

Pearl Harbor, etc.

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"the Emperor had cautioned us in regard to it, the latter point was important".

Witness was asked "if the diplomatic procedure was so important and the Emperor had specifically cautioned you about it, why was it not arranged so that more notice would be given to the United States". He replied, "From the standpoint of strategy, since it was war, the necessity for victory had to be considered also and the possibility of victory was intimately related to the question of time. I was extremely anxious as to the success of this surprise attack. That also was a grave matter".

P. 8 Witness was asked if he did not agree that the Pearl Harbor attack, made under the circumstances that he now knew of and realized, was not murder rather than warfare. He replied, "No, I don't agree. I think it was legal defense in the face of challenge".

Witness was then asked, "Do you, as a Japanese, feel proud of the fact that several thousand Americans were killed at Pearl Harbor in this manner?" He replied, "No, I am not proud of it".

In connection with the last question and answer, after lunch on the date of this interrogation, the witness stated, "I sympathize with those who died, but Japan had been challenged and so she took justifiable self-defense. The English and American Governments had menaced Japan militarily and economically and they should have had

"a suitable attitude of readiness; furthermore, the attack was against military objectives".

Witness was asked to explain what he meant by "a suitable attitude of readiness". He replied, "Japan was being strangled by economic and military pressure from England and America. They should have realized that it was natural for a country in that position to strike back". Witness was asked if that would justify Japan's "striking back without warning", and he replied, "I think that to strike back in justifiable self-defense is all right, but it was intended to comply with diplomatic procedures, if possible".

P. 10 Witness stated, "Not only Hawaii was to be attacked. Four points were to be surprised simultaneously, that is Hawaii, the Philippines, Malaya and Hongkong".

P. 11 Witness stated that in the Hawaiian attack, a Japanese plane was discovered, but admitted that it was on its way to make the attack at the time.

Witness stated that in his capacity as War Minister, he knew of the four surprise attacks.

On the matter of the delivery of the note and the timing thereof, witness stated, "There were various theories as to the amount of time - an hour and a half, one hour, thirty minutes. I thought there would be at least thirty minutes".

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P. 13 Witness was asked if he did not know of a message being sent by the President of the United States to the Emperor prior to the Pearl Harbor attack, requesting peace between the countries rather than war.

Witness replied that he knew that a message was received by TOGO early on the morning of 8 December, he believed between 12:30 and 1 o'clock A.M.; that TOGO called him by telephone and told him there was a personal message from the President of the United States to the Emperor.

"At that time I felt that everything was proceeding smoothly from the strategic point of view and that the planes would already have left the carriers. That was my reply. Then the Foreign Minister presented it to the Emperor".

20 February 1946, Ser. #79

P. 1 Witness again stated that he thought only a final note was necessary, giving them freedom of action in view of the economic and military challenge from England and America, adding, "I thought that it was particularly suitable".

Witness believes that it was around 7:00 A.M. on 8 December that the Foreign Minister notified Ambassador GREW, as the Foreign Minister arrived late at around 7:30 or 8:00 A.M. for a cabinet meeting.

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P. 2 Witness believes that the Last Liaison Conference was on 30 November 1941.

Witness recalls that the final note was to be delivered by Ambassador NOMURA and that the Foreign Minister was to inform the American and British Ambassadors in Tokyo to the same effect.

Witness stated that the timing of all of this and the notification of GREW and the British Ambassador was the work of the Foreign Minister and his responsibility and was not decided at a Liaison Conference. On P. 3, he puts the Chiefs of Staff as handling the GREW notification with the Foreign Minister.

P. 3 Witness states that the Imperial Rescript was given out at about 11:30 A.M. on 8 December. Does not believe any news was announced before that. It was understood by all that the main line of transmission was to be by NOMURA in Washington.

P. 4 Witness received his first information that the attack had taken place, the word "success" being relayed to him at about 5:00 A.M. while he was sleeping.

The Emperor "repeatedly" told him to be sure the last note was delivered before the Pearl Harbor attack. He presumes the Foreign Minister told him of the decision as to timing.

Witness stated that the Emperor, whom he saw about every other day, warned him many times to be sure that the note was delivered prior to the actual attack.

P. 5 Witness stated that the Emperor was afraid that the note might not be delivered before the actual attack took place.

P. 6 Witness claimed he did not definitely learn that the note had not been delivered until after the attack until the end of the war. He did get the impression from the majority of the reports that came in that the note was not delivered in time. Says same on P. 7 as to intelligence reports coming in.

21 February 1946, Ser. #80

P. 1 - 2 Witness stated he gathered some information that the note may not have been delivered in time, but was not sure. The Foreign Office and intelligence reports were the only sources of information.

Witness stated that he and the Cabinet realized that the shorter the notice given the United States, the more probability there was of a mishap.

Witness could not explain why the message itself was not sent sooner to Ambassador NOMURA in Washington. The orders were given the Foreign Minister to "surely deliver" the note. It was his responsibility.

P. 3 Witness knows that all members of the Cabinet and of the Liaison Conference knew the gist of the last note sent America.

It was explained by the Foreign Minister at the Liaison Conference and all members present agreed with the substance as read to them. The whole text was not read and passed about.

Witness again could not explain why the message was not sent to NOMURA until practically a week later, saying that was the responsibility of the Foreign Minister.

P. 4 Witness said at one time it was his idea to avoid war with America and "to cut our way out of the pressure from England. However, that finally proved impossible since the great fleet was concentrated at Hawaii". To fight both the United States and England was difficult, but could not be avoided.

Witness stated that he knew the Pearl Harbor attack was going to be made and thought that it would be a good thing, if successful. If the Supreme Command was confident of success, he thought it was a good idea. Witness stated that he learned at the Liaison Conference before the last Imperial Conference of the date of the attack.

23 February 1946, Ser. #83

P. 2 The Pearl Harbor attack was planned for 3:00 A.M. December 8th, Japan time, if all went well.

Witness believes that the last message from President ROOSEVELT to the Emperor was delivered to him sometime after 1:00 A.M., December 8th, as the Foreign Minister phoned him the message had come and he assented to its delivery to the Emperor and thinks he got it before the attack.

P. 3 "The final note had to be transmitted. Since this was a matter of legitimate self-defense, we were not bound by the anti-war treaty, but as much as possible we decided to follow diplomatic procedures and see that there were no slips".

P. 4 Witness stated that he was opposed to the withdrawal of Japanese troops in China from the standpoint of the actual situation, while Minister of War.

P. 5 At the 6 September Imperial Conference, it was decided to continue negotiations with America and hope that something might be decided by the middle ten days of October. It was called to decide the question of war or peace and what attitude should be decided upon in either case.

At the 12 October 1941 meeting at KONOYE's home, the witness was there, the Navy Minister, and the Foreign Minister. He is not certain as to whether the President of the Planning Board was there or not. The purpose of the Planning Board was the total mobilization of manpower and materials.

P. 6 Witness stated that his opinion and that of KONOYE differed at this meeting; and the witness felt that the time had come to make up their minds for war and that the longer the decision was delayed, the more disadvantageous it would be for Japan.

The middle ten days of October had arrived, the KONOYE meeting with the President had been turned down and the international situation was becoming more tense all the time.

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25 February 1946, Ser. #62

P. 1 Witness goes into detail as to the views of Premier KONOYE and Foreign Minister TOYODA, on the one hand, why the negotiations with America should continue, and his views, as spokesman for the Army, on the other, why Japan should go to war, all this referring to the discussion at KONOYE's home on 12 October 1941.

Witness states, "Premier KONOYE and the Foreign Minister, TOYODA, were of the opinion that if Japan withdrew troops from China there would be hope for a diplomatic rapprochement with America, but I, as spokesman for the Army, felt that, since some million men had been sent to China and fighting was still going on, a general withdrawal without arriving at an understanding was out of the question. If things were peaceable, there would be no objection, but the practical difficulty was that fighting still continued. The China Incident started because of the illegal acts of the Chinese and the Japanese purpose was to force China to reflect. Unless there were some guarantees that the illegal acts would not be resumed, he could not withdraw. For example, in the Shanghai fighting of 1932, England and America intervened and Japan withdrew her troops, but soon afterwards, China attacked the foreign settlements. This proved that when Japan withdrew troops without guarantees, the same things happened again. Hence, she could not. Also, this would be a withdrawal with

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"the aims of the war still unaccomplished which would not be in keeping with the dignity of the Army, so the whole General Staff as well as the troops abroad were absolutely opposed to such a withdrawal without guarantees. Hence, the opposition of views at that meeting."

P. 3 Witness stated that it was not at the meeting at KONOYE's home but at the later Cabinet meeting on or about 14 October that he stated, in substance, that he and KONOYE were entirely different people, with opposite views and temperaments; that there was no chance of agreement and no use of further discussion. There was a clash of opinions similar to the meeting on the 12th which was the cause of the fall of the third KONOYE Cabinet.

P. 4 It was at the 6 September Imperial Conference that the Emperor read the peace poem.

P. 5 After he became Premier, the views of SUZUKI and MUTO agreed with his.

26 February 1946, Ser. #63

P. 4 Witness was told that his answers to questions given had assisted and would assist us in our investigation and that we were only too glad to let him make such explanations as he desired, but we were also interested, from his own viewpoint, that his answers be complete because of the fact that anything he stated in these

investigations could be used against him, should he be tried on charges based on any of these matters. Witness was then asked, "We are sure that you have realized from the beginning this situation". Witness answered, "Yes. I am very thankful for the way this investigation has been conducted and I am thankful for the efforts you have made to interpret just what I have said.....".

