had additional statements from eye-witnesses.

i. **KWC # 1409.** A North Korean prisoner of war has confessed to the murder of 10 US soldiers and 9 ROKS who were prisoners of suspect's unit at the time. Suspect states that he personally killed 3 Americans and 4 ROKS and that two other NK killed the remainder. A ROK check at the area mentioned by the accused proved positive, and a field trip resulted in the recovery of approximately 18 skeletal remains. Remains of 3 Americans and 4 ROKS were found in one hole, and the remainder nearby. This case is considered referable for trial. Also in the case file are pictures of the war crimes team discovering the bones.

Selected Referable Cases Involving Koreans. Although a jurisdictional question may exist as to whether these cases should be tried by Republic of Korea or United Nations tribunal, there is no doubt that they are atrocities within the scope of war crimes division activities.

a. **KWC 29 Chonju.** During this same period of time, 27-28 September 1950 Chonju suffered a similar experience to that of Mokpo and Kongju, apparently indicating a fixed plan of extermination by the communists. Two North Korean officer prisoners have confessed to killing as many as 2000 "anti-communists", but check with natives indicate that approximately 80 were slain. Two survivors state that 16 were in the group with them, and that death in each case was by beating at the hands of a mob.

b. **KWC # 90. Kongju.** Kongju received its demonstration of Red ruthlessness on 27 September 1950, when the 35 men and one woman "political" prisoners confined in the city jail were eliminated. In the late afternoon, these people were told that they were to be given a lecture by an officer of the North Korean Peoples' Army, and were led into the open and there seated in a semi-circle. As soon as they were settled as comfortably as possible, the officer ordered the guards to open fire upon them and the slaughter commenced. Fortunately there were two survivors and most of the bodies, have been recovered from the place of execution. In addition, two prisoners of war, in separate confessions, have admitted participation in this crime, and each has implicated the other.

c. **KWC # 92. Hamyang.** Another common policy which the enemy seemed to follow was that of executing captured Republic of Korea Army soldiers. In this case, on 26 September 1950, 269 such prisoners, plus one reported American, were marched to the base of a mountain about eight miles northwest of Hamyang after being told that they were to be evacuated to the north. At this point they were divided into groups of ten, bound together, led off into the hills and summarily shot. Several suspects now confined as prisoners of war have confessed to this atrocity, and have been identified by the six victims who managed to survive.

d. **KWC # 102. Kwanju.** Obliging cooperative one North Korean prisoner stated that he was a member of the Education and Cultural Section in the village of Kwangju, and that in his capacity, together with two accomplices, on 16 September 1950, he took ten anti-communist prisoners about eight kilometers in the country and there executed them. He adds that he used a carbine and did not bury the bodies. He desired to point out the situs, so accompanied by war crimes investigator and a Korean detective from Kwangju, he directed them to the spot.

Three badly decomposed bodies were found, and the suspect insisted that these were three of the ten victims he had helped murder. The case was probably submitted to accommodate the confessor.

e. **KWC # 117 Mokpo Murders.** Approximately 282 South Korean "political" prisoners were confined in the Mokpo Peoples' Prison on 28 September 1950 when United Nations forces were approaching the city. Realizing that defeat was imminent, their North Korean jailers held an emergency conference and decided to follow the usual pattern or "executing" these persons for the crime of being "reactionaries". The victims were taken from the jail and had their hands handcuffed or tied behind them. They were then loaded onto four trucks and taken to different murder sites. Although most of these unfortunates were shot to death, a few managed to escape when one of the trucks broke down. When the liberating forces overran the city, they took many prisoners, six of whom confessed to participation in the mass killing. This added to the statements of survivors and recovery of bodies completes the evidence against them.

f. **KWC # 122, Myong Duk San.** This case involved the beheading of a Korean civilian prisoner by a North Korean lieutenant acting under orders from his commanding officer, a Lieutenant Colonel, and assisted by a junior lieutenant. In addition, there were two eye-witnesses to the murder. The crime was referred because all three suspects are in confinement and have made corroborating confessions. In addition, the witnesses' statements make the evidence conclusive.

g. **KWC # 141 Chanhon Massacre.** Three North Korean prisoners of war have confessed to the killing of some 1800 South Korean civilian prisoners on 8 October 1950. The victims were residents of Seoul and Kaesong who were alleged to have been friendly with the UN forces. The victims were forced to march to Pyongyang with their hands bound, little food, and scanty clothing. After reaching Pyongyang, they were confined in the Military Academy building. Later they were divided into smaller groups and taken out and shot. The bodies were buried by nearby villagers. Two American officers investigating the atrocity have made sworn statements concerning their observations of the mass graves. They stated that the stench of death was everywhere, the ground was sunken and that upon digging they turned up a human skull. There was also a grave marker which stated in Korean "to our comrades from South Korea".

h. **KWC # 180. Naju.** Also on 28 September 1950, at Naju, a junior lieutenant in the "Political Security Police Unit" took six political prisoners from the jail, and as usual, without trial, shot and bayoneted them.

This lieutenant has confessed to the atrocity but maintains that he acted under orders of his superior. The hands of the victims were tied behind them, they were shot, and the bayonet used for the "Coup de grace" where deemed necessary. Despite this treatment, five persons survived, although one died shortly thereafter. All identify the confessor as the perpetrator.

SECTION V

SELECTED IMPORTANT NON-REFERABLE CASES

Cases Involving Americans. The following cases, selected from the files, are those in which there is sufficient evidence to prove that the crime has been committed, but which have not been referred, primarily because no perpetrators are in custody. Victims were Americans except in the case of the Catholic Priests, (h), and in the Taejon massacre, (i), thousands of Korean civilians were also included.

a. **KWC # 2.** Soldiers from the 24th Infantry Division, engaged in a fire fight near Chonui on 10 July 1950, witnessed the capture of four American soldiers, and then looked on helplessly while two of them were murdered. Later on, all four bodies were recovered, hands bound behind their backs, three shot in the back of the head and the other with the skull crushed by a blunt instrument.

b. **KWC # 10. Medic and Chaplain.** No respectors of the Red Cross or the Christian Cross, the Communists in July 1950 overran a group of 18 to 20 wounded_ American prisoners being ministered to by the regimental surgeon, wearing the Red Cross brassard, and an Army chaplain, none of whom were armed. The enemy immediately opened fire, wantonly executing the group with Russian rifles and burp-guns. The surgeon, although wounded, managed to survive and escape. Later, remains of three victims of this atrocity were recovered. The chaplain was awarded the Distinguished Service Cross posthumously.

c. **KWC # 63, Ku-jang-dong Train Massacre.** Thirty American prisoners were shot and bayoneted to death about four miles north of Ku-jang-dong, on 21 December 1950: They were being moved north by train, when it was strafed and disabled by United Nations planes. Their North Korean captors decided to murder all those who were wounded, before continuing the evacuation. Shortly thereafter, a friendly patrol moved into the area and discovered.. the bodies, seven of which had been covered with oil and set afire.

