

EXHIBIT

3441

ERRATA SHEET

MITC

4 Nov. 1947

Def. Doc. 2786, Affidavit of ISHI, Akiho:

Page 12, first line should read: "for a year at least as from this date.
Therefore."

Def. Doc. 2579, Affidavit of Bishop J. E. Walsh:

Page 2, Para. 4, Line 1, "It had been ~~XXXXXXXXXXXX~~ to us" should read:
"It had been represented to us"

Def. Doc. 2685, Page 1, Deponent: KUMAGAWA, Yoshiharu should be:

Deponent: KUMEGAWA, Yoshiharu

Page 3, Para. 11, Line 11, between "the officers" insert
the word "staff" to read "the staff officers"

Def. Doc. 2785, Affidavit of MIKI, Yoshihide:

Page 1, Para. 2, Line 4, "The gist (plan) of appellation for making war on
the United States and Britain" should read: "Principal reasons alleged for
the commencement of hostilities against the U. S. A. and Britain."

Def. Doc. # 2786

Exh. No.

Translated by
Defense Language Branch

INTERNATIONAL MILITARY TRIBUNAL FOR THE FAR EAST

THE UNITED STATES OF AMERICA, et al

-vs-

ARAKI, Sadao, et al

SWORN DEPOSITION (Translation)

Deponent: ISHII, Akiho

Having been duly sworn in accordance with the procedure followed in my country, I do hereby depose and say as follows:

I was a Lt. Colonel and Senior staff member of the Military Affairs Section when MUTO Akira was the Chief of the Military Affairs Bureau. I took charge mainly of the business of diplomatic problems as they affected the War Ministry. I know very well MUTO's views on international problems and am well aware of his difficult position as the Chief of the Military Affairs Bureau. MUTO felt that early settlement of the China Incident was the first requisite and always advocated maintaining peaceful cooperation with other countries. Three times at least I heard him oppose aggressive policies.

Def. Doc. # 2786

In the autumn of 1939, immediately after his arrival at his post as Chief of the Military Affairs Bureau, he ordered me to study a draft of a practical plan of opening of the Yangtze Kiang and Chu-kiang Rivers in order to comply with American wishes. This was a matter of discussion at that time. As I held the concurrent post as secretary in the China Affairs Board, I sat in conference several times with those concerned and studied plans. The Chu-kiang River was opened by the consent of parties concerned, but various difficulties were encountered with regard to the opening of the Yangtze, which remained closed to the last. During this time I was urged at least two times by MUTO to make further efforts on this matter.

MUTO never insisted personally on our participation in the Triple Alliance among Japan, Germany and Italy. Foreign Minister MATSUOKA had the whole field to himself in the conclusion of the Triple Alliance. I read the text of the treaty for the first time after its conclusion. None but those specially concerned even among the officials of the Foreign Ministry had participated in that negotiation. About the middle of April 1941, when a report was made from Ambassador NOMURA on the draft of an understanding between Japan and America, MUTO was very much pleased and said, "Hereby has Japan been saved!"

Def. Doc. # 2786

On a certain day in May 1941, a telegram was received from a military attaché to the Japanese Embassy at Berlin to the effect that he was against the negotiations between Japan and U.S.A., so long as they were dependent upon the secession from the Tri-Partite Alliance. MUTO ordered me to send a telegram of reproof. I made out a draft which stated, "Anyone who holds a post abroad must act according to the government's policy. The negotiations with U.S.A. are proceeding well, based upon policies of the government and the Supreme Command. Don't complain of it." When this draft of the telegram was finally brought to TOJO through the Director of the Military Affairs Bureau and the Vice-Minister, TOJO revised it in person into a more severe one to admonish the attaché strictly.

In the spring of 1941, America considered the western half of the Pacific as safe waters and was carrying on operation of helping England, and appeared to show keen interest in the Japanese-American negotiations. But at the beginning of May reliable information was received to the effect that America would, in the end, enter the European War, upon which the War Minister put a question up to the Military Affairs Bureau as to what should be done in case America should participate in the War. We made answer to the effect that in such case we should try not to let the war spread to the Pacific in conformity with the fundamental principles

Def. Doc. # 2786

of the Tri-Partite Pact, regardless of Article III of that Pact.

MUTO said, "I am also of the same opinion", and reported it to War Minister TOJO and Vice-Minister KIMURA. I was told by MUTO that both TOJO and KIMURA were of the same opinion as he.

