

EXHIBIT No. 3013

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Def. Doc. # 1523

Exh. No.  
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

Deponent: SAWADA, Shigeru

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.

Circumstances of the Occupation of North  
French Indo-China by Japanese Forces.

1. From October 1939 to November 1940 I served as Vice Chief of the General Staff under Imperial Prince KAN-IN, then the Chief of the General Staff.

2. Early settlement of the China Incident was the policy Japan adhered to consistently. After the operations in China began to show a tendency for protraction, I went, with the permission of the Chief and the approval of the War Minister, to Hongkong, where I held a secret liaison conference for peace among the military representatives of Japan and China. This conference however ended in vain, and in

consequence it became urgently necessary for us to cut off Chungking from North French Indo-China and the Burma Road, both of which were the most important supply routes for Chungking. For this purpose the Japanese Government opened negotiations with the Vichy Regime and the British Government. As a result of these negotiations it was decided that the above Road should be closed voluntarily, and in June 1940 a special committee headed by Maj. Gen. NISHIHARA was dispatched to French Indo-China in order to inspect the conditions at the border.

3. After the closing of the French Indo-China Route, the Chungking Government steadily gathered its forces along the border of French Indo-China, and it was feared they might enter the French territory. These circumstances led Japan to dispatch forces to North French Indo-China for the defense of that area. As a result of negotiations between Tokyo and Vichy, an agreement was reached in August 1940 between Foreign Minister MATSUOKA and Ambassador HENRI for the dispatch of Japanese forces to North French Indo-China. The details of the matter were left to agreements to be reached at Hanoi between the military representatives of Japan and French Indo-China.

4. The negotiation in Hanoi encountered no little difficulties. By some means, however, on 4 Sept. we succeeded in bringing it to a point when the agreement was about to be signed. However, an unfortunate event broke out on 5 Sept. The MORIMOTO battalion, on approaching the borders for reconnaissance purposes, was informed by the commander in charge of the French Indo-Chinese border forces, that they were entering Indo-Chinese territory, whereupon the battalion immediately

withdrew. However not a shot was exchanged between them. According to further investigation, it was reportedly not certain, whether the MORIMOTO battalion had or had not, actually, wandered into their territory.

5. Making an excuse of this occurrence, the French Indo-Chinese authorities stiffened their attitude to claim the over-all denunciation of the agreement which was about to be signed. The Japanese, still desirous of peaceful settlement, resumed further negotiations, but the French Indo-Chinese authorities, remained uncompromising and we could hardly reach a conclusion.

6. At that time the government of French Indo-China had pledged their loyalty to the Vichy Government. Nevertheless we received information to the effect that such was, more or less, dubious. Especially, the attitude on their part to delay, on some pretext or other, the carrying out of our occupation of Northern French Indo-China, which had already been agreed to by the Vichy Government, raised some suspicion. Thus an Imperial Headquarters finding it necessary to demonstrate a peremptory attitude with regard to the agreement in Hanoi, issued instructions to Maj-Gen NISHIHARA to demand a final answer on the part of the French Indo-Chinese authorities by noon 22 Sept. However, the Imperial Headquarters adhered to bringing the agreement to a satisfactory close, and was quite desirous of making a peaceful advance. Should they refuse, we would have to resort to the alternative of occupation by force, and hereupon, orders were given to the South China

Army to prepare, in advance, for any measures of war or peace. The foregoing orders issued by the Imperial Headquarters were to the effect that if an agreement was to be reached, we would make a peaceful advance from Haiphong in accordance with the said agreement; in case no consent could be obtained by noon 22 Sept., we should commence action at midnight on the 22nd, and make our way by force should their forces offer us resistance. It is reported that this written order has been burnt and no longer exists.

The Chief of the General Staff Headquarters had sent the Chief of Military Operations to direct this action to be taken by the South China Army and was one which required utmost delicacy and prudence in handling.

7. Noon of September 22 was the very moment to decide on war or peace. French Indo-China maintained an unbending attitude. Japan, being eager to keep peace at all costs, gave way at last. Thus the agreement for occupation was finally completed in peace. Therefore the agreement, which was scheduled to be concluded at noon, was actually concluded a few hours past noon.

8. The news of the conclusion of the agreement was immediately dispatched to our South China Army, and the Commander-in-Chief of the Army ordered his units to set about peaceful occupation. Unfortunately, however, by that time the forward units of our forces had commenced actions for free occupation on a report that the agreement had not yet been reached at noon, and was advancing through a mountainous region in dispersed order. These forward units did not know that the agreement was

afterwards reached. Therefore at noon, 23 September, they began to enter French.Indo-China, a fact which resulted in the deplorable border hostilities.

9. Thanks to an order from Tokyo and to the adequate remedial measures taken by General ANDO, Commander-in-Chief of the South China Army, before the arrival of that order, the hostilities at the border ceased before entering a serious stage. The Japanese forces returned to French Indo-China all that they had obtained the hostilities. Thus the matter was completely settled.

10. According to the agreement, Japanese transports might have entered the Port of Haiphong under the guidance of the French Navy, but as a fighting had taken place on land to the north, an entry into the port of Haiphong was considered dangerous, and, for this reason, a landing was made in safety on the southern coast without provoking any battle. At the time of this landing, a unit of Japanese patrol-planes dropped some bombs in the suburbs of the city of Haiphong due to a misunderstanding of signals between the commander and his subordinates. As to this, reparations were made for damage and the commander was punished.

11. The military strength of Japanese troops in Indo-China consisted of about 1,000 soldiers in all, if I remember rightly. The Japanese Military Authorities considered it very dangerous to dispatch such a feeble unit alone to a remote foreign land, but, nevertheless, the Chief of the General Staff, in consideration of a principle of peaceful

occupation, decided the least possible military strength that circumstances would allow.

12. The crossing of the frontier by the MORIMOTO Battallion and the occurrence of fighting on the border, were much regretted by the central authorities of Japan, but were nothing but incidental happenings, but from the viewpoint of military discipline, the commander of the battallion, MORIMOTO, and (his regimental commander were committed for military trial and punished, and the two Commanders, namely ANDO and KUNO were dismissed, and degraded to divisional commanders. Moreover, even among the central military authorities, the Chief of the Strategic Section who was in charge of directing the South China Army was transferred.

13. As above, the entry into the northern part of French Indo-China was motivated by the necessity of hastening the settlement of the China Incident and that was the reason why the process of entry had been all the time accompanied by peaceful intentions. That is the commission's inspection was first conducted and the entry itself was put into practice as a result of concessions made on the part of Japan after reiterated negotiations had been made for more than two months with French Indo-China a country not very strong at that time. It was quite natural therefore that there was employed only the least possible military strength the agreement allowed, and, this, to manifest simply our peaceful intentions. In such a manner, the Japanese side tried wholeheartedly to express their sincere desire for peaceful friendship.

On this 14th day of August, 1947.

At Tokyo.

DEPONENT /s/ SAWADA, Shigeru (seal)



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I, 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 Tokyo.

Witness: /s/ KIYOSE, Ichiro (seal)

OATH

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

/s/ SAWADA, Shigeru (seal)

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ERRATA SHEET

Page 1 - Heading - change "occupation of" to "advancing and  
stationing of troops in"

Page 4 - Para 7 - 4th line "occupation" to "advancement"

Para 8 - 3rd line - "occupation" to "advancement"

5th line - "free occupation" to "entry"