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EXHIBIT No. 3007

(33)

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INTERNATIONAL MILITARY TRIBUNAL FOR THE FAR EAST

THE UNITED STATES OF AMERICA, et al

- VS -

ARAKI, Sadao, et al

Sworn Deposition

Deponent: Tatsukichi MIYO

Having first duly sworn an oath as shown on attached sheet and in accordance with the procedure followed in my country I hereby depose as follows:

My name is Tatsukiehi MIYO and I was formerly a captain in the Japanese Navy. I served in Section One (Operations Section) of the Naval General Staff from 1 November 1939 until 27 December 1942. At that time I held the rank of Commander. During this period of service I was placed in charge of air operations and took part in the planning of the Pearl Harbor Operation as well as other operations in the Pacific War. My assignment involved coordinating work between the General Staff and the Combined Fleet.

1. The Pearl Harbor Attack was decided upon only a short time before the outbreak of war. A study of the circumstances related to the planning and preparation thereof will reveal when it was originated.

2. Around May 1941, the Headquarters of the Combined Fleet submitted to the General Staff a plan of operations to cope with the possibility of our being drawn into a war with the United States. This plan was based upon the assumption that the United States Pacific Fleet would be anchored at Hawaii and that our fleet could deal an intial blow against it through the medium of an air raid by carrier borne planes. This whole idea was a radical departure from the plans of naval defense hitherto designed by the Naval General Staff. Since it was a venturesome plan, the Naval General Staff viewed it with great scepticism and little interest.

Among some of the grounds that made the project appear definitely impractical was the fact that our air strength was not adequate; the degree of secrecy for such an operation would be difficult to maintain; the fact that the United States Fleet might not be in Pearl Harbor at the time designated for the attack, and the difficulty in securing proper intelligence for the execution of such operation. In addition to these, at that time both the Army and Navy Supreme Headquarters were in complete accord on the opinion that the Sino-Japanese conflict must be brought to a speedy conclusion and that all other matters pertaining to national policies in the Southern Regions and elsewhere should be left to the diplomatic representatives of our government for solution.

Moreover, the Navy at that time felt strongly that war with the United States could be averted. Such being the case, as said before, the Naval General Staff considered the Pearl Harbor Attack Plan a fanciful thing and did not take it seriously. In view of this opinion of the Naval General Staff, the Headquarters of the Combined Fleet, in turn, did not press the subject further.

3. However in July of 1941, the United States, Britain and the Netherlands took severe economic steps toward Japan with the result that the oil supply of the country was shut off. Paralleling these measures, we had had knowledge of United States, British and Netherlands war preparations designated against Japan. And the conception of matters at that time in the Navy was that Japan was steadily being encircled.

The Navy, charged with the primary duty of national defense in the Pacific, faced a situation which could not be complacently ignored. Some time in September, and in view of the then existing conditions, my colleagues and I in the General Staff received orders from our superiors to begin making preparations for formulating potential plans of operation against the United States, Britain and the Netherlands. Approximately in the early part of September, Headquarters of the Combined Fleet resubmitted

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an opinion to the General Staff that an air attack against the United States Fleet at Hawaii was a requisite operation in the event of war. They also notified us that this plan was scheduled to be studied at one of the regular chart maneuvers of the Navy to be held some time in the middle of September with key personnel of the Fleet as the participants. Whereupon the Naval General Staff agreed that if the result of the chart maneuvers were found successful the Hawaii Operation would be taken into consideration and studied.

After the maneuver, opinions were exchanged between the Naval General Staff, Headquarters of the Combined Fleet and Headquarters of the First Air Force Fleet as to whether or not the plan was plausible. A recognition of serious difficulties in the execution of the plan, from a technical viewpoint, resulted from this discussion. The First Air Force Fleet, which would have to take the most active role in the attack, opposed the plan. The Naval General Staff also was opposed to it. It was then decided to make further studies of the matter. Therefore, even at this time, there was no plan acceptable by the High Command directed at attacking the United States Fleet if the Navy was called upon in the event of war.

