

Article I.

46. Both Contracting Parties engage to maintain peaceful and friendly relations between themselves and mutually respect the territorial integrity and inviolability of the other Contracting Party.

Article II.

47. If one of the Contracting Parties becomes the object of military action on the part of one or several other Powers, the other Contracting Party will maintain neutrality during the whole period of the conflict.

APPENDIX C.

List of Official Assurances Violated by Japan and incorporated in Group One.

1. 25th September, 1931: That Japan had no territorial designs in Manchuria.
2. 25th November, 1931: That there was no truth in the report of a Japanese advance on Chinchow.
3. 22nd December, 1931: That Chinese sovereignty would be accepted and that the open door policy would be maintained.
4. 5th January, 1933: That Japan had no territorial ambitions south of the Great Wall in China.
5. 25th April, 1934: That Japan had no intention whatever of seeking special privileges in China, of encroaching upon the territorial and administrative integrity of China, or of creating difficulties for the bona fide trade of other countries with China.
6. 15th August, 1937: That Japan harboured no territorial designs on China and would spare no efforts in safeguarding foreign interest and rights in China.
7. September, 1937: That Japan had peaceful intentions and a lack of territorial designs in North China.
8. 17th February, 1939: That Japan had no territorial designs in China and that the occupation would not go beyond military necessity.
9. 26th August, 1939: That Japan had decided to abandon any further negotiations with Germany and Italy relative to closer relations under the Anti-Comintern Pact.
10. 15th April, 1940: That Japan desired status quo of the Netherlands East Indies.
11. 16th May, 1940: That Japan had no plans nor purpose to attack the Netherlands East Indies.
12. 24th March, 1941: That under no circumstances would Japan attack the United States of America, Great Britain or the Netherlands East Indies.
13. 8th July, 1941: That Japan had not so far considered the possibility of fighting the Union of Soviet Socialist Republics.
14. 10th July, 1941: That Japan contemplated no action against French Indo-China.
15. 5th December, 1941: That troop movements in French Indo-China were precautionary measures.

APPENDIX D

Incorporated in Group Three

The Laws and Customs of War are established partly by the practice of civilised nations, and partly by Conventions and Assurances, which are either directly binding upon the parties thereto, or evidence of the established and recognised rules. The Conventions and Assurances hereinafter mentioned in any part of this Appendix will be relied upon as a whole for both purposes, only the most material Articles being quoted herein.

1. The Convention No. 4 done at the Hague on the 18th October, 1907, concerning the Laws and Customs of War on Land provides (inter alia) as follows:

"According to the views of the High Contracting Parties, these provisions, the drafting of which has been inspired by the desire to diminish the evils of war, so far as military requirements permit, are intended to serve as a general rule of conduct for the belligerents in their relations with the inhabitants.

It has not, however, been found possible at present to concert stipulations covering all the circumstances which arise in practice;

On the other hand, the High Contracting Parties clearly do not intend that unforeseen cases should, in default of written agreement, be left to the arbitrary opinion of military commanders.

Until a more complete code of the laws of war can be drawn up, the High Contracting Parties deem it expedient to declare that, in cases not covered by the rules adopted by them, the inhabitants and the belligerents remain under the protection and governance of the principles of the law of nations, derived from the usages established among civilized peoples, from the laws of humanity, and from the dictates of the public conscience."

The Regulations set out in the Annex to the said Convention, which forms part thereof, deal in Section I with Belligerents and Prisoners of War, in Section II with Hostilities and in Section III with Military Authority over the Territory of the Hostile State.

Article 4 thereof in Section I provides (inter alia) as follows:

"Prisoners of War are in the power of the hostile Government, but not of the individuals or corps who capture them."

Convention No. 10 done at the same time and place concerns Maritime War.

The said Conventions were signed and ratified by or on behalf of over forty nations, including Japan and each of the nations bringing the charges in this Indictment, subject to certain reservations not here material, and thus became part or evidence of the Laws and Customs of War.

