

No. 2964

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INTERNATIONAL MILITARY TRIBUNAL FOR THE FAR EAST

THE UNITED STATES OF AMERICA, et al.

-vs-

ARAKI Sadao, et al.

- Defendants -

A F F I D A V I T

KAMEYAMA KAZUJI

Having first duly sworn on oath as on the attached sheet, in accordance with the procedure prevailing in my country, I hereby depose as follows:

1. I entered the Japanese Foreign Ministry in February 1922, and served as Chief of the Cable Section of the Ministry from September 1940 to October 1942. I shall state herein matters which came to my knowledge in the course of my official business in that position.

2. On 7 December 1941 a telegram was sent by Foreign Minister Togo to Ambassador Nomura in Washington to the effect that the AP and UP news-agencies were reporting that the State Department had made public that the President had sent a personal telegram to the Emperor, and that the matter should be investigated and a report made (Def. Doc. No. 1401-F-3). Simultaneously the Ambassador had sent a telegram dated 6 December to the effect that the President was reported to have sent a telegram to the Emperor (Def. Doc. 1401-E-3). I, as Chief of the Cable Section of the Foreign Ministry, was aware of these two telegrams, but I did not see the contents of the reported telegram of the President at that time. I recall that only on 8 December, as I remember it, was I informed by the American Bureau of the Foreign Ministry that a personal telegram of the President had been transmitted from the American Ambassador to our hands.

3. The Cable Section of the Foreign Ministry used to obtain copies of coded telegrams to and from diplomatic and consular representatives in Japan for the purpose of research in coding technique. As a matter of fact, the Cable Section sent messengers to the competent section of the Communications Ministry to receive such copies, and their receipt by the Foreign Ministry was delayed one or two days after receipt by the Communications Ministry. It was the custom at the time that the code-research group of the Cable Section did not work Saturday afternoons and Sundays. As 7 December 1941 was a Sunday, there was nobody working in the afternoon of the 6th and all day the 7th. It was not possible, consequently, for the Foreign Ministry to have decoded the telegram of the President on 7 December.

Presumably the code-research group of the Foreign Ministry in the usual course received the President's telegram in code from the competent section of the Communications Ministry on 8 or 9 December. (Foreign telegrams in code were not received by me, but went directly to members of the code-research group and were dealt with by them.) The personnel of the group at that time was very small, and only about five were engaged in research on the Anglo-American codes. The situation was therefore that, of the coded telegrams received daily, only a small proportion of the decodable ones was actually decoded. In addition, the Foreign

Ministry received some decoded telegrams, mainly from the Army high command. There is nothing to show that the President's telegram was decoded by the Foreign Ministry, nor anything to show that it received a decoded copy thereof from the Army high command. For, all such telegrams which were either decoded by the code-research group or obtained by the group in decoded text were submitted to me as Chief of Cable Section, and I have no recollection of having seen the decoded telegram of the President's message.

4. It is true, as has been stated, that the code-research group of the Foreign Ministry received in those days from the competent section of the Communications Ministry telegrams sent and received by diplomatic and consular representatives in Japan, but it had nothing to do with the delivery and dispatch of those telegrams by the Communications Ministry. The code-research group of the Foreign Ministry merely obtained copies of those telegrams from the competent section of the Communications Ministry after they had been delivered or dispatched as the case might be. The Foreign Ministry never intervened in the delivery or dispatch of those foreign telegrams. The Foreign Ministry thus had nothing to do with any delay in the delivery to the American Embassy of the telegram of the President.

5. I recall that I received the original copy of the memorandum of the Japanese Government to the United States prior to the start of the war in the afternoon of 6 December 1941 from the section in charge of the matter (the first section of the American Bureau), and had it coded immediately in fourteen parts. The results of an investigation made at the Tokyo Central Telegraph Office and reported to me by my subordinates at my order in December 1941 showed that the first thirteen parts were telegraphed from the cable room of the Foreign Ministry to the Central Telegraph Office between 8:30 P.M. on the 6th and 12:20 A.M. on the 7th, and that the latter cabled them to the United States between 10:10 P.M. on the 6th and 1:50 A.M. on the 7th.