5. The Headquarters of the First Air Fleet later reversed their former opinion and around the latter part of September, 1941, Captain KUROSHIMA, Staff Officer of the Combined Fleet, came to the Naval General Staff and there stated the strong opinion of Commander in Chief Admiral YAMAMOTO in favor of the plan. The effect of this opinion was that the attack against Pearl Harbor was the only hope of successfully conducting naval operations against the United States. It was there pointed out by the General Staff that in the event of war it would be necessary for Japan to secure the main areas of the southern regions such as the Philippines, Netherlands Indies, Malaya, etc. at an early date from the standpoint of self existence and self protection. It was recognized that in face of the steadily increasing military

and naval preparedness of the United States, Britain and the Netherlands, a Japanese attempt to secure the southern regions would be difficult of attainment, even if virtually all of our air strength was used in such operation.

If it was taken into consideration that our air power would have to be divided if the Hawaii Operation was to take place, a very difficult situation would arise. Furthermore, since a large portion of the Fleet would be involved in the attack on Hawaii, it was evident that a blunder at the very outset of the war would be disastrous. It was suggested that the unprotected Mandated Islands should be defended with what available force there was, based upon a plan that in the event the United States Fleet attacked us in the midst of our southern operations, the Southern Region Operation Forces could be diverted to meet it. In other words, the more advantageous use of our forces would be to concentrate the main strength in the southern region operations at the outset and to smash the bulk of the enemy strength in that area as quickly as possible: Thereafter, to shift the greater part of our naval air strength to preparation for counter attack operations against the United States Fleet.

5. Against this line of thought, the Headquarters of the Combine Fleet maintained that since the Mandated Islands were unprotected, even if the Southern Region Operation Forces were diverted to meet the United States Forces in the event of an invasion, it might be unavailing and the Islands would easily be occupied by American forces. If this occurred the Mandated Areas would be occupied one after another and the line of communication between Japan proper and the Southern region areas would be severed. Therefore it was deemed vital to stop the United States Fleet before it commenced offensive operations against Japan.

The execution of the Hawaii Operation Plan was so strongly advanced by Commander in Chief YAMAMOTO that he threatened to resign if it was not accepted. Therefore, in view of this set of facts as well as other arguments, the Naval General Staff was

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compelled to give tentative consent for complete study of the project.

The aircraft carrier forces taking part in the Pearl Harbor Attack were formulated as follows:

On September 25th the aircraft carrier ZUIKAKU was completed and commissioned and together with the aircraft carrier SHOKAKU, completed in early August, made up the Fifth Air Force Squadron. This squadron was assigned to the First Air Force Fleet. The aircraft carrier strength of the First Fleet was then as follows:

First Air Force Squadron - composed of the AKAGI and KAGA.

Second Air Force Squadron - composed of the SORYU and HIRYU.

Fourth Air Force Squadron - composed of the RYUJO and a merchant ship which had been converted from the KASUGA MARU.

Fifth Air Force Squadron - composed of the ZUIKAKU and SHOAN.

The aircraft carriers of the Fourth Air Force Squadron were small ships of low speed and short radius of action. Furthermore, they were capable of carrying only a small number of old type planes and were unfit for the Hawaii Operation which more than taxed the cruising capacity of the new carriers.

8. Again, the air crew personnel and air planes on each of the above mentioned carriers was far less than the prescribed number fixed for war time operations.

The Headquarters of the Combined Fleet requested that the air crew personnel of the Fourth Air Squadron be diverted to fill vacancies existing in the First and Second Air Force Squadrons. They also requested that trained aviators with aircraft carrier experience be supplied from the Flying Corps ashore for the Fifth Air Force Squadron, together with the request that an increase in the number of carrier borne planes to estimated war time standards be made.

In order to provide trained personnel from shore flying unit it was necessary to use instructor personnel of Naval Air Corps training units. This created an additional problem since the existing conditions were that, even with the number of flying

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instructors on hand at that time, we were lacking sufficient instructors to meet the demand of training badly needed new pilots. However, because of the insistence of the Commander in Chief this request could not be denied although the central authorities exhibited great reluctance in complying with it since it greatly affected the plan to train an increased number of air crew personnel.

The air crew members mobilized through the above mentioned measures were assembled in the middle of October. Only one month was allowed for their warming up before the date of departure from the home ports for Hawaii in the middle of middle November. This hurried training inevitably restricted the personnel to daylight attack tactics as well as daylight landing and take off practice from the carriers and is responsible for the fact that the air force units conducting the attack against Pearl Harbor had to avoid night operations and take-off after daybreak.

9. The question of extending the radius of action of the aircraft carriers was important. Due to the established Japanese naval policy, our warships were so constructed that their cruising ranges were limited to our own waters and were far shorter than the cruising range of warships of the United States. For that reason, three carriers - namely, the AKAGI, SORYU and HIRYU - out of the six aircraft carriers taking part in the Hawaii Operation did not have sufficient radius of action.