1 March 1946, Ser. #74

P. 5 After the Imperial Conference of 6 September, it was the responsibility of the witness, as War Minister, to give attention to the matter of the readiness for war with the United States or Great Britain, and he did. Before that, the China Incident and the "occupation" of French Indo-China was the main thing.

P. 7 Witness again stated that he knew of the Pearl Harbor surprise attack and the date thereof from the time of the Liaison Conference preceding the last Imperial Conference prior to the war. He stated that he knew about the Malaya, Hong Kong and Philippines land attacks some five or six days before the Liaison Conference met.

P. 8 Witness admitted that he knew of and approved the attacks which were made on Pearl Harbor, Hongkong, Malaya, and the Philippines on or about 8 December 1941.

Witness stated that the Philippines attack, delivered on the 10th, left from Taiwan and probably started two or three days before that.

The Malaya invasion, starting from Saigon, Indo-China, probably took two or three days, the attack being made on the 8th.

The Hongkong attack was also on the 8th, but required only a short time as it was very close.

4 March 1946, Ser. #90

P. 2 Witness was informed that Foreign Minister TOGO had stated that, as Premier, witness had received copies of all important cables. Witness stated that important wires had to be forwarded to him as Premier, but he could not affirm that the Foreign Ministry had sent him all important wires.

P. 3 Witness stated that he believed that in the spring of 1941, Germany wanted to drag Japan into the war, but Ambassador OSHIMA told the Germans that Japan could not enter the war.

P. 3 - 4 Witness recalls that after the German-Russian War began that the Germans, and especially the German Army, wished very much for Japan to enter the war against Russia, but HITLER understood Japan's position.

Germany wanted to get Japan into the war by any means possible.

P. 5 Witness does not recall any time during 1941 when MATSUOKA favored attacking Russia.

P. 6 Premier KONOYE, the Army and Navy, felt very strongly that the Japanese-American talks should be continued during the period that MATSUOKA was Foreign Minister, but he had a very strong opinion which did not agree with that view.

P. 7 MATSUOKA felt that, from the German point of view, talks with America would be regarded as a weakening of the Three-Power Pact and might also be so regarded from the Japanese point of view. The Premier, and Army and Navy felt that even if this did represent some weakening of the Pact, the talks ought to be continued.

MATSUOKA was not opposed to Japanese-American conversations in themselves, but he was, as Foreign Minister, responsible for both the Three-Power Pact and the Japanese-American talks. He had to consider German opinion and, since his opinion was strong in regard to the Japanese-American talks, his views were contrary to those of the Premier, the Army, and the Navy.

Witness stated that he thought this was the main reason for the fall of the second KONOYE Cabinet. (Witness made the same statement on P. 8.)

5 March 1946, Ser. #93

P. 1 Witness stated the Emperor was always a lover of peace; referred to the time he read the poem at the 6 September Imperial

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Conference; gave another example when, at that same conference, the question of war or peace was being discussed and the Emperor called attention to the fact that matters in connection with war preparations were being discussed first and that things were being done backwards.

6 March 1946, Ser. #94

P. 2 By the "Greater East Asia War", witness refers to the war between Japan and England, America, China, and the Dutch.

8 March 1946, Ser. #97

P. 3 Witness recalls telling Marquis KIDO during this period that he favored Japan's seeking oil and raw materials from somewhere because of the economic pressure, but that he did not favor acquisition of territory.

P. 4 Witness stated, "The Imperial Conference of 2 July 1941 was not concerned with war. The central problem of that Imperial Conference was the joint defense of French Indo-China and the stationing of troops in the south on a basis of that".

11 March 1946, Ser. #103

P. 4 Witness stated that after 6 September 1941, "It was decided that both peace preparations and war preparations would be pushed".

P. 5 Witness again stated that preparations of a defensive nature were begun from the time of the 6 September Conference.

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Witness stated that after 6 September 1941, preparations to resist attack by England, America, and Holland were planned. "It was not until after the Imperial Conference of 1 December 1941 that the various surprise attacks were planned. Strategically, Japan was on the defense; tactically, she was on the offense.....the big picture was that of defense. In actual fighting, she attacked".

Witness believes he was the first army officer on active service who had been Premier during twenty-five years.

Witness stated that the Army and Navy Chiefs of Staff received their orders and instructions from the Emperor, as Commander-in-Chief. The Chiefs of Staff prepared orders and asked for the Emperor's assent.

12 March 1946, Ser. #109

P. 1 Witness stated that he was chosen Premier because it was felt that he could control the actions of the army, adding, "from the standpoint of military administration".

P. 2 Witness again stated that one of the reasons for signing the Tripartite Pact was that there was a growing pro-German sentiment in the army. Also Japan, when the Anglo-Japanese alliance was broken, was orphanized like Germany and Italy.

P. 4 Witness stated that after the 6 September Imperial Conference, Japan negotiated for peace on the one hand, and prepared for war on the other, and that he, as Premier, continued that policy.

Witness denied that there was any Imperial Conference on 5 November 1941. He only remembers the ones in July, September, and December.

P. 6 - 7 There was a meeting of Senior Statesmen convened by the Emperor either the last day of November or the first day of December. The Emperor was anxious to hear each man's opinion on the question of war with America. Witness mentions some of those present.

Witness stated that he was there and from time to time spoke, giving the government's view, and he "explained the inevitableness of war".

P. 8 In the morning, he, the Army, Navy, and Foreign Ministers, and President of the Planning Board met with Senior Statesmen and explained the situation to them. In the afternoon, the Emperor heard each man's opinion.

Witness stated that at the last Liaison Conference before 1 December, everyone, including TOGO, was in favor of delivering the final note before the attack, "but the time was the problem".

P. 9 Witness stated that "the decision as to the time was not made at the Liaison Conference. The Supreme Command and the Foreign Minister were to meet together and decide the time which would comply with the diplomatic and also the strategic requirements".

Witness stated that this delegation of authority was decided upon at the same Liaison Conference.

Witness stated he did not learn of the details decided on as to the timing of the delivery of the note and the attack, but it was decided that the Chiefs of Staff and the Foreign Minister would "settle that so as to comply with both the diplomatic and military requirements".

P. 10 Witness admitted that the only language with a definite declaration of war on the United States and Great Britain was the language used in the Imperial Rescript which was announced to Japan and the world at about 11:00 or 11:30 A.M. on 8 December in Japan, the Pearl Harbor attack having occurred at about 3:00 A.M., Japan time.

Witness stated that on 11 December 1941, Japan, Germany, and Italy signed a new treaty and that Article 3 of same provided that Japan, Germany, and Italy, even after a victorious termination of the war "would cooperate most closely for the realization of a righteous New Order as provided for by the Tripartite Pact".

14 March 1946, Ser. #109

P. 5 Witness was asked, "You said yesterday that the civil government could not control the Supreme Command and gave as examples the China Incident and the situation in southern Indo-China. Would you explain how this worked in regard to southern Indo-China in 1941?" Witness replied, "Well, on the one hand, the Japanese-American negotiations were under way. On the other hand, Imperial Headquarters kept moving troops and supplies from Formosa by ship to southern China and into northern Indo-China in order to win. This was something which could give rise to misunderstandings, but, because the movement of troops and military supplies was the sole province of the Supreme Command, the civil government could say nothing. It was a different situation with regard to southern Indo-China. There, the troops were moved in on a basis of the joint defense agreement: since this involved the civil government, it could not be done by the Supreme Command alone. However, troops could be moved from central China into south China and even into the north part of French Indo-China at that time under the proper authority and at the convenience of the Supreme Command. This, of course, refers to the Army; a similar situation existed with regard to the Navy".

15 March 1946, Ser. #113

P. 3 Witness stated that SUZUKI, who was a reserve lieutenant general, was the only head of the Cabinet Planning Board who had been a military man, stating that HOSHINO, who had preceded him, was a civil official.

P. 9 - 10 The Foreign Minister suggested at a Liaison Conference that KURUSU be sent to the United States to help NOMURA and let him know the policy of the new Cabinet.

P. 10 Witness stated that one of the purposes of sending KURUSU to Washington was to inform NOMURA of the exact state of things in Japan.

Witness recalls that he attended a luncheon and spoke with NOMURA and KURUSU on their return to Japan about 20 August 1942, and that he spoke also to them on that occasion.

18 March 1946, Ser. #119

P. 1 - 2 Witness stated that the gist of the last note was approved by the Cabinet; that the final text was the responsibility of the Foreign Minister, as well as his own. Witness added that the Liaison Conference had first approved the gist of the note.

Witness stated that TOGO composed the text of that note from views furnished by the Liaison Conference and that the text, after being written, was presented to and approved by the Liaison Conference.

Witness again stated that the Liaison Conference delegated to the two Chiefs of Staff and the Foreign Minister the task of setting a time for delivery prior to the attack, and stated that the three-man committee did not report back to the Liaison Conference as to what time had been decided on. Witness added, "I am telling you the facts, but the results of those facts are my responsibility".

Witness stated that the three individuals were only given one restriction - that the transmittal of the note should precede the attack.

P. 3 Witness states that the Cabinet did not approve or know of the particular time set for the delivery of the note nor know of or approve of the length of time between the delivery and the attack.

Witness states that he and the Foreign Minister and Navy Minister both knew of the time and the date set for the attack. Witness stated that the President of the Planning Board also knew of it.

P. 4 Witness indicates those whom he recalls were present at the last Liaison Conference before the Imperial Conference of 1 December.

P. 5 Witness stated that undoubtedly the Naval General Staff would liked to have made their attack prior to the delivery of the note.

Witness stated that he could make no excuse for the fact that the results with respect to the delivery of the note were just the opposite from what had been intended, adding, "I am deeply conscious of my responsibility for the delay in the message". The Foreign Office showed "an extreme degree of irresponsibility".

