

EXHIBIT No. 3301

(9)

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: YAMAWAKI, Masataka

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.

1. I, YAMAWAKI, Masataka, am an ex-General and now living at 348 KANBARA, KITAHARA-MURA, TAKAOKA-GUN, KOCHI Prefecture.
2. On the 10th of December, 1938 I was transferred from the post of Chief of General Affairs Department, Inspectorate-General of Military Training to that of Vice-Minister of War and held that position till the middle of October 1939; subsequently I went to Central China to take over the position of Commander of the 3rd Division. Lieutenant General ITAGAKI was War Minister when I was appointed Vice-Minister of War. With the resignation of the Cabinet at the end of August 1939, he resigned his office. As mentioned above, while I was assisting War Minister ITAGAKI as Vice-Minister of

三、五十二年十二月二十二日臨時政府の首脳「近衛三原良」の三つ陸相の主張と合致スル旨に
シテ、其ノ推進ニ非常ニ努力セテシマシタ。

盧紹儀氏、吳佩孚氏と連絡シテ和平勸力ヲ求メシト企テタル近衛首相ニ協力シ、又
汪兆銘氏以下國民黨諸人ノ熱意ニ同調シ、汪兆銘氏ノ汪蔣合作ニ依ル新中央政府ノ成
立ニ並進発展セシムトヲ期待セテシマシタ。

五、日獨伊三國防共協定強化問題ニ付テハ、獨國ト緊密ニ提携シテ、國際的孤立状態ヲ
脱シ、獨國ヲシテ日華和平仲介ノ擔手執ラシメ、他方北方ヨリスル「ソ」連ノ脅威ヲ

NO.1.

War, I became quite familiar with his ideals, executive ability, behaviour, personality, and ability to understand.

- 3. When I was appointed Vice-Minister of War, War Minister ITAGAKI expressed orally his fundamental principles of administration in regard to state affairs. The essentials of what he told me, which still remain in my memory were as follows:

"Japan and China ought not to quarrel with each other, but should cooperate. We must devote ourselves most ardently to bring about peace between Japan and China as speedily as possible by putting an end to the present unfortunate state of hostilities. Toward foreign countries, we should adjust diplomatic relations and promote friendship; and toward the Soviet Russia, we must gain a sense of security from the standpoint of national defense and remain absolutely calm. Within the nation we must enforce military discipline and tighten the unity within the Army, and at the same time we must endeavor to increase our national strength, taking into consideration a possibility that the restoration of peace with China might not be realized in the immediate future."

While in office, War Minister ITAGAKI's efforts were concentrated along these principles, and in assisting him these principles were also my principles.

- 4. In establishing peace between China and Japan, War Minister ITAGAKI approached the problem from a broad point of view, his fundamental idea being mutual respect for sovereignty and territorial right and mutual cooperation in the fields of culture and economy.

NO. 1.

三、五十二日二十二日、重光外相「近衛三原則」の三の陸軍の主張に合致するに至り、其の推進に非常の努力をなした。

重光外相、泉慶等氏と連絡して和平協力を求めんと企てたる近衛首相に協力し、又汪兆銘氏以下國民黨野人の懸念を回調し、汪兆銘氏に汪蔣合作に依る新中央政府の成立に近接発展のことが期待せられた。

五、日獨伊三國防共協定強化問題に付して、獨逸に緊密に提携して、國際的孤立状態を脱し、獨逸を以て日華和平仲介の努力を執らるゝ、他方北方ヨリスル「ソ」連の脅威を

As the so-called "KONOE's Three Principles", made public on the 22nd of December 1938, were synonymous with his contention, the War Minister made every effort to carry them out.

He cooperated with Premier KONOE, who was eager to seek peace and co-operation with Messrs. Tang Shoo-i and Wu Pei-fu, and shared enthusiasm with Mr. Wang Chao-ming and the rest of the Kuomintang officials in their hope to set up a new central government consisting of both Wang Chao-ming and Chiang Kai-shek.

- 5. War Minister ITAGAKI was for strengthening the Japan-Germany-Italy Anti-Comintern Agreement on the grounds that Japan might be freed from her international isolation through close cooperation with Germany; that Germany might be induced to act as an intermediary in bringing about peace between Japan and China; and that at the same time the Soviet's threat from the north might be mitigated.

According to the information given to me by War Minister ITAGAKI, the Japanese Government's basic condition regarding the said Pact was: ---

"Soviet is primarily the object, but Britain and France might also become our object if the situation changes. In the latter case, whether or not Japan would go so far as to give armed assistance to her allies depends upon the circumstances. To the outside world this new agreement will be explained as an appendix to the Anti-Comintern Agreement".