As is well known to all navigators, during the winter a strong northeasterly monsoon ranges over the Northern Pacific Ocean with accompanying rough seas. The serious problem of how to refuel our vessels under these conditions presented itself. After considerable study it was decided to carry fuel even in the double bottom of each vessel and to also load fuel drums in every available space aboard ship. By these extra loadings we felt that the Fleet could operate so as to return near the area of the 160° East Longitude line, even if refueling on the way became impossible.

0. There was another problem involved in the use of aerial torpedoes. Previously, in order to secure dead accuracy in attacking warships with aircraft borne torpedoes, it was necessary not only to open fire at sufficiently close range but also to make certain that the torpedoes did not pass under the target.

To answer these technical requirements, research studies had been started around 1939 relative to the use of aerial torpedoes against ships at sea. However, satisfactory results were not obtained until the Yokosuka Naval Air Corps and the Aeronautical Technical Department discovered that the torpedo could be kept from submerging too deeply in the water by attaching a special balancing instrument. This was in September 1941.

These studies had not been made with the purpose in mind of attacking Pearl Harbor. The shallow waters of that area introduced a new problem which involved the use of an aerial torpedo with even a more shallow water approach than had been studied in past experiments. Thereafter, hurried research and experiments for this purpose were commenced early in October. The work of remodeling the torpedoes and equipping them with new balancing instruments was not completed before the aircraft carriers left port to rendezvous at Hitokappu Bay.

Other witnesses will testify more specifically as to these matters and will deal with the further hurried preparations that took place.

11. The Imperial Navy, with the hope of restoring peace to the Orient as soon as possible, was exerting her efforts for the speedy settlement of the China Incident. With this object in view the 11th Air Force Fleet, consisting of base air force units, had been diverted for operations in China.

However, when war clouds hung low over the Pacific Ocean in early September, the 11th Air Force Fleet was recalled to Japan to practice preparation trainings to cope with new problems.

The operation in China conducted by the above mentioned fleet had been mainly of bombing land targets as well as aerial combat.

Therefore, in order to prepare for operations inherent to the naval air force, the personnel of the Fleet had to be trained anew in such vital tactics as the bombing of mobile vessels, torpedo attacks, scoutings and reconnaissances, aerial navigation, night flying etc. Such trainings were not only important but required considerable time. To acquire necessary standards, even highly experienced fliers were required to endure long hours of renewed rigid training.

It took practically a whole month for the ground crew together with air base equipments to withdraw from China to home bases. On top of that, it required almost another whole month for them to complete various preparations for proceeding to new bases where they were to await orders for next operations. Such being the case the period for the shore based flying units to go through a strenuous preparation training was limited to one month or so. Due to this lack of training various problems arose. The following is a striking example of it:

According to the original plan of the Naval General Staff, the fighter planes assigned to the Philippines operation were to take off from aircraft carriers due to their short cruising radius of action. As a matter of fact, however, there was not sufficient time to be spared for practicing take off from and landing on aircraft carriers. Therefore, in the field forces a special study and training was introduced in order to lessen the rate of fuel consumption of these fighter planes. At the same time the Fleet Headquarters modified the central authorities plan so that fighter planes would load as much fuel as possible and operate directly from land bases in Formosa. In case some planes would be forced to land on the way due to lack of fuel, rescue means were to be made by the Fleet.

As the above fighter planes had to leave Formosa before dawn they had to practice night flying. To meet this requirement the Air Fleet forces were forced to suspend the training of less experienced fliers and concentrate all available time and material

upon the training of experienced fliers. As a result, the inexperienced aircrew members could not fly until the southern area operations reached a definite stage, while on the other hand, the experienced fliers, whose number were naturally limited, became almost exhausted in taking part in continuous operations day after day.

2. The Navy was further unprepared for war as evidenced by the fact that the Air Base Construction Corps was not organized until the probability of war became imminent in November. The Navy Ministry did not consent to the request of the Naval General Staff regarding the draft and organization of the Construction Corps until too late to properly train them. Consequently, conditions were such that this construction corps boarded ship with practically no training just before the outbreak of war. They lacked necessary machinery and other equipment required for hurried construction of air bases and met with innumerable difficulties.