P. 6 Witness stated that it was his judgment and the judgment of all present that the timing of the last note be delegated to the three individuals named.

That the note was not delivered in time was his fault and not the fault of the Chiefs of Staff as he "was the senior member of the Liaison Conference".

Witness stated that the Liaison Conferences began with the second KONOYE Cabinet and grew in importance, and mentioned the "Four-Minister" and "Five-Minister" conferences which preceded and led to them.

19 March 1946, Ser. #119

P. 6 Witness recalls STAMMER coming to Tokyo, as VON RIBBENTROP's representative, to discuss with MATSUOKA prior to the signing of the Tripartite Pact. He stated that he believes that he and the Navy and

Foreign Ministers met a number of times and were informed by the Foreign Minister as to the status of the talks but does not think that the Cabinet was informed.

Witness does not recall what information he received at these meetings, but does know that nothing was said indicating that Japan would not get the cooperation of Germany in setting up a New Order in East Asia.

20 March 1946, Ser. #119

P. 2 Witness stated that Japan felt the Tripartite Pact would assist in settling the China Incident.

Witness stated that Japan felt if Germany and Italy tried to realize "their principles and aims in Europe", Japan would not be affected.

P. 3 Witness admitted that in 1940, nations with Nazi-Fascist ideas were fighting nations with opposite views, adding, "Nations don't fight unless they have opposite views".

Witness admitted that the second KONOYE Cabinet, a few months prior to the signing of the Three-Power Pact, had taken steps "to adopt a new political structure".

P. 3 - 4 When asked if Prince KONOYE, in inaugurating the Imperial Rule Assistance Association, did not state, "At home we must establish the New Order as well as establish a New Order in East

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"Asia and the world", added, "Yes, from the tone of it, I think perhaps he did say it at that time".

25 March 1946, Ser. #146

P. 4 Witness was asked why a declaration of war was not given to the United States and Great Britain, as provided in the Hague Convention. He replied that this was a defensive war for Japan; that there were two ways of opening hostilities, one by a declaration of war, and the other by an ultimatum. Witness states that Japan took the second step, that is, by giving an ultimatum, and that the declaration of war followed immediately after the outbreak of hostilities.

26 March 1946, Ser. #141

P. 3 Witness was asked if the final note, delivered to Secretary of State HULL on 7 December 1941, contained either a declaration of war or an ultimatum with conditional declaration of war, as provided in the Hague Convention, to which witness replied that it contained "the implication of a break in diplomatic relations.... Whether that implication of a break in diplomatic relations constituted a conditional declaration of war or not is a controversial matter. I thought that, since this was the heavy responsibility of the Foreign Minister who had under him a treaty bureau, the treaties

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would be fully complied with. But I think that when the right of self-defense is invoked, treaties can be taken with reservations".

EXHIBIT NO. 12

EXHIBIT NO. 12

Investigation by _____

JOHN W. FROST

Printed by _____

JOHN W. FROST

GENERAL HIDEKI TOJO

GENERAL HIDEKI TOJO

Case File 20

(Evidential Facts Adduced From His Interrogations)

1. The provisions of international law with respect to the treatment of prisoners of war are known to all members of the military and naval forces of the United States, the Government of the United States, and the Government of the United Kingdom.

2. The provisions of international law with respect to the treatment of prisoners of war are known to all members of the military and naval forces of the United States, the Government of the United States, and the Government of the United Kingdom.

3. The provisions of international law with respect to the treatment of prisoners of war are known to all members of the military and naval forces of the United States, the Government of the United States, and the Government of the United Kingdom.

VIOLATIONS AS TO TREATMENT OF PRISONERS OF WAR

Witness stated that from 7 December 1941 on, he was familiar with the provisions of the Hague and Geneva Conventions with respect to treatment of prisoners of war, and, as Premier and War Minister, believed that these provisions applied to Japan and should be followed by her in the war.

Witness stated that there were other recognized rules of conduct of war as embodied by civilized nations which Japan should and would follow.

Interrogation by: John W. Fihelly

Briefed by: John W. Fihelly

VIOLATIONS AS TO TREATMENT OF PRISONERS OF WAR

25 March 1946, Ser. #146

P. 1 Witness stated that as Minister of War from 7 December 1941, on, he was responsible for the treatment received by American and British prisoners of war.

P. 2 The principles of International Law with respect to the treatment of prisoners are taught to all students of the Military Staff College and at the Military Academy. The Prisoner of War Bureau was set up immediately after the outbreak of the World War.

P. 3 There have been no organizations set up to deal with Chinese prisoners during the China Incident.

Witness stated that from 7 December 1941 on, he was familiar with the provisions of the Hague and Geneva Conventions with respect to treatment of prisoners of war, and, as Premier and War Minister, believed that those provisions applied to Japan and should be followed by her in the war.

P. 3 - 4 Witness stated that there were other recognized rules and customs of war as conducted by civilized nations which Japan should and would follow.

P. 4 Witness stated that, as Premier and War Minister, he felt Japan was bound by the Hague and Geneva Conventions with respect to treatment of prisoners of war, and was also bound by the rules

and customs of civilized nations with respect to treating prisoners of war humanely.

P. 5 Witness stated that the only complaints that ever came to his notice were in connection with food, etc. "Atrocities were not brought to my notice at all".

Witness stated, however, that, as Minister of War during this period when atrocities were committed, he was responsible for their commission.

Witness stated that he was under the impression that army commanders in the field who were responsible for the treatment of prisoners understood what was required of them in this connection.

Witness stated that from 7 December 1941, on, he was aware of the fact that the United States and Great Britain, through friendly nations, had warned the Japanese Government that Japanese officials and the government would be held responsible for violations of the rules of war with respect to the treatment of prisoners of war. Witness added that if the atrocities he had heard were true, then "treaties have been violated".

P. 5 - 6 Witness stated that he was aware that complaints had been made through friendly nations on behalf of the United States and Great Britain in connection with the various conventions and rules of war, in connection with the mistreatment of prisoners of war. Witness stated that he thought these matters came through

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the Prisoner of War Information Bureau, and that such matters would first come to the Foreign Ministry and then be routed to the Minister of War's office.

P. 6 Witness could not recall how many of these complaints had been received, and stated they were passed on to the various army commanders through the Prisoner of War Information Bureau.

P. 6 - 7 Witness stated that when the complaints had been sent on to the field commanders, no replies would be received unless it was in connection with something that required investigation.

P. 7 The Chief of the Prisoner of War Bureau, under witness's orders, was constantly making investigations of these matters.

These various complaints were taken up at the bi-weekly Bureau meetings.

Witness stated that requests for investigations were usually sent by telegram to the people concerned and that this was the nature and extent of the investigations made by the head of the Prison Bureau on these complaints.

P. 7 - 8 Witness also stated that these complaints were usually presented at the meetings of the Chiefs of Staff and Military Administration Chiefs held two or three times a year, unless the matter was of grave importance.

P. 8 Witness was asked if he ever made any personal investigation at the scene of the alleged mistreatment of prisoners. He replied

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that he once ordered a court martial in connection with a case of mistreatment during the building of the Burma-Thai Railway.

Witness continued that he himself had heard rumors of mistreatment of prisoners of war at Bataan and, when he was in the Philippines, he inquired of the Chief of Staff, who informed him that the "March" was due to the lack of transportation, and there were no cases of atrocities. He stated that the approximate time of his visit was 5 May 1943.

P. 9 He believes that the "March" itself took place in early 1942, and that these rumors came to his notice late in 1942 or early in 1943, and that he heard them in Tokyo. The rumors were to the effect that prisoners from Corregidor and Bataan had been mistreated, that they had been made to walk long distances in the heat, and that deaths due to mistreatment were usually referred to as death by sickness.

P. 9 - 10 Witness stated that the rumors did not mention the condition of the men who were forced to march.

P. 10 Witness again stated that all deaths were ascribed to sickness.

Witness stated he had not heard how many individuals had died in the "March", and that the rumors only stated that the prisoners were marched long distances in the heat.

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Witness believes that he heard of these rumors two or three months before the date he discussed them with the Chief of Staff in the Philippines.

P. 10 - 11 Witness was unable to state the amount of time he had spent discussing them with the Chief of Staff.

P. 11 Witness unable to remember definitely whether a complaint had been received from the American Government through a friendly nation on this matter, but perhaps one was received.

P. 12 Witness has no personal knowledge that this matter had ever been taken up any other time with the Chief of Staff in the Philippines.

P. 13 Witness stated that General HOMMA was responsible for the "March" and that HOMMA had returned to Japan. Witness stated that he did not meet him when he returned to Japan and did not remember when he returned to Japan.

Witness, however, stated that he was aware of the fact that General HOMMA was in Japan during the period that he came there.

Witness stated that HOMMA may have reported at the War Office, but he did not meet him.

P. 13 - 14 Witness does not recall, or know of any one else having discussed the Bataan March with General HOMMA when he returned to Japan.

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P. 1 Witness stated that since the end of the war he had read about the inhumane acts committed by Japanese army and navy personnel, and stated, "We did not even suspect that such things had happened".

Witness stated that the treatment of prisoners is the responsibility of various army commanders, and therefore, he relied upon them to follow the terms of international treaties and the rules of war, but that as he was the supervisor of military administration, he was completely responsible.

P. 2 Witness stated that in Japanese families where the educational standard is low, slapping is used as a means of training, and that, although forbidden in the Japanese army and navy, it continues in fact because of the influence of the customs of the people, and that he does not think it is a crime.