While searching the area, three survivors were discovered, one hiding under a straw mat with half his face shot away and the bone of his left leg exposed. The other two had sought refuge in a nearby Korean home and were seriously wounded, as well as being weak from malnutrition. They all agree that the person who gave the massacre order was a South Korean traitor. To date no perpetrators have been discovered, but this incident adds to the accumulation of evidence proving the Communist policy of killing wounded captives. (See Appendix 2, Exhibit M).

d. **KWC # 113, Chinese Torture.** This case illustrates one method of handling wounded American prisoners by Chinese captors. A lieutenant survivor of a patrol ambushed on 8 November 1950, stated in his affidavit, "I saw my men that were wounded in action taken by the Chinese and hung up by their hands and then their clothes set afire, and the men that were dead and unconscious, they would push sticks in their eyes, and bayonet. They took most of the dead men's clothes off." This has been corroborated by a medical officer who examined the condition of the recovered bodies.

e. **KWC # 164, Bamboo Spear Case.** During December, 1950, a South Korean patrol discovered the bodies of five American airmen near Muju. It was apparent from the condition of the remains that the victims had been subjected to fiendish torture, the flesh being perforated with multiple punctures, apparently inflicted by sharpened sticks or bamboo spears. An investigation of the incident disclosed that the men were members of a truck convoy that had been ambushed by guerrillas. (See Appendix 2, Exhibits N-1, N-2 and N-3).

f. **KWC # 279, Slaughter of 1250 American Prisoners.** One thousand two hundred and fifty American prisoners were slaughtered in cold blood by their communist captors if the confession of a North Korean prisoner is true. Unfortunately, that is all the evidence contained in the file. However, after several days of questioning, during which the suspect gave very detailed information, it was the belief of the interrogators that the facts contained therein were well founded and reliable.

This North Korean stated that in his assignment as a truck driver, on 10, September 1950, he was driving from Namchon to Pyongyang and passed a group of 24 warehouses surrounded by barbed wire and noticed that many American prisoners were confined therein. Five days later, his unit was ordered to prepare for a long trip. He added that about 30 Russian made trucks were in his battalion, and that they loaded approximately 650 prisoners on them and commenced their journey about midnight. At their first stop, they were joined by an additional 24 trucks loaded to capacity with US prisoners of war.

During the next stop, which was for a meal and rest for the cargo, he noticed that 50 trucks were in the convoy. At the final halt, the men were unloaded and led into a mountain valley where they were fed rice and wine, but, upon a blue flare signal, the guards and drivers began firing into the group and continued for about 40 minutes, completing the slaughter of the estimated 1250 prisoners. They then uncovered three large pits which had been excavated earlier, but found them insufficient to hold all the bodies, and so were required to dig another.

Following this macabre execution, the trucks returned and later transported all the remaining prisoners from the warehouses to a new camp further north. The confessor was unable to explain why the one convoy load was murdered but the others spared. To the extent that it has been possible to check, such as locations and units, this confession appears accurate. Every effort should be expended to discover corroborating evidence for this reported atrocity.

g. **KWC # 1670. Artillery FO Team Torture.** Proving that the Communists still persist in committing atrocities, this recent case occurred on 21 September 1952. At that time an American forward observer team and a squad of South Koreans occupied Hill 854 near Samchi-yong. Their position was overrun by the enemy, but was recovered the following day in a counter-attack. The bodies of two US soldiers, horribly mutilated, together with those of several South Koreans were discovered by a friendly patrol. The lieutenant who found them made the following affidavit:

"One of the boys had no head. It seemed to have been mashed or beaten and was laying all over the road. Both of his feet had been cut off about half way between the knee and the ankle. It appeared as though they had been chopped off with a dull instrument. He had no means of identification on him. I searched him for dog tags, clothing markings, belt markings, shoes, ID tags, and personal effects in his pockets; but nothing was to be found.

"The other GI had his eyes gouged out, and nothing remained where his eyes were except holes. He had been bayoneted all over the body with the upper part of his legs completely layed open to the bone. He also had no marks of identification on him."

Bodies of the Republic of Korea soldiers had received a like treatment, one of them having had the genitals severed with a sharp instrument and lying along side the corpse. One can only imagine the horrible suffering to which these victims were subjected. (See Appendix 2, Exhibit O).

h. **KWC # 1512. Catholic Priest Murder.** An Irish priest was the victim in KWC # 1512. He was accosted by an enemy officer while walking down the street with a Korean friend. Their assailant accused them both of being spies for the Americans and took them to his superior officer, who told him to dispose of the prisoners in any way he desired. Accordingly, they were escorted a short distance and then shot in cold blood. The priest was slain, but his friend survived. The body has been recovered and identified, but since the perpetrators are unknown, the case has not been referred for trial.

i. **KWC # 28. Taejon Massacre.** For murderous barbarism, the Taejon massacre will be recorded in the annals of history along with the Rape of Nanking, the Warsaw ghetto and other similar mass exterminations. Unnumbered civilians, estimated variously from 5000 to 7500, as well as 42 American and 17 Republic of Korea Army prisoners were slaughtered in cold blood for political expediency.

During the summer of 1950, following the capture of the city by the enemy, the North Korean Home Affairs Department was established with the express purpose of apprehending all persons unsympathetic to the Communist Cause. This "security" force then proceeded to arrest prominent business and professional men together with all persons in the area who had been employees of the Republic of Korea. Each unfortunate person who was arrested was subsequently brought to the headquarters located in the Catholic mission for inquisition, and those who survived were then incarcerated in the city prison. This jail consisted of 150 cells, each of which was packed with from 40 to 70 of these victims. When it was impossible to squeeze more into these blocks, the overflow was retained within the confines of the mission. The military prisoners were not segregated from the others.

During the imprisonment, North Korean soldiers were granted access to the hapless, defenseless individuals for the sport of tormenting them and confiscating any personal possession that might have been overlooked. Favorite pastimes were the twisting of prisoners' fingers, kicking and beating of them without provocation.

When the recapture of Taejon by United Nations forces appeared imminent in late September 1950, the occupying conquerors determined that, prior to withdrawal, they would liquidate all these victims.

Commencing 23 September 1950, several groups, numbering from 100 to 200 each, were quietly removed from their cells each night, their hands tied behind their backs, and each person bound to the others.

They were then transported to previously selected sites, placed in open trenches or ditches dug expressly for this purpose, and summarily shot. A check was made to locate survivors, and where found, their skulls were crushed. The bodies were then covered lightly with dirt.

By 26. September 1950, the Security Police decided that they must accelerate the rate of murder if they were to accomplish their fiendish purpose prior to departure. Therefore, they dug additional trenches in the courtyard of the police station and called in a North Korean. Army unit to assist in completing their bloody work. The able military prisoners were led out in small groups and promptly dispatched.

Those remaining, several wounded American soldiers, were carried out on litters, unceremoniously dumped into the trenches and shot or beaten to death. As time ran out on the murder gorged aggressors, the remaining South Koreans were dragged from the prison into the already filled trenches and killed.

At the same time, those who had been retained in the Catholic Mission interrogation center were executed as rapidly as possible. When these trenches were filled with bodies, others were slain in the churchyard and basement, and many bodies thrown down the well until it was completely stuffed. The perpetrators then fled without burying their latest victims.

Examination of the bodies revealed that most of them had been beaten and mutilated before execution. Of these thousands of unfortunates, there were only six survivors: three civilians, one Republic of Korea Army soldier, and two Americans. Thousands of bodies were recovered by the liberating United Nations forces who occupied the city. Those responsible for the horror of this crime must be brought to judgment before the tribunal of civilized peoples. (See Appendix 2, P-1, P-2, P-3, P-4 and P-5).