The dispatch of the fourteenth part was withheld, at the request of the section in charge of the matter, until notice should be given by them. That section requested at about 4 P.M. of the 7th that it be cabled, and steps were immediately taken to that end. Of this part the same text was sent through the MKY and the RCA, two American cable companies, at an hour's interval in order to assure speedy and accurate receipt in Washington. The report of the same investigation disclosed that the fourteenth part was cabled from the Central Telegraph Office at 5 P.M. on the 7th through MKY and at 6 P.M. on the 7th through RCA.

6. Prior to the dispatch of our memorandum, an instruction had been sent from the Foreign Ministry at 8:30 P.M. on 6 December to the effect that as soon as our memorandum to the United States had been received preparation of the document and all the necessary arrangements were to be made so that the memorandum might be handed to the United States at any time upon the receipt of the instruction to deliver it (Exhibit 1216). This telegram was sent, according to the above-said investigation, from the Central Telegraph Office to the United States at 9:10 P.M. on the 6th.

7. The instruction to hand the memorandum to the United States at 1 P.M., 7 December, Washington time (Exhibit 1218), was cabled through two channels, MKY and RCA, to make sure of speedy and accurate delivery, and investigation showed that it was sent from the Central Telegraph Office to the United States at 6:30 P.M., 7 December, through the MKY, and at 6:28 P.M. through the RCA.

8. One technical error was discovered by an examination conducted immediately after the coding, in one of the first thirteen parts of the coded telegram (I recall that it was something like the dropping of one line), and a telegram of correction was immediately sent (it was, of course, a very simple one). The exact time of dispatch of this telegram of correction cannot be learned, the record kept in the Cable Section having been destroyed by fire; but it cannot have been later than the early hours of the 7th, because several telegraph clerks were on duty throughout the night of the 6th to the 7th.

There was one more telegram of correction, replacing one word in the original text of the memorandum. The original text of the telegram shows that it was cabled from the Foreign Ministry to the Central Telegraph Office at 7:20 P.M., 7 December (Def. Doc. No. 2050-A). In the light of the then prevailing situation, this telegram should have been sent from the Central Telegraph Office to the United States not more than an hour after its dispatch from the Foreign Ministry to the Central Telegraph Office.

8(a) For convenience of reference, the comparative Tōkyō and Washington times for the hours mentioned above are as follows (the time-difference being 14 hours):

	<u>Date</u>	<u>Tōkyō Time</u> <u>Hour</u>	<u>Date</u>	<u>Washington Time</u> <u>Hour</u>
Instruction to Washington to prepare memorandum immediately upon receipt, sent to Central Telegraph Office	6th	8:30 P.M.	6th	6:30 A.M.
Instruction to Washington to prepare memorandum immediately upon receipt, sent from Central Telegraph Office	6th	9:10 P.M.	6th	7:10 A.M.
13 parts of memorandum sent from Cable Section to Central Telegraph Office	6th 7th	8:30 P.M. 12:20 A.M.	6th 6th	6:30 A.M. 10:20 A.M.
13 parts of memorandum sent from Central Telegraph Office	6th 7th	10:10 P.M. 1:50 A.M.	6th 6th	8:10 A.M. 11:50 A.M.
First Section, American Bureau, ordered 14th part sent	7th	4:00 P.M.	7th	2:00 A.M.
14th part sent to Central Telegraph Office	7th	4:00 P.M.	7th	2:00 A.M.
14th part sent from Central Telegraph Office	7th 7th	5:00 P.M. 6:00 P.M.	7th 7th	3:00 A.M. 4:00 A.M.
Instruction to deliver memorandum at 1 P.M., 7 December (Washington time) sent to Central Tel. Office	7th	5:30 P.M.	7th	3:30 A.M.
Instruction to deliver memorandum at 1 P.M., 7 December (Washington time) sent from Central Tel. Office				
Via RCA	7th	6:28 P.M.	7th	4:28 A.M.
Via MKY	7th	6:30 P.M.	7th	4:30 A.M.
Cable correcting one word in memorandum sent to Central Telegraph Office	7th	7:20 P.M.	7th	5:20 A.M.