P. 2 - 3 Witness made a correction in connection with the statement of the day before that he had not met General HOMMA, and stated that when an army commander comes back to Japan during the war, he would make a report to the Emperor, and on such occasions he would be accompanied by the War Minister and Chief of Staff; that it may be that he met General HOMMA on such an occasion because he was an army commander.

P. 4 - 5 Witness again stated that it was the intention of the Japanese government and his intention to follow the rules of the various international conventions with respect to the treatment of prisoners of war, and stated, "The fact that these things happened is very much to be regretted. The responsibility for them is mine".

P. 5 Witness was asked how he could contend that he did not know of these atrocities and inhumane treatment of prisoners when numerous written and detailed complaints had been made to his Foreign Office through the Swiss and other governments. The witness stated that the matter of the responsibility for humane considerations and the following of treaty provisions was the responsibility of the various commanders, whom he believed had followed them, adding, "That is my answer".

Witness again stated that when a protest came in, it would be forwarded to the responsible army commander involved for action, which he thought was taken; that he could not tell whether the protest was appropriate or not, and that he presumed investigations were made, followed by courts martial or other action.

The witness stated that he thought such action had been taken by the commanding officers, because the complaints had gone to them and they were the responsible parties, and that it was only his speculation that such action was taken.

Prisoners of War

Case File 20

P. 6 Witness stated that if he did see General HOMMA in Japan prior to his discussing the Bataan March with the Chief of Staff in the Philippines, that he did not discuss that same matter with HOMMA.

Witness stated that although the War Ministry received copies of these complaints with respect to the treatment of prisoners received by the Foreign Office, none of these copies of the complaints ever reached the Emperor nor was he informed of them in any way.

P. 6 - 7 The witness stated that he handled this matter on his own responsibility, and that he thought it was all right to handle these matters in that way; that the Emperor was not responsible, but the witness alone for these matters.

27 March 1946, Ser. #145

P. 3 Witness stated that the purpose of his visit to the Philippines that he has referred to was not in connection with discussing the Bataan March, but he went there in connection with the independence of the Philippines, which occurred on 14 October 1943; the visit related to matters concerning the independence of the islands, and he desired to talk to important Filipinos in connection with those matters.

Witness stated that he was in the Philippine Islands three days at this time.

Prisoners of War

Case File 20

P. 4 Witness stated that he was in the Philippine Islands twice during the war.

He stated that he arrived in Thai on 4 July 1943, and thinks he stayed there three days. On the way back he spent two or three days in Malaya, one night in Sumatra, one night in Java, one night in Manila and then came back by plane via Formosa to Japan.

Witness again mentioned the brief manner of questioning the Chief of Staff in connection with the Bataan March and his brief reply.

P. 5 The Chief of Staff did tell him that the prisoners had walked this long distance. He did not find out how far it was from Bataan to San Fernando, nor the length of the march.

He did not learn how many men fell out during the "March", but got the impression that the responsible commander did what he could under the circumstances then prevailing.

P. 6 During his two visits to the Philippines, he did not visit Camp O'Donnell or any other prison camp, and only visited one camp, Omori Prison Camp, here in Japan.

P. 6 - 7 During the two visits to the Philippines, he did not visit any camp where civilians were interned, but thinks he did visit one camp for civilians in Malaya, but is not sure about it.

Prisoners of War

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During neither of the visits to the Philippines did he look into or inspect the treatment that wounded American soldiers and Filipinos were receiving.

He did visit one hospital where Japanese wounded were, and went there for that purpose, but does not know whether there were any Americans or Filipinos convalescing there.

During his visits to Thai and Formosa he did not visit any prison camps at which American and British prisoners were interned.

28 March 1946, Ser. #148-A

P. 1 Witness thinks that the International Red Cross and Switzerland each inquired of the Japanese government as to whether or not they would follow international law and the rules of war.

He stated that within a month of the start of the war on the basis of international treaties, the present War Information Bureau was set up, and believes that all work dealing with military prisoners was handled by that Bureau.

P. 2 The number and locations of prison camps were fixed by the Minister of War. Regulations and orders with respect to the prisoners were made or approved by the Minister of War.

P. 2 - 3 Certain clerical work with respect to the prisoners was done in Tokyo, but the actual handling of prisoners in the field

was performed by the heads of the prison camps under the regulations and orders received from the War Ministry.

P. 3 The army commanders could issue further orders on the basis of those issued by the War Minister, but they would have to be consistent in principle with the orders issued by that Ministry.

The clerical work in connection with the prisoners was done in Tokyo by the Military Affairs Bureau.

The rules as to prisoners were the result of conferences between the Chief of the Military Affairs Bureau and the General Staff.

The head of the Military Affairs Bureau was a member of the War Department, of course.

P. 5 On neither of the occasions when he was in the Philippines did he ever talk to any of General HOMMA's officers or men in connection with the Bataan March.

P. 6 Neither did he talk to anyone else about it other than the Chief of Staff.

Witness stated he had not heard prior to going to the Philippines that Filipino troops and civilians had been abused and had received inhumane treatment from Japanese troops.

P. 7 Regardless of whether a protest had been made by the American Government in connection with the Bataan March (the witness

Prisoners of War

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does not recall whether one was made or not) he thought, after talking to the Chief of Staff, that the responsible army commander "couldn't help it".

Witness had not heard that in the early months of the war at Camp O'Donnell in the Philippines many thousand Filipinos and some 2,200 Americans died as a result of the treatment they received and the conditions under which they lived as prisoners.

P. 8 Witness was again asked if he acquainted himself with the nature and contents of the various complaints which came from the Foreign Office and were forwarded into his office in connection with the mistreatment of prisoners and civilians. He replied that those matters were usually brought up at the meeting of the Bureau chiefs of the War Department, these meetings being held twice a week. Either the Chief of the Prisoner of War Information Bureau or the Military Affairs Bureau would bring them up. They were referred by the bureau chief meetings to the commander in the field, who had authority to act. If there was inhumane treatment, he would take measures accordingly, and the report would probably come back to the witness as War Minister.

29 March 1946, Ser. #148-B

P. 1 Witness stated that he was responsible for the rules and orders and the action taken which led to the sentences of execution

Prisoners of War

Case File 20

and imprisonment of all American flyers since 7 December 1941.

Witness stated that the raid of 18 October 1942 was contrary to international law, that it was against not troops, but non-combatants, primary school students, etc.

P. 1 - 2 Witness added that this was the first time Japan had been bombed, that it was a great shock and public feeling ran very high.

P. 2 - Witness stated that the extreme punishments meted out to these first flyers were merely given as a deterrent to prevent future raids.

Witness stated that the Army Chief of Staff came to him directly and demanded severe punishment for the flyers.

Witness said he then issued the order in question; that he is not certain whether the order was issued over his name or by Imperial Headquarters, but no matter who issued it, he was responsible for it.

P. 3 After the trials were held, eight men were ordered to be executed. The Chief of Staff came to him and demanded that the findings of the court be carried out. Witness stated that he knew of the Emperor's benevolence, and knew that he only wished to have a minimum number of men executed. He stated that it was decided that only the three who had killed primary school students would receive the death penalty. This matter was discussed with the Emperor, and

it was decided, on the witness's recommendation, that the execution be carried out on only three of the flyers.

P. 3 - 4 Witness stated that the order or law promulgated by him was promulgated after the raid had taken place, and made retroactive to the date of the raid; that it was an ex post facto law.

P. 5 This order with respect to the American and other flyers continued in force during his entire regime, as he recalls it.

P. 6 The heads of the various prison camps had to make a monthly report to the Military Bureau with respect to the prisoners under their care as to food, health, labor, etc. This was a matter of regulations and a routine matter.

Those reports were consolidated and sent to the War Minister, and witness stated that he paid particular attention to the matter of the death rate from malnutrition and other causes shown by these reports, which were "probably reported on at the meetings of the Bureau Chiefs which took place twice weekly".

P. 7 Witness stated that these matters were talked about at these meetings and as a result, one day he went to Omori Camp without any previous warning, and went to the kitchen to inspect, and on that day found that the prisoners were having pork, and everything seemed all right.

That prison camp is right here in Japan. He does not know whether there had been any high death rate at that particular prison,

Prisoners of War

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but that he went there as a result of general reports he had heard on prisons, to make the inspection.

Witness made no inquiry or finding as to when the prison had fed pork to prisoners before that particular date.

STATEMENTS INDICATING THEORY OF DEFENSE

GENERAL HIDEKI TOJO

Case File 20

22 November 1944, Area 123

2.2.1 (Evidential Facts Adduced From His Interrogations) regard-
ing the surprise attack when there is an opportunity. I should like
to speak of it from the political point of view and from the military
point of view.

First, from the political point of view. There was a
limit to what could be endured by Japan. At the 77th Diet session
on 27 November, I think it was, Article 1, as Premier, and the Foreign
Minister spoke and explained what that limit was. The speeches were
broadcast and appeared in all the papers - in the American press, too.
On the 28th of November, a new proposal was sent to America.

America's answer to that was received on the 28th of November. In
that reply, Japan's claims were not recognized. This answer posed
three difficult problems, to wit: (1) the complete withdrawal of
Japanese troops from China; (2) the non-recognition of the Wang
Kang government; (3) a demand amounting to Japan's receding from
the Three-Power Pact. Likewise, by the President 28th note, were only

Interrogation by: John W. Fihelly

Briefed by: John W. Fihelly

You mentioned a while ago that diplomatic dispatches between the
Japanese Government and the Japanese Ambassador were being intercepted

STATEMENTS INDICATING THEORY OF DEFENSE19 February 1946, Ser. #73

P. 9 - 10 Witness stated, "I would like to speak further regarding the surprise attack when there is an opportunity. I should like to speak of it from the political point of view and from the military point of view.

