

U.S. Military Commission, Yokohama, May 1-28, 1947

United States of America v. Hideji Nakamura, Yukio Asano, Seitara Hata, and Takeo Kita

(The following charges are from the criminal indictment against Yukio Asano for waterboarding.)

“Charge: That between 1 April, 1943 and 31 August, 1944, , at Fukoka Prisoner of War Branch Camp Number 3, Kyushu, Japan, the accused Yukio Asana, then a civilian serving as an interpreter with the Armed Forces of Japan, a nation then at war with the United States of America and its Allies, did violate the Laws and Customs of War.

Specification 1: That in or about July or August, 1943, the accused Yukio Asano, did willfully and unlawfully, brutally mistreat and torture Morris O. Killough, an American Prisoner of War, by beating and kicking him; by fastening him on a stretcher and pouring water up his nostrils.

Specification 2: That on or about 15 May, 1944, at Fukoka Prisoner of War Branch Camp Number 3, Kyushu, Japan, the accused Yukio Asano, did, willfully and unlawfully, brutally mistreat and torture Thomas B. Armitage, William O. Cash, and Munroe Dave Woodall, American Prisoners of War by beating and kicking them, by forcing water into their mouths and noses; and by pressing lighted cigarettes against their bodies.

Specification 5: That between 1 April, 1943 and 31 December, 1943, the accused Yukio Asano, did, willfully and unlawfully, brutally mistreat and torture John Henry Burton, an American Prisoner of War, by beating him; and by fastening him head downward on a stretcher and forcing water into his nose.”

Source:

Wallach, Evan. “Drop By Drop: Forgetting The History of Water Torture In U.S. Courts,” *The Columbia Journal of Transnational Law*, 2007.