

Def. Doc 8062

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Ex 3895

INTERNATIONAL MILITARY TRIBUNAL FOR THE FAR EAST

THE UNITED STATES OF AMERICA, et al )

vs. )

ARAKI, SADAO, et al )

A F F I D A V I T

MATSUMOTO, SHUN-ICHI

I, MATSUMOTO, Shun-ichi, after having been duly sworn according to the Japanese formula, make the following statement freely and voluntarily of my own free will:

1. I, MATSUMOTO, Shun-ichi, am of lawful age, and reside at No. 639, Yukigaya-Machi, Ota Ward, Tokyo, Japan.

2. I was Vice-Minister for Foreign Affairs from November 1942 until October 1944.

3. In the autumn of 1942, with the progress of the war, the duties of the Foreign Ministry concerning management of matters relating to Japanese nationals resident in enemy countries became so onerous that, in view of the fact that such matters were within the jurisdiction of the Foreign Minister, the Chief of the Second Section of the Treaty Bureau of the Foreign Ministry was charged with drafting a plan for the establishment of a bureau in the Foreign Ministry to assume specific responsibility for these matters. Thus in November 1942 a plan was drawn for the "Bureau in Charge of Japanese Nationals Resident in Enemy Countries," and in the middle of that month the Bureau was established, commencing to function from 1 December. Its title, as it was established, did not include the words "and Enemy Nationals Residing in Japan."

4. The Bureau in question was a mere intraministerial office of the Foreign Ministry. It was not such a bureau (kyoku) as was established by the Government Organization Law, but was a mere administrative office (jimushitsu) within the Foreign Ministry, and was thus only a semi-official office. Its very name, Zai Tekikoku Kyoryumin Kankei Jimushitsu, indicates

its semi-official status. This bureau was therefore one to which was designated certain matters already within the competence of the Ministry, but it was not established by that Cabinet or Government action which signifies the assignment of new or different responsibilities to a Government organ (it was established wholly by this ministerial action not by regulations, ordinance or law). The Bureau was established with the approval of the Foreign Minister. No approval for its establishment by any source higher than the Foreign Ministry was needed or obtained. I have been shown Exhibit No. 3,845, which in the English translation refers to "approval of "Superiors". The words of the original Japanese, "Kōsaiin," as they are used constantly in the Foreign Ministry, mean a draft submitted for "approval of the higher officials" within the Foreign Ministry. This approval may be given by the Minister, or by the Vice-Minister on his behalf, according to the nature of the matter involved; in this case, the draft was approved by the Foreign Minister. Such action did not, could not, and was not intended to assume new or expanded duties beyond the competence of the Foreign Ministry, which competence did not include treatment of prisoners of war, visits to camps except insofar as liaison and correspondence was concerned.

5. During my tenure of office as Vice-Minister, the Bureau dealt with matters relating to Japanese nationals resident in enemy countries--correspondence concerning their status and condition--as matters falling within the duties of the Foreign Ministry. Matters concerning the treatment of enemy prisoners of war and internees, visits to camps etc., which were the concern of the Bureau only insofar as it had to conduct the liaison with the authorities in charge of these enemy nationals subject to Japanese authority and, as representative of the Foreign Ministry which is the agency dealing with external affairs, to conduct the correspondence with foreign countries, Red Cross organizations, and their representatives concerning such matters. The work of this Bureau was the same as that theretofore conducted by the Treaty Bureau relating to such matters.

6. I have been shown Defence Document No. 3022, which I identify as a proposal relating to expansion of the Bureau in Charge of Japanese Nationals Resident in Enemy Countries, and which correctly states the scope of the duties of that Bureau as they existed and were discharged during my tenure of office as Vice-Minister.

7. I have been shown Defense Document No. 3064, which I identify as a circular addressed by Minister Suzuki, Chief of the Bureau above mentioned, to the Directors of Bureaus and Chiefs of Sections of the Foreign Ministry informing them of the change in the name of the Bureau from that proposed in the original draft to the name under which it functioned.

Def.Doc. 3063.

On this 2nd day of     u  
Febryary, 1948.

DEPONENT M.TSUMOTO, Shun-ichi (seal)

I, MIURA, Kazuichi, 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: (signed) MIURA, Kazuichi (seal)

.....