Cases Involving Koreans. These cases, selected more or less at random, illustrate the manner in which the communist North Koreans and Chinese have dealt with persons whom they considered bad "political" risks. In no instance has there been any indication that the victims were given any semblance of trial prior to execution. The incidents related are but a sampling of the hundreds of inhumane atrocities recorded in the case files of the War Crimes Division.

a. **KWC # 32. Suchon Jail.** Demonstrating ingenuity in means of torture, the North Korean Communists decided to dispose of the land owners and government officials they had confined in the Suchon jail. So, prior to their withdrawal on 23 September 1950, they piled wood, packing cases and other combustibles around the outside walls of the brick building in which the prisoners were held. They then drenched it in gasoline and set it afire roasting alive the unfortunate victims secured inside. Several days later United Nations forces recovered 32 charred bodies from the hideous crematory. Local civilians say that, altogether, more than 280 persons were murdered. (See Appendix 2, Exhibits Q-1, Q-2 and Q-3).

b. **KWC 36. Seoul Hospital Murders.** When the North Korean Peoples Army invaded Seoul on 28 June 1950, they immediately occupied the University hospital, wherein were confined around 150 wounded Republic of Korea soldiers. Upon orders of the commanding officer, these patients were all executed in their beds and rooms, following which their bodies were buried behind the hospital.

c. **KWC # 41 and KWC # 727, Choniu.** When the estimated 600-2000 political prisoners (317 bodies recovered after relatives had been removing them for several days) were murdered in Chonju, the blood bath was accomplished by beatings wherein the bound victims were killed with clubs, picks, swords, and similar weapons.

d. **KWC # 53 Yonachon.** For diabolical mass murder, Yongchong has few equals. Approximately 500 South Korean prisoners, survivors of 800 who originally left Seoul on this final march, were led into an apple orchard, lined up in four ranks, and shot. Survivors were bludgeoned, and all bodies were piled together, drenched with gasoline and ignited. (See Appendix 2, Exhibit K). Another group of 90 had been shot and deposited in a coal mine about 15 miles away, enroute to Yongchong.

e. **KWC # 56, Forcible Conscription at Tong Tang-Ni.**
Many of our enemy, prisoners of war are discovered to be South Koreans who were conscripted into the communist armies against their wishes. The procedure followed at Tong Tang-ni demonstrates one manner in which this was accomplished. On 2 October 1950, all the young men of the village were assembled by the North Korean Security Police and given the choice, of entering the North Korean army or being imprisoned. Approximately 40 men refused to volunteer and were jailed. Soon thereafter, the prisoners' hands were tied behind their backs and they were divided into two groups. One group was taken to the river bank and shot to death by their five guards. The other suffered a like fate after being lined up on the edge of a large pit.

f. KWC # 733, Choniu, Agents of the 25th CIC Team counted 315 bodies on the afternoon of 30 September 1950, two days after the families of victims had begun removing the bodies. Estimates of the number of victims range from 600 to 2000. All the victims had their hands wired behind their backs and most of the bodies bore evidence of having been shot. A number of the victims evidently had been stabbed or bayoneted in the stomach and a few appeared to have had their heads split by an axe or similar implement. (See Appendix 2, Exhibits S-1, S-2 and S-3).

SECTION VI

STATISTICS

Compilation of data. Compilation of the statistical data accumulated by the War Crimes Division falls generally into two different categories: cases and victims.

"Cases" refers to the atrocities for which case files have been prepared. In tabulating figures concerning them, a breakdown has been made to indicate whether the perpetrators of each incident were North Korean or Chinese. A further breakdown has been made to indicate the date that each crime was committed. In addition, each case has been classified by a legal officer, and an indication made by him as to whether or not, in his opinion, there is substantial evidence to establish a corpus delicti.

"Victims" refers to individuals upon whom war atrocities were perpetrated, and statistics concerning them indicate nationality, degree of probability, and by whom perpetrated. In classifying according to probability, the headings of "reported", "probable", "bodies recovered", and "survivors" were used. "Reported" represents the maximum figure possible, or the total number actually reported in each case, irrespective of the merits of the evidence contained therein. "Probable" represents an approximate true count of atrocity victims, since the figures under this heading show the number which, in the opinion of the legal officer who examined the file, are justified by the available proof and the general tenor of the report. "Bodies recovered" and "survivors" are self-explanatory terms, and definitely reflect known victims.

War Crimes Cases. On 30 June 1953, War Crimes Division files contained 1615 alleged atrocity cases. Information concerning these has been recorded in many ways.

Where possible, the situs of each crime was plotted on 1:250,000 maps of Korea. This revealed that 1134 incidents occurred in South Korea; 478 in North Korea; and in only three cases was the location too indefinite to be determined as either North or South Korea. (See Appendix 1, Exhibit A).

The cases were then screened to ascertain the nationality of the perpetrators. This revealed that the North Koreans People's Army was responsible for 1164, while the Chinese Communist Forces were the instigators of 439. In 12 cases it was impossible to affix nationality on the basis of available evidence. (See Appendix 1, Exhibit B).

The predominance of North Korean incidents is attributable to the fact that the bulk of those recorded occurred prior to the official entry of the Chinese into the war. Since October, 1950, however, the Chinese have been fully as active as the North Koreans. (See Appendix 1, Exhibit C).

Analyzed according to types of atrocities committed, 1591 cases were found to allege murder or attempted murder of defenseless prisoners or civilians, leaving only a negligible balance of 24 dealing with other crimes. (See Appendix 1, Exhibit D).

In an effort to gather additional evidence to make all cases legally sufficient or close them out as not being possible of proof, the War Crimes Division had, as of 30 June 1953, requested 1082 investigations through the Home Ministry of the Republic of Korea, (ROK); forwarded 574 check forms to the Graves Registration Office (GRO); and ordered its own interrogators to make 525 field trips. Of these 555 ROK and 518 GRO checks have been processed and returned. Ninety-one field files are in the hands of investigators for future field trips.

As a result of reanalysis of cases, a project commenced in early 1953, it was found that a large number of cases had been closed in the past before investigative procedures had been exhausted. Accordingly, these cases were reopened and are now being investigated further. It will be noted there are only 72 closed cases as of 30 June 1953 compared to 267 on 31 December 1952 while referable cases have been increased from 15 to 34 in this six month period.

Because of their reliability and accuracy, field investigations have been given special emphasis in the investigative means employed by the division. It will be found that during the years 1950 to 1952, 206 field investigations were completed while in the first six months of 1953, 319 such trips were conducted.

It is interesting to note that referable cases were perpetrated in exact proportion to the bulk of case files; September 1950 being the peak month.

Victims of War Crimes Atrocities. Altogether, 57,559 atrocity victims have been reported in war crimes case files. Of these, it is the opinion of legal officers who examined the records, that 29,815 is the "probable" accurate figure. Bodies of 10,032 known victims have been recovered, and 533 survivors have returned to provide living proof of the acts. (See Appendix 1, Exhibit E.)

Reported American victims were 10,233 of which 6113 are listed as "probable". Of these 511 bodies have been recovered and 216 survivors have returned, exclusive of returnees in Operation "Little Switch". Statistical analysis of "Little Switch" will be found in Section VII.

For the numerical breakdown of these atrocity victims, classified by nationality, see Figure 1, page 35. Victims, too, have been recorded under the nationality of the perpetrators charged with the crimes. (See Appendix 1, Exhibits F and G).

