

3595

INTERNATIONAL MILITARY TRIBUNAL FOR THE FAR EAST

THE UNITED STATES OF AMERICA, et al

-vs-

ARAKI, Sadao, et al,

SWORN DEPOSITION

DEPONENT: SHIRATORI, Toshio

I, SHIRATORI, Toshio, being first duly sworn, according to the customary formality in this country, depose and state:

I, I was born in 1887, in an obscure farm village some fifty miles from Tokyo, and after receiving an education, extending over twenty years, I entered the diplomatic service immediately on graduation from the Tokyo Imperial University in July, 1914. I continued in that service for twenty-seven (27) years almost to a day, when I resigned as advisor of the Foreign Office in July, 1941. Of that official career I spent four and a half (4½) years in the United States as Secretary of the Embassy; three and a half (3½) years in China as Vice-Consul (Hongkong) and Secretary of the Embassy (Peking); two (2) years in pre-Hitlerite Germany as Secretary of the Embassy; three (3) years in Scandinavia as Minister, and eight and a half (8½) months in Italy as Ambassador. The rest of my service was in the Foreign Office at Tokyo, as Secretary, Chief of Sections, Director of the Information Bureau, and finally as Advisor. None of these positions which I held, both at home and abroad, carried any policy-making authority. All my activities in office were, therefore, bound to be along the line of the policy adopted by the Government of the day.

2. The decade and a half between the World War I and the Manchurian affair of 1931 was a period during which Japan pursued consistently and scrupulously a policy of peace and of cooperation with foreign nations, especially with the Anglo-Saxon countries. That was commonly called in this country the Shidehara Diplomacy of Conciliation, of which, as a career diplomat, I was, of course, a faithful votary. Having been present both at the Washington Conference of 1921-22 and at the Geneva Naval Conference of



1927, and having been admitted into the inner councils of the Foreign Office as a bureau chief during the London Naval Conferendes of 1929-30, I was considered as one of the disarmament experts in the Foreign Office.

3. The Manchurian Incident of September 18, 1931, was a bolt from the blue to the officials of the Foreign Office from Minister Shidehara down, who under this rude shock did not, for a moment, know how to cope with it. As was usual in such a case, the Government adopted and published a policy of non-aggravation and speedy local settlement. At the instruction of the Foreign Minister, the Information Bureau, of which I was Chief, did all it could in its attempt at mobilizing the public opinion in favor of a peaceful adjustment of the affair, but the press, which until then had generally been supposed to be sympathetic to the Foreign Office, did not this time so willingly respond to our appeal as at the time of the London Disarmament conferences, when, with their support, the Government could carry the treaty through in the face of strong opposition at home. The change of the general atmosphere seemed almost instantaneous. Thus with a press and public opinion ranged on the side of strong policy, the Foreign Minister and his subordinates had a difficult time of it in their endeavor to live up to the traditions of their Department. What added to the complexity of the matter was that the Manchurian Affair soon ceased to be a mere question of diplomacy, but became an important political issue at home in Japan. Just as the Treaty of Commerce concluded with Commodore Perry by the Tokugawas was seized upon by the advocates of the Meiji Restoration as an effective handle of attack upon the tottering Shogunate, so the so-called "weak-kneed" policy of Baron Shidehara was utilized by various reformist elements who had been demanding a fundamental reconstruction of the capitalist liberal government of "corrupt" politicians and political parties. That the birth of the new state of Manchukuo with its Utopian programs commanded at first such widespread popularity and sympathy in Japan can only be properly appreciated in the light of this peculiar circumstance at home. In such a situation it was, after all, but little that the Foreign Office, so without resource or power in internal political affairs, could do to influence the course of events one way or another. I was only a Bureau Chief in that



department. Although foreign correspondents chose to refer to me as the "spokesman" of the Foreign Office, my main business was nothing more than handing out news items to them from day to day. Statements and declarations of policy by the Government concerning foreign affairs were published through my Bureau, but it was merely part of the routine belonging to that office.

4. After serving three years as Minister to the four Scandinavian countries, I was recalled and placed on the waiting list in 1936. I neither sought nor was offered any new assignment for nearly two years. During that time I seldom, if ever, visited the Foreign Office and had no access to official documents and information in its possession. About the China war I knew as much or as little as ordinary readers of newspapers, either in regard to the circumstances leading to its outbreak or to the measures which the Government was adopting, one after another.

In August, 1938, Foreign Minister UGAKI wanted me to call on him at his official residence and asked me if I would go to Rome as ambassador. It was a promotion indeed, but it did not at all appeal to me. By that time the China affair had become the all-absorbing question, the quick solution of which was eagerly hoped for by the entire nation. At such a time the idea of again serving in faraway Europe, and that in a country about which I knew so little and with which Japan had practically nothing to do, was rather repugnant to me. So I declined at first, but General UGAKI insisting, I promised him that I would think the matter over. Since I had reason to believe that it was Prince KONOYE who had recommended me to General UGAKI, I thought fit to consult him about the matter. The Premier advised me to accept the mission, if only to "qualify myself", as he put it, for the portfolio of Foreign Affairs in the future. He told me, moreover, that, unlike in Stockholm, I would this time find something doing in Rome. I learned from him for the first time that there was talk of a rapprochement between Japan and the Axis powers. He said that he was not enamoured of the idea himself but that inasmuch as direct negotiation with Chiang Kai-shek had so far proved almost useless, some other diplomatic



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means had to be sought to quickly dispose of the China mess. In his opinion, a friendly intervention by England and America was the greatest desideratum, but nothing short of a possible alignment of Japan with the Axis would cause them to modify the anti-Japanese attitude they had maintained ever since the Manchurian imbroglio, I concluded from all he had told me that at that moment it was not so much the actual rapprochement with Germany and Italy that he really desired as the effect that such a gesture on Japan's part would have on England and America in regard to their Far Eastern policy. I felt I could agree in principle to Prince KONOYE's foreign policy thus outlined to me on this occasion, so I finally decided to accept the Italian mission.

As for General UGAKI, he did not so much as mention to me the proposed Axis treaty, neither did his successor, Mr. ARITA, give me any instruction at all regarding this matter before my departure from Tokyo. In point of fact, the whole question seemed to be still in a nebulous condition, no definite decision having been reached by the Government as yet. There was very little in the way of documentary information in the Foreign Office bearing on this matter, and the high officials of the Department were still left entirely in the dark about it. Besides the above mentioned talk with Prince KONOYE, I did not discuss the matter with anyone in responsible position, including, to the best of my recollection, the new Foreign Minister, Arita himself. It will be clear from the above that it is not correct to say that, as the prosecution contends (Exhibit 498; record p.6083), I was appointed to Rome for the specific purpose of negotiating an alliance. Installed as Ambassador in September, 1938, I did not leave for my post until late in November, and then I chose the slow route of travel via Suez. It was as late as the 29th of December, 1938, that I arrived at Rome, without any special instruction or even sufficient information about the proposed treaty with Germany and Italy. Soon after I reached my destination I learned of the resignation of Prince KONOYE. I gathered that, astute statesman as he was, he saw difficulties ahead for his cabinet on account of the contemplated rapprochement with the Axis. As to his successor,



Baron Hiranuma, I do not remember ever meeting him before I left Japan and I certainly had no knowledge or information about his diplomatic views. The entry in Count Ciano's diary (Exhibit 499-A, record p. 6092) to the effect that I told the Italian Government that the new Premier was openly in favor of the alliance, is not true.