3. The Chief of Naval General Staff issued an Imperial Headquarters Naval Directive Number 5 on 21 November 1941. This directive has been destroyed by fire but has been reconstructed from memory and it read as follows:

"The Commander in Chief of the Combined Fleet shall immediately recall all operating forces under its command and return home if the United States - Japanese negotiations reach an agreement."

Again, when Commander in Chief YAMAMOTO visited Tokyo on 2 December 1941 to say words of farewell, Admiral ITO, now dead but then Deputy Chief of Naval General Staff, told me that Admiral NAGANO verbally instructed YAMAMOTO as follows:

"If the United States - Japanese negotiations become certain of reaching an amicable settlement before the opening of hostilities, all forces under the Combined Fleet will be recalled from deployment to be returned home."

It was also stated in Combined Fleet Order Number 1 that in the event a great change is observed in the situation, Preparedness Status Number 2 may be retracted to Preparedness Status Number 1. "A great change in the situation", though needless to

explain, refers to United States - Japanese negotiations. That "Preparedness Status Number 2 may be retracted to Preparedness Status Number 1" meant the retirement of the Fleet Forces to waiting positions from the operational theaters of opening hostilities to waiting positions as was shown in Fleet Order Number One. Consequently, our naval forces were so arranged that in the event of a great change in the situation, such as an amicable settlement of problems between the United States and Japan, they would be able to return to Preparedness Status Number 1. That is, the Task Force would retire to the waiting position of the evening of December 3rd which was 42° North latitude, 170° West longitude. Preparedness Status Number 2 took effect when the Task Force moved into Hawaiian waters after December 3rd, 1941.

Further, the Combined Fleet Order dated 22 November stipulate that the "Task Force Group shall operate so that immediate recall from deployment be possible if negotiations with the United States reach a settlement."

Paragraph 4 of the Task Force Group Order Number 1, dated 23 November said: "Depending upon circumstances, operations may be suspended in the midst of the trip and this group may be made to return to Hitokappu Bay, Hokkaido or Mutsu Bay area."

14. After the Task Force left Japan, weather forecasts and various information was sent to them from the General Staff. I was chiefly assigned to the drafting of such information. As I recall, it was on the evening of December 6th when Operations Section Chief Captain TOMIOKA spoke to me and said:

"The Task Force Group proceeding toward Hawaii may be under great strain because of its belief that it may be ordered to return at any moment. As the situation stands at present it can be said there is no prospect of negotiations between the United States and Japan reaching an amicable settlement so we had better advise them of this fact."

Therefore, I added this sentence to the telegram I was drafting at this time: "No hope is in sight of United States - Japanese negotiations reaching peaceful settlement."

I later learned from Rear Admiral KUSAKA, then Chief of Staff:

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of the Task Force Group, that they were considerably worried about receiving such a message too late to be effective, and because of the distance involved were alarmed that they may not receive it at all.

15. The submarines participating in the Hawaiian Operation were ordered to refrain from attack until they knew the aerial offensive had been launched. The sole reason for the above order was the possibility of the submerged submarines missing reception of the telegram ordering cessation of operations because of success in the negotiations at the last minute.

16. We did not expect that our operation against Pearl Harbor would be entirely undetected by the United States Forces. Rather, we anticipated that there was a great possibility of being detected at least 30 or 40 minutes before attack. Our submarines were to reach the waters near Hawaii one day before the scheduled attack in order to observe. We thought it to be entirely possible that they might be discovered or detected prior to the air attack. And in fact I later learned that one midget submarine was discovered and sunk one hour before the operation started. We judged that probabilities were roughly 90% that radar equipment had been installed at Hawaii and that, if so, our air force units would surely be detected at least 30 or 40 minutes before arriving over their target. Scouting sea planes were also scheduled to operate in the vicinity of Hawaii approximately 30 minutes ahead of the attacking air units. If the two sea planes should be caught by radar we thought it possible the detection of our planes would be made more than an hour before the opening of our attack. And, if detected by visual means, the attacking attempt would be discovered at least 30 minutes before the attack.

It was always our firm conviction that all necessary diplomatic steps preceding hostilities would be taken by the proper authorities. We fully expected that before hostilities commenced the United States would know a state of war existed with Japan.

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On this 30th day of June, 1947
At Tokyo.

DEPONENT: MIYO, Tatsukichi

I, MIYO, Tatsukichi 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) OKUYAMA, Hachiro (seal)

OATH

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

MIYO, Tatsukichi (seal)