It is an interesting fact that the NKPA slaughtered most civilians during September, 1950. Of these, 14,602, or 84.6% were slain during the last four days of the month. Although this was the time of the breakout of the UN Forces from the Pusan Perimeter defense, nevertheless the pattern indicates that such murder was a dictated policy.

Those victims of atrocities wherein substantial proof is recorded to warrant referral, were also tabulated separately. These, too, have been broken down according to the nationality of the victims.

All statistics recorded on cases and victims have been further charted to reflect the totals within each month during which the atrocities occurred. These figures are maintained in the files of the War Crimes Historical Branch, and are not included in this report as they constitute detailed duplication of the figures in Exhibits E, F and G.

Perpetrators, like victims, are also tabulated into nationality and further into type of implication, i.e. suspect or witness. Here, as in the case files, North Koreans predominate in number of those involved in war crimes.

Three primary causes have resulted in the release from restriction or confinement of individuals implicated in war crimes. They are: closure of cases, Operation "Little Switch", and the mass breakouts of June, 1953.

Although the bulk of figures established by the War Crimes Division may not be supported by conclusive evidence, nevertheless, they may well account for the discrepancy of thousands between known "missing in action" numbers and those the Communists admit to holding as prisoners of war.

SECTION VII

STATISTICS ON OPERATION "LITTLE SWITCH"

Evaluation of Data. In referring to statistics in connection with this operation it should be remembered that much of the information received is extremely difficult to evaluate since it was taken at a time when many of the prisoners of war were still in a state of shock and exhaustion and their memories not too reliable. Also, many of them suffered from deprivation, exposure, neglect, and hardship to such an extent that they were physically incapable of observing what went on around them. However, it is believed that the information received is still of tremendous value when considered in reservation. It should be specifically pointed out that, of necessity, these figures remain without verification or corroboration and that duplication may still exist after careful screening and elimination of the obvious overlaps. It is for this reason that these statistics have not been incorporated into the mass of already compiled figures and will remain separate until a further degree of accuracy and corroboration can be established.

Victims of Camps and Marches. It was among the returned prisoners that victims of crimes of omission were found to be numerous, in direct contrast to indications of the bulk of previously compiled case files. The relation of statements taken to the number of men returned has been charted on both US and ROK returnees.

Since most fatalities resulted from marches to camps or mistreatment in the camps themselves, a chart has been prepared on each of these reflecting American casualties. The breakdown here, in contrast to established cases, consists of a maximum and minimum figure. Though many more marches will come to light, those under scrutiny now reveal a maximum death toll of 2384 and a minimum of 1057. The exhibit shows only those marches where some corroboration has been established although many statements are on file referring to further isolated marches. (See Appendix 1, Exhibit H).

Death rates in prisoner of war camps were equally shocking. Here, a maximum of 5731 victims were recorded and a minimum of 3050. This exhibit also reflects only those "camps where corroboration has been established and figures can be ascertained to some degree of certainty. (See Appendix 1, Exhibit I).

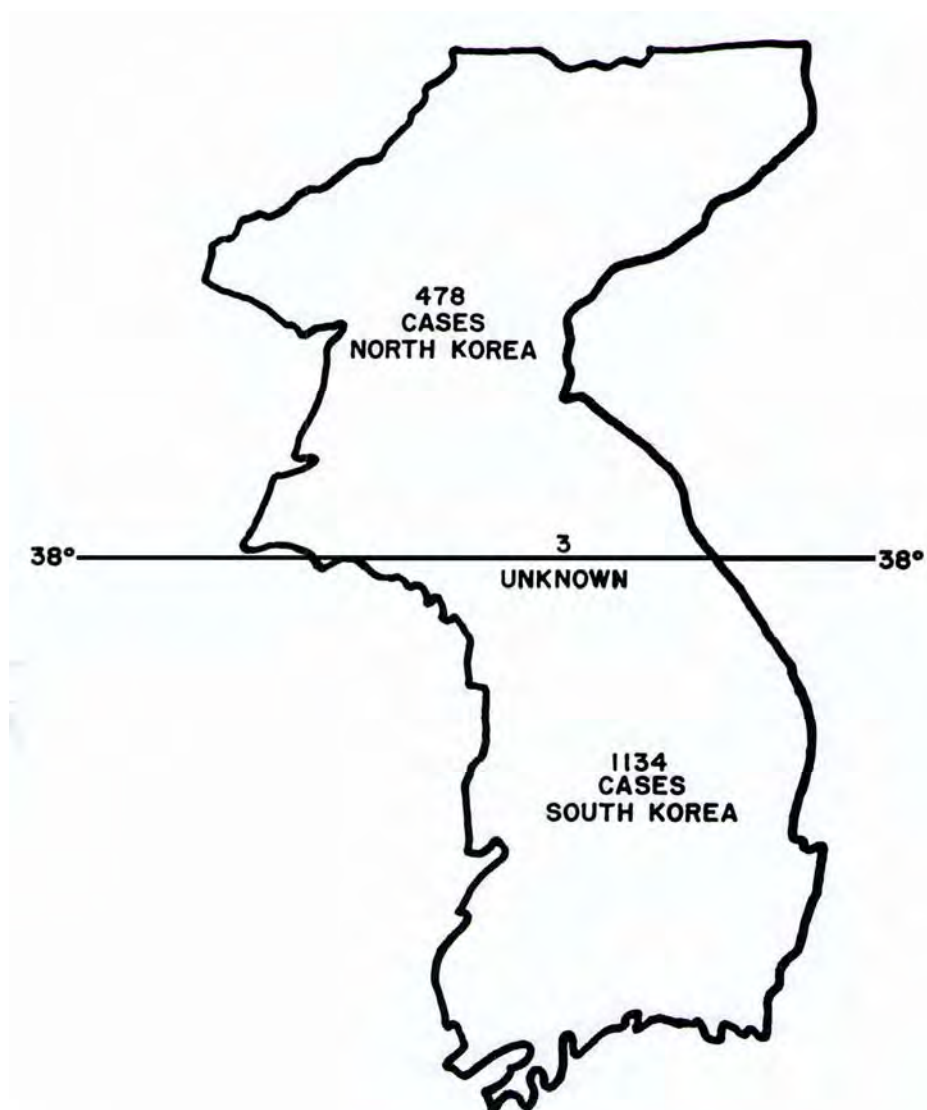
It should be reemphasized that statistical data relative to Operation. "Little Switch" is subject to still further corroboration and verification. The relatively few repatriates from whom statements were taken, compared to the many still in the hands of the enemy can indicate only trends and probabilities rather than positive and concrete facts. On this premise the evidence was evaluated and data extracted to arrive at the aforementioned conclusions.