O A T H

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

M.TSUMOTO, Shun-ichi (seal)

3

(Errata)  
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Exh #

3895

辯護側文替第三〇六三號邦文第三頁第三行目に左の通り追加す。  
その権限は連絡及び通信の調する限り以外に於て、伴隨の待遇。  
收容所の訪問を言んでは居なかつたのでありませす。

訂

正

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誤

表

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 松本

本 役

一

目分 我國ニ行ハルル方式ニ從ヒ先ツ別紙ノ通り宣誓ヲ爲シタル上  
次ノ如ク供述シマス

一、私は法的年齢に達し、日本東京都大田區雪ヶ谷町六三九番地に居住して居ます。

二、私は一九四二年十一月より一九四四年十月迄外務次官でありました。

三、一九四二年秋戦争の進行に伴ひ在敵國日本人居留民關係事務の處理に關する外務省の仕事が錯綜して來ましたので、これが外務大臣の主管事項である關係上、これ等の事項を特に擔當するため外務省内に一事務室の設置案を起草方外務省條約局第二課長に命ぜられました。かくて一九四二年「在敵國居留民關係事務室」案が作成せられ、同月中旬右事務室が設置され、十二月一日事務を開始しました。同事務室設立の當事、その名稱は「及び在本邦敵國人」の語を含んでは居りませんでした。

四、同事務室は外務省の内部機關であります。それは官制によつて設けられた局ではなく、外務省内の一つの事務室にすぎず、即ち半

公式のものでありました。その在敵國居留民關係事務室といふ名  
 稱がその半公式な地位を示して居ります。即ちこの事務室は外務  
 省の権限内の事項が創設されてあるものであつて、内閣又は政  
 府の措置の如く、新を又は異つた事務を一つの政府機關に振當て  
 る意味のある措置によつて設置せられたものではありませぬ。(全  
 然省內的措置によるもので、規則、命令又は法律によつて設置せ  
 られたものではありませぬ)。同事務室は外務大臣の議決によつ  
 て設置せられました。外務省より高い官廳による設置の議決は必  
 要とせずまたこれを求めませんでした。私は法廷證第三、八四五  
 號を見ましたが、英譯には「上官の議決」と言つて居ります。日  
 本語原本の「高議案」は外務省常例の用法では外務省内の「上官  
 の議決」のために提出される案の意味であります。この議決は事  
 項の性質により大臣、又は次官がその代理として、與へるもので  
 ありまして、本件の場合には案は外務大臣が議決致しました。か



かる措置は、外務省の権限外の新案又は、はみ出した事務を引受けたいものでもなく、引受け得られるものでもなく、且つ引受けやうとしたものでもありません。

二私の外務次官在任中に於て同事務室は外務省の権限内の事項として在敵國居留民に關する事項―これ等の者の地位、狀況に關する記事―を處理致しました。敵俘虜及び抑留者の取扱いに關する事項、收容所訪問等、政府の他の機關の責任であつた事項については、同事務室の關係は、日本の権内にあるこれ等敵國民を取扱ふ官憲との連絡を行ひ、且つ對外事務を處理する官衙としての外務省の代表として外國、赤十字社、及びその代表者とこれ等の事柄に關して文書の往復を行ふといふ限度に於てだけでありました。同事務室の事務はかゝる事項に關し從來條約局で行つて居たものと同

一でありました。

六私は辯護則文書第三〇二二號を見ましたがこれは在敵國居留民關

係事務室の増員に關する案でありまして、私の次官當時同事務室  
がやつて居た事務の範圍を正確に述べたものであります。  
七、私は辯護側文書第三〇六四號を見ましたが、これは前述事務室の  
長であつた鈴木公使から外務省の局課長にあて、原案に出で居た  
事務室の名稱を改めその實際用ひた名稱に変更したことを通知し  
たものであります。

昭和二十三年（一九四八年）二月二日 於東京

供述者 松本俊

右ハ當立會人ノ面前ニテ宣誓シ且ツ署名捺印シタルコトヲ證明シマス  
同日於

立會人 三浦和直

宣  
誓  
書

良心ニ従ヒ眞實ヲ述ベ何事ヲモ黙秘セズ又何事ヲモ附加セザルコト

ヲ誓フ

署名捺印 松 本 俊 一