"First, from the political point of view: There was a limit to what could be endured by Japan. At the 77th Diet Session on 17 November, I think it was, both I, as Premier, and the Foreign Minister spoke and explained what that limit was. The speeches were broadcast and appeared in all the papers - in the American press, too. On the 20th of November, a new proposal was sent to America. America's answer to that was received on the 26th of November. In that reply, Japan's claims were not recognized. This answer posed three difficult problems, to wit: (1) the complete withdrawal of Japanese troops from China; (2) the non-recognition of the Nanking WANG government; (3) a demand amounting to Japan's seceding from the Three-Power Pact. America, by the November 26th note, not only would not accede to Japan's demands, but posed three difficult new problems. It was clear that Japan could not accept these demands. You mentioned a while back that diplomatic dispatches between the Japanese Government and the Japanese Ambassador were being intercepted

"and read; hence, I suppose even now that, although the final note was not formally delivered before the attack, the American Government knew of it by this means. Those points are from the political point of view.

"Now, I wish to talk from the military point of view: From the military point of view, Japan was surrounded by the A-B-C-D Powers and the execution of a surprise attack was very difficult. Surprise depends not only on planning and execution - that is only one part of it. The other part is the enemy's negligence. Not only Hawaii was to be attacked: four points were to be surprised simultaneously, that is, Hawaii, the Philippines, Malaya, and Hongkong. If one were discovered, there would be no surprise, but in fact, two of the four attacks were discovered prior to their delivery. The attack on Hawaii was discovered on the morning of the 8th by an American plane; on the 6th, a Japanese convoy was discovered off the coast of Malaya. At that time I thought that the success of the surprise attacks was very unlikely. Due to the situation at that time, I thought that there would be patrols off Hawaii. Nevertheless, the big fleet, including carriers, had to be proceeding for many days where it was certainly possible that it might have been discovered. Since the end of the war, I have learned that the American military authorities concerned had ordered a strict military

"alert. I think that was very appropriate. Those are my thoughts on the military aspects of the surprise attack. The attack was a success, partly because American precautions were insufficient."

26 February 1946, Ser. #63

P. 1 Following is a transcript of the interrogation of witness on this date:

"Q Yesterday I think there was something which you wished to add to your answer to the last question. The last question, as I remember, was: How early in 1941 did Japan begin investigations as to her readiness for war with the United States?

"A What I had in mind yesterday were two other matters which I wished to talk about. In regard to this question, as I explained yesterday, the war was decided upon at the Imperial Conference of December 1st. Before that, Japan was not prepared and I gave you the facts about that yesterday. It was considered that, although Japan was not prepared, she had been challenged and had to fight, no matter what the state of her preparedness was.

"Q You mention that you had two other matters on which you wished to speak. Would you like to talk about those now?

"A The first matter is this: that Japan was exercising the right of justifiable self-defense in the face of challenge. I would like to give some facts about that. In the first place, before

"the outbreak of the war with America, Japan had been fighting with China for more than four years and her strength was not sufficient to warrant taking on powerful new enemies.

"Again, Japan's peaceful commerce with North and South America and the South Seas was being restricted as the result of the European war.

P. 2

"Moreover, commerce with the continent and the South Seas, if interrupted even for a month, would have an effect on Japan's existence. This is explained very well in an article by General KURŌZĀ /phon/ in the 'Japan Advertiser' for August 1921. This was just before the Washington Conference. I would like to give you the main points of that article, which are as follows:

"Japan is absolutely dependent on the continent for foodstuffs and raw materials. Japan's dependence on the continent is definite and she cannot permit even temporary interference with it. In peace time, Japan sells her products, and especially manufactured goods, to the continent and gets necessary goods therefrom in return. If this peaceful trade is maintained, no problems will arise. The continued flow of products from the continent is a requisite for the economic life of Japan. She cannot permit even its temporary

"suspension. If suspended for a month, it would lead to great suffering and calamity. Hence, the demands on the neighboring countries of Asia which will enable Japan to maintain her economic life are certainly not unreasonable, nor are they contrary to international relations. In this respect, they are not unlike relations between the United States and Mexico. That is to say, they are important, but with this difference - that they are a matter of life or death to Japan.

"This article reveals very well Japan's feelings in regard to the continent of China. This article was written in 1921. Today it is many times more necessary. That is the end of the first matter, that is to say, the condition in Japan prior to the war.

"Now I would like to speak upon the second matter - the economic threat from England and America and the aid to China.

"The first point is this: In 1939, America denounced the Japanese-American Treaty of Commerce. Even before that, Japanese-American trade had become very difficult. Japan's economy was, to a large extent, dependent upon America. As I just said, trade became more difficult and things like oil and

P. 3

"scrap iron had ceased to come in. After the denunciation of the Treaty of Commerce, this became much more severe. Japan had two possibilities, one to buy from Central and South America; the other, to get raw materials from the South Seas, including the Netherlands East Indies.

"The second point: Japan had to trade with the Netherlands East Indies and with this intent, she negotiated for many months during 1941. However, the negotiations were broken off on June 17, 1941, the Netherlands East Indies having shown an hostile attitude.

"Point three: On 25 July 1941, England and America froze Japanese assets. This was the spearhead of an economic blockade. Hence, because of the reasons I have quoted a moment ago - reasons of her existence - Japan was in extreme danger. Japan was not in a state of war with America and England, yet this economic blockade was an hostile action not comparing unfavorably with war itself. The Japanese regarded this being driven into a tight corner as an unjust action.

"Point four: On October 24, 1941, on U. S. Navy Day, President ROOSEVELT made a broadcast in which he predicted the continuance of American aid to China and said that the power of America, Britain, China and the Dutch was continuing to increase.

"On 3 October, according to the newspapers, a conference of British and American leaders was held in Manila. At this conference, an exchange of expert views took place on various Pacific problems of world importance. Also, the strategic situation was scrutinized. The following subjects were investigated:

- "a. The problem of joint Anglo-American aid via the Burma Road.
- b. Plans for joint operations between the English forces, which were being increased in the Burma area, and the Chungking forces in Southwest China.
- g. The increase of joint Anglo-American operations in the Pacific, especially joint air force operations.

P. 4

"Point five: Moreover, Brigadier General GURŪTĀ /phon/ who had been a member of the American Military Mission at Hongkong, said on October 9 just before leaving Hongkong for Chungking: 'Our purpose in coming to China was to aid Chungking to continue fighting. From now on we will visit various places in order to bring this about, using Chungking as our headquarters. Needless to say, we will visit Rangoon also and apply every effort to increasing the transport capacity of the Burma Road for handling armaments and military supplies'.

"I should like to make some concluding remarks on these last points relative to aid to China. The first point is the fact that arms and military supplies were being furnished to China by England and America. The second point is that continued Chinese resistance was being encouraged. The third point is that England and China were engaged in military cooperation. The fourth point is that American and British troops on active duty were going to China and participating in help to that country.

"The first matter then, summarizing all the things I have said today, is that Japan was being strangled economically. I would like to continue my explanation tomorrow, especially with regard to the military menace. These things are terribly important and, particularly from the point of view of responsibility, I feel that you must hear them.

"Q Your answers to questions which we have asked you have assisted and will assist us in our investigation. We are only too glad to let you make such explanations as you desire. As you realize, not only will these assist us in our investigation but, should you be tried in connection with these matters, the answers made to these questions could be used against you, so we wish and have wished to give you the opportunity to make full answers in this

"investigation. We are sure that you have realized from the beginning this situation.

"A Yes. I am very thankful for the way this investigation has been conducted and I am thankful for the efforts you have made to interpret just what I have said. I realize that this trial will, of course, be a trial of me as an individual, but it is not only such - it is also a trial through me of the actions taken by the Empire. It is also a trial of the righteousness or unrighteousness of those actions. In this connection, my responsibility is very great since I had important relations in these matters. I also hope that the feelings and thoughts and outcries of the Asiatics will be heard at the trial for this will have an important relationship to the maintenance of peace in the future. I feel that these matters are important and not just an excuse. That is the way I feel."

27 February 1946, Ser. #84

Following is a transcript of the interrogation of the witness on this date:

P. 1

"Q You said yesterday that you would like to continue with your statement.

"A Yesterday, I spoke about the economic menace and today, I should like to speak about the military menace. I have spoken before about this military menace in response to your questions and in connection with Japan's being challenged, but there is a connection between the economic menace and the military menace and so I would like to add to what I have said.

"This is the third matter. The first matter was the condition of Japan prior to the war; the second was the economic menace.

"This is the third matter, the military menace.

"Paragraph I is the increase of strength of America, Britain, China and the Dutch encircling Japan.

"Point A. President ROOSEVELT, on 24 October 1941, as I explained, broadcast that America, Britain, China, and the Dutch were steadily increasing the encircling strength. Thus, the President showed clearly his intention of increasing this power.

P. 2

"Point B, as I explained yesterday, refers to the fact of the Manila and Hongkong conferences.

"Point C is that the main strength of the American Fleet, including the Atlantic Fleet, was concentrated in the Pacific and based at Hawaii.

"Q How early do you understand that was done?

"A This was just before the war. The concentration of the American Fleet at Hawaii seemed to the Japanese like having the fleet placed right under their very nose. To explain what I mean - a great fleet like that, so concentrated, could be moved by a single order at any time, since naval power is not limited as to its movements in the way that land power is.

"Point D is the boastful talk of the American admiral who said that if a Japanese-American war were to break out, the Japanese Fleet would be sunk in a matter of weeks.