2. The more complete code of the Laws of War contemplated by the said Convention is contained, in relation to Prisoners of War, in the International Convention relative to the Treatment of Prisoners of War, done at Geneva, on the 27th July, 1929, (hereinafter called "the Geneva Convention").

Although Japan did not ratify the said Convention, it became

ing upon her for one or more of the following reasons:

- (a) It was signed on the said date by or on behalf of forty-seven nations, including Japan and each of the nations bringing the charges in this indictment, and ratified by over forty nations, and thus became part or evidence of the Laws and Customs of War.
- (b) A communication dated the 29th January, 1942, signed by TOGO, Shigenori, one of the accused, as Foreign Minister on behalf of Japan, addressed to the Swiss Minister in Tokyo, contained the following statement:

"Although not bound by the Convention relative to the Treatment of Prisoners of War, Japan will apply *mutatis mutandis*, the provisions of that Convention to American prisoners of war."

In a communication dated on or about the 30th January, 1942, addressed to the Argentine Minister in Tokyo by TOGO, Shigenori, one of the accused, as Foreign Minister on behalf of Japan, it is stated:

"The Imperial Government has not yet ratified the Convention of 27th July, 1929, regarding the treatment of prisoners of war. They are not therefore subject to the said Convention. None the less, they will apply *mutatis mutandis* the conditions of that Convention to English, Canadian, Australian and New Zealand prisoners of war in their power. With regard to supply of food and clothing to prisoners of war, they will consider on condition of reciprocity national and racial customs of the prisoners."

By the said communications or one of them, Japan acceded to the said Convention in accordance with Article 95 thereof, and the state of war then existing gave immediate effect to such accession.

- (c) The said communications constituted assurances to the United States of America, the United Kingdom of Great Britain and Northern Ireland, Canada, Australia and New Zealand, to whose governments the said communications were intended to be, and were, repeated by the respective recipients thereof, and in each case to all nations who were at war with Japan.

Except in the said matters there are no provisions of the said Geneva Convention to which the expression "*mutatis mutandis*" could properly be applied.

3. The International Convention for the Amelioration of the Condition of the Wounded and Sick in Armies in the Field, done at Geneva on the 27th July, 1929, (known as and hereinafter called 'the Red Cross Convention') provides (*inter alia*) as follows:

"Article 26: The Commanders-in-Chief of belligerent armies shall arrange the details for carrying out the preceding articles, as well as for cases not provided for, in accordance with the instructions of their respective Governments and in conformity with the general principles of the present Convention."

Japan was a party to the said Convention, together with over forty other nations, which thus became part or evidence of the Laws and Customs of War. In the above-mentioned communication dated on or about the 29th January, 1942, Japan stated:

"Japan observes strictly the Geneva Convention of 27th July, 1929, relative to the Red Cross, as a state signatory of that Convention."

A communication dated the 13th February, 1942, signed by TOGO, Shigenori, one of the accused, as Foreign Minister on behalf of Japan, addressed to the Swiss Minister in Tokyo, contained the following statement;

"The Imperial Government will apply during the present war, on condition of reciprocity, the provisions relative to the treatment of prisoners of war of the 27th July, 1929, to enemy civilian internees, as far as applicable to them, and provided that labour will not be imposed upon them contrary to their free choice."

The said communication constituted an assurance to all the nations at war with Japan, (who in fact carried out the provisions of the said Convention as applicable to Japanese civilian internees) other than the Republic of China.

The above-mentioned assurances were repeated by the Japanese Foreign Ministry on several occasions, as recently as the 26th May, 1943.

PARTICULARS OF BREACHES

All the offences are breaches of the Laws and Customs of War, in addition to, and as proved in part by, the several Articles of the Conventions and assurances specifically mentioned.

SECTION ONE

Inhumane treatment, contrary in each case to Article 4 of the said Annex to the said Hague Convention and the whole of the said Geneva Convention and to the said assurances. In addition to the inhumane treatment alleged in Sections Two to Six hereof inclusive, which are incorporated in this Section, prisoners of war and civilian internees were murdered, beaten, tortured and otherwise ill-treated, and female prisoners were raped by members of the Japanese forces.