TOTAL WAR CRIMES VICTIMS

Nationality	Reported	Probable	Bodies	Survivors
American	10,233	6,113	511	216
ROKA	10,334	5,460	1,004	14
Turkish	135	13	0	0
British	57	10	10	2
Belgian	6	6	6	0
Australian	20	20	0	0
Total Military	20,755	11,622	1,524	232
South Korean Police	260	176	5	0
South Korean Civilian	26,487	12,777	7,334	292
North Korean Civilian	8,600	4,399	1,163	9
Irish Priest	1	1	1	0
German Priest	1	1	1	0
Total Civilian	35,349	17,354	8,504	301
Unknown	1,425	839	4	0
GRAND TOTAL	57,559	29,815	10,032	533

APPENDIX I

CHARTS AND GRAPHS



SITE OF REPORTED WAR CRIMES

EXHIBIT A

TOTAL WAR CRIMES BY PERPETRATOR

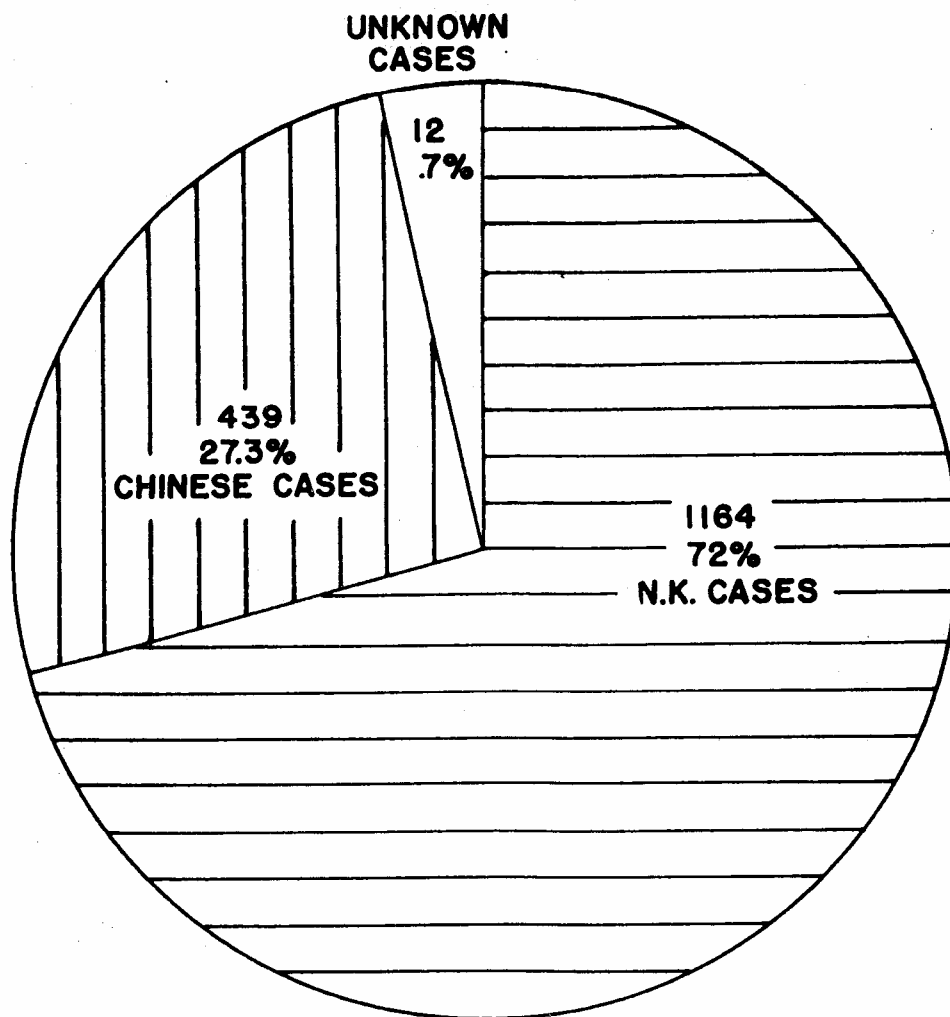


EXHIBIT B

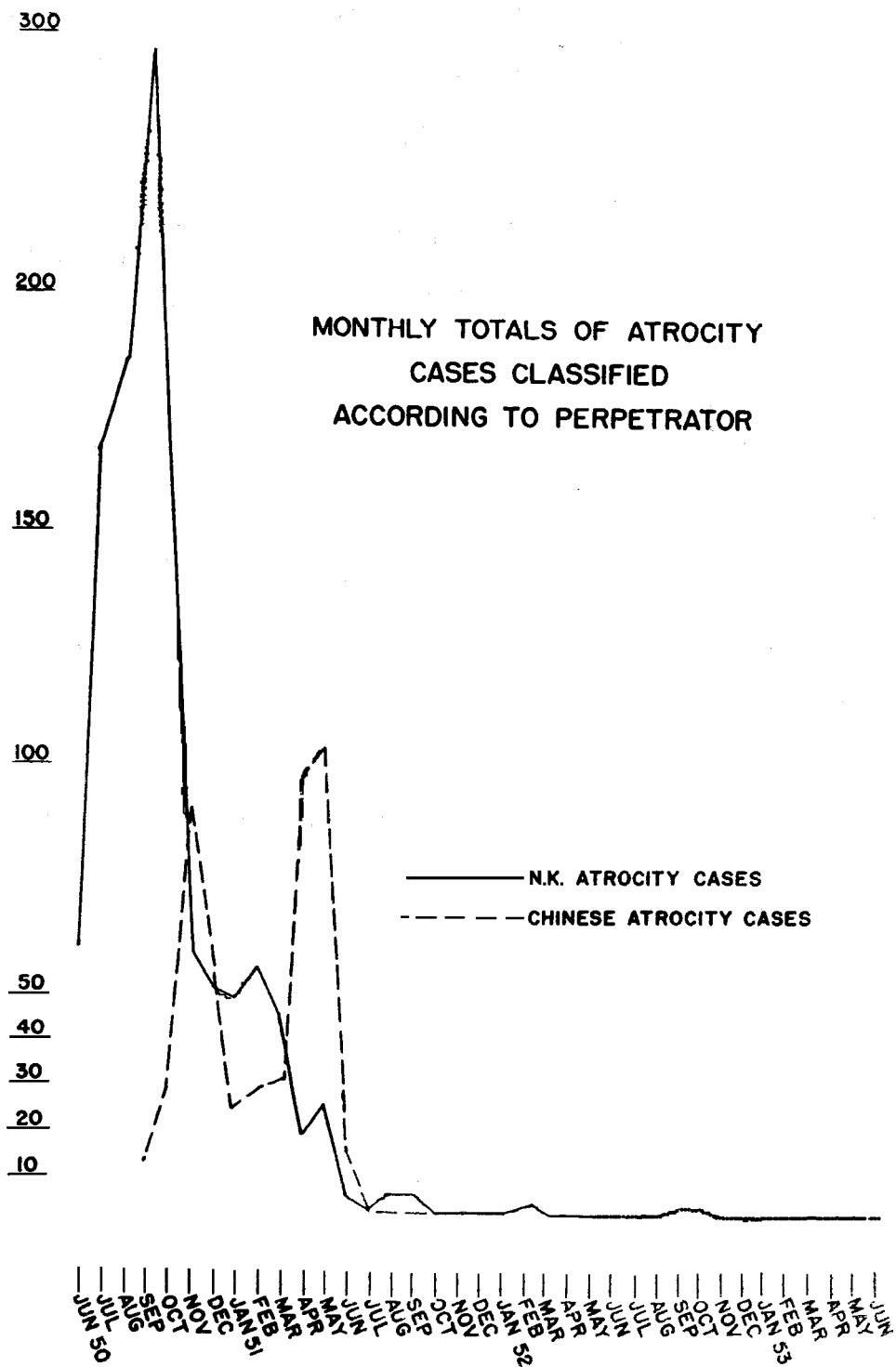


EXHIBIT C

PREDOMINANCE OF MURDER
AND ATTEMPTED MURDER
IN WAR CRIMES

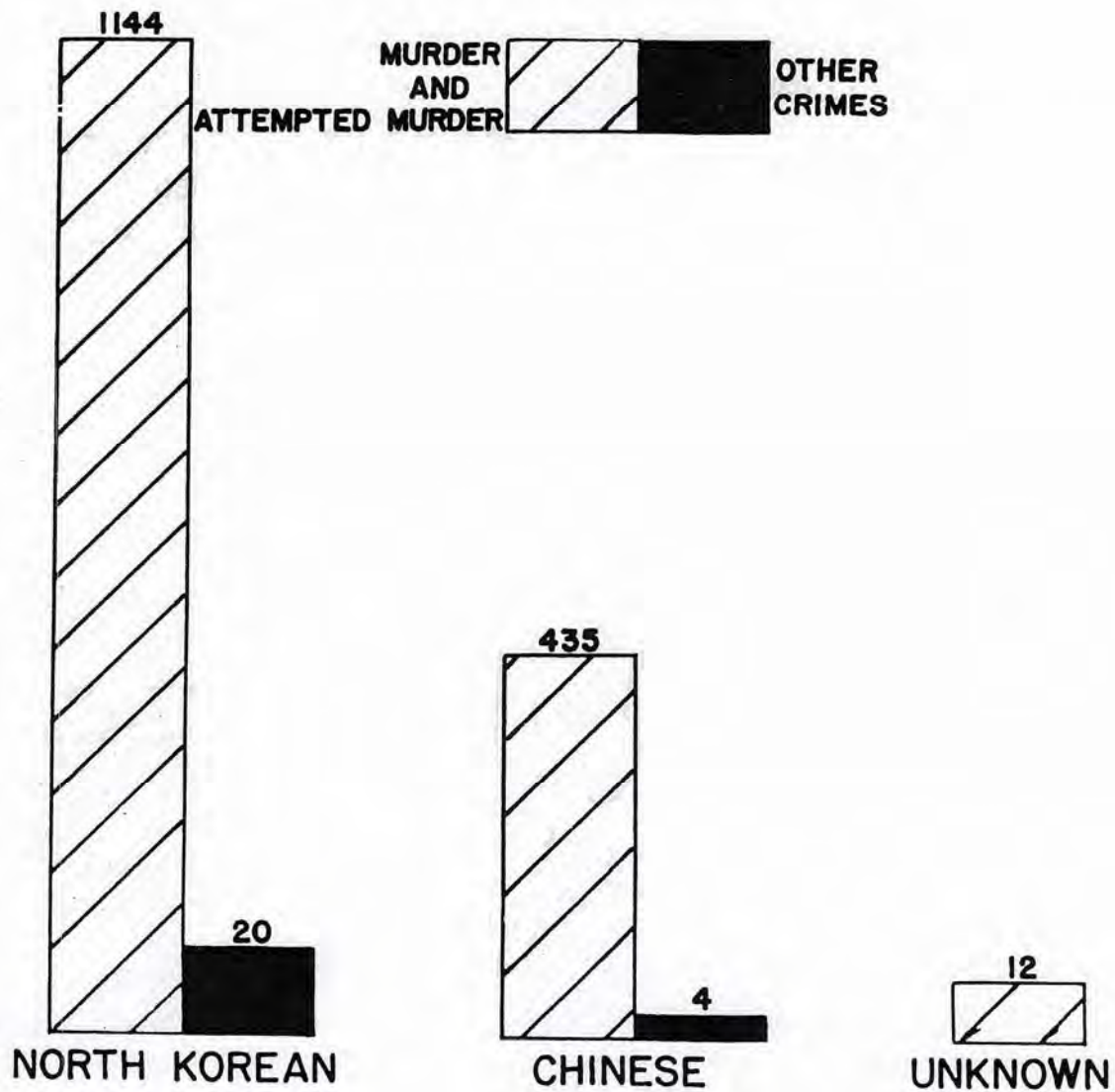


EXHIBIT D

WAR CRIMES VICTIMS

	AMERICAN	ROKA	TURKISH	BRITISH	BELGIAN	AUSTRALIAN	TOTAL MIL VICTIMS	SK POLICE	SK CIVILIANS	NK CIVILIANS	IRISH PRIEST	GERMAN PRIEST	TOTAL CIV VICTIMS	UNKNOWN	GRAND TOTAL