9. Knowing that, the communications conditions between Japan and the United States at that time being generally very good, it did not take more than 30 minutes to an hour for communication, I ordered these various messages sent on the supposition that the times of their arrival in Washington would be (Washington time):

(a) the telegram instructing preparation of the document and other necessary matters, at about 8 A.M., 6 December;

(b) the first thirteen parts of the memorandum, approximately between 9 A.M. and 1 P.M. of the 6th;

(c) the fourteenth part of the memorandum, between 4 and 5 A.M. of the 7th;

(d) the telegram of instructions of the time of delivering the memorandum, at about 5:30 A.M. of the 7th.

All the telegrams concerning the Japanese-American negotiations were handled as "Government" and in view of the tenseness of the situation at that time, the American telegraph companies presumably handled the telegrams concerning the negotiations speedily. Supposing it to have taken as long as two hours for delivery to the Japanese Embassy in Washington after receipt in the United States, it may be assumed that the telegram in (a) of the preceding paragraph was delivered to the Embassy at about 10 A.M., 6 December, that in (b) between 11 A.M. and 3 P.M. on the 6th, that in (c) between 6 and 7 A.M. on the 7th, and that in (d) at about 7:30 A.M. on the 7th. As to the two telegrams of correction, the one correcting the technical error should have been delivered to the Embassy at latest prior to the delivery of the fourteenth part of the memorandum; and the other, correcting one word in the text of the memorandum, should have been delivered by 9:30 A.M. of 7 December at the latest.

10. Those telegrams sent from the Foreign Ministry to the Japanese Embassy in Washington subsequently to the dispatch of the thirteen parts of the memorandum which were received by the Embassy toward the late hours of 6 December and in the morning of the 7th are as follows, according to my memory and as disclosed by the telegrams themselves: (a) correction of technical error; (b) instruction to keep strict secrecy (Exhibit 1217); (c) the fourteenth part of the memorandum (Def. Doc. No. 2045); (d) inquiry about the President's telegram to the Emperor (Def. Doc. No. 1407-F-3); (e) instruction indicating the time of delivering the memorandum (Exhibit 1218); (f) instruction to destroy the coding machine; (g) the Minister's greeting to Ambassadors Nomura and Kurusu; (h) greeting of the Director of the American Bureau to Counselor Iguchi and other members of the Embassy; (i) instruction indicating the number of the final telegram; and (j) correction of one word in the text of the memorandum (Def. Doc. No. 2050-A). If my memory serves me correctly, the telegram correcting one word in the text of the memorandum was the last.

All those telegrams except the fourteenth part of the memorandum were simple ones composed of not more than a few lines. The decoding, by one coding machine, of the fourteenth part would have taken twenty or thirty minutes but each of the rest of them would have been decoded in ten or fifteen minutes each. All those telegrams therefore could have been decoded in about two hours.

The Embassy had been instructed to the effect that there should always be some clerks on duty in the cable section. Moreover, an instruction had been sent to the effect that the document and all the necessary preparations were to be made ready beforehand

(Exhibit 1216). In these circumstances the Foreign Ministry sent these telegrams to the Japanese Embassy in Washington with the conviction that even if a considerable amount of time should be necessary for typing the memorandum, there would be a sufficient amount of time so that our memorandum be handed to the United States without fail at 1 P.M., 7 December, Washington time.

11. Allowing for the decoding of the first thirteen parts of the memorandum to the United States to take six hours and a half at the longest, I assumed that the decoding would have been completed by 9:30 P.M., 6 December, Washington time, even if the decoding was started after the last of the thirteen had arrived. As a matter of fact, each part should have been decoded as soon as it had arrived, so that the writing of the clean copy of the memorandum could have been started before 9:30 P.M. (the instructions for the preparation of the memorandum having been sent before the memorandum itself was cabled). Moreover, the telegram making the technical correction concerning one of the thirteen parts was sent by the early morning of 7 December, and there was no doubt that it was sent before the fourteenth part of the memorandum (the arrival of the fourteenth part at the Embassy is assumed to have been between 6 and 7 A.M., 7 December). Consequently the Embassy must have received the telegram on the technical correction by 7 A.M., 7 December, Washington time, by the latest, and could have decoded it without delay. The last telegram, correcting one word in the text of the memorandum, should have been received and decoded not later than 10 A.M., 7 December, Washington time. Therefore, even if the officers and clerks of the Embassy concerned had taken a normal rest from 6 to 7 o'clock, the full text of the entire memorandum in fourteen parts could have been written in clean copy by 11 A.M., 7 December, Washington time, by the latest.