SECTION TWO

Illegal employment of prisoner of war labour, contrary in each case to Article 6 of the said Annex to the said Hague Convention and to Part III of the said Geneva Convention, and to the said assurances. The said employment was illegal in that:

- (a) prisoners of war were employed on work having connection and direct connection with the operations of war.
- (b) prisoners of war were employed on work for which they were physically unsuited, and on work which was unhealthy and dangerous.
- (c) the duration of daily work was excessive, and prisoners were not allowed rests of twenty-four consecutive hours in each week.
- (d) conditions of work were rendered more arduous by disciplinary measures.
- (e) prisoners were kept and compelled to work in unhealthy climates and dangerous zones, and without sufficient food, clothing or boots.

SECTION THREE

Refusal and failure to maintain prisoners of war, contrary to Article 7 of the said Annex to the said Hague Convention, and Article 4 and Part III, Articles 9 - 12 inclusive, of the said Geneva Convention, and to the said assurances.

Owing to differences of national and racial customs, the food and clothing supplied to the Japanese troops were, even when supplied to prisoners of war belonging to the white races, insufficient to maintain them. Adequate food and clothing were not supplied, either in accordance with the said Conventions or the said assurances.

The structural and sanitary condition of the camps and labour detachments failed entirely to comply with the said Articles and was extremely bad, unhealthy and inadequate.

Washing and drinking facilities were inadequate and bad.

SECTION FOUR

Excessive and illegal punishment of prisoners of war, contrary to Article 8 of the said Annex to the said Hague Convention and to Part III, Section V, Chapter 3 of the said Geneva Convention, and to the said assurances:

- (a) Prisoners of war were killed, beaten and tortured without trial or investigation of any kind, for alleged offences;
- (b) such unauthorised punishments were inflicted for alleged offences which, even if proved, were not under the said Conventions offences at all;
- (c) collective punishments were imposed for individual alleged offences;
- (d) prisoners were sentenced to punishment more severe than imprisonment for thirty days for attempting to escape;
- (e) conditions of the trial of prisoners did not conform to those laid down in the said Chapter;
- (f) conditions of imprisonment of prisoners sentenced did not conform to those laid down in the said Chapter.

SECTION FIVE

Mistreatment of the sick and wounded, medical personnel and female nurses, contrary to Articles 3, 14, 15 and 25 of the said Geneva Convention and Articles 1, 9, 10 and 12 of the said Red Cross Convention, and to the said assurances:

- (a) Officers and soldiers who were wounded or sick, medical personnel, chaplains, and personnel of voluntary aid Societies were not respected or protected, but were murdered, ill-treated and neglected;
- (b) medical personnel, chaplains and personnel of voluntary aid Societies were wrongfully retained in Japanese hands;
- (c) female nurses were raped, murdered and ill-treated.

- (d) camps did not possess infirmaries, and seriously sick prisoners and those requiring important surgical treatment were not admitted to military or civil institutions qualified to treat them;
- (e) monthly medical inspections were not arranged;
- (f) sick and wounded prisoners were transferred although their recovery was prejudiced by their journeys.

SECTION SIX

Humiliation of prisoners of war, and especially officers, contrary to Article 8 of the said Annex to the said Hague Convention, and Articles 2, 3, 18, 21, 22 and 27 of the said Geneva Convention, and to the said assurances:

- (a) Prisoners were deliberately kept and made to work in territories occupied by Japan, for the purpose of exposing them to the insults and curiosity of the inhabitants;
- (b) prisoners in Japan and in occupied territories, including officers, were compelled to work on menial tasks and exposed to public view;
- (c) officer prisoners were placed under the control of non-commissioned officers and private soldiers and compelled to salute them, and to work.

SECTION SEVEN

Refusal or failure to collect and transmit information regarding prisoners of war, and replies to enquiries on the subject, contrary to Article 14 of the said Annex to the said Hague Convention and to Articles 8 and 77 of the said Geneva Convention, and to the said assurances:

Proper records were not kept, nor information supplied as required by the said Articles, and the most important of such records as were kept were deliberately destroyed.