At the beginning of June in 1941, when the expectation for the outbreak of the war between Germany and Soviet Union was brought to our knowledge, MUTO submitted a question to us as to how we estimated the progress of the war between Germany and the Soviet Union, supposing that it really broke out. After a few days' careful consideration, I gave as my judgement that although the German Army would maintain superiority during the earlier period of the war, it would ultimately end the same as the China Incident. Different opinions against this judgement of mine were propounded, but MUTO said to me, "I am of the same opinion as you. In case of war, Japan should fall back upon the Japan-Soviet Neutrality Pact and remain indifferent." About the middle of June in 1941, MUTO was bewildered with the real intention of Y. MATSUOKA, Foreign Minister, who advocated an aggressive policy against the Soviet Union at one time and proposed Japan's advance towards the south at another. About that time MUTO was taken ill, and so he did not attend the Liaison

Def. Doc. # 2786

Conference at the end of June and the Council in the presence of the Emperor on July 2nd.

Directly after the Council in the presence of the Emperor on September 6th, 1941, MUTO returned to the War Ministry and reported the proceeding of the Council to the Chief of Military Affairs Section, the Chief of Military Administration Section, and the senior members of both these sections as follows:

"The phrase, 'For the sake of self-existence and self-defense' that appears in Article I means, as it is literally expressed, 'in order to live'; that is, before our assets were frozen, to be prepared as a self-sufficient state on a planned basis in spite of the increase of economic pressure by U.S.A. and Great Britain, especially the abrogation of Japanese-American Treaty of Commerce and Navigation. It, however, has a more urgent and critical meaning today. Secondly, the phrase 'try every diplomatic means' that appears in Article II means that every possible means of diplomacy in our power should be tried, and this Article II ought to precede Article I from the point of real necessity although it follows the first as a matter of literary composition." Then he added as follows: "We must try to succeed in diplomatic negotiations no matter at what cost."

Japan conceded step by step in order to obtain U.S.A.'s

consent during the period from first to the latter part of September, and at last an imploring proposal was made to realize the Kohoe-Roosevelt conference as soon as possible. As for the duty under the Three Power Alliance Treaty, it was suggested that we could not commit ourselves in writing but expected to arrive at an understanding by meeting and conferring. MUTO, together with OKA, Chief of Naval Affairs Bureau, cooperated with the Foreign Ministry most enthusiastically in the making of these supplicating overtures.

As for the withdrawal of the Japanese troops from China, which was a difficult point in the negotiations between Japan and America, it was settled at a council in the presence of the Emperor on September 6th to withdraw the Japanese troops from China in accordance with a new agreement settled between Japan and China. There was considerable discussion as to whether this meant to make a new agreement or to follow the provisions of the Sino-Japanese basic treaties concluded on November 30, 1940. MUTO read this to mean an agreement to be newly concluded after further negotiations, and tried to wire to that effect to America in cooperation with the Foreign Ministry. The General Staff made a strong protest against this interpretation. On this occasion MUTO refuted it vehemently by saying in a loud voice, "I detest the war".

Def. Doc. # 2786

From the above-mentioned incidents, I clearly recall that he made strenuous efforts, as the Chief of Military Affairs Bureau, to avert war between Japan and America. Informed that he was scheduled to be a member of Prince Konoe's suite at the time of the Konoe-Roosevelt talks, he was making preparations for it. At the end of September it was telegraphed from Washington that Japanese-American negotiations were not likely to succeed. MUTO said to us, "This is critical! War should be averted at all costs because it endangers the State." On or about October 20, 1941, that is to say, immediately after the formation of the TOJO Cabinet, TOJO, Premier and War Minister, asked for MUTO's opinion. MUTO replied, "The people are tired of the Chinese Incident. Therefore, if you, as the premier, succeed in the Japanese-American negotiations and can settle the Chinese Incident the nation will be heartily grateful to you. You should do everything in your power as a leader of the new cabinet to accomplish Japanese diplomatic negotiations." TOJO wholeheartedly assented to his views.