RPTD	10,233	10,334	135	57	6	20	20,785	260	26,487	8,600	1	1	35,348	1,425	57,559
PROB	6,113	5,460	13	10	6	20	11,622	176	12,777	4,399	1	1	17,354	839	29,815
BDS	511	1,004	0	3	6	0	1,524	5	7,334	1,163	1	1	8,504	4	10,032
SURV	216	14	0	2	0	0	232	0	292	9	0	0	301	0	533

EXHIBIT E

VICTIMS OF NORTH KOREAN
PERPETRATED WAR CRIMES

	AMERICAN	ROKA	BRITISH	TURKISH	TOTAL MILITARY	SK POLICE	SK CIVILIAN	NK CIVILIAN	IRISH PRIEST	GERMAN PRIEST	TOTAL CIVILIAN	UNKNOWN	GRAND TOTAL
RPTD	6,922	8,775	2	102	15,801	260	26,426	8,515	1	1	35,203	1,337	52,341
PROB	3,924	4,531	1	0	8,456	176	12,716	4,398	1	1	17,292	751	26,499
BDS	479	984	0	0	1,463	5	7,273	1,163	1	1	8,443	4	9,910
SURV	194	14	0	0	208	0	292	9	0	0	301	0	509

EXHIBIT F

VICTIMS OF CHINESE
PERPETRATED WAR CRIMES

	AMERICAN	ROKA	BRITISH	TURKISH	BELGIAN	AUSTRALIAN	TOTAL MILITARY	SK CIVILIAN	NK CIVILIAN	TOTAL CIVILIAN	UNKNOWN	GRAND TOTAL
RPTD	3,279	1,529	55	33	6	20	4,922	9	5	14	88	5,024
PROB	2,178	913	9	13	6	20	3,139	9	1	10	88	3,237
BDS	21	4	3	0	6	0	34	9	0	9		43
SURV	22	0	2	0	0	0	24	0	0	0	0	24