SECTION EIGHT

Obstructions of the rights of the Protecting Powers, of Red Cross Societies, of prisoners of war and of their representatives, contrary to Article 15 of the said Annex to the said Hague Convention, and to Articles 31, 42, 44, 78 and 86 of the said Geneva Convention, and to the said assurances:

- (a) The representatives of the Protecting Power (Switzerland) were refused or not granted permission to visit camps and access to premises occupied by prisoners;
- (b) when such permission was granted they were not allowed to hold conversation with prisoners without witnesses or at all;
- (c) on such occasions conditions in camps were deceptively prepared to appear better than normal, and prisoners were threatened with punishment if they complained;

(d) prisoners and their representatives were not allowed to make complaints as to the nature of their work or otherwise, or to correspond freely with the military authorities or the Protecting Power;

(e) Red Cross parcels and mail were withheld.

SECTION NINE

Employing poison, contrary to the International Declaration respecting Asphyxiating Gases signed by (inter alia) Japan and China at the Hague on the 29th July, 1899, and to Article 23(a) of the said Annex to the said Hague Convention, and to Article 171 of the Treaty of Versailles;

In the wars of Japan against the Republic of China, poison gas was used. This allegation is confined to that country.

SECTION TEN

Killing enemies who, having laid down their arms or no longer having means of defence, had surrendered at discretion, contrary to Article 23(c) of the said Annex to the said Hague Convention.

SECTION ELEVEN

Destruction of Enemy Property, without military justification or necessity, and Pillage, contrary to Articles 23(g), 28 and 47 of the said Annex to the said Hague Convention.

SECTION TWELVE

Failure to respect family honour and rights, individual life, private property and religious convictions and worship in occupied territories, and deportation and enslavement of the inhabitants thereof, contrary to Article 46 of the said Annex to the said Hague Convention and to the Laws and Customs of War:

Large numbers of the inhabitants of such territories were murdered, tortured, raped and otherwise ill-treated, arrested and interned without justification, sent to forced labour, and their property destroyed or confiscated.

SECTION THIRTEEN

Killing survivors of ships sunk by naval action and crews of captured ships, contrary to Article 16 of Hague Convention No. 10 of 1907.

SECTION FOURTEEN

Failure to respect military hospital ships, contrary to Article 1 of the last-mentioned Convention, and unlawful use of Japanese hospital ships, contrary to Articles 6 and 8 thereof.

SECTION FIFTEEN

Attacks, and especially attacks without due warning, upon neutral ships.

APPENDIX E.

Statement of Individual Responsibility for
Crimes Set Out in the Indictment.

The statements hereinafter set forth following the name of each individual Defendant constitute matters upon which the Prosecution will rely inter alia as establishing the individual responsibility of the Defendants.

It is charged against each of the Defendants that he used the power and prestige of the position which he held and his personal influence in such a manner that he promoted and carried out the offences set out in each Count of this Indictment in which his name appears.

It is charged against each of the Defendants that during the periods hereinafter set out against his name he was one of those responsible for all the acts and omissions of the various Governments of which he was a member, and of the various civil, military or naval organizations in which he held a position of authority.

It is charged against each of the Defendants, as shown by the numbers given after his name, that he was present at and concurred in the decisions taken at some of the conferences and cabinet meetings held on or about the following dates in 1941, which decisions prepared for and led to unlawful war on 7th/8th December, 1941.

