

EXHIBIT No. 3533

(10)

Def Doc No. 2645

Exh. No.

INTERNATIONAL MILITARY TRIBUNAL FOR THE FAR EAST

THE UNITED STATES OF AMERICA, et al

-VS-

ARAKI, Sadao, et al

Sworn Deposition (Translation)

Deponent : ARAKI, Sadao

Having been duly sworn in accordance with the procedure followed in my country, I do hereby depose and say as follows:

Translated by
Defense Language Branch

1. I am former Lieutenant Colonel of the Army, HARA, Shiro.
From November 1940 to February 1942, as member of the 20th section of Army General Staff, I treated, in the Army General Staff, such matters relating to the Liaison Conference between the Government and the Imperial Headquarters and those relating to the Imperial Conference. Therefore I am familiar with the document entitled "A Draft regarding the fundamental reason of the opening of the war against U.S.A. and Great Britain" (Ex. 1175), presented by the Prosecution.
2. Under the title of this document (in the English text, it is mentioned to the right of the title) it is written as "Project to be decided at the Liaison Conference". Project to be decided does not mean the project already decided. It means a draft which awaits decision at some future date.
1. At that time, a deliberation was being carried out among the officials concerned of the Army General Staff, Navy General Staff, Army Ministry Navy Ministry and Foreign Office (or Cabinet), in order to regulate and unify the differences between the high command and the government in regard to the fundamental reasons relative to the opening of hostilities, in case the worse occurred and war became inevitable. The present document is nothing but one of these kinds of drafts for study.
2. Under the title of this document - 1 (in the English text, it is mentioned to the right of the title) it is written as "Project to be decided at the Liaison Conference". Project to be decided does not mean the project already decided. It means a draft which awaits decision at some future date.

3. This document was never presented to the Liaison Conference or put on the agenda for discussion. It is just a plan of study for the officials concerned. The plan proves that for itself. It is because, on the right top of the title (in English text, on the left), it is marked as No. 4 of 5 copies, which means that 5 copies were made. That prove that it was made for the use of five officials within sections of the Army General Staff, Navy General Staff, Army Ministry, Navy Ministry and Foreign Office (or Cabinet), each being distributed on copy.

If it was prepared for the use of the Liaison Conference, then at least 13 copies were needed because the members usually present at these Conferences at that time were Prime Minister, Foreign Minister, War Minister (concurrently nominated), Navy Minister, Finance Minister, President of Planning Board, Chief and Vice Chief of Army Staff, Chief and Vice Chief of Navy Staff and the secretary, in all 13.

4. As it is clear from the above, the present document was drafted collectively by officials of the Army General Staff, Navy General Staff, Army Ministry, Navy Ministry and Foreign Office (or Cabinet). It was not written by the Chief of Military Affairs Section, SATO as testified by the prosecutors' witness, TANAKA, Ryukichi. It is neither drafted by Military Affairs Section of War Ministry. It is for this reason that the name of the draft Department is not mentioned following the customs of Japanese administration of that time. If the present document were drafted at the Army Affairs

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Section, then it would have been mentioned as "Draft of Military Affairs Bureau, War Ministry" or "Draft of Military Affairs Section, Military Affairs Bureau".

Moreover, on the right top of this document it is written "No. 4 of 5 copies". But, according to the custom of the Army, it would have been written as "the 4th among 5 copies" (Army used rubber stamp of "the _____ among _____ copies" and the number inserted with ink) that proves definitively that the present document was not prepared by the Army or War Ministry.

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On this 22 day of Sept., 1947

At Tokyo.

DEPONENT HARA, Shiro (seal)

I, KUSANO, HYOICHIRO, 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) KUSANO, HYOICHIRO (seal)

OATH

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

KUSANO, HYOICHIRO (seal)