5. I made my first call on the Italian Foreign Minister on the 31st of December, 1938, to acquaint him of my arrival and to ask him to arrange for the presentation of my Letters of Credence to the King. I also requested that at a proper time I might be permitted to pay my respects to premier Mussolini. As a matter of course, we did not on this occasion discuss any political questions. The next time I saw Count Ciano was on the 6th of January, 1939, when he presented me to the Premier, himself acting as interpreter between us. As I had no instructions either of the Konoye Cabinet or of the new Hiranuma cabinet, and, moreover, as I was not qualified to act as ambassador, my credentials not having been presented yet, I was rather embarrassed at this unexpectedly early opportunity of meeting the Italian Premier. I had decided within me that the safest thing to do was to listen. That precaution on my part proved unnecessary, however, for Mussolini did all the talking and would scarcely allow me to say anything beyond chiming in occasionally. The entry in Count Ciano's diary for January 7, 1939, seems to attribute to me, whether by mistake or otherwise, some of the things said by his father-in-law on that occasion. Nothing that I gave them to understand warrants the statement contained in Exhibit 499-A (record p. 6092) that I was greatly in favor of the alliance which I regarded as a weapon to force Great Britain to concede "the many things she owed to us all." I may be permitted to point out that the clause in quotations strongly reminds one of Mussolini who used to call Italy "the prisoner in the Mediterranean" and who blamed that on Great Britain.

What I remember clearly to this day about this interview is that Mussolini seemed to me to be laboring under the mistaken idea that as far as Germany and Japan were concerned, there was then a complete agreement and no difficulty, and that it was only Italy's indecision that had so far been



retarding the fruition of a tripartite arrangement. He said that Italy now wanted a speedy conclusion of the proposed treaty and that he saw no reason why it should not be done within a few weeks. Fully aware that there was at that moment no definite decision reached by Tokyo, and forewarned by the resignation of Prince Konoye, I tried as best I could to discourage the Italian Premier's taking too much for granted concerning Japan. That being the case, I could not possibly have assumed the forward attitude ascribed to me by Count Ciano in the exhibit in question. That point would be made abundantly clear if the telegraphic report I sent home after that interview could be produced.

In a later entry in his diary (Exhibit 501, record p. 6096), Ciano states that I "advised him not to accept the Japanese counter-proposal." That is a very unkind way of interpreting my words, which were merely to the effect that I was afraid our counter-proposal would be unacceptable to him but that he did not have to take it as the final word. As to his statement that I told him of my intention to tender my resignation in order to force the cabinet to retire (Exhibit 501, record p. 6096), not only have I no recollection whatever, but it is ridiculous on the face of it, for the resignation of an ambassador, only so short a time in office, who had no political backing at home, could hardly have affected the life of a cabinet, or <sup>have altered</sup> the foreign policy of his Government. Apparently he received some such report from Tokyo where there seemed to be afloat at the time various baseless rumors about the tripartite negotiations.

The basic idea that influenced me during the whole course of the negotiation was that which was borne in upon me as a result of my conversation with Prince Konoye described in the preceding paragraph. Irrespective of whether the negotiation was to succeed or not, I considered it of the first importance that the fact that such pourparlers were going on between Japan and the axis powers should become known to the world, especially to America and England. I was, therefore, on occasion intentionally outspoken or indiscreet in my press interviews, generally assuming an air of optimism even at moments when the successful



conclusion of the negotiation seemed more than doubtful. That accounts in part for the reputation I gained of being a staunch advocate of the Axis pact, which was out of all proportion to the actual role I was permitted to play in the matter. At the same time I felt that, although Baron Hiranuma had replaced Prince Konoye, it was not impossible that the Tokyo Government was also acting on a similar principle. Ostensibly the discussions were to be conducted in the strictest secrecy between the Governments concerned, but press reports from Tokyo showed that free publicity was being given the matter by the Japanese authorities. In fact, we learned incomparably more from unofficial sources than from Government telegrams to us concerning what was going on in Tokyo. As we read history, that is not the way important pacts of alliance are made by nations.

The prosecution states that I advocated, contrary to instructions, an all-out military alliance without reservations with Germany and Italy (Exhibit 501, record p.6095). That is not true. The text of the draft treaty accepted by all three nations concerned at an early stage was a very weak and harmless document partaking more of the character of a treaty of mutual consultation and assistance than of a military alliance. I never for a moment imagined that such a pact would by any means drag Japan, against her will, into a war of Germany's or Italy's making. Nor did I think that it would in the least stand in the way of Japan concluding separate arrangements with England and America concerning China and the Far East. On the contrary, the existence of such a pact, or its very possibility or imminence, was in my opinion calculated to serve as a sort of leverage in moving the Anglo-Saxon countries to reconsider their Far Eastern policy, thereby making it possible for Japan speedily to wind up, with their friendly cooperation, the unfortunate conflict with China. As to the accusation that I acted contrary to instructions from my Government, I can state with truth that there was not a single instance of any such delinquency on my part. It is true that I disagreed with my Government in regard to the secondary matter of reservations to be attached to



the text, and that I made more than once energetic representations to the Foreign Minister. But that belongs to the proper functions of an ambassador and is clearly allowed by law.

6. That the proposed treaty with the Axis was to be primarily directed towards Soviet Russia was a settled policy of the Japanese Government, and there was no opposition to it in any quarters in Japan. That point, however, seemed to me to have been made sufficiently clear to Germany and Italy in the course of the negotiation. The draft preamble of the Treaty (Def. Exh. No. 2619) left no room for doubt in that respect. Not only did the text of the Treaty explicitly limit the obligation of military assistance to cases in which wanton attacks were made on the contracting parties, but the reservations proposed by Japan in regard to England and France were largely accepted by Germany, the only point of difference that remained to be adjusted narrowing down to whether these reservations were to be committed to black and white, or to remain an oral understanding. That appeared to me such a trivial matter, after all, that it was beyond my comprehension why the two Governments contested that point so stubbornly to the last. So far as Germany was concerned, the conclusion by her of the non-aggression pact with Soviet Russia seems to offer sufficient explanation in this regard. There is no doubt that the Nazi Government made full use of the proposed Japanese alliance in their diplomatic maneuvers in Moscow where they scored a temporary success in nonplussing England and France by winning the Soviets over to their side. But the statesmen in Tokyo apparently took the whole matter too seriously to think of a similar use being made of the Axis negotiation in their approach to the United States and Great Britain. Early in that year, around February and March, I wired to my Government more than once that in my appraisal of the situation a rapprochement between Soviet Russia and Germany was quite possible and that Japan must not forget the policy pursued by Kaiser Wilhelm II, who abetted the Czarist Russia in her Far Eastern adventures by guarantying her rear in the west. My submission was entirely disregarded. In April, 1939, von Ribbentrop intimated that if Japan



hesitated too long Germany might be driven to approach Soviet Russia. But the Japanese Government took it for a sheer bluff; so impossible seemed the whole idea to them. To my mind, however, the possibility of such a development was always there. I, therefore, urged my Government not to attach too much importance to their formula of reservations, inasmuch as the stipulations contained in the text itself afforded ample guaranty against involvement in an aggressive war in Europe, which was extremely unlikely to be started by England or France. I considered it of utmost importance for Japan to avoid, by all means, a complete diplomatic isolation which would render all the more precarious the chance of an early settlement by diplomacy of the China affair. Unless there were a fair prospect of coming to a satisfactory agreement with the Anglo-Saxon countries in the meantime, the conclusion of the Axis pact for what it was worth seemed, in my judgment, to be almost the only way of preventing such an eventuality.