- | | | |
|-----|---------------------|---------------------------|
| 1. | 25th June, 1941 | (Liaison) |
| 2. | 26th June, 1941 | (Liaison) |
| 3. | 27th June, 1941 | (Liaison) |
| 4. | 28th June, 1941 | (Liaison) |
| 5. | 30th June, 1941 | (Supreme War Council) |
| 6. | 2nd July, 1941 | (Imperial) |
| 7. | 7th August, 1941 | (Thought Control Council) |
| 8. | 22nd August, 1941 | (Cabinet) |
| 9. | 6th September, 1941 | (Imperial) |
| 10. | 17th October, 1941 | (Ex-Premiers) |
| 11. | 28th November, 1941 | (Liaison) |
| 12. | 29th November, 1941 | (Ex-Premiers) |
| 13. | 1st December, 1941 | (Imperial) |
| 14. | 1st December, 1941 | (Cabinet) |

ARAKI:

The Defendant ARAKI between 1928 and 1945 was, among other positions held:- Chief of General Affairs Department of the Office of Inspector General of Military Training (1931); Minister of War under INUKAI and SAITO (December 1931 to July 1934); a full General (1933); Member of the Supreme War Council (1934 to 1936); Member of the Cabinet Advisory Council on China (1937); Education Minister under KONOYE and then under HIRANUMA (May 1938 to August 1939); Member of the Cabinet Advisory Council (1940).

DOHIHARA:

The Defendant DOHIHARA between 1928 and 1945 was, among other positions held:- Commander of the Special Service Section in Manchuria (September 1931); Mayor of Mukden (September to October 1931); attached to Headquarters, Kwantung Army (1933); Chief Adviser to the North China autonomous Government; Commander-in-Chief Japanese 5th Army Manchuria (1938 to 1940); Supreme War Councillor (1940 to 1943); Inspector General of Military Aviation (1941); full General (April 1941); Commander-in-Chief Eastern Army in Japan (1943); Commander of the 7th Area Army at Singapore (1944 to 1945); Inspector General Military Training (April 1945).

Conferences:- 5.

HASHIMOTO:

The Defendant HASHIMOTO between 1928 and 1945 was, among other positions held:- attached Army General Staff (1933); retired from Army (February 1936); author of "Declarations of HASHIMOTO Kingoro" (1936); re-entered the Army (1937); commanded an Artillery Regiment at the Rape of Nanking (1937); in command of Japanese forces which shelled the Ladybird and the Panay (1937); author of a large number of books, articles in the magazine "Taiyo Dai Nippon" and other publications and public speeches, all advocating aggressive warfare; member of a number of societies for the instigation of army control over politics and furtherance of aggressive warfare; promoter of a number of plots designed to remove politicians and officers whom he did not consider sufficiently aggressive; a founder of the I.R.A.A. (1940); elected to the Lower House of the Diet (1942).

HATA:

The Defendant HATA between 1928 and 1945 was, among other positions held:- Divisional Commander in Manchuria (1933); Chief of Army Aviation Department (1935); Commander of the Taiwan Army (1936 to 1937); Inspector General of Military Education and Member of the Supreme War Council (August 1937); a full General (February 1937); Commander-in-Chief of the Expeditionary Force in Central China (February 1938); Member of the Supreme War Council (January 1939); War Minister under ABE (August 1939 to January 1940); Commander-in-Chief of the Expeditionary Force in Central China (July 1940 to 1944); Field Marshall and Member of the Board of Marshals and Admirals (June 1944); Inspector General of Military Education (November 1944).

HIRANUMA:

The Defendant HIRANUMA between 1928 and 1945 was, among other positions held:- Founder of the KOKUHONSHA and President from 1926 to 1936; Vice President of Privy Council (1930 to 1936); President of Privy Council (1936 to 1939); Prime Minister (January to August 1939); Minister without Portfolio under KONOYE and for a time Home Minister and later Vice-Premier (July 1940 to October 1941); Member of Thought Control Council (August 1941); President Privy Council (1945).

Conferences:- 1.2.3.4.6.7.8.12.

HIROTA:

The Defendant HIROTA between 1928 and 1945 was, among other positions held:- Ambassador to the Union of Soviet Socialist Republics (1930); Foreign Minister (September 1933 to July 1934) under SAITO, and from July 1934 to March 1936 under OKADA; Prime Minister and for a time Foreign Minister concurrently (March 1936 to February 1937); Foreign Minister under KONOYE (June 1937 to May 1938); Member of the Cabinet Advisory Council (1940).