EXHIBIT G

VICTIMS IN KOREAN DEATH MARCHES

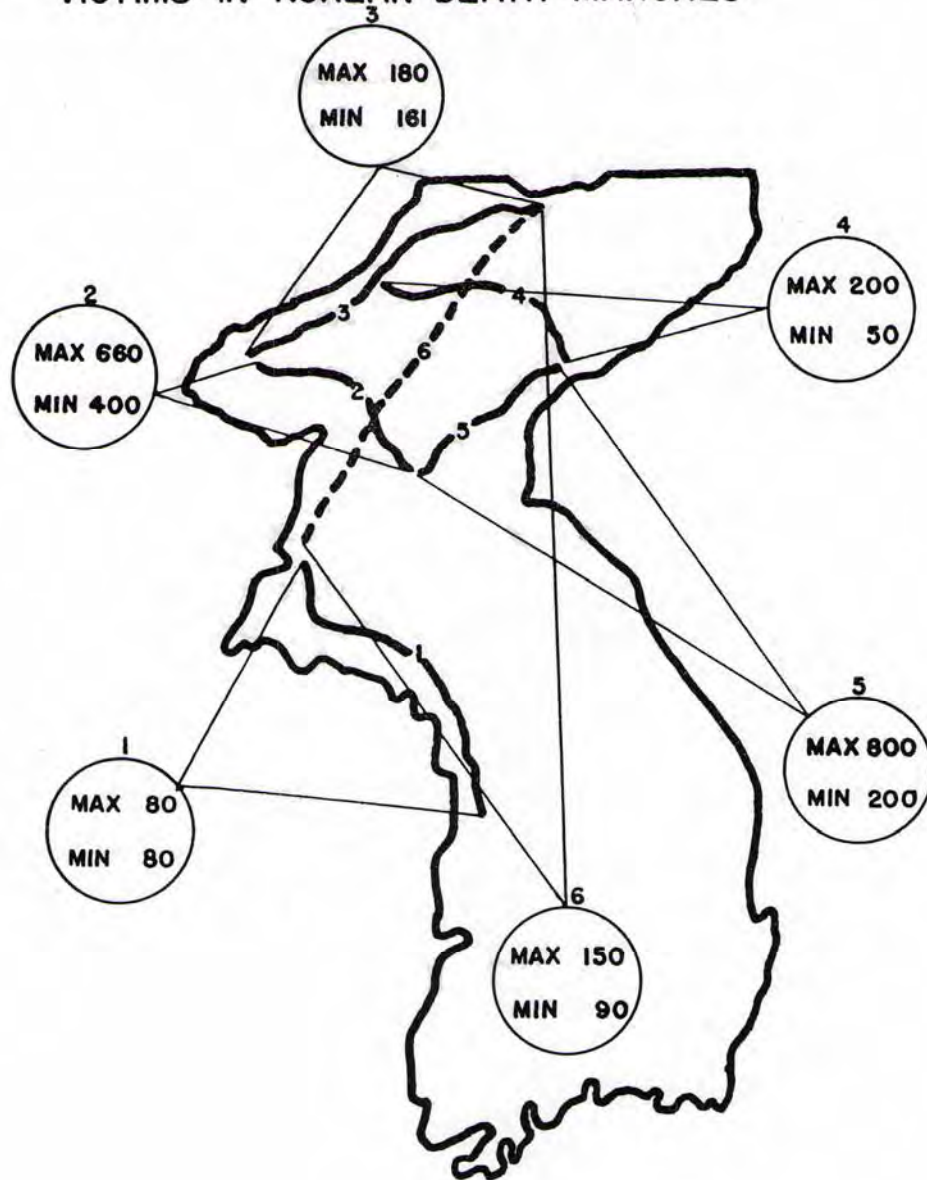


EXHIBIT H

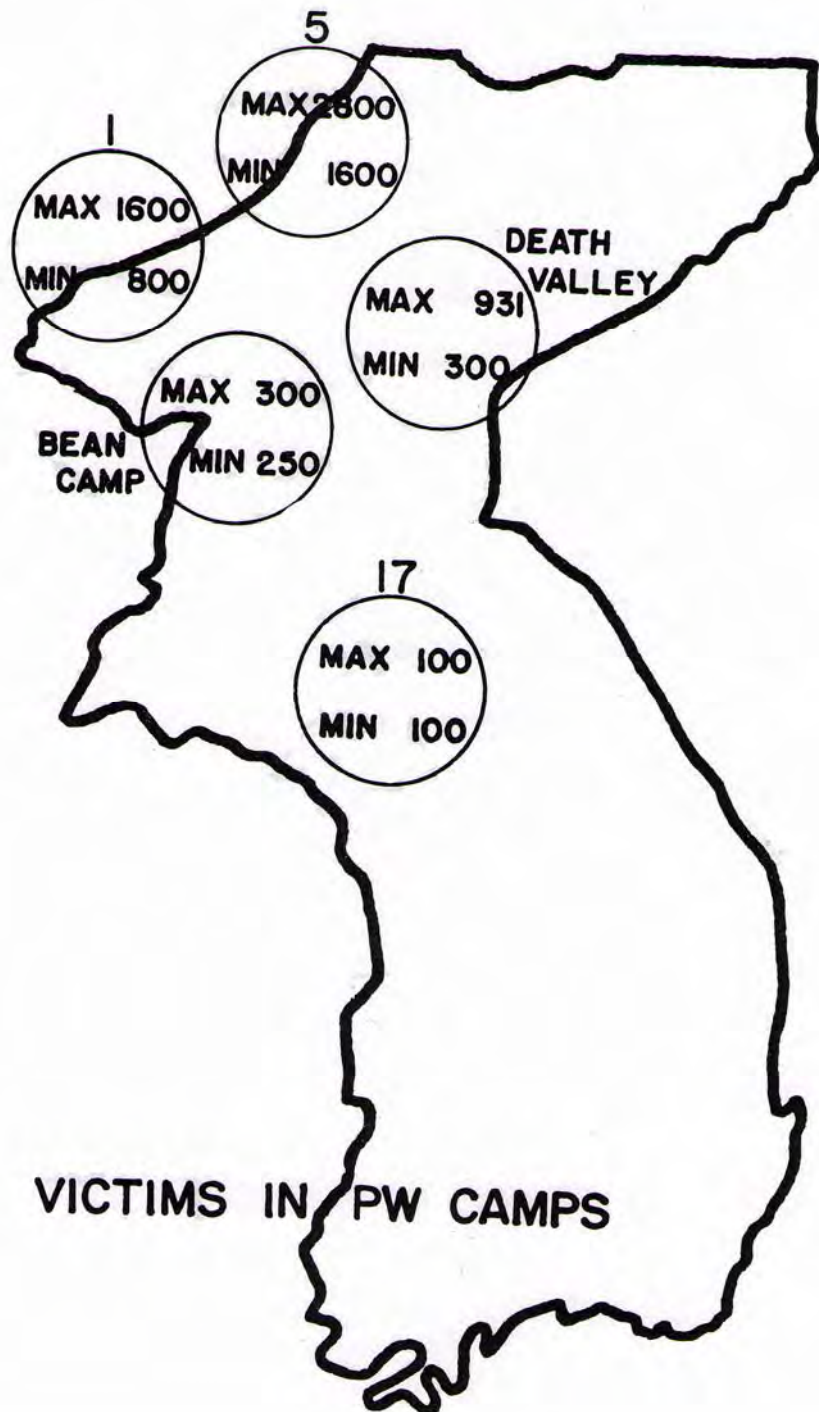


EXHIBIT I

APPENDIX 2

PHOTOGRAPHS



Chaplain saying last rites over the bodies of
atrocities victims in the Hill 303 Massacre, shown as
they were found by United Nations Forces.

