

Affidavit (of SUZUKI, Kantaro)

On the 12th day of May, 1946, Dr. KIYOSHI, Ichirō Councillor at Law, and U.S. Marine Corps First Lieutenant Aristides G. LAZARUS called on me at my residence at No. 737 Sekiyado, Sekiyado-cho, Higashi-Katsushika-gun, Chiba Prefecture and asked me the questions set forth below and designated as Part I. To these questions I, SUZUKI, Kantarō, having first duly sworn in accordance with the procedure followed in my country, gave the answers as shown in Part II of this affidavit.

Part I Questions

- o. During what time did you serve as Prime Minister of Japan?
- o. Could you give an account as to the procedure through which Japan came to accept the Potsdam Declaration of the July, 26, 1945?
- o. Under what understanding of the term "War Criminals" mentioned in Article 10 of the Declaration did you accept it?
- o. Did you have any idea that the word "War Criminals" appearing in the Declaration might include war criminals of wars or incidents which had ended prior to the Greater East Asia War?
- o. Did you think at that time, that war criminals could be indicted in the relations between Japan and Siam and that this might be included in the same provisions as

mentioned above?

- o. When was the national intention of Japan to accept the Potsdam Declaration finally decided upon?

Part II Answers

- o. I was appointed Prime Minister on April 7, 1945, and I resigned the post on August, 17 just after the acceptance of the Potsdam Declaration.
- o. During my tenure of the office I was deeply concerned about the war. On the July 26, of 1935, ^{of} that year the Potsdam Declaration addressed to Japan was issued. Immediately the government examined this declaration in detail. However, since we had asked the Soviet Union to intervene for a truce between the Allied Powers and Japan, we waited anxiously for the Soviet reply and watched for changes in the situation. Meanwhile, on August an Atomic bomb was dropped on the City of Hiroshima, unprecedented havoc, was wrought. Also, on August 9 (August 8 Moscow time) the Soviet Union declared war on Japan. Thereupon, I made up my mind to accept the Potsdam Declaration and put an end to this war. After due and necessary process the Declaration was finally accepted.
- o. Since the term "War Crime" mentioned in Article 10 of the said Declaration is an established idea in International Law, no one doubted its meaning. Moreover,

there was no discussion as to the meaning of this term at Cabinet council. We took the term "War Crime" to mean an act violating rules, regulations and customs connected with warfare.

o. Since our present surrender relates only to the Greater East Asiatic War, we gave no thought to the idea of a trial for war crimes related to such incidents as in the Changkufeng Incident (the incidents in the area of Lake Khasan), the Nomonhan Incident (the incident in the area of Khackhin-Gol River), or the Manchurian Incident which took place prior to the Greater East Asia War. On this point, there was no discussion at the Cabinet council.

o. Siam was our ally in those days and not a member of the Allied powers, and no war existed with Siam. Therefore, the idea of war crimes against Siam was also out of our consideration. Consequently we did not have any discussion on this point at the Cabinet meeting.

o. In Japan, the acceptance of the offer ^{a truce} of such as the Potsdam Declaration is decided by the advice and recommendation of the Cabinet. The final acceptance of the Potsdam Declaration at this time was decided upon by the Throne through the advice and recommendation of the Cabinet Council of August 14, 1945. In witness whereof I hereunto set my hand and seal this 12th day of May, 1946.

DEF. DCC. #386

Kantaro Suzuki (seal)
Affiant (aged 80)

Subscribed and sworn to before me this 12th day of May, 1946.

Aristides G. Lazurus (Signed)
1st Lt. U.S. Marine Corps.

Witness: KIYOSE Ichiro (seal)

OATH

Replying to the questionnaire of Dr. KIYOSE, Ichiro and
LAZARUS, Aristides, I swear to depose to the best of my
conscience, to add nothing that I do not know and withhold
nothing that I do know.

May 12, 1946

Kantaro Suzuki (seal)

Translation Certificate

I, Charlie S. Terry, of the Defense Language Branch, hereby
certify that the foregoing translation described in the above
certificate is, to the best of my knowledge and belief, a
correct translation and is as near as possible to the meaning
of the original document.

/s/ Charlie S. Terry

Tokyo, Japan
Date May 22, 1947