7. When the worst that I had feared came true, and the non-aggression pact between Germany and Soviet Russia was concluded, I saw no sense in staying any longer in Europe. My request for recall was granted by the Government. The prosecution cites a telegram by the German Ambassador in Rome (Exhibit 2232, record p. 16,003), in which I am represented as having assured him of my continued efforts for the sake of German-Japanese friendship. Could I have answered otherwise to a diplomatic colleague who expressed to me his concern about the effect my sudden recall at that particular juncture might have upon the relationship between Japan and the Axis? According to the same exhibit of the prosecution, I am reported by the German Embassy in Rome as stating that I would particularly welcome an opportunity to have a detailed talk with the German Foreign Minister on my homeward trip. I do not understand how they could have put the matter in that way, for to the best of my memory, it was Mr. Mackensen himself who told me through his councillor, one Mr. Plessen, that he had been instructed by von Ribbentrop to inquire if I would not return to Japan by way of Berlin. I answered him that I had already booked my passage to New York on the Italian steamer Conte di Savoia. If I had really wanted to see



Ribbentrop, I could, of course, have easily made a trip to Berlin before my departure from Rome, without consulting Mr. Mackensen at all. The statement contained in the same exhibit, to the effect that I advised Ambassador Oshima not to execute the instruction from Tokyo to lodge a protest with the German Government over the German Soviet Non-Aggression Pact, requires some explanation. I had suggested to Foreign Minister Arita that the protest should be presented by himself to Ambassador Ott for transmission to Berlin, for I thought it would be too cruel thus to make Mr. Oshima "drink boiling water" in addition to his great chagrin at the German-Soviet rapprochement, which had materialized in spite of his repeated predictions to the contrary. I telephoned to Ambassador Oshima to suggest that he might wait until Tokyo was further heard from.

Besides that brief telephone talk, there was no communication or exchange of views between the Japanese Embassy at Berlin and myself concerning the new situation that had arisen. There is a mention of my name in IFS Exhibit No. 507, but, needless to say, I promised nobody, nor gave anyone to understand, that I would cooperate with the German Embassy in Tokyo along the line indicated in that document. Whatever activities I may have engaged myself in after coming home from Europe were entirely of my own accord and in my own judgment. I had absolutely no connections whatever either with the German or the Italian Embassy in Tokyo. In some of my lectures and interviews I tried to show that despite the German-Soviet Non-Aggression Pact, the possibility was still there for Japan to enter into agreement with Germany and Italy, together with Soviet Russia this time. Having been relieved of my assignment and placed on the waiting list, I was at liberty to say things which might not necessarily please the Government, or which might appear to run counter to its policy. For one thing, I had to vindicate myself against censures and criticisms poured forth upon me in some quarters either for what I did or for what I failed to accomplish while in Rome. But my main motive was the same then as before; that is to say, to contribute <sup>in my own way</sup> toward the speedy termination of the China war. In order to have the Democracies alter their attitude towards



Japan, I judged it would be more effective to remind them that Japan's isolation was not nearly so complete as appeared on the surface; than to confess weakness and openly court their sympathy and good will. The advocacy of views like mine by a certain section of the Japanese people could not, in my opinion, have hampered the efforts of the Government, but ought, on the contrary, to have helped them along in effect.

The sudden flaring up of public opinion in Japan in favor of the Axis Powers, which occurred towards the summer of 1940, was solely due to the lightning successes of the German arms in the Western front and was in no way to be attributed to the activities of any individuals or groups in this country.

8. The fall of the Yonai Cabinet was considered inevitable, in view of the altered general atmosphere. It was succeeded by the 2nd Konoye Cabinet in July, 1940. As an ambassador on the waiting list, with no political connections whatever, I had no knowledge at all about the circumstances attending this cabinet change. It was generally believed, however, that there would be a reorientation of diplomatic policy at the hands of the new ministry. Having seen very little of Prince Konoye since my coming home from Italy, I had no idea as to exactly what he was contemplating doing at the time. While his cabinet was forming, some newspapers mentioned me as a possible Foreign Minister, but I knew better, of course.

When Mr. Matsuoka became Foreign Minister, he desired me to call on him. We had not met for more than ten years before that. He told me that he intended to effect a wholesale dismissal of senior diplomats and suggested that I showed the way by resigning the position of ambassador which I had held nominally until then. By way of compensation he offered me advisorship in the Foreign Office. He gave me to understand that I was to be an advisor along with Mr. Saito, his intimate friend and confidant. He also told me that it was Prince Konoye's desire that my service should be retained for the Foreign Office, as Vice-Minister, but that he had another man in his mind for that post. Not desiring to lend any colour to the idle gossip current in some quarters, that I had been piqued at



Konoye's choice of the members of his official family, I accepted Mr. Matsuoka's offer without hesitation, with full knowledge of what it meant to be an advisor under him <sup>and</sup> in such circumstances. By common, though tacit, consent, my position was to be a sinecure from the beginning. I was never consulted by the Foreign Minister on any matter of policy. Moreover, important documents and information concerning the cardinal policies of the Government in foreign affairs were being kept from me, as a most striking instance of which I might mention IPS Exhibit No. 541, a document containing the basic policy of the Government in regard to the conclusion of the Tripartite Pact.

It might have been supposed by some people that my appointment as advisor was part of the program of the Government for the forthcoming rapprochement with the Axis Powers, but in point of fact, Mr. Matsuoka seemed determined from the outset that no person, not excepting Prince Konoye himself, should share with him either the blame or the credit for the new diplomatic venture he was embarking upon. And it was in the conduct of the negotiations with Messrs. Stahmer and Ott for the Tripartite Pact that he was particularly secretive or exclusive. He made it a point of distinguishing this pact from that abortive attempt of 1938-39, and refused to study documents or consult persons that had anything to do with the previous negotiations. In deference to that sentiment of his, I carefully refrained from all attempts at butting in at any stage of the whole affair. I was advisor for only one month prior to the conclusion of the Pact. When I was first allowed to see the draft text of the treaty, it was already in a finished form in the English language. I was never told by Mr. Matsuoka or any one else as to the real meaning of the several articles of the Pact, nor did I learn if there was any secret understanding concerning the document. Until they were read or tendered in evidence before this Tribunal, I was entirely ignorant of the existence of so many annexes and exchanged notes bearing on the Tripartite Pact.

It is true that soon after the conclusion of the Treaty I was asked for an interview by the Tokyo Asahi Shimbun (PPS Ex. 2234) and that I also



"wrote a few articles on the subject, the original Japanese text of the article cited in IPS Ex. 557-4 being one of them, but these represent nothing but my own personal interpretation and argument, not in any way based on official information or inspiration. I am not conscious of ever having put forth any special efforts to unite the nation behind the Axis Pact as the prosecution contends (record p. 16,919). So unanimous was the acclamation accorded the Pact in Japan when it was published that any such efforts would have been quite superfluous.

In Mr. Matsuoka's other diplomatic moves, such as negotiations and agreements with French Indo-China, Siam and the Dutch East Indies, etc., I was even less concerned or interested than in the Tripartite Agreement.