"Point E is, as I have said before, the statement of the British Premier that if war occurred between Japan and America, Britain was prepared to enter within twenty-four hours. On the basis of these five points, I am able to state the following: Japan was being coerced by a circle of force directed against her by America, Britain, China, and the Dutch.

"Paragraph II. Related to the above fact was the keeping of a large mobile military force at Hawaii where it could strike at any moment against Japan. Such was the situation then. As I explained yesterday, Japan was being threatened on the one hand with economic strangulation; here, on the other hand, was a similar military threat.

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"The fourth matter is the last stage of the negotiations between Japan and America. I have spoken of economic oppression and the corresponding military oppression. In the end, Japan could be strangled at any time America wished. If Japan were strangled, the result would be fatal and yet her strangulation or non-strangulation was a matter of the desires of America and England. Hence, Japan proposed a meeting between Prince KONOYE and the President. This was refused. The American reply to the Japanese proposal of 20 November 1941 came on 26 November. For the 20 November proposals, Japan had gone from concession to concession. Nevertheless, the American reply of the 26th not only did not accept Japanese proposals but, in addition, raised new and difficult problems. That America knew that Japan could not accept this reply is proved by the statement of Secretary HULL before the Pearl Harbor Investigation Committee. Secretary HULL stated, on 23 November 1945: 'We knew by means of intercepted messages that the Japanese plan of 20 November was a final note, and we knew that the chances of Japan's accepting the American reply of the 26th were very slight'. I think this last point is very important. It is also proved by the following statement which is part of the Army report to the Pearl Harbor

"Investigation Committee and which appeared in the newspapers on 3 September 1945: 'On 25 November, MARSHALL and STARK made representations /for the purpose of/ softening the reply to Japan, but on 26 November a reply amounting to a final note was delivered to Japan'. Another quotation from the same report is as follows: 'On 29 November, HULL said to the British Ambassador, "The problem has already passed into the hands of the Army and Navy"'. "

"All the above has been in the nature of a foundation. Now I should like to make some observations.

"1. Japan was very weary from the war with China which has lasted for four and one-half years. England and America were encouraging the Chinese to continue resistance.

"2. The economic blockade was cutting Japan's life-line.

"3. The American, British, Chinese, Dutch military encirclement of Japan was increasing in strength and, with the fleet concentrated at Hawaii, Japan's fate could be decided at any time.

"4. By injecting difficult problems into the Japanese-American diplomatic negotiations, Japan was driven inevitably into war. Those are the four points. For

"these reasons, Japan considered herself challenged and, hence, she considered it justifiable self-defense but she, nevertheless, complied fully with diplomatic procedures in the form of a final note. That is all I have to say about the question of justifiable self-defense. That was the first of the two big subjects on which I wished to speak.

"The second one is the basic causes of the disturbances in the Far East. This will be organized in seven sections, which are as follows:

- I. The gist.
- II. The special character of the East Asiatic peoples.
- III. The penetration of Asia by America, and especially by the European Powers.
- IV. The consciousness of the East Asiatic peoples and their cherished desire to live.
- V. Relations between Japan and the continent.
- VI. Past international conferences regarding East Asia.
- VII. Conclusion.

"I. The gist.
"As I have explained before, the direct cause of the war was the threat to Japan's existence. She exercised the right of self-defense and, hence, this was justifiable self-defense. There are three basic causes of the disturbances in the Far East, to wit: (A) the great Powers of Europe have, for some centuries, invaded East Asia, subjected the Asiatic

Defense Theory

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"peoples, accorded them discriminatory treatment, and carried out policies of exploitation; (B) the effort for East Asiatic stabilization centered on the right to live, especially the suffering of Japan which was the central Power; (C) hitherto, national conferences affecting Far Eastern problems have not succeeded in solving these problems in conformity with the feelings of the East Asiatic people. I think these three points are basic."

28 February 1946, Ser. #66

Following is a transcript of the interrogation of the witness on this date:

"Q I believe you wished to continue your statement. You may begin now.

"A Hence, the conclusion is that peace in the Orient could not be expected. I think that this point is very important from the standpoint of world peace also, and I think that the outcries of the races of Asia should be heard at this trial and a broad view taken. The trials can then furnish a basis for lasting peace in the Far East.

"II. Special Characteristics of the Asiatic Peoples.

"I believe that when God created mankind on the earth, he also, at the same time, gave them the right and freedom to live.

"When this right to live is threatened, quarrels begin and peace is disturbed. The races of East Asia have lived for ages in East Asia. Divine Providence has set its mark by skin color. By the pigmentation of their skin, God shows that the Oriental people have lived since ancient times in the Orient. The Oriental peoples have formed states on the Chinese continent for ages past. They have lived peaceful lives for ages past. They have had Oriental culture which is different from the culture of Europe and America. Their religion is one of the three great world religions, namely, Buddhism. They possess unlimited natural resources and populations. Moreover, this population has increased greatly from year to year. These, I believe, are the special characteristics of East Asiatic peoples.

"III. The Penetration of Asia by American, and especially by the European Powers.

"A. The things I am going to say now are clear, even without a reading of history. Europe and America, especially the great countries of Europe, have, for many centuries, especially for the last one hundred years, encroached on Asia, and particularly on China. For example, England in 1942 took Hongkong; in about 1888, Britain pushed across from India and Burma into

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"Tibet. Again, British power pushed up the banks of the Yang-tsze River; Portugal took Macoa; France took Tongking and Cochin China, and pushed up toward Yunnan; Germany penetrated Shantung Province from her base at Tsingtao; Russia advanced from Siberia into Manchuria and Mongolia. At this time America was behind, but in 1842 she recognized the independence of Hawaii. According to my memory, the annexation of Hawaii was concluded in 1893. In 1894, according to my recollection, America set up a Republican government in Hawaii. In 1897, according to my recollection, the treaty of annexation was signed. Thus America annexed Hawaii. The Philippines were first taken by Spain and later became the property of the United States. These are only the main points of this oppression. Up until one hundred years ago, during the commercial era, there was no particular difficulty, but after the Opium War in 1840 and the Japan-China War of 1894, the actual situation in China was revealed. After that, political considerations replaced economic ones and a struggle for concessions and spheres of influence ensued. Hence, there was a change from one era to another, examples of which I have just given you. The people of East Asia have never heard that such encroachment took place on the continent of Europe or America. They have never even dreamed of such things.

"B. There was little stimulus to go into undeveloped areas, such as New Guinea and others, but a great deal to go into areas with culture and large population. It is also clear, even without the study of history, that areas in East Asia have been subjected, either in the form of territories, foreign settlements, protectorates or leased territories. This is a fact. It is very clear, even without the study of history, that from the national point of view, this was a question of absentee landlordism. This is the way the East Asiatics viewed it.

"C. In the world at large, there is of course racial discrimination. That can be borne, but in fact, there has been racial discrimination even in East Asia against the Asiatics themselves. These points that I have just made are all things that are evident, even without a study of history.

"IV. The Consciousness of the East Asiatic Peoples and Their Cherished Desire to Live.

"A. Particularly among continental peoples with a high degree of culture, such as the Chinese, Japanese, and Thai peoples, there arose, as the result of this stimulation, a self-awakening and, in some cases, the feeling of opposition. This self awakening was both good and bad. The peoples of East

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"Asia were enlightened by European culture. Men with intelligence began to think, 'I am an East Asiatic, I am a Chinese, I am a Japanese, and so forth', and, in some cases, began to harbor antipathies. Examples of this feeling of antipathy may be seen in the Opium War of 1840, the French War against the Ch'ing Dynasty in 1894, the Boxer Rebellion of 1900, the persecution of Christians in various places in China and Japan, and the anti-foreign spirit. These are all revelations of the spirit of antipathy.

"B. The existence of the East Asiatic people became more and more difficult. Area, population, population density, and population growth, were all factors in it. To give a few examples; the area of the world controlled by independent nations of colored races is fourteen per cent. The world area controlled by independent nations of the white race is eighty-six per cent. Of the countries of East Asia, forty per cent are independent countries. As to population density, these figures, like the last, are from my recollection. England, America, France, and the Soviet Union have about fourteen or fifteen people per square kilometer. Japan has one hundred eighty people per square kilometer. China has forty-six per square kilometer. As to population growth, in the last sixty-five years the population of Japan has doubled.

"C. The standard of living, as between Europe and America and the peoples of the Orient, is vastly different. There are many examples of this, but I will not mention them because of the time required. Problems have arisen as the result of the gradual rise in the standard of living of the people in East Asia due to the introduction of European culture. When the standard of living increases, this gives rise to various new demands which lead to new problems".

1 March 1946, Ser. #74

Following is a transcript of the first four pages of the interrogation of the witness on this date:

"Q You wished to continue your discussion today, did you not?"

"A Yes, I did, and I will make it very simple.

"C. The desire to establish the right to live.

"(In the political sphere.)

"1. The desire to return to China her national sovereignty (with restoration of extra-territorial rights, leased foreign concessions, and special rights).

"2. The creation of a new order of co-existence and co-prosperity based on morality after release from the sacrifices of exploitation.

- "3. The conclusion of a Greater East Asia Co-Prosperity Sphere, having as its aim the establishment of the right to live as a result of the Greater East Asia War.
"(In the economic sphere).
- "4. Emigration on a large scale to under-populated areas in order to relieve over-populated areas.
- "5. The promotion of reciprocal trade in order to raise the standard of living.
- "V. The Relations between Japan and the Asiatic Continent.
- "A. Japan had, from ancient times, close cultural and trade relations with the continent. Japan's life depends upon the continent. Unrest on the continent affects directly the national safety and existence of Japan. Hence, Japan cannot be unconcerned because of this geographical situation.
- "B. Japan has been, up to the present, the central Power of East Asia. Japan has been continually distressed by the progress of European Power into East Asia and the problem of stability in East Asia. Even at the Washington Conference, Japan made great sacrifices on this account.
- "VI. The International Conferences Up Until Now on the Far East.
- "A. The cry of the East Asiatic races for life. But solutions in conformity with the real situation of the awakening from aggression.