Exhibit J-1



Remains of the 34 victims of Hill 303 massacre, shown in the receiving station where they were brought for identification. (KWC # 16)

Exhibit J-2



One of the bodies as it was found on the Hill 303 execution site. Notice that the man's hands have been tied by his own boot laces.. (KWC # 16)

Exhibit J-3



Close-up of another Hill 303 victims after recovery by Graves Registration, illustrating how his hands were tied. (KWC # 16)

Exhibit J-4



Bootlaces, string, wire, or in this case white cloth was used to tie the hands of prisoners before execution.
(KWC # 16)

Exhibit J-5



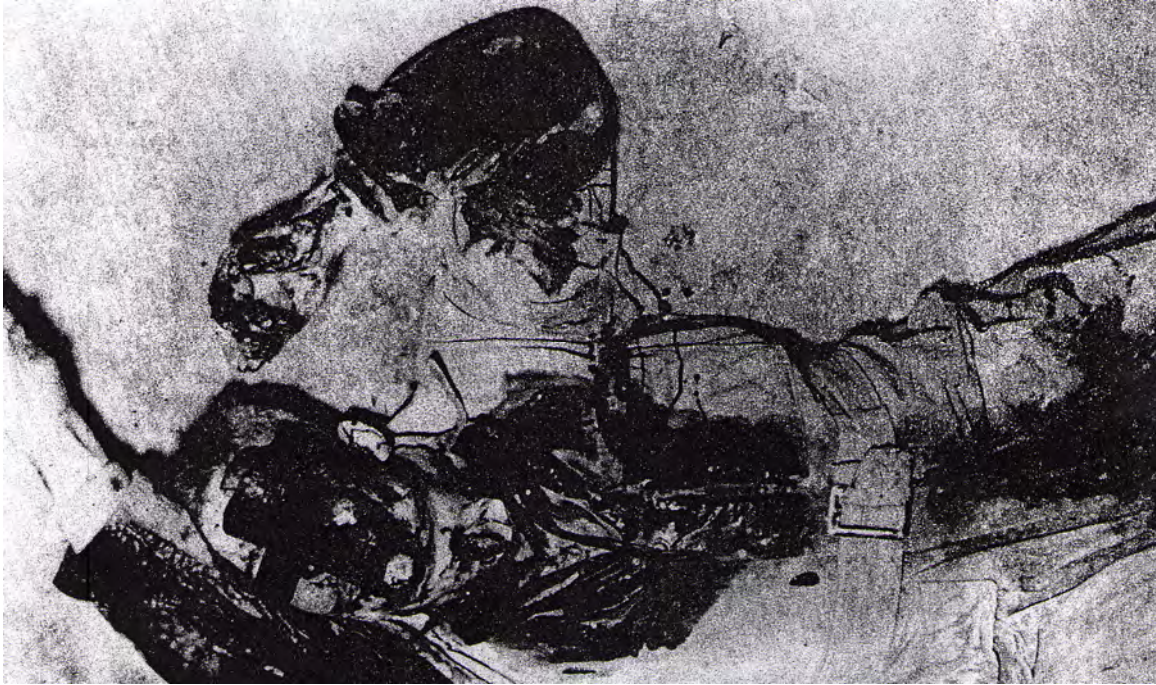
Some of the victims of the Hill 303 massacre as they were left by their captors. (KWC # 16)

Exhibit J-6



Bodies of five American prisoners who were shot and bayoneted while held in a communist CP. These victims lie beneath a propaganda bulletin board that condemns United Nations cruelty. (KWC # 67) (Faces blocked with black cross when declassified.)

Exhibit K-1



Close-up of one of the victims of the Naedae slaughter. Five men managed to escape by feigning death. This soldier has been bayoneted in the throat. (KWC # 67)

Exhibit K-2



Another Naedae victim. He also appears to have been shot or bayoneted in the throat. (KWC # 67)

Exhibit K-3



Remains of one of the 68 American prisoners of war who were wantonly slain in the Suchon tunnel incident.

Altogether, 138 such prisoners lost their lives in movement and murder. (KWC # 76)

Exhibit L



Remains of American victims after they had been covered with oil and set afire; one of the enemy's means of liquidation. (KWC # 63)

Exhibit M



Body of one of five airmen captured by guerrillas. Medical examination revealed that death was caused by bamboo spear or sharpened stick torture. (KWC # 164) (Face and private areas blocked with black cross when declassified.)

Exhibit N-1



Another body in the "Bamboo Spear Case", showing multiple puncture perforations, no one of which was sufficient in itself to cause death. (KWC # 164)

Exhibit N-2



Further evidence of the primitive torture treatment meted out to American prisoners, demonstrating the type of enemy with which we are dealing. (Face and private areas blocked with black cross when declassified.)

Exhibit N-3



ROKA soldier who was supporting an American artillery observation post when captured. His head has been mashed to a pulp, the right forearm severed with a dull instrument, the legs flayed with a bayonet, and the genitals sliced off with some sharp instrument. (KWC # 1670)

Exhibit O



Remains of one of the 42 American victims of the Taejon massacre. Note the total lack of medical attention given this soldier prior to his murder. (KWC # 28)

Exhibit P-1



Also American victims of the Taejon massacre, these soldiers were bludgeoned to death with the metal hammer seen in the picture. The hammer is now an exhibit in War Crimes files. (KWC # 28)

Exhibit P-2



Some of the thousands of victims of the Taejon massacre. This photo illustrates the trenches dug in advance for execution and burial of the bound prisoners. (KWC #28)

Exhibit P-3



Many of the Taejon execution trenches were merely open ditches excavated by bull-dozers. (KWC # 28)

Exhibit P-4



And many others were shot without the slightest pretence of a burial. (KWC # 28)

Exhibit P-5



In the Suchon City jail, South Korean landowners and government officials, dubbed "Capitalists" were confined in the small brick building. Cord wood, packing cases, and other combustibles were then piled all around the outside of the walls, drenched in gasoline, and set ablaze, roasting the inmates alive. (KWC # 32)

Exhibit Q-1



Some of the 32 charred remains of the victims who were
burned alive in the Suchon City jail. (KWC # 32)

Exhibit Q-2



A close-up of two victims giving mute testimony to the brutality of the enemy. (KWC # 32)

Exhibit Q-3



For diabolical mass murder, Yongchong has few equals. Nearly 500 South Korean political prisoners were led into an apple orchard and shot. Then, hand grenades were tossed into their midst, and the survivors bludgeoned. To complete the job, all the bodies were piled together, drenched with gasoline and ignited.

(KWC # 53)

Exhibit R



Some of the 315 bodies found in and around Chonju prison two days after the alleged massacre of 2000 South Korean policemen and political leaders. Most of the bodies had already been recovered by their families. (KWC # 733)

Exhibit S-1



One of the victims of the Chonju massacre, showing how his hands were tied.. (KWC # 733)

Exhibit S-2



Another of the victims of Chonju Prison as he was recovered by United Nations Forces. (KWC # 733)

Exhibit S-3



Still another victim of the Chonju Prison massacre.

Notice the deep hole in the victims neck. (KWC # 733)

Exhibit S-4

Dear Readers,

I have re-scanned my copy in order to improve the quality. This document is in the National Archives. I have reduced the number of pages by cropping photos but still keeping the detail of what is shown by only removing trees, landscape, skylines, etc., thus keeping the cost of reprinting at a minimum.

I feel if the outcome of the Korean War had been different then most of this information would have been more known by the world. My efforts in reproduction is to make this history better known sixty years later. I hope all of you that take copies will make more copies and pass it on to others. (I can also provide CD's)

As most of you know, having a twin brother as a POW/MIA drives my efforts. Your goal should be to remember those you served with and also to remind others that the Korean War was a victory over communism and that FREEDOM WAS NOT FREE.

*Vincent A. Krepps
Korea 1950-51 (410-828-8978)*