12. It having become known in the Foreign Ministry through radio broadcast from America that the delivery of the memorandum to the United States on 7 December had been delayed in Washington, Foreign Minister Tōgō instructed me upon the return of the Embassy staff from the United States to conduct an investigation of the matter. In the course of the investigation which I accordingly carried out, it was reported to me by one of the telegraph clerks of the Embassy in Washington who returned on the exchange boat in August 1942 that the instruction for preparation of the memorandum so that it could be handed to the United States any time had been received by the Embassy in the forenoon of 6 December, Washington time; that the memorandum had started to arrive at the Embassy from about noon of the same day, and the thirteen parts had been decoded by about 11 P.M. of the same day; that the fourteenth part of the memorandum had arrived at the Embassy by about 7 A.M. of the 7th; and that the telegraph clerks of the Embassy finished decoding the fourteenth part about 12:20 P.M. Kondō, and the other telegraph clerks of the Embassy at that time who returned home in March 1946 on the boat repatriating the Japanese diplomats from Europe, reported in general to the same effect.

13. The Foreign Ministry was often asked by other government agencies to obtain information concerning economic, financial, military and other matters abroad, and instructed its establishments abroad to obtain and report such data. Since the gathering of such information and their communication to the government agencies which had asked for them had no direct relationship to the decision and execution of diplomatic policies, instructions of such nature, when cabled, were generally drafted by officers in the section in charge of the matter and, with the approval of the bureau director and the section chief, or sometimes of the section chief only, were forwarded to the Cable Section for dispatch. In practice, therefore, the Minister and the Vice-Minister had nothing

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to do with such telegrams, and they were generally dealt with at the responsibility of the bureau director, or more often that of the chief of section, in charge of the matter. When a telegram of information in response to such instructions was received, the Cable Section forwarded it to the bureau director and the section chief concerned, and the section in charge sent it to the government agency which had asked for it. Parallel with such procedure, the Cable Section sometimes sent copies of such telegrams directly to the government agencies which had made the request, but that practice was a supplementary measure to meet their executive requirements.

All telegrams sent from the Foreign Ministry to its establishments abroad were sent in the name of the Foreign Minister, and all the telegrams from its overseas establishments to the Foreign Ministry were addressed to the Foreign Minister. Of these telegrams, however, the Foreign Minister examined only those telegrams which were deemed important, and there were many which were not brought to his attention. While I was Chief of the Cable Section, for instance, some two hundred telegrams were received and some one hundred dispatched daily, only about one tenth of which were submitted to the Foreign Minister for examination.

I recall that, while I was Chief of the Cable Section, instructions were sent for gathering information concerning the movement of warships and merchant vessels in Hawaii, Manila, Java and other places, and that telegrams in reply thereto were received. These communications were all dealt with in accordance with the procedure above described, and I have no recollection that any of them, either sent from or received by the Foreign Ministry, was submitted for review to the Foreign Minister or the Vice-Minister.

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O A T H

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

Kameyama Kazuji (seal)

On this 13th day of August 1947

At Tokyo

DEPONENT Kameyama Kazuji (seal)

I, Nishi Haruhiko, hereby certify that the above statement was sworn to by the deponent, who affixed his signature and seal thereto in the presence of this witness.

On the same date

At Tokyo

Witness: Nishi Haruhiko (seal)

Translation Certificate

I, Nishi Haruhiko, of the Defense, hereby certify that I am conversant with the English and Japanese languages, and that the foregoing is, to the best of my knowledge and belief, a correct translation of the original document.

Tokyo
13 August 1947

Nishi Haruhiko