Conferences:- 10.12.

HOSHINO:

The Defendant HOSHINO between 1928 and 1945 was, among other positions held:- Chief General Affairs Bureau of the Finance Department of the Manchukuo Government (1932); Chief of General Affairs in the Finance Ministry of Manchukuo (1934); Vice Minister Finance in the Manchukuo Government (1936); Chief, General Affairs Bureau in the National Affairs Office of Manchukuo (December 1936); Chief of General Affairs in Manchukuo (July 1938); President of the Planning Board and later Minister without Portfolio under KONOYE (July 1940 to April 1941); Chief Secretary and Minister of State under TOJO (October 16th, 1941 to July 1944); Adviser to Finance Ministry (December 1944).

Conferences:- 11.14.

ITAGAKI:

The Defendant ITAGAKI between 1928 and 1945 was, among other positions held:- full Colonel Kwantung Army (1929); Major General, Kwantung Army (1932); Vice Chief of Staff, Kwantung Army (1934); Commander 5th Division in China (March 1937); Chief of Staff, Kwantung Army (1936 to 1937); attached to Headquarters, General Staff (May 1937); War Minister under KONOYE and HIRANUMA from June 1938 to August 1939 and concurrently President of the Manchurian Affairs Bureau of the Cabinet; Chief of Staff, Japanese Army in China (September 1939); full General (July 1941); Commander, Japanese Army in Korea (July 1941 to 1945); Member of Supreme War Council (1943); Commander 7th Area Army in Singapore (April 1945).

KAYA:

The Defendant KAYA between 1928 and 1945 was, among other positions held:- Chief Secretary, Finance Ministry (1934); Minister of Finance (June 1937 to May 1938) under KONOYE; on the Advisory Committee, China Affairs Board (1939); President, North China Development Company (1939 to 1941); Finance Minister under TOJO (June 1941 to February 1944); Director I.R.A.P.S. (1944).

Conferences:- 11.12.13.14.

KIDO:

The Defendant KIDO between 1928 and 1945 was, among other positions held:- Chief Secretary to the Lord Keeper of the Privy Seal (1930); Education Minister under KONOYE (1937); Welfare Minister under KONOYE (1938); Home Minister under HIRANUMA (1939); Lord Keeper of the Privy Seal (1940 to 1945); chief confidential advisor to the Emperor and presided at meetings of Ex-Premiers.

Conferences:- 10.12.

KIMURA:

The Defendant KIMURA between 1928 and 1945 was, among other positions held:- Chief of Staff, Kwantung Army (1940); Vice War Minister under KONOYE and TOJO (1941 to February 1944); Member Supreme War Council (1943); Commander in Chief Japanese Army, Burma (1944); full General (1945).

KOISO:

The Defendant KOISO between 1928 and 1945 was, among other positions held:- Director, Military Affairs Bureau of the War Ministry (1930); Vice War Minister under INUKAI (1932); Chief of Staff, Kwantung Army (1932 to 1934); Commander Japanese Army, Korea (1935 to 1936); a full General (1937); Overseas Minister under HIRANUMA (1939) and under YONAI (1940); Governor General Korea (May 1942); Prime Minister (July 1944 to April 1945).

MATSUI:

The Defendant MATSUI between 1928 and 1945 was, among other positions held:- Representative of the Japanese Army at the Geneva Conference (1931); Member of the Supreme War Council (March 1933); a full General (1933); a founder of the Greater East Asia Society (1933); Commander-in-Chief, Japanese Forces in Central China (October 1937 to February 1938); Member of the Cabinet Advisory Council (July 1938 to January 1940); Adviser to the Asia Promotion Federation (1940); Adviser to the Greater East Asia Affairs Section of the I.R.A.A. (1943); President of the Greater East Asia Development Society (1944).