Towards the end of March, 1941, soon after Mr. Matsuoka left for Europe, I contracted a serious illness which was to render me unfit for any activities for nearly twelve months, during the most crucial period in the history of modern Japan. Since that time I did not once put in an appearance in the Foreign Office, nor did I ever see Mr. Matsuoka again until we were thrown together at Sugamo early in 1946. The prosecution's charge that together with Matsuoka I advocated, in July, 1941, Japan's participation in the German-Soviet war (record p. 9292; 10,157-58) is entirely without foundation. Ever since my return home from the hospital, early in May, 1941, I was living a secluded life by the seaside for nearly a year. During that time I never came up to Tokyo, nor did I receive any visitors except a very few personal friends.

It is a fact that the German Ambassador called on me at my cottage in July, 1941. It was a surprise visit and quite an informal one. I was still in a very weakened condition mentally and physically. I do not retain any clear recollection of that interview, but it could never have been such as his cable to Berlin (IPS Ex. No. 1113) would seem to suggest. As to the other interview which General Ott alleges to have had with me after that date (IPS Ex. No. 608), I cannot recall it at all. As the ambassador was at his seaside cottage only during the summer months, it is altogether impossible for me to make out how he could say that he had seen me in December, 1941, and discussed current questions with me. The more



so since I had a slight relapse about that time and was more than ever out of touch with the outside world. I venture to submit that these samples sufficiently show the general character of the many telegraphic reports of Ambassador Ott which the prosecution have produced as evidence before this Tribunal. The testimony, moreover, of Ott himself contained in Def. Doc. No. 1929 renders it almost unnecessary for me to try and refute all and each of these telegrams. I was never in occupation of positions of responsibility in the Japanese Government at any period during Ambassador Ott's sojourn in Japan. Therefore, there could not be any question of official contact between us. Privately, we were not <sup>on</sup> any especially friendly terms and it was mostly on social occasions that we saw each other. The prosecution alleges (record p. 16,923) that I furnished the Ambassador with important secrets of the Japanese Government. I deny that emphatically. None of the exhibits so far produced prove the accusation in any manner whatsoever. This information, such as it was and false as it was, I am informed came from ~~the~~ confidential secretary of Prince Konoye, one OZAKI, Hidemi, who was later tried and executed. OZAKI was a communist and associate of Sorge, a German by birth but, as I am further informed, a Russian spy who had worked his way as a newspaperman into the confidence of General Ott. My name was used merely to give credit to the information without my knowledge, as borne out in General Ott's interrogatories.

9. I was elected to Parliament in April, 1942, from my native province. As one of the so-called "recommended" members of Parliament, I was almost automatically made a member of the Imperial Rule Assistance Political Society, and was also nominated an ordinary director of that society. As however, my health was not yet quite normal and as parliamentary life and internal politics were new to me, I was not able or allowed to play any role to speak of either in Parliament or out of it. I was soon relieved of my seat on the directorate of the I.R.A.P.S. and in the summer of 1943 I resigned from membership in the Political Society itself. I seldom attended the sessions of the Diet, nor did I serve on any of the



Parliamentary Committees.

My connections with the Government completely ended when I resigned as Foreign Office advisor in July 1941, and I never held any official position again until the end of the war. I had scarcely any friend in the Government or in the Army and Navy, nor did I have any special source of information concerning current events and the real war situation. I was a perfectly free and independent individual holding no brief for any group or organization whatever.

This 20th day of November, 1947, at Tokyo, Japan.

\_\_\_\_\_  
SHIRATORI, Toshio (seal)

Sworn to, deposed, and stated, and subscribed before me on the above mentioned date at the same place.

\_\_\_\_\_  
SADAMA, Shin (seal)  
Counsel for Defendant SHIRATORI

OATH

I swear according to my conscience to state the whole truth, reserve nothing that I know, nor add anything that I do not know.

\_\_\_\_\_  
SHIRATORI, Toshio (seal)



頁	二五	六八	三十一	六五	行
終りより	七九	一五	九三	六十	終りより

正誤表 (辯護側文書第二八七八號)

誤

軍縮通として

羅りまちがへば日本は樞軸と手、

も私に私の

一九三八年九月初め

常に伊太利、囚人と叫んだ

せらるべき第二次的

全然突殺

そこで私は

申込れた

與つたこと

一諾に

(、、、及び第八〇〇號)

正

軍縮通の一人として

羅りまちがへば日本は樞軸國と手、

私に削除

初めを削る。

常々伊太利、囚人と呼びそこで、

これは皆な英國の御蔭であると叫んだ

せらるべき留保と云ふ第二次的

全然無視

そこで私は

申入れた

與へたこと

一緒に

(、、、及び第八〇〇號) 削除



極東國際軍事裁判所

亞米利加合衆國 其他

對

荒木貞夫 其他

宣誓供述書

供述者

白鳥敏夫

私、白鳥敏夫は我國に行はるる方式に従ひ、先づ別紙の通り宣誓を爲しける上、次の如く供述致します。

(一) 私は一八八七年、東京から約五十哩離れた農村に生れ、二十年に亘る教育を受け居後、一九一四年七月東京帝國大學卒業と共に外交官となり、一九四二年七月外務省顧問を辭職するまで、かつきり滿二十七年間勤務を續けました。而して右期間中四ヶ年半は大使館書記官として米國に、三ヶ年半は領事官補(香港)及び大使館書記官(北京)として支那に、二ヶ年は大使館書記官として「ロットラー」以前の獨逸に、三ヶ年は「スカンデナヴィア」諸國駐劄公使として、八ヶ半月は駐伊大使として過し、殘餘の期間は東京外務省に於て、事務官、書記官、課長、情報部長及び



び最後は外務省顧問として勤めたのであります。これら日本の内外に於て私に與へられた地位は一つとして何等が政策決定の権限を伴つたものとはありません。従つて右在職中の私の一切の行動は、時の政府に依りて採擇されたる政策の範圍を出で得なかつたわけであります。

(二)、第一次世界大戦より一九三一年の滿洲事變に至る十五年間は、日本が終始一貫、且つ几帳面に、平和及び諸外國特に「アングロサクソン」諸國との協調を以てその政策として期間でありました。それは日本に於て普通幣原協調外交と呼ばれたものでありまして、私も外務畑の一人として、勿論其の忠實なる信者の一人でありました。一九二二年―二三年の「ワシントン」會議及び一九二七年の「ジュネーヴ」海軍會議の双方に出席し、又一九二九―三〇年の「ロンドン」海軍會議に際しては外務幹部の一員として省議に参割した關係上、私は省内に於ける軍縮通として知られたものでした。

(三)、一九三一年九月十八日の滿洲事變は、幣原外相以下外務省員に取りては、青天の霹靂で、一同強い衝撃を受け、一時は之れが對策を知らぬ有様でした。不取敢斯る場合の常例に則つて、政府は不擴大且つ迅速なる現地解決の方針を定めて之を公表しました。私が主宰して居た情報部は、外相の命に依り、事件の平和的調整を支持する輿論を動員せんが爲め全力を盡しました。これが、これ迄一般に外務省に同情的であると想像されてゐた新聞紙も、今回は、「ロンドン」軍縮會議の時



