

Rijksinstituut voor Oorlogsdocumentatie (RIOD)
(Netherlands State Institute for War Documentation)

Folder Title: WC Tribunal documents; 4 court documents from the trial of the brothel keeper of the Gang Horning brothel in Batavia

Folder ID: 022053

Dates: 1943-5 (1946)

Fonds: Oorlogsdocumentatie -WW2

Pages: 28

Microfiche: RIOD 022053-WW2 NEI

TOEGANG BEPERKT

**No available English translations
of cases yet; some cases about to
be declassified?**

**Several Records not yet
declassified**

**Dutch to English translation
project?
funding from CUHK?**

Dit bestand is gesloten ' **tot 2007**



file closed till 2007???

controlled with restrictions

GECONTROLEERD MET BEPERKINGEN



March 28, 2006



**CENSORSHIP OF
HISTORICAL THOUGHT**

A World Guide, 1945–2000

Antoon De Baets

CENSORSHIP OF HISTORICAL THOUGHT

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Foreword by John David Smith



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This One



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Batavia trial case records
are under the security
archives

Have they been declassified?

THE NETHERLANDS

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SOURCES

- Article 19, 'Who Wants
Rights Violations
Dauth T., "Review of S
of the Liberation
Media Institute of South
—, *So This Is Democracy? State of the Media in Southern Africa Report on 1996*
(Windhoek 1997) 19–21.

Past Human

e Dark Days

THE NETHERLANDS

World War II and postwar military policy in Indonesia were the most sensitive areas of Dutch history. The security archives were the subject of a large debate.

pre-1945 Among the historians who emigrated before 1945 (and living in exile after 1944) were De Jong (q.v. 1971–73) and **Arthur Lehning** (1899–2000).

Among the historians and others concerned with the past who were censored, dismissed, or persecuted during World War II (including in 1945) were **Herman Colenbrander** (1871–1945), **Anton de Kom** (1898–1945, from Suriname), **Pieter Geyl** (1887–1966), **Johan Huizinga** (1872–1945), **David Koker** (1921–45), **Jaap Meijer** (1912–93), **Otto Oppermann** (1873–1946), **Nicolaas Posthumus** (1880–1960), **Jan Romein** (1893–1962), Rüter [q.v. 1955–59], and **W.F. Wertheim** (1907–98, in the Dutch East Indies).

1946– In February 1946 **Jan de Vries** (1890–1964) was dismissed as a professor of ancient Germanic languages, religion, and history at Leiden University (1926–46). In May 1948 the court ruled that he was an "intellectual collaborator" with the Nazis. De Vries became a secondary-school teacher (1948–55).

1947–51 In November 1947 historian and Jewish leader **David Cohen** (1882–1967) was briefly arrested on charges of wartime collaboration with the Germans, but he was released in December. The case was dropped in 1951. The Jewish Honorary Council (Ereraad) temporarily excluded him from all Jewish functions. Dismissed from his professorship of ancient history at Amsterdam University (1926–53) in 1941, Cohen had acted as cochairman of the Joodsche Raad (Jewish Council), appointed by the German authorities (February 1941–September 1943). In 1943–45 he had been an inmate at Theresienstadt concentration camp.

1947 In 1947 the minister of education refused to confirm the appointment of historian and writer **Jacques Presser** (1899–1970) as professor

LAW REPORTS OF TRIALS OF WAR CRIMINALS

SELECTED AND PREPARED
BY THE UNITED NATIONS WAR CRIMES
COMMISSION

One of the aims of this series of Reports is to relate in summary form the course of the most important of the proceedings taken against persons accused of committing war crimes during the Second World War, apart from the major war criminals tried by the Nuremberg and Tokyo International Military Tribunals, but including those tried by United States Military Tribunals at Nuremberg. Of necessity, the trials reported in these volumes are examples only, since the trials conducted before the various Allied Courts, of which the United Nations War Crimes Commission has had records, number over 1,600. The trials selected for reporting, however, are those which are thought to be of the greatest interest legally and in which important points of municipal and international law arose and were settled.