MATSUOKA:

The Defendant MATSUOKA between 1928 and 1945 was, among other positions held:- Chief Delegate to the League of Nations Assembly (1933); President of the South Manchurian Railway (1935 to 1939); Member of the Cabinet Advisory Council (1940); Foreign Minister under KONOYE (July 1940 to July 1941); author of "Showa Restoration" (1938) and other books and articles and public speeches advocating aggressive warfare.

Conferences:- 1.2.3.4.6.

MINAMI:

The Defendant MINAMI between 1928 and 1945 was, among other positions held:- Commander, Japanese Army, Korea (1929); War Minister under WAKATSUKI (April 1931 to December 1931); Supreme War Councillor (1931 to 1934); Commander in Chief, Kwantung Army (1934 to 1936); Governor General of Korea (1936 to 1942); Member of the Privy Council (1942 to 1945); President of the Political Association of Great Japan (1945).

MUTO:

The Defendant MUTO between 1928 and 1945 was, among other positions held:- Instructor at the Military Staff College (1930 to 1932); Senior Officer of the Military Affairs Bureau of the War Ministry (1935 to 1936); Chief of a section of the General Staff (1937); attached Headquarters Staff, "Central China" Army (August 1937); Colonel, attached to Kwantung Army Headquarters; Chief of the Military Affairs Bureau (October 1939 to April 1942); commanded 2nd Guards Division in Sumatra (1943); Chief of Staff of the 14th Area Army in the Philippines under General Yamashita (October 1944).

Conferences:- 1.2.3.4.6.9.11.13.

NAGANO:

The Defendant NAGANO between 1928 and 1945 was, among other positions held:- Vice Chief, Naval General Staff (1930); Delegate to the Geneva Naval Conference (1931); Member Supreme War Council (1933); full Admiral (1934); Chief Delegate to London Naval Conference (1935); Navy Minister under HIROTA (March 1936 to February 1937); Commander-in-Chief of Combined Fleet (1937); Member of Supreme War Council (1940); Chief of Naval General Staff (April 1941 to February 1944); Supreme Naval Adviser to the Emperor from February 1944.

Conferences:- 1.2.3.4.6.9.11.13.

OKA:

The Defendant OKA between 1928 and 1945 was, among other positions held:- on the Naval General Staff (1930); Section Chief, General and Military Affairs Bureau of the Navy (1938); Chief, General and Military Affairs Bureaux of the Navy (October 1940 to August 1944); Vice Admiral (1942); Vice Navy Minister (20 July 1944) under KOISO; Commander-in-Chief Chinkai (Korea) Naval Station (September 1944 to June 1945);

Conferences:- 1.2.3.4.6.9.11.13.

OKAWA:

The Defendant OKAWA between 1928 and 1945 was, among other positions held:- Director General of the East Asia Research Institute of the South Manchurian Railway from 1926; an organizer of the Mukden Incident (September 18th, 1931); author of "A Japanese History Reader" (1935); and of books, articles and speeches advocating aggressive war for the expulsion by force of the white races from Asia.

OSHIMA:

The Defendant OSHIMA between 1928 and 1945 was, among other positions held:- Military Attache in Berlin (1936); Ambassador to Germany (October 1938 to October 1939); and again from February 1941 to April 1945.

SATO:

The Defendant SATO between 1928 and 1945 was, among other positions held:- Instructor, Army General Staff College (1935); attached to the Military Affairs Bureau of the War Ministry; Member of the Planning Board (1937 to 1938); Chief of the Military Affairs Section of the Military Affairs Bureau of the War Ministry (February 1941 to April 1942); Major General (October 1941); Chief of Military Affairs Bureau of the War Ministry (April 1942 to December 1944); Lieutenant General (March 1945).

SHIGEMITSU:

The Defendant SHIGEMITSU between 1928 and 1945 was, among other positions held:- Minister to China (1931); Vice Foreign Minister under SAITO and OKADA (1933 to 1936); Ambassador to the Union of Soviet Socialist Republics (November 1936 to November 1938); Ambassador to Great Britain (1938 to June 1941); Ambassador to the Nanking Puppet Government (December 1941 to April 1943); Foreign Minister under TOJO (April 1943 to July 1944) and Foreign Minister and concurrently Minister for Greater East Asia under KOISO (July 1944 to April 1945).