とは打つて變り、我々の呼び掛けにたやすく共鳴致しませんでした。「ロンドン」會議の際は、新聞の支援に依り、政府は國內に於ける有力なる反對にも拘らず、條約を押し通すことが出来たのでありました。この一般雰圍氣の變化は殆んど一瞬にして發生したとも云へるでせう。斯の如く新聞紙及び輿論が強力政策の味方に立つたので、外相及び其の部下は、外務の傳統を活かすことに大なる困難を感じたのであります。更らに事態を一層錯綜せしめたものは、滿洲軍變が單なる外交案件たるに止まらず、間もなく、日本國內に於ける重大なる一つの政治問題と化して、とでありました。徳川氏が「ペルリ」提督と締結した通商條約が明治維新の首唱者等によりて、よきめく幕府を攻撃する爲めの好個の辞柄となつた如く、所謂幣原「軟弱外交」は「腐敗せる」政治家及び政黨による資本主義、自由主義政府の根本的建て直しを要求しつつあつた各種革新分子に依りて利用されたのであります。ユートピア的なるプログラムを有つて生れ出でたる滿洲國が、日本に於て當初あれまでの人氣と同情とを博し得たことは、當時の斯うした特殊の事情に照し合せなければ、之を適當に評價することは出来ません。かゝる状態に直面しては、國內政治に於て全く無力無能なる外務省が時局の動向を左右し得る限度は畢竟甚だ僅少に止まらざるを得なかつたわけであります。私は斯の如き外務省の一情報部長に過ぎませんでした。外國特派員等は好んで私を外務省の「スポークスマン」と呼びましたが、實は私の主なる仕事は、日々彼等に新聞



種を供給することに、他ならなかつたのであります。外交に關する政府の聲明や宣言は、私の所から發表されましたが、それは要するに情報部に屬する日常事務の一端に過ぎませんでした。

(四)、「スカンヂナヴィア」四ヶ國駐劄の公使として滿三ヶ年間勤めた後、私は日本に呼び還され、

間もなく待命となりました。その後約二ヶ年間私は、何等新なる任務を自ら求めもせず又提供も

されませんでした。その期間中私は殆んど外務省を訪問したこともなく、本省保管の公文書や情

報に接する機會はありませんでした。私はその勃發に至るまでの事情や又政府が次々に採りつゝ、

あつた各般の方策に關しては、普通の新聞讀者の知識しか有しませんでした。

一九三八年八月下旬宇垣外相は私をその官舎に招致し、大使として「ローマ」に行かぬかと尋ねました。それはたしかに任進には違ひありませんでしたが、私は少しもそれに興味を感じませんでした。其の頃に至つては支那事變は最重要の問題と化し、其の迅速なる解決は全國民の切なる希望となつておました。かゝる時期に於て再び遠隔の「ヨーロッパ」、而も私が殆んど何も知らず、且つ實際上日本と何等の關係をも有しない國に、赴任すると云ふことは、私に取り寧ろ厭はしいものであります。夫れ故私は最初之れを斷はつたのであります。抑も宇垣大將が「つて」と云ひますから私は「考へて見る」と申して別れました。抑も宇垣大將に私を推薦したのは近衛公であつたと信ずべき理由があつたので、私は全公に相談するのを適當と考へました。近衛首相



は、將來外相たるべき「資格を付ける」ためにも、伊太利行きを受諾してはどうかと私に勧め、更らに付け加はへて「ストックホルム」とは違ひ、今度は「ローマ」で少しは面白いことがあるかも知れぬと申しました。私は日本と樞軸諸國との接近と云ふことが話頭に上ほつてゐることをその時始めて近衛公から聞いたのであります。同公は、自分としてはこの案に餘り感心もしないのだが、蔭介石との直接交渉が殆んど無益と分つて以上、支那事變と云ふ厄介な問題を速に片づけるため他に何等か外交の手段を求めなければならぬと言ひました。近衛公の意見は、英米の日本に好都合なる干渉が最も望ましいのだが、それには、羅りまちがへば日本は樞軸と手を握るかも知れぬと云ふことでもない限り、英米が滿洲事變以來引續き取つてゐる反日態度を變更するとはあるまいと云ふのであります。以上私の聞いた所によつて、當時同公が實際に欲してゐるのは、獨伊との接近その物よりは、日本側のかゝる「ゼスチューア」が英米の極東政策に及ぼすべき影響にある事を私は察知しました。大体このやうな近衛公の外交政策に對しては、私は主旨に於て共鳴し得ると感じるので、遂に駐伊大使を引き受けることに決しました。

宇垣外相に至つては、樞軸接近のことは私に一言も語らず、同氏に代つて外相となつた有田氏も私に私の東京出發前本件につき何等の訓令をも與へませんでした。事實當時は政府部内に於て未だ何等確たる決定に到達して居らず、問題全体が尚漠然たる域を出でなかつたやうに思はれま



した。勿論外務省にはこの問題に関する書類なども殆んど来て居らず、外務高官連中も何等之れに付ては興り知らなかつたのでありまして、前述の近衛公との談話の外には、私は是しか有田新外相をも含め責任の地位に在る何人とも此の問題を論じた記憶がありません。以上述べた所からして檢察側主張へ書證第四九八號、英文速記録六〇八三頁の如く、私が特に同盟談判の爲に駐伊大使に任命されたと云ふのは當らないことが明かでありませう。私は一九三八年九月初め大使に任命されながら十一月下旬まで、任地向け出發を延ばし、そのあげく、「スエズ」經由と云ふ迂路を選んだのであります。問題の獨伊との條約について特別の訓令は勿論、充分の情報をすら有せずに、私がいよく任地に着いたのは一九三八年の十二月も押し詰つた二十九日のことでありました。私は「ローマ」到着後間もなく近衛公の辭職を知りました。抜け目なき同公の事であるから多分樞軸接近の問題で内閣の前途に困難を看て取つたのであらうと私は推測しました。後繼内閣の首班平沼男については、私は日本出發前曾て面會して記憶も持たず、その外交意見については、是しかに何の知識も情報も有しませんでした。私が「新首相は明かに同盟に賛成である」と伊太利政府に告げたと云ふ「チャノ」日記の記載（書證第四九九號A、英文速記録六〇九二頁）は眞實ではありません。

五、私は着任の挨拶を爲し、且つ伊太利國王に對する私の信任狀捧呈の件を依頼するため、一九三



八年十二月三十一日伊太利外相を始めて訪問しました。私は又「ムツソリーニ」首相に對しても敬意を表するため、適當の時期に接見を許されんことを要請しました。勿論その際は何等政治問題を論議致しませんでした。其の次に私が「チアノ」伯に會つたのは、一九三九年一月六日であり、それは彼が私を「ムツソリーニ」首相に紹介し、彼自身「ムツソリーニ」と私との間の通譯を勤めた時であります。私は近衛内閣よりも、又平沼新内閣よりも、何等の訓令を受けて居らず、且又私の信任状が未だ捧呈されないため、大使として行動する資格を有しなかつたので、かく思ひ掛けなくも早く伊國首相と會見する機會を與へられたことに、寧ろ當惑し、なるべく先方の云ふ事を聞く丈けに止めれば間違ひないと心にきめておりました。併し私のその用心は不必要でありました。と云ふのは「ムツソリーニ」が殆んど一人で談話の全部を引受け、私には時折相槌を打つ以上に口を出させなかつたからであります。一九三九年一月七日の「チアノ」日記の記載は、間違ひか故意か知らぬが當時彼の岳父「ムツソリーニ」の云つたことを、私が云つたやうに誌してある節があると思ひます。私が彼等に對して云つたことの何處を取つても次のやうな記載（書證第四九九號A、英文速記録六〇九二頁）は出来ない筈であります。