Each report, however, contains not only the outline of the proceedings in the trial under review, but also, in a separate section headed "Notes on the Case," such comments of an explanatory nature on the legal matters arising in that trial as it has been thought useful to include. These notes provide also, at suitable points, general summaries and analyses of the decisions of the courts on specific points of law derived primarily from a study of relevant trials already reported upon in the series. Furthermore, the volumes include, where necessary, Annexes on municipal war crimes laws, their aim being to explain the law on such matters as the legal basis and jurisdiction, composition and rules of procedure on the war crime courts of those countries before whose courts the trials reported upon in the various volumes were held.

Finally, each volume includes a Foreword by Lord Wright of Durley, Chairman of the United Nations War Crimes Commission.

continued inside back cover

LAW REPORTS OF TRIALS OF WAR CRIMINALS

continued from p. 2 of cover

The volumes have been made as internationally representative as the available material has allowed and the legal matters which have received report and comment have included questions of municipal as well as international law. The Reports, together with the notes on the cases and the Annexes on municipal law, should, therefore, prove of value as source-books and commentaries not only to the historian and the international lawyer but also to all students of comparative jurisprudence and legislation, and in general the intention of the Reports is to ensure that the lessons of the War Crime trials held by the various Allied courts during recent years shall not be lost for lack of a proper record made accessible to the public at large.

Thirteen volumes of the Reports have been published and a further two are in production. The final volume contains a general analysis of the legal outcome of the series.

All volumes are available as indicated overleaf. Prices—Volume I, 2s. 6d. (by post, 2s. 9d.); Volume II, 3s. (by post, 3s. 3d.); Volumes III onwards 5s. each (by post, 5s. 3d.)

H.M. Stationery Office has also published
the following official publications on

THE TRIAL OF GERMAN MAJOR WAR CRIMINALS AT NUREMBERG

Judgment

Judgment of the International Military Tribunal for the Trial of German Major War Criminals: 30th September and 1st October, 1946 (Cmd. 6964) 2s. 6d. (by post 2s. 9d.)

Speeches

Opening speeches of the Chief Prosecutors 2s. 6d. (by post 2s. 9d.)

Speeches of the Chief Prosecutors at the Close of the Case against the individual Defendants 3s. (by post 3s. 3d.)

Speeches of the Prosecutors at the Close of the Case against the Indicted Organizations 2s. 6d. (by post 2s. 9d.)

The proceedings are being published in separate parts and particulars will be supplied on application.

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CASE No. 76

TRIAL OF WASHIO AWOCHI
NETHERLANDS TEMPORARY COURT-MARTIAL AT BATAVIA
(JUDGMENT DELIVERED ON 25TH OCTOBER, 1946)

Enforced prostitution a war crime.

A. OUTLINE OF THE PROCEEDINGS

The accused, Washio Awochi, a Japanese hotel-keeper who ran a club-restaurant in Batavia from 1943 to 1945, was tried for having forced Dutch women to practice prostitution in the premises of the club.

1. THE CHARGE

The accused was charged with having "in time of war and as a subject of a hostile power, namely Japan," and "owner of the Sakura-Club, founded for the use of Japanese civilians," committed "war crimes by, in violation of the laws and customs of war, recruiting women and girls to serve the said civilians or causing them to be recruited for the purpose, and then under the direct or indirect threat of the Kempei (Japanese Military Police) should they wish to leave, forcing them to commit prostitution with the members of the said club," which the women and girls "were not able to leave freely."

The prosecution asked the court to find the accused guilty of "the war crime of enforced prostitution" and to convict him to 15 years' imprisonment.

2. THE EVIDENCE

The court heard as witnesses some 12 women or girls who were forced to prostitution by the accused. According to their testimony, given under oath and corroborated by other evidence, as well as statements made by the accused himself, the facts were as follows:

Awochi was established in Batavia from 1920 and returned to Japan prior to the aggression on Pearl Harbour, on 30th November, 1941. After the occupation of the Dutch East Indies by Japanese forces, he returned to Batavia in June, 1942. He first opened a restaurant called "Akiboro." Later on, in 1943, he rented a block of houses and opened a brothel to which a restaurant and a bar were attached. The place was known as the Sakura Club and was exclusively reserved for Japanese civilians. His assistant in the brothel business was a woman, Lies Beerhorst, with whom he had lived since 1943. With her help, girls were engaged to serve in the restaurant or in the bar as waitresses and then gradually forced to commit acts of prostitution with the customers. In most cases, when accepting to serve in the restaurant or bar, the girls were unaware of the existence of the brothel. In other cases they knew of it, but made specific arrangements

Locate Dutch source?