It remains still vividly in my memory that the Plans A and B for the negotiations with U.S.A. were discussed in the Liaison Conference in the middle of the night of about November 1, 1941 (the 16th year of Showa). The said Plan B was introduced in that conference fresh from the portfolio

Def. Doc. # 2786

of Foreign Minister TOGO without being exhibited beforehand to the Supreme Command of the Army and Navy. So there was a heated discussion between Chief of the General Staff SUGIYAMA and Foreign Minister TOGO and the situation was said to have become very serious. Therefore MUTO, who acted as a mere secretary to the Liaison Conference and had no vote in it, met Chief of the General Staff SUGIYAMA in the corridor during a recess and told him, unofficially saying, "It may be unreasonable for the Chief of the General Staff to raise a flat objection to any plan drafted by the Foreign Minister and to prevent him from taking possible diplomatic means." Then, when the conference was resumed, Chief SUGIYAMA agreed to Plan B and thus the plan was decided on.

The above was what MUTO told me firsthand on the next day at the room of the Director of the Military Affairs Bureau. We, his staff, as well as the General Staff authorities were all anxious about whether or not this Plan B could insure the national defence of Japan. However, MUTO said, "I told the Chief of the General Staff what I believed to be the best. In case this should bring bad results to our nation, I know what I ought to do." I know through the talks with those of various circles that most of the readers of this national policy expected the U.S.A. to be likely

Def. Doc. # 2786

to take a compromising attitude toward Plan B. For instance, when MUTO asked us, his staff, how America would deal with Plan B, I said, "To such a plan, America will be sure to agree", in reply to which, no objection was made by those present.

The leading circles of Japan, including the Army, detested war in general, though some irresponsible men maintained their positive opinion. As a result, I, one of MUTO's staff, not to speak of him, was criticized as being weak-kneed. MUTO told us, his staff, "War Minister TOJO is desirous of success in the negotiations between Japan and America." I often took the documents concerned to War Minister TOJO, when he was intent on studying the Japanese-American negotiations.

I left for Saigon early on the morning of November 27, 1941 (Japanese time). Toward the evening of the previous day, namely, November 26, I reported my departure to MUTO, when he said, "The question of war or peace is not yet decided on. I ask you to struggle hard if war comes, otherwise we may soon meet again." I visited on that day both the Ministries of Navy and Foreign Affairs to report my departure. Those whom I saw there were still expecting success in the Japanese-American negotiations, impatient for a favorable reply from America.

Def. Doc. # 2786

On this 12th day of February, 1947

At Komoro, Nagano Prefecture

Deponent: /S/ ISHII, Akiho (Seal)

We, Roger F. Cole and HARA, Seiji, hereby certify that the above statement was sworn by the Deponent, who affixed his signature and seal thereto in the presence of these Witnesses.

On the same date.

At Komoro, Nagano Prefecture

Witnesses: /S/ Roger F. Cole (Seals)
HARA Seiji

OATH

In accordance with my conscience I swear to tell the whole truth withholding nothing and adding nothing.

/S/ ISHII Akiho (Seal)

DIAGNOSIS

Permanent Domicile: Kichimo, Toyonishi Village, Toyoura District, Yamaguchi Pref.
Present Address: 6-99, Asagaya, Suginami Ward, Tokyo
Now in Hospital.
Former Colonel: Akiho Ishii
Birth Date: Nov. 24, 1900

1. Name of Disease: Pulmonary Tuberculosis

(1) Causes and Progress

On Nov. 30, 1942, infiltration was observed at the upper lap of the left lung on X-rays at Singapore. In Feb. 1943, he suffered from left wet pleurisy. Leaving hospital on July 30 of the same year, was under medical treatment at home. But the disease progressing unfavourably, entered hospital again on June 8, 1944. Now he is there.

(2) Present Condition.

Medium built; malnutrition; frequent slight fever of 37.5 degrees. Short bronchum-sound and wet R-sound can be heard at the hollows about the collar bones and blades in the breast; non-resounding wet R-sound at the lower right part of the front and the lower left part of the back. In the inspection through X-rays, cloud-like shadow is observed at the right lower lap of the lung the left apex part and the left middle and lower lap of the lung. Lung capacity, 2500. Senkungs reaction der Blutkorperchen 40 mm. per hour. Tuberculous bacilli in expectorated phlegm, positive. Coughing, expectoration, languor all over the body, poor appetite, restless, and frequent hemoptysis.

Because of the above mentioned progress and the present condition, it is considered necessary for him to be in hospital and be kept in tranquil repose

Def. Doc. # 2786

for a year at least. Therefore, he is diagnosed to be unable to present himself at the Court of International Military Tribunal for the Far East as a witness during the above-mentioned period.

Sep. 27, 1947

Komoro Town, Kita Saku District, Nagano Pref.
The 1st Tokyo National Hospital, Komoro
Branch.
Physician, Shizuo Ogawa (seal)