「大使は同盟に大賛成であつて、此の同盟を英國から「當然我等全部に返さねばならぬ澤山の物」を獲得する爲めの攻撃的手段であると思つて居るのである。」



私は敢て申します。何人もこの括弧の内の文句を讀む時、常に伊太利を地中海の囚人と叫んだ「ムツソリーニ」を想ひ起さずには居られないであります。

此の會見につき私が今日近明瞭に記憶して居ることは、「ムツソリーニ」が日獨兩國の關する限り既に完全な合意が存し何等の困難も無く、之をしてそれまで三國協定の結實を遲らしてゐるは、たゞ伊太利の逡巡丈けであると言ふ誤つた考へを懐いてゐるやうに見えたることであります。「ムツソリーニ」は、伊太利は今や本條約の速かなる締結を欲して居り、之をしてそれはこゝ數週間の内に出來ない筈はないと云ひました。私は、當時東京政府が未だ確たる決定に達して居なかつたことを充分知つて居り、且つ近衛公の辭職に顧み警戒氣分になつて居たので、伊國首相をして日本の態度につき餘り早や合點させまいと苦心したのであります。さうでありますから、前記書證中で「チアノ」伯が云ふやうな、躍起な態度を私が取つた筈はないのであります。若しこの會見後私が本國政府に送つた電報を提出することが出來たらば、この點は充分に闡明し得たてであります。

「チアノ」は彼の日記の其後の記載（書證第五〇一號、英文速記録六〇九六頁）に於て、私が日本の對案を受諾せぬやう彼に忠告したと述べてゐます。之れはまた私の言葉を隨分不親切に紹介したものであります。



私の記憶では只だ日本の新提案は或は受諾不可能と思はれるかも知れないが、これは必しも日本側ぎりぐの云ひ分として受取るを要しないだろうと云つた丈けであります。私が「チアノ」に對し「内閣を互壞させるために辞表を提出する積りだ」と語つた旨の記載（書證第五〇一號、英文速記録六〇九六頁）については、私は全然記憶がないのみならず、これは一見甚だ笑ふに斷へたる事で、新米の大使、それも國內に何等政治的バックを持たない者が辞職したからと云つて、内閣の生命に影響を及ぼしたり、その外交政策を一變せしめたりすると云う事があり得るものでせうか。恐らく「チアノ」は東京から何かそのやうな報告を受取つたのでありませう。當時東京ではこの交渉に關して色々と無けいの噂が流布されて居るやうでありますから。

元來本件交渉の全過程を通じて私を動かした根本の考へ方は、曩に述べた近衛公との會談の結果として、私の胸に植え付けられた所のものであります。即ち私は、交渉の成否如何に拘はらず、日本と樞軸諸國との間に、かかる話合が進行中であると云う事實が、全世界、特に米英に知れ渡ることが最も必要であると考えたのであります。私が新聞會見などでわざと明らさまに物を云ひ、時には大事の秘密をすら洩した事もあり、交渉の成功が殆んど望みなく見えた時でさへ、強いて樂觀を裝ふたのも、さうして理由からでありました。之れは偶ま樞軸條約の忠實な唱道者として、何故に私が自分に許されに實際の役割以上に世間に評判されるに至つたかを、或程度説



明するものであります。と同時に私は平沼男が近衛公に代つたけれども、新内閣も或は私と同じ考へで行動してゐるのではないかとさへ、一時は考へました。本來交渉は關係政府間に於て最も嚴重なる秘密裡に行はるべき筈であつたが、東京からの新聞報道は、この問題につき、日本當局が可なり自由に發表しつつあることを物語りました。實際、我々は、東京に於て何が行はれつつあつたかに関し、我々宛の政府の電報からよりも、非公式の方面から、遙かに多くを知り得たのであります。歴史上こんな方法で重要な同盟條約が國家間に作られた例はないやうであります。檢察側は私が訓令に反して、獨伊との間に何等の留保なき全面的軍事同盟を締結せんことを主張したと云ひました。「書證第五〇一號、英文速記録六〇九五頁」。それは眞實ではありません。交渉の初期に於て關係三國全部に依り受諾された條約案文は、軍事同盟と云ふよりも、協議及び相互援助條約の性質をより多く帯ぶる、極めて弱い無害な文書でありました。私は、此のやうな條約が、日本を其の意思に反して、獨逸又は伊太利のしかける戦争に引きづり込むであらう等とは曾て想像したことがありません。又私は、この條約が支那及極東に關して、日本が英米と別個の取極を締結することに多少なりとも邪魔になるとは考へませんでした。反對にこのやうな條約の存在又は其の締結の可能性若くは切迫は、「アングロサクソン」諸國を動かして、彼等の極東政策を再考せしむる一種の挺子の役目を勤め、仍て以て日本をして、彼等の反好的協力に依り



支那との不幸なる紛争を速に解決するを得<sup>べく</sup>のであるであらうと私は判断したのであります。私が、本國政府の訓令に違反して行動したとの云ひ掛りについては、私は、そのやうな過失は一度にりとも犯さなかつたことを偽りなく斷言することが出来ます。私が條約に附せらるべき第二次的なる問題に關して、本國政府と意見を異にし、そして幾度か外務大臣に對して強い進言を爲したことは、事實であるが、それは大使の本來の職務に屬するものであり、且つ法律上明かに許容されてあるものであります。

(六)、問題の樞軸條約が主として「ソ」連を對象とすべきことは、日本政府の既定方針であり、これに對しては、日本の如何なる方面にも、反對がありませんでした。併し此の點は、交渉の過程に於て、獨伊に對し充分に明瞭にされたやうに、私には思はれました。條約案(書證第二六一九號)の前文は、此の點につき、疑問の餘地を残さないのであります。條約の規定そのものが、軍事的援助の義務を、締約國に對し、理不盡なる攻撃が爲された場合にのみ明かに限定してあるのみならず、英佛兩國についての日本の留保は、獨逸に依り大体受諾され、残る意見の相違は、右留保を文書に書くべきか、或は又口頭の諒解に止むべきかの問題だけとなつて居りました。之れは私には結局甚だ些細な問題であるやうに思はれ、何故に兩國政府がかくも執拗に此の點を最後まで争うのか、了解が出来ませんでした。獨逸に關する限り、獨「ソ」不可侵條約の締結は、右の



點につき充分の説明を與へるものやうです。「ナチ」政府が、懸案中の日本との同盟を、「ヒ  
スコール」に於ける彼等の外交上の駈引に、充分に利用したことは疑を容れません。「ヒスコール」  
では、彼等は英佛の裏をかいて「ソ」連を彼等の味方に獲得することに依り、一時の成功を博し  
たのであります。併し東京の政治家達は本問題を餘りに生まじめに取り過ぎて、獨逸のやうに、  
二の樞軸交渉を、彼等の英米に對する折衝に利用すると云ふ考へは、遂に浮ばなかつたものと見  
えます。私は同年の初、二月、及び三月頃、私の歐洲情勢についての判斷に依れば「ソ」連と獨  
逸との接近は決して不可能ではなく、日本としては帝政「ロシア」に對し西方背面を保障してそ  
の極東に於ける冒險を煽つた「カイゼル、ウイルヘルム」二世のあの政策を、忘れてはならぬと  
、一再ならず政府に覆報しました。併し私の意見は全然突殺されました。一九三九年四月「フオ  
ン、リツメントロツプ」は、若し日本にして餘りに決定をおくらすに於ては、獨逸は「ソ」連に  
接近するの止むなきに至るかも知れぬと申しました。併し日本政府はそれを全くの「ブラフ」と  
見ました。彼等は、あくまでもそんなことはあり得ないと考へたのであります。乍然私の考へで  
は、かかる事態の發生する可能性は常に存在したのであります。夫れ故、私は日本政府に對し、  
その主張する留保の形式に餘りに重きを置かぬやう進言しました。蓋し條約自体の包含する規定  
は、「ヨーロツパ」に於ける「侵略」戦争に捲込まれることに對する充分の保障を與へるもので



