

EXHIBIT No. 3021

(14)

Def. Doc. #-1909

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: HIGASA, Ken

Having first duly sworn an oath as on attached sheet and in accordance with the procedure followed in my country I hereby depose as follows.

I. I am HIGASA, Ken.

I am now dwelling at No. 124, 2 Chome, Kitazawa, Setagaya-District, Tokyo Prefecture.

In the summer of 1941, I was a Lieutenant Colonel in the Japanese Army and occupied the post of staff officer of the Imperial General Headquarters.

At the conclusion of the co-defense pact between Japan and French Indo-China, I was despatched by the General Headquarters to aid the spot negotiation which were carried out by Major General Sumita stationed at Hanoi at that time.

II. Major General Sumita was informed by the General Headquarters that the diplomatic negotiation regarding the co-defense of Japan and French Indo-China in July, 1941, was concluded in France on 21, July, between Mr. Darlan, the then Foreign Minister of the Vichy Government and

Mr. KATO, Sotomatsu, the Japanese Ambassador to France, and that the exchange of official statements were made on 22 July, 1941. At the same time he was informed of the arrangement of military cooperation, the contents of which are identical with that of Exhibit No. 651. Although Exhibit No. 651 is dated 29 July, 1941, the contents were reported before this date.

Based upon these informations Major General Sumita immediately opened negotiations with French Indo-China.

At that time the relation between Japanese party and the party from the French Indo-China Government Office was very friendly, and always closely connected. As a result, the spot agreement based on the exchanged official statements, of which Major General Sumita was directly in charge, proceeded smoothly and speedily without any trouble. Together with the Navy and Foreign Office representatives I witnessed the signing between Major General SUMITA Raishiro and Governor-General Decoux. As the representatives of French Indo-China, there were present the Governor-General, the Chief-Secretary, Juan, and several other persons, and the signing was carried out in a very friendly manner.

At the signing, Major General SUMITA asked the French party whether the notification from France containing the same contents as that of Exhibit No. 651 stated above reached French Indo-China party, and the French party affirmed it.

I recall that the date of this agreement was 23, July, 1941.

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III. The contents of this agreement were none other than that of enforcing details in compliance with the official statement mentioned above. It is composed of concrete measures in detail, such as the movement of Japanese forces, their landing point and landing date, the course of the troops, occupation regions, the facilities for billeting and supplying of the Japanese forces, the removal of breech mechanism from the guns of French Indo-China forces, particularly to avoid the accidental occurrences of collision between Japanese and French Indo-China forces as is set forth in Article II of the official statement, the gist and region of withdrawal of the French Indo-China forces stationed in the vicinity of the beach where Japanese forces plan to land and the establishment of land marks visible from the air at the stationed areas of French Indo-China forces. Neither the telegram sent from the General Headquarters, nor the agreement documents of that time can be found today.

(refer to the certificate attached)

IV. I flew by air to "San-a" in the Hainan Island on the day after the conclusion of this agreement, and informed the Supreme Commanders of the Japanese Army and Navy, who were there as occupation forces, the course up to the conclusion and also of the contents of the agreement. We talked especially about the minute arrangements for the prevention of accidental collision. Then, on or about the following day, the 25th of July, I remember, going to Saigon by air with Major General Sumita and others. Detailed

arrangements were made there between. French Indo-China forces stationed there and us. Needless to say, the preliminary agreements etc. between Japan and French Indo-China at Saigon were carried out in a friendly atmosphere throughout these meetings. Scrupulous care and preparations were made lest any accidental collision should occur in the several days prior to the landing of Japanese forces. It was specially planned in advance that the SUMITA Mission shall certify the withdrawal of the French Indo-China forces from the beach, who in turn shall report it to the Japanese forces, and then the landing shall begin. This was executed exactly so. Accordingly a part of the Japanese forces landed on the 28th, and the greater part on the 29th, and no accident occurred.

- V. I later found in a document (Court Exhibit No. 651) that the date of the formal signing of the protocol regarding the co-defense of French Indo-China was 29, July, 1941.

However, as mentioned above, the contents of the official statement exchanged by the representatives of both countries on 22 July, were reported to each respective despatched agency, by the governments of Japan and France. Based on this, the pact was concluded harmoniously and the occupation was begun.

On this 29 day of May, 1947.

At the Compound of the International Military Tribunal For East Asia.

DEPONENT /s/ HIGASA Ken (seal)

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I, KIYOSE, Ichiro, hereby certify that the above statement was sworn by the Deponent, who affixed his signature and seal thereto in the presence of this witness.

on the same date, at the same place.

Witness: /s/ KIYOSE, Ichiro (seal)

OATH

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

/s/ HIGASA, Ken (seal)

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CERTIFICATE OF SOURCE

I, YOSHIYAMA, Yozo, who occupy the post of the chief of Document Section, the First Demobilization Bureau, Demobilization Office, hereby certify that the following documents are at present not in the custody of this Bureau.

1. The telegram in which the General Headquarters informed the SUMITA Mission in French Indo-China on 22 or 23, July, 1941, that an agreement as to the co-defence of French Indo-China was concluded between Japan and France.

2. The pact concluded between SUMITA, Raishiro and Governor-General, Decoux, based upon the said telegram, in March, 1941.

Certified at Tokyo,

on this 13 day of July, 1947

/s/ YOSHIYAMA, Yozo (seal)

I hereby certify that the above signature and seal were affixed hereto in the presence of the Witness.

At the same place, on this same date.

Witness: /s/ KIYOSE, Ichiro (seal)