"of East Asiatic peoples have not been made.

"1. The abolition of racial discrimination.

"2. Proper adjustment of recent conditions of subordination.

"a. The return of extra-territorial rights, foreign concessions, and leased territories.

"3. The solution of East Asiatic problems by friendly sacrifices on the part of all countries. Japan effected the settlement of the problems of East Asia by her great sacrifices at the Washington Conference (no settlement by any other country on a basis of maintenance of the status quo).

"VI. Conclusions.

"A. Aggression, when viewed by the people of East Asia in the light of the long history cited above, rests deeply rather on Europe and America, and especially on the great countries of Europe. This fact and the further fact that the lives of the East Asiatics themselves have become more difficult are the basis of the troubles in East Asia. The actions taken by the Empire to this day have been by the actually strongest Power in East Asia to stabilize that area. In other words, the idea was the defense of East Asia, but not in the sense of excluding others. By their very nature /these actions/ are different from aggression.

"B. The basis for the stabilization of East Asia is the securing of the existence of the peoples of East Asia. Hence, the countries concerned in East Asia must, in order to solve the problems of that region, have a deep understanding of and a sympathy with the actual conditions of the East Asiatic peoples who have recently been experiencing a cultural awakening; must elevate their lives, and must promote rather than hinder the mutual family affinities of the East Asiatic races. If the stabilization of East Asia is planned on such a basis, it will enable /the races of East Asia/ to contribute to world peace.

"C. Discriminatory treatment based on race - especially that on the soil of East Asia itself - has been a source of spiritual distress to the East Asiatic races. Unless this is corrected sympathy of feeling will be lacking and antipathies will be fostered.

"D. The races of East Asia have, in the first place, a tremendous population. Moreover, when the yearly increase of population and the rise in the standard of living are combined, the difficulties of living are increased. Hence, it is felt necessary to mollify these by large scale emigration and the promotion of brisk trade. Moreover, in view of the evident fact that there are other countries whose populations are sparse and

"whose territory is vast and that these are in East Asia, the restraining of this /emigration/ will lead to great dissatisfactions because of its unreasonableness.

"E. As for the races of East Asia who are faced with the fact of the difficulty of livelihood to offer up cheaply the resources of their own homeland and to buy dearly manufactured goods, the sacrifice of such a life is painful to the East Asiatic races. And the unreasonableness of it will be recognized step by step as world understanding grows. It is hoped that these policies of exploitation will be reformed and that mutually beneficial prosperity will be planned.

"F. It is necessary, moreover, for the East Asiatics to be broad-minded enough to reprove narrow-mindedness and exclusiveness and to hold to the idea of living in the world on a basis of co-existence and co-prosperity with all races, not losing respect or gratitude for the enlightenment and help received to this day as a result of the cultural progress of the advanced countries of Europe and America, but to seek in the future a proper solution of such things by mutual sacrifices in the light of a deep understanding of the actual conditions of East Asia.

"If the above are not settled, lasting peace in East Asia cannot be expected. Japan's desire is none other than this. And the goal of the Greater East Asia Co-Prosperity Sphere is none other than this."

25 November 1947

MEMORANDUM

TO: Mr. Sutton
FROM: Lester C. Dunigan
SUBJECT: TOJO - Chronological Summary of
Prosecution's Evidence

1. The chronological summary of the prosecution's evidence relating to Tojo has been revised. Some minor corrections have been made and some material added. Attached hereto are four copies of the summary as revised. Please substitute these in your central file for the copies you presently have.
2. You will note at the top of page 26 under Exh. 688-A and 689-A, the items are out of place chronologically. The same is true with respect to Exh. 456-A appearing in the middle of page 25. To put these items in their proper places would have necessitated re-writing the entire summary. The first item on page 30 chronologically belongs under the year 1942. This has been inserted however in its present spot because of the subject dealt with. Your attention is called to these defects so that the items may be read in their proper sequence.
3. With respect to the three sets of chronological summaries relating to evidence introduced during the Defense, no revision is contemplated.
4. All references in the SAIONJI Diary to Tojo have been copied and made into a separate file.
5. The names of all the witnesses subpoenaed by Tojo have been checked against the name index of the SAIONJI Diary. References to them, where such appear, have been listed according to volume and page number. Thus ready reference to the Diary can be made if and when such witnesses are called by Tojo.

Copy to Mr. Keenan

*See R 15,872 - 3 re Sato + Tojo re latter
being Prime Minister*

TOJO, Hideki

General Statement:

The history of TOJO is one of steady and rapid advancement throughout the life of the conspiracy charged in the indictment. From the position of Colonel and Section Chief of the Army General Staff and through successive and increasingly important and powerful positions, until as War Minister in the Third Konoye Cabinet, his power became so great that he was able to bring about the fall of that Cabinet. Thereafter, he became Premier and War Minister and was primarily responsible for leading Japan to attack the United States, Britain and the Netherlands.

As Colonel, as Section Chief, and as Major General Commander of the 24th Infantry Brigade, TOJO played a sufficiently important part in the Manchurian Aggressions to be awarded a decoration for his services.

His further activities in Manchuria continued while he was Chief of the Kwantung Military Police, Chief of Staff of the Kwantung Army, and Japanese member of the Manchukuo Joint Economic Committee.

On or about 9 June 1937, TOJO telegraphed the Vice War Minister and Chief of Staff regarding operations for war against the USSR and advised that Japan should first deliver a blow against China by attacking Nanking, and thereby "removing the menace in the rear". It is significant that this attack occurred within a month thereafter.

From his position in the field, TOJO graduated to the position of Vice Minister of War, and simultaneously held numerous positions connected with other departments. He acted as Inspector General of Army Air Forces, then as War Minister and finally as Premier and War Minister, holding from time to time other ministries.

He was decorated for his services in the China "Incident" on 29 April 1940.

On or about 22 July 1940 TOJO and MATSUOKA collaborated in drawing an authoritative foreign policy program for Japan. On 1 August 1940 he attended a Foreign Minister Conference which stressed German-Japanese friendship and cooperation, and on 4 September 1940 another Four Ministers Conference concerning strengthening of the Japanese-German-Italian Axis was attended by TOJO; on 26 September 1940 a conference of the Investigation Committee of the Privy Council was held which TOJO attended and at which the matter of the conclusion of the Tri-partite Pact and the condition of the Army for war with the United States were discussed. The same day the Privy Council, with TOJO present, approved a draft of the Tri-partite Pact.

The Tri-partite Pact was signed on 27 September 1940. At that time TOJO was War Minister, President of the Manchuria Affairs Board, and Vice-President of the China Affairs Board. In the Imperial Rescript issued on that day, the name of TOJO appears as one of the principal officers of the Japanese Government.

From the foregoing it will be observed that TOJO's interests and activities by this time had embraced the Kwantung Army (School of Militarism and Ultrationalism), Manchuria, China, relations with Germany and Italy and a possible war with the United States. All these form the very essence of the conspiracies alleged in the indictment in this case.

On 5 and 21 November 1940, TOJO attended Ministers' Conferences at which it was decided to help Siam in her boundary fight with Indo-China and to make her cooperate politically and economically in the establishment of a new order in East Asia.

TOJO has himself said in some of his interrogations that at liaison conferences the decisions and proposals were made and formulated which were later presented to and adopted by imperial conferences. At liaison conferences TOJO has said decisions were made not by a majority but were unanimous.

Some idea of the activity of TOJO and of his close association with his co-defendants can be obtained from an analysis of the liaison conferences held between 13 January and 30 June 1941, which period is an important one in the instant conspiracy. There were approximately thirty of such conferences, all of which TOJO attended.

About 12 October 1941 TOJO made the final moves in the plan which was to lead him to the premiership, and Japan to attack the United States, Britain and the Netherlands. At a meeting which he attended with other defendants named in the indictment herein, TOJO demanded a strong resolution for war.

In his interrogation of 7 February 1946 TOJO admitted his responsibility (with other members of the Cabinet and Army and Navy Chiefs) for the attacks on Pearl Harbor and the United States and British possessions.

A consideration of all the evidence must lead to the inevitable conclusion that TOJO was one of the "young Army officers" who in the early days of the conspiracy plotted for the conquest of all East Asia, that he served in that conspiracy with ever extending importance throughout the Manchurian and Chinese wars of aggression to become finally the effective leader of the conspiracy on 18 October 1941 and to continue to lead it until 22 July 1944.

The evidence indicates conclusively that TOJO was criminally liable for every crime of which he stands accused in the indictment.

Details of the above statements appear in the chronological summary below:

Chronological Summary of the Prosecution's Evidence against
the Defendant TOJO:

1931

Exh. 128 (p 791) On Sept 18, TOJO, Colonel, Head of
First Section, Army General Staff

1934

Exh. 128 (p 791) Apr 29, decorated for his military
services in the Manchurian Incident

1935

Exh. 128 (p 791) On 21 Sept was in command of Kwantung
Military Police

TANAKA (p 15858) Fall of 1935 - Opium Monopoly Bureau
created while TOJO Chief of Staff of
Kwantung Army

1936

TANAKA (p 2022) Five-Year Development Plan of Manchukuo
established after TOJO became Chief of
Staff, Kwantung Army

1937

Exh. 128 (p 791) 1 March, appointed Chief of Staff,
Kwantung Army, Lt. General

Exh. 672 (p 7337) 9 June, TOJO telegraphed Vice War Minister
and Chief of Staff reference to opera-
tions for war against the USSR and
advised that Japan should first deliver
a blow against China by attacking Nanking
and thereby "removing the menace in the
rear".