侵略

あり、而してさうして戦争が英國又は「フランス」に依りて開始されるが如きは極めて在り得べからざることであつたからであります。私は、何を措いても、完全なる外交的孤立を避けることが、日本に取り最も重要であると考へました。このやうな孤立は、支那事變を、外交に依り、速に解決することを益々困難ならしめるが故であります。私としては其の間に、「アングロサクソン」諸國と、満足な協定に達する目當てが無い限り、兎も角も樞軸協定を締結することが、上述の如き事態の發展を防止する殆んど唯一の途であると考へたのであります。

(七)、私の危慮した最悪の事態が實現し、獨「ソ」不可侵條約が締結された時、私はこの上「ヨーロッパ」に留まることを無意味と認めました。私の歸朝願ひは政府に依り許可されました。檢察側は在「ローマ」獨逸大使の電報（書證第二二三二號、英文速記録一六〇〇三頁）を引用しました。其の中には私が日獨親善の爲めに引續き努力すべしと同大使に約束したことが誌されてあります。すが、丁度あの時期に於て、私が突然召喚されると云ふことが、日本と樞軸との關係に、面白からぬ影響を及ぼしはすまいかと云つて心配する、同僚外交官に對し、これと異なる如何なる返事を爲し得たでありませうか。檢察側の同一書證に依れば、在「ローマ」大使館は私が歸國の途次、獨逸外相と立ち入つた會談をなすの機會を、特に歓迎すると述べた旨を報告して居ります。私は何故彼等がさうしてもの云ひ方をするのか、わかりません。何故ならば、私の記憶する限りに



於ては、「ベルリン」經由日本に歸つてはどうかと私に尋ねるやうに「フオン、リツベントロツプ」から訓令されたと云つて、「プレッセン」と云ふ館員を、私の處によこしたのは「マツケンゼン」その人であつたからであります。私は其時、實はもはや伊太利汽船「コンテ、デイ、サヴオイア」號に「ニュー、ヨーク」行の切符を豫約済であると答へたのでした。若し私が眞に「リツベントロツプ」に會ふことを欲したのならば、「ローマ」出發前伯林に旅行することは、勿論容易なことであり、特に「マツケンゼン」大使に相談する必要もなかつたであらう。獨「ソ」不可優條約に對し獨逸政府に抗議を提出せよとの東京からの訓令を執行するなど、私が大島大使に勸告したやうに、同じ書證中に云つてゐる點は、多少説明を要します。實は獨「ソ」接近はなうであらうと幾度か意見を具申したに拘はらず、遂にそれが事實となつたので、甚だしく憤慨して居る大島大使に向つて更に「煮之湯」を吞まじめるのは、餘りに情を知らぬものであると云つて、私は外務大臣に對して對獨抗議はよろしく東京に於て「オット」大使に手交し、「ベルリン」に傳達せしむべきであると、電報を以て進言致しました。そして私は大島大使には東京から更に何分の回示がある迄待つてはどうかと電話で申込れたのであります。此の短かい電話以外には、獨「ソ」條約が生んだ新事態に關しては在「ベルリン」日本大使館と私との間には、何等の連絡も意見交換もありませんでした。檢察側書證第五〇七號中には私の名が引き合ひに出てゐま



すが、私はこの文書に示唆されたいやうな線に沿つて、在東京獨逸大使館と協力すべし等と、誰かに約束し、又はその意味のことを述べた記憶は全然ありません。「ヨーロッパ」から歸朝して後、私が如何なる行動を採つたにせよ、それは全く私が任意に且つ私自身の判断をやつたことではありません。私は在東京獨伊兩大使館の何れとも何等特別の關係はありませんでした。私は講演や親聞會見などで、獨「ソ」不可侵條約にも拘はらず、日本と、獨伊と、そして今度は「ソ」連をも含めて協定を締結する可能性が依然として存在することを示さんと試みました。かゝる意見が、當時の政府の政策に反するものであつたことは、私は充分に知つておりました。併し大使の任務を解かれ、待命となつた私は、必ずしも政府の喜ばぬことや、政府の政策に抵觸するやに見えることを述べる自由を有しました。一つには、私としては、「ローマ」在勤中に私が爲した事、或は果し得なかつたことに付いて、國內の各方面から私に注がれた非難や批評に對して、自らを辯護する必要もあつたのであります。併し私の主なる動機は、其の時も以前と同じであり、即ち私一流の方法で支那事變の速かなる終結に貢献すると云ふことでありました。民主及義諸國の日本に對する態度を變へしめるためには、私は、日本として自分の弱味を告白し、あからさまに彼等の同情と好意とに縋るよりも、日本の孤立が實は表面にあらはれた程完全なものではないことを、彼等をこゝて想起せしめた方が、より有効であらうと判断しました。日本國民の一部に私のやうな



意見を主張するものがあつても、それは私の判断では政府政策の妨害とならざるのみか、却つて結果に於ては政府を助けることになるものと考へました。

一九四〇年夏の初め、日本に於て、樞軸諸國に有利なる輿論が急激に燃之上つたのは、専ら西部戦線に於ける獨軍の電撃的成功に因由するものであり、國內に於ける如何なる個人又は團體の活動にも歸すべきではありません。

(4) 米内内閣の巨壊は、この一般雰圍氣の變化に顧み、最早や不可避と認められまして三が遂に一九四〇年七月第二次近衛内閣がこれに取つて代りました。何れの方面にも政治的關連を有せざる一待命大使として、私は此の政變を統るいきさつにつきては何等の知識をも有しませんでした。併し新内閣の手に依り、外交政策の轉向が行はれるであらふとは、一般に信ぜられた所でありました。私は伊太利から歸朝して以來、近衛公とは殆んど會はなかつたので、同公が當時正確に何を爲さんと考へてゐたかを全く知りませんでした。彼の組閣中、二三の新聞は私を外相候補者に擧げましたが、私は勿論その當らざることを知つておきました。

松岡氏が外相となつた時、彼は私に來訪を求めました。我々はそれとまで十年以上も會つたことがなかつたのであります。彼は古參外交官の大量罷免を實行する意向だと云つて、私にも、其の時迄名義上保つてゐた大使の地位を辞めて、他に模範を示されたいと申し出で其の代りとして



外務省顧問の地位を私に提供しました。尤も顧問には私の他に、松岡氏の親友であり腹心である齊藤良衛氏も任命される筈だとのことでした。彼は又近衛公から君を次官として外務省に留まらしめ度いとの希望があつたが、次官には既に他の人を豫定してゐると云ひました。近衛公の閣員詮衡に私が不平を懐いてゐると云ふやうなつまらぬ噂をするものもあつたので、そんな誤解を起させぬ爲めに、私は松岡氏の下で、而も前に述べたやうな事情の下に、外務省顧問たることが、何を意味するかを、充分承知しては居たが、躊躇するところなく、これを受諾したのであります。かうして、私の顧問が最初から名ばかりの物であることは口には出さぬが互に了解して居たわけであります。私は政策の問題について、外相から相談を受けたいことは曾てありませんでした。尚又政府の基本的なる外交政策に關する最も重要な文書及び情報は私には秘密にされました。その著しい例として樞軸同盟に關する政府の根本方針を定の「檢察側書證第五四一號」を擧げることが出来ます。これは本法廷に提出されるまで、私の全く見たことのないものであります。私の顧問任命を以て新内閣による來るべき樞軸外交の筋書の一部と見る人があつたかも知れませんが、實は松岡氏は當初からその將に乗り出さんとする新外交に就ては功罪ともに近衛公をも含めて何人ともこれをわかつまいと、最初から決心しておたやうに見えました。そこで「スターマー」、「オット」兩氏との同盟條約交渉に方つては特に秘密主義を嚴守し、餘人を容れません



