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November 30, 1993

The Honorable Madeleine Albright
The Representative of the United States
to the United Nations

Dear Madame Ambassador:

I received a copy of correspondence dated February 24, 1993, from your office, responding to Senator Larry E. Craig, regarding the issue of reparations for American veterans who were prisoners of war of the Japanese during WWII.

For your information, on February 22, 1993, at 21:30 hours, in Geneva, Switzerland, Messrs. Brian Forbes (Legal Counsel to The War Amputations of Canada--an NGO with consultative status within the U.N.) and Dr. John Humphrey (the former Director of the United Nations Human Rights Center and co-author of the United Nations Universal Declaration on Human Rights) presented a major submission to the Commission on Human Rights on behalf of over 200,000 Allied POWs and civilian internees.

The Allied POWs in question included American veterans who had been held as POWs by the Japanese and forced to carry out slave labor under the most inhumane conditions conceivable.

This claim for reparations was submitted to the U.N. initially in 1987 by the Canadian "Hong Kong Veterans" in conjunction with The War Amputations of Canada in relation to the "gross violations of human rights" committed by the Japanese in relation to the incarceration of veterans and the internment of civilians as POWs during World War II.

For your further information, on February 23, 1993, the NGO Press Conference/Briefing was held in Geneva for representatives of some 83 nations by former POWs representing the six allied nations involved in this claim for compensation (United States, Canada, The Netherlands, Australia, New Zealand, Great Britain). I was privileged to present the case for American veterans who had been held as POWs and for certain civilians who had also been incarcerated by the Japanese during World War II. I am truly sorry that no one from the United States delegation to the United Nations Human Rights Commission was interested in this presentation.

Madame Ambassador, the United States government was apprised of this claim on May 24, 1990, by a letter addressed to the then Secretary of State, Mr. James A. Baker, III. At the same time, a letter of notification was sent to the Ambassador of Japan advising of this U.N. communication.

Since the initiation of this claim, both President Bush and President Clinton have been advised of this action. Each has responded to our communications--both via the Department of State. I have enclosed these responses, coupled with our communications, for your information.

I must emphasize, Madame Ambassador, this claim is based on the facts in relation to FORCED SLAVE LABOR AND GROSS VIOLATIONS OF "OUR" HUMAN RIGHTS! It is noteworthy that it was only following the trials of members of the Japanese Imperial Forces by the International Military Tribunal for the Far East that the true nature and extent of the crimes perpetrated against the POWs by the Japanese became fully known. Through the course of those particular war crimes trials, the then Secretary of State, Mr. Cordell Hull, made the following statement:

"According to reports of cruelty and inhumanity, it would be necessary to summon the representatives of all the demons available anywhere and combine their fiendishness with all that is bloody in order to describe the conduct of those who inflicted those unthinkable atrocities."

It is also noteworthy with reference to your letter to Senator Craig of the 24th of February 1993, that with all due respect, war crimes, crimes against humanity and "grave breaches" of the Geneva Conventions bear no statutory limitation or prescription insofar as the pursuit of the right of compensation is concerned under International Law. In this conjunction, we have appended to our correspondence to you a copy of the submission made by Mr. Forbes and Dr. Humphrey at the commission on Human Rights this past February, which describe in considerable detail the legal bases for our claim under the international instruments concerned.

We would further advise that the Canadian NGO, The War Amputations of Canada, has recently filed a claim under the Optional Protocol of the International Covenant on Civil and Political Rights, calling into account the Canadian government for its failure to protect the interests of the Canadian POWs throughout the course of this matter. It is our respectful submission that the United States government is also in contravention of this International Law and, in addition, specific provisions of the Geneva Conventions and other related international instruments vis-a-vis the rights of former individual American POWs.

We would reiterate our position as outlined in our letter to Mr. John Dinger, Deputy Director, Office of Japanese Affairs, United States Department of State, dated September 28, 1993, wherein we specifically requested the U.S. government's position on the following questions:

- (a) Is the United States government prepared to SUPPORT our claim for an apology and for compensation against the Japanese government?
- (b) In particular terms, is the U.S. government prepared to support the intervention of The War Amputations of Canada (our sponsors) before the Human Rights Commission of the United Nations?
- (c) As an alternative, is the U.S. government prepared to consider the claim for compensation in relation to the SLAVE labor and inhumane conditions suffered by the Americans who were POWs/Internees as a financial responsibility of the U.S. government specifically under the provisions of the Optional Protocol?

As we have indicated in our correspondence to Mr. Dinger, it is our position that in the event the U.S. government is not prepared to exert its influence upon the leaders of the Japanese government in this matter, then we have no other alternative than to request that the issue be considered by the Human Rights Committee under the International Covenant on Civil and Political Rights.

Madame Ambassador, we would respectfully ask that you and your colleagues give appropriate consideration to this claim and our sincere request for your full support in this regard.

Respectfully,

RALPH LEVENBERG
Major, USAF (Retired)
Special Projects Officer
American Defenders of
Bataan & Corregidor, Inc.

Enclosures