SHIMADA:

The Defendant SHIMADA between 1928 and 1945 was, among other positions held:- Chief of Staff, Combined Fleet (1930); Vice Chief, Naval General Staff (1935 to 1937); Commander of the Second Fleet (December 1937); Commander, China Fleet (May 1940); full Admiral (1940); Navy Minister under TOJO (October 1941); appointed to Supreme War Council (1944); Chief of Naval General Staff (February to July 1944).

Conferences:- 12.13.14.

SHIRATORI:

The Defendant SHIRATORI between 1928 and 1945 was, among other positions held:- Chief of Information Bureau of the Foreign Office (1930); Minister to Sweden, Norway, Denmark, Finland (1936); Ambassador to Italy (1939); Adviser, Japanese Foreign Office (1940); author of an article in "Contemporary Japan" pointing out the necessity of a World Conflict to establish the "New Order in Asia" (April 16, 1941); Director I.R.A.P.S. (1943).

SUZUKI:

The Defendant SUZUKI between 1928 and 1945 was, among other positions held:- Member of the Military Affairs Section of the War Ministry (1931); attached to the Bureau of Military Affairs of the War

Department (1933); Official of the Investigation Bureau of the Cabinet (1935); Regimental Commander of the 14th Regiment (1936); Chief of the Political Affairs Division of the China Affairs Board (December 1938 to April 1941); acting Director General thereof in 1940; President of the Cabinet Planning Board and Minister without Portfolio (April 1941 to October 1943) under KONOYE and TOJO; Cabinet Adviser (November 1943 to September 1944); Director of the I.R.A.A. (1944).

Conferences:- 6.8.9.11.13.14.

TOGO:

The Defendant TOGO between 1928 and 1945 was, among other positions held:- Ambassador to Germany (October 1937); Ambassador to the Union of Soviet Socialist Republics (October 1938); Foreign Minister and Minister for Overseas Affairs under TOJO (October 1941 to March 1942); Foreign Minister and Minister of Greater East Asia under SUZUKI (April 1945).

Conferences:- 11.12.13.14.

TOJO:

The Defendant TOJO between 1928 and 1945 was, among other positions held:- Head of the First Section of the General Staff (1931 to 1932); Chief of the Investigation Section of the Army Communications School (1932); Commander of the Military Police of the Kwantung Army (1935); Chief of Staff, Kwantung Army (1937); Vice War Minister under KONOYE (May to December 1938); Director General of Military Aviation (1938 to 1939); War Minister under KONOYE (July 1940 to December 1941); full General (October 1940); Prime Minister and War Minister concurrently (December 2, 1941 to July 1944) - during which period he was also, at times, Home Minister, Minister of Munitions, and Chief of General Staff.

Conferences:- 1.2.3.4.5.6.8.9.11.12.13.14.

UMEZU:

The Defendant UMEZU between 1928 and 1945 was, among other positions held:- Chief of the General Affairs Department of the War Ministry (1931); Commander of the Japanese Forces in China (1934); Vice War Minister under HIROTA, HAYASHI and KONOYE (March 1936 to May 1938); Commander of the Kwantung Army and Ambassador to Manchukuo (1939 to 1944); full General (1940); Chief of General Staff (July 1944 to 1945).

ERRATUM

COUNT 52.

The following Count 52 is substituted for Count 52 as it appears on page 12 of the Indictment:

The Defendants ARAKI, DOHIHARA, HATA, HIRANUMA, HIROTA, HOSHINO, ITAGAKI, KIDO, MATSUOKA, MATSUI, SHIGEMITSU, SUZUKI and TOJO by ordering, causing and permitting the armed forces of Japan to attack the territory of the Union of Soviet Socialist Republics, with which nation Japan was then at peace, (in the region of Lake Khasan in the months of July and August 1938) unlawfully killed and murdered certain members of the armed forces of the Union of Soviet Socialist Republics, whose names and number are at present unknown.