However, in attempting to utilize this pending agreement for

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盧紹儀氏、吳佩孚氏と連絡シテ和平協力を求めメト企テタル近衛首相ニ協力シ、又汪兆銘氏以下國民黨諸人ノ熱意ニ同調シ、汪兆銘氏ノ汪蔣合作ニ依ル新中央政府ノ成立ニ進展ヲ期シテシマシタ。

五、日獨伊三國防共協定強化問題ニ付テハ、獨逸ト緊密ニ提携シテ、國際的孤立状態ヲ脱シ、獨逸ヲシテ日華和平仲介ノ勢力ヲシメ、他方北方ヨリスル「ソ」連ノ脅威ヲ

political purposes, and in spite of her knowledge that Japan could not afford to participate in an armed conflict, Germany maintained that Britain and France would be outwardly the object of fighting and refused to assent to the proposal of including secret clauses in the agreement. Such being the situation, many days had elapsed without any definite conclusion. In the meantime the Japanese Government officials discussed and argued to reach a happy medium by technically changing the forms and words of the agreement without affecting Japan's basic conditions. And Germany had begun to doubt Japan's sincerity in this matter, adding much to the difficulty in concluding the agreement.

The Army wished a speedy conclusion of the pact in order to attain peace with China and to insure a sense of security toward Soviet Russia. Some men in the Army even maintained that outwardly it may be unavoidable to conclude the agreement unconditionally if that will help Germany to understand Japan's sincerity.

Nevertheless, on the 8th of August, 1938, War Minister ITAGAKI stated before the Five Ministers' Conference as follows:---

"In order to conclude the agreement we, as representative of the Army, consider that it is unavoidable to make certain changes in the form provided our true spirit remains embodied. However, since it is impossible to change our established Government policy, I will endeavour to conclude the agreement in line with the policy set forth by the government. In case Germany does not meet our terms, I will be glad to take the political responsibility there of".

NO. 1.

三ノ五十二日二十三日、前記「近衛三原則」ノ三ノ陸軍ノ主張ト合致スルモノト
シテ、其ノ推進ニ非難ヲ受ケルコトナリ。
重光氏、東條氏ト連綿シテ和平曲ヲ求メテ全テタル近衛首相ニ協力シ、又
汪兆銘氏以下國民黨野人ノ影響ニ回調シ、汪兆銘氏ノ汪蔣合作ニ依ル新中央政府ノ成
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五、日獨伊三國防共協定強化問題ニ付テハ、獨國ト緊密ニ提携シテ、國際的孤立状態ヲ
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As a State Minister, he thus clarified his position to follow the established Government policy, and successfully controlled the Army circles.

The above is what I heard directly from him on that day after the Five-Ministers' Conference.

6. As for the blockade of the British concession in Tien tsin, which occurred on June 14, 1938, negotiations were in progress locally since it was a matter connected with the Japanese Army in North China. On the 20th of June British Ambassador Craigie made proposal to have the Japanese-British Conference transferred to Tokyo. But our local military authorities did not quite favor the proposal, and at home an anti-British movement was in the making and consequently rightist-led riots were feared. In spite of all this War Minister ITAGAKI, who desired a speedy settlement of the China Incident, gave consent to the British proposal in hopes that it would be a good opportunity to prove to the British the true intention of Japan and to bring the negotiation to a successful conclusion and that it would be also a step toward peace between Japan and China.

7. Gen. ITAGAKI was sincere, gentle, broad-minded, just and fair in dealing with official matters, and entirely unselfish. And this I did fully realize while I was in office and I could not help respecting him for what he was.

On this 2nd day of September, 1947

At Tokyo

Deponent: /s/ YAMAWAKI, Masataka (seal)

NO. 1.

三、五十二日二十四日、所謂「近衛三原則」の三つ陸相の主張と合致するモノト
ニテ、其ノ推進ニ非常ニ努力セラルマシタ。
唐紹儀氏、吳佩孚氏ト連絡シテ和平協力ヲ求メント企テタル近衛首相ニ協力シ、又
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脱シ、獨國ヲシテ日華和平仲介ノ勞ヲ執ラシメ、他方北方ヨリスル「ソ」連ノ脅威ヲ

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

At the same place,

on the same date.

Witness: /s/ BANNO, Junkichi (seal)

OATH

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

/s/ YAMAWAKI, Masataka (seal)

NO. 1.

三ノ五十二月二十二日重慶ノ所請「近衛三原則」ハヨク陸相ノ主張ト合致スルモノト
 シテ、其ノ推進ニ非常ニ努力セラルマシタ。

重紹儀氏、吳佩孚氏ト連絡シテ和平協カヲ求メント企テタル近衛首相ニ協力シ、又
 汪兆銘氏以下國民黨專人ノ熱意ニ同調シ、汪兆銘氏ノ汪蔣合作ニ依ル新中央政府ノ成
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 脱シ、獨國ヲシテ日華和平仲介ノ勞ヲ執ラシメ、他方北方ヨリスル「ソ」連ノ脅威ヲ