でした。とりわけ此の條約と、かの流産となつた一九三八—三九年の條約とを截然區別することに苦心を拂ひ、前回の交渉に何等か關係ある文書を参照したり、又はそれに関係せる人々に相談したりすることを欲しませんでした。右のやうな松岡氏の心境を尊重して、私は本問題の全過程を通じて割込みがましい行動を一切避けておました。私は條約締結の僅か一ヶ月前に顧問に任命されたのですが、私が始めて條約案文の閲覽を許された時には、それは既に英文で完成した形になつておました。私は同盟條約の個々の條項に含まれた眞の意味については、松岡氏からも其他何人からも説明を聞いたことがありませんし、又これに關して、何等か秘密の諒解が存在したか否かも知りませんでした。本法廷に於て朗讀され又は證據として提出される迄は、私は、本同盟に附隨してあんなに多くの附屬書や交換公文の存在した事を聊かも知らなかつたのであります。

條約締結の直後に、私が東京朝日新聞の要請に依り、會見談を興つたこと（檢察側書證第二二三四號）並に若干の論文（檢察側書證第五五七號Aに引用された論文はその一つです）を書いたことは事實であります。併し之等は、何等公務上得たる知識に基くものでも又政府の旨を承けたものでもなく、全く私自身の個人的解説及び議論以外の何ものでもないのであります。私は檢察側の主張するやうに（英文速記録一六九—一九頁）、樞軸條約の背後に全國輿論を統一すべく、何等特別の努力を爲した覺えはありません。條約が公布されると共に、國を擧げて之を禮賛したの



でありますから、そのやうな努力は全然無用であつたわけであります。

松岡外相の爾餘の外交措置例へば佛領印度支那、「シヤム」及び蘭領東印度等との交渉及び協定に關しては、三國協定よりも更に私の關係及び關心は薄かつたのであります。

一九四一年三月末頃、即ち松岡氏が「ヨーロッパ」に向け出發した後で、私は重病に罹り、その結果、日本の近世史上最も決定的なリシまる一年の間、一切の活動を封ぜられました。其時以來、私は一度も外務省に出頭せず、又一九四六年初、巢鴨で一諾になる迄は、松岡外相とは一度も會ひませんでした。私が松岡氏と共に、一九四一年七月、日本の獨「ソ」戰參加を主張したとの檢察側の云ひがかりへ英文速記録九二九二頁、一〇一五七一五八頁は、全く根據がありません。私は一九四一年五月上旬、病院から歸宅して以來、殆んど一ヶ年間、海岸に隱退生活を送つてみました。其の間、私は東京に來たこともなければ、極めて少數の親しい友人以外は殆んど訪問を受けたこともありませんでした。尤も獨逸大使が、多分、一九四一年七月、私を轉地先に來訪したことは事實であります。これは出し抜きの目づ全く非公式の訪問でありました。當時私は肉体的にも又精神的にも未だ頗る衰弱した状態に在りました。私はこれについて明瞭な記憶を有しません。それは同大使の「ベルリン」宛電報へ檢察側書證第一一三號及び第八〇〇號が示唆するやうなものでない事だけは確かであります。右日附以後に於ける「オット」將軍と私と



の會談（檢察側書證第六〇八號）と稱するものについては、私は全然それを想起することが出来ません。同大使は、唯夏期數ヶ月間だけ、海岸の別荘に行くのを常として居るのであるから、どうして彼が一九四一年十二月に私と會つて、時事問題を論議したと云ひ得るのか全く了解することが出来ません。殊に其の頃、私は病氣が少しくぶり返し、従前よりも一層外界との接觸を絶つて居た事を考へると尙更さうであります。

これ等二、三の例に徴するも、檢察側によつて本法廷に提出されたる「オット」大使の多數の電報が一般に如何なる性質のものであるかが分ると存じます。のみならず、辯護側書證第一九二九號に含まれたる「オット」自身の證言によるもこれらの電報に就いて一々之を論破するの必要は殆んどないやうであります。「オット」大使の日本駐劄中は、外務本省で責任ある地位に在つた事なく、従つて我々の間には公式の接觸と云ふ問題は起り得なかつたのであります。個人的にも、我々は特別懇親の間柄ではなく、互に顔を合せたのは多く社交上の機會に於てでありました。檢察側は、私が大使に日本政府の重要機密を供給したと稱して居ります（英文記録一六九二—三頁）、私は強く之を否定致します。これまで提出された書證中、この云ひ掛りを證據立てるものは、一つもありません。「オット」大使の入手せる情報なるもの多くは、さしたる價值もなく、又虚偽が多かつたやうであります。それは近衛公の「私の秘書役」で、後に裁判にかけら



れ死刑に處せられた尾崎秀實と呼ばれる者から出たと云ふことです。同人は「ゾルゲ」なる人物と密接の連絡があり、そして此の「ゾルゲ」は本來獨逸生れで、新聞記者として、「オット」將軍に取入つたのであるが、實は「ロシア」の間諜であつた由であります。「オット」將軍訊問調書中に證言されてある通り、私の名前が此の種の情報に信用を附加せんがために、私の知らない間に引用された事もあるやうです。

ゆゑ、私は一九四二年四月、私の郷里から衆議院議員に選ばれました。所謂「推薦」議員の一人として、私は殆んど自動的に翼賛政治會の會員とされ、同時に總務の一人に指名されました。併し私の健康は猶ほ甚だ不良であり、且つ議員生活及び國內政治には未経験であつたので、私は議會内に於ても、又その外に於ても、取り立てて云ふ程の役割を演ずることが出來ず、又演ずることを許されませんでした。私は間もなく、翼賛政治會總務の地位を解かれ、且つ一九四三年夏、同會から脱退致しました。私は議會の本會議にも殆んど出席せず、何れの委員會にも勤めませんでした。

私の政府との關係は、一九四二年七月、外務省顧問辭職を以て完全に終止し、爾後戰爭終了まで、如何なる官職にも就いたことがありません。私は政府内にも、將又陸海軍部内にも、殆んど友人とてはありませんでした。又私は時事問題や戦局の真相に關して情報を得る、何等特別の方



便を有しませんでした。私は如何なる集團又は組織の爲にも代辯すべき役目を持たず、一個の完全自由獨立なる私人でありました。

昭和二十二年十二月二十日 東京に於て

供述者 白鳥敏夫(印)

右は當立會人の面前にて宣誓供述し且し署名捺印したることを證明  
します。

同日同所に於て

立會人

極東國際軍事裁判辯護人辯護士

佐久間 信(印)



DEF. DOC. 2878

宣  
誓  
書

良心に従ひ眞實を述べ何事をも黙秘せず又何事をも附加せざることを誓ふ

白鳥敏夫 印