1938

Exh. 719-A (p 7560) 11 January at page 7562-63. Telegram
addressed to Vice Chief of War Office
UMEZU by C/S of Kwantung Army TOJO pertain-
ing to the extension of military service
of troops in Manchuria marked "top secret".
Telegram states in substance that in view
of the purport of the Ordinance No. 41 of
the War Ministry dated September, 1937
I consider that the soldiers in active
service belonging to the units in Manchuria
whose service will expire at the end of
February this year ought to have their ser-
vice extended according to Ordinance No. 5
of the War Ministry as long as the present
situation continues, but I wish to get
your unofficial report as early as possible
as this decision has influence upon various
matters.

Exh 719-A (p 7560) 12 January, at page 7561. Telegram addressed
to Vice Chief of War UMEZU by C/S of
Kwantung Army TOJO requesting consideration

1938 (continued)

- of the establishment of meteorological observation organs in the Chahar and Mongolia districts. The telegram states that consideration of the new establishment of meteorological observation organs is of vital importance p 7562, from the standpoint of the China Incident and Anti-Soviet strategy. It must be promptly completed based on the plan separately bound.
- Exh. 719-A (p 7560) 29 January at page 7564. Telegram from UMEZU, Vice Minister of War, to TOJO C/S Kwantung Army informed TOJO that his request for extension of military service of enlisted men of 1935 had been approved by TADA, Chief of General Staff on 27 January although TADA's statement of 27 January appearing at page 7564 is barren of any action. UMEZU's telegram mentioned above informs TOJO that it is in answer to his inquiry of January 11, 1938.
- Exh. 719-A (p 7560) 11 February at page 7565-66. Telegram from C/S Kwantung Army TOJO to Vice War Minister UMEZU stating that the establishment of Anti-Soviet fortifications is scheduled to be made during 1938 and '39 on the spots not yet started as well as the spots regarded as especially important among the locations of fortifications mentioned in Special Order 301. (Necessary funds will be provided by the Manchukuo Budget) In order to execute this plan more men would be needed and requested. UMEZU to inquire immediately into the ways of making temporary increases for two years from March 1938.
- Exh. 2209 (p 15806) 13 April, relates to transfer of funds from Manchurian Incident account, signed by UMEZU, showing seven hundred thousand yen transferred to TOJO, C/S Kwantung Army and to UMEZU 77,000.
- Exh. 770 (p 7871) 17 January, telegram from C/S Kwantung Army (TOJO) to Vice-Minister of War concerning air line connections between Japan and Germany, which were to be kept secret.
- Exh. 273 (p 3679) 19 June, message concerning special investigation of inner Mongolia sent from ISHIMOTO (Chief of Staff, Japanese Army in Mongolia) to TOJO, Vice-Minister of War. Document deals with the investigation of important districts on Mongolian border, natural resources of country, etc.
- Exh. 128 (p 791) 10 December, appointed Inspector General, Army Air Forces.

1940

- Exh. 128 (p 791) 29 April, TOJO received decoration in recognition of his services in the China Affair.
- Exh. 539 (p 6266) 18 July, KIDO stated in his diary that HATA had secretly recommended TOJO for new War Minister and the Emperor did not approve of this procedure since KONOYE was still in process of forming a cabinet.
- Exh. 537 (p 6261) 22 July at p 6262-63, Voermann cabled German Foreign Minister concerning a meeting of KONOYE, MATSUOKA, TOJO, and YOSHIDA which concerned the drawing up of a authoritative foreign policy program for the future cabinet. This policy included rapproachment with the Axis powers.
- Exh. 128 (p 791) 22 July TOJO appointed War Minister.
- Exh. 1310 (p 11794) 27 July, decision of liaison conference that policy would be to settle the China Incident so as to prevent the third powers from assisting CHIANG regime and settle the southern problems within limits, these policies to foster a strong political tie with Germany and Italy.
- Exh. 546 (p 6293) 31 July, telegram from OTT, stating that Japanese action against British spy service was carried out at demand of War Minister TOJO, that TOJO's principal aim was acute aggravation of Anglo-Japanese relations to hasten a breaking point and to hasten action against British possessions in East Asia desired by Japanese Army.
- Exh. 542 (p 6277) 1 August, telegram from German Ambassador in Tokyo to German Foreign Office concerning the Japanese Four Ministers' Conference (TOJO, War Minister) stressed Japanese-German friendship and cooperation as being very important.
- Exh. 543 (p 6277) 2 August, telegram from Weizacker to German Embassy. At p 6282 it stated that the Four Ministers' Conference (TOJO War Minister) and KURUSU expressed hope that Japan might belong to the new order after the war and that Japan would not be forgotten in the "new apportionment of the world".
- Exh. 1311 (p 11798) 15 August. Organization drafts of alternative demands to be made on Netherlands East Indies. At p 11799 it is stated that the Netherlands Government still does not fully understand our true intentions in the problems concerning the entrance of Japanese nationals in the Dutch Indies and enterprises and investments by Japanese nationals

in the Dutch Indies for the development and utilization of its rich resources, which are regarded as of the utmost importance by the Japanese Government. The draft goes on to state that it has been fully recognized during previous negotiations that the settlement of these problems has been our national desire for many years. The demands mentioned in the organization draft continues with Japanese demands at pages 11,800-801 and at page 11,802 it is stated that with regard to the views mentioned above and also in consideration of the internal affairs of the Dutch Indies and her relations with third powers, Japanese Imperial Government for the time being submits its sincere and frank demands. It goes on to state that your side is accordingly requested to promptly agree with these demands in a broadminded outlook based on the traditional friendly relations between Japan and the Netherlands.

- Exh. 541 (p 6272) 4 September. At a Four Ministers' Conference and a liaison conference of 19 September a discussion was had outlining the basic national policy. Discussions centered on the strengthening of Japanese-German and Italian relations (TOJO attended first meeting). At p 6272 it is stated that the fundamental aim of Japan's national policy lies in the establishment of world peace in accordance with the lofty idea of Hakko Ichiu on which the Empire is founded. It is directed first of all towards the construction of a new order of GEA built upon a firm solidarity of Japan, Manchukuo and China with Japan as the center. At p 6307, it is further stated that the trends toward the strengthening of collaboration among Japan, Germany and Italy have lately become very pronounced. At p 6308, it is stated that the German Government has especially sent Minister STAHRER to Japan and that although his mission might merely be to improve the situation here the fact is that he enjoys the special confidence of Minister Ribbentrop.
- Exh. 552 (p 6350) 26 September, a conference of the Investigation Committee of the Privy Council was held, TOJO, among others, present. Members discussed the conclusion of the Tri-partite Pact, a fact that in the event of war with the United States, although the Army was in good position, supplies were needed. Watch was to be made on USSR and United States relations. Tri-partite Pact unanimously approved.
- Exh. 553-1030 (p 6379) (p 9756) 26 September, a Privy Council Meeting, attended by TOJO, and draft of Tri-partite Pact unanimously approved.

1940 (continued)

- Exh. 43 (p 6391) 27 September, Tri-partite Pact signed. TOJO's position on that date was War Minister, President, Manchurian Board, Vice-President, China Affairs Board.
- Exh. 554 (p 6394) 27 September, Imperial Rescript re. Tri-Partite Pact, TOJO signed as War Minister.
- Exh. 618-A (p 6873) (Note: The record indicates on Page 6822 that Doc. No. 1411 was marked for identification only. However, on Page 6844 Mr. Tavenner said "I will read Exh. 618-A." Nowhere in the intervening pages does it appear that Exh. 618-A for identification was received in evidence.) The following appears from the reading at Page 6873:
- At a Ministers' Conference on 5 November (TOJO, War Minister) it was decided to help Thailand in her boundary fight with French Indo-China and make her cooperate politically and economically in establishment of a new order in East Asia.
- Exh. 618-A (p 6873) 21 November, the second Four Ministers' Conference (TOJO, War Minister) - it was decided to help Thailand to gain control of Probang and Pakuse as well, provided she agreed to Japanese demands.
- Exh. 2184 (p 15644) 21 July. Letter to TOJO from OKAWA stated that during these turbulent times TOJO's duties must keep him very busy, that TOJO was Japan's one hope, and OKAWA prayed that his entire mission be thoroughly accomplished.

1941

- Exh. 1103 (p 10051) Read at 10057-058 - 13, 16, 17, 19, 23, 30 January - Liaison Conferences held, attended by TOJO.
- Exh. 1103 Read 10057-058 - 3, 13, 20, 23 February - Liaison Conferences held, attended by TOJO.
- Exh. 1103 Read 10059-060 - 2, 6, 7, 11 March - Liaison Conferences were held, all attended by TOJO.
- Exh. 1103 Read 10060 - 10, 17 April - Liaison Conference held attended by TOJO.
- Exh. 1103 Read 10060-061 - 3, 8, 12, 15, 22, 29 May - Liaison Conferences held, attended by TOJO.
- Exh. 1103 Read 10061-063 - 6, 11, 12, 23, 25, 27, 28, 30 June - Liaison Conferences held, attended by TOJO.

1941 (continued)

- Exh. 852 (p 8447) 16 January, series of 10 communications between officials of the War and Finance Ministries relating to preparation of military currency in foreign denominations (TOJO, War Minister). Letter No. 1 requested that plans be prepared for use in unspecified areas and that the matter be held secret. The other nine communications continue from page 8451 to page 8458 of the Record.
- Exh. 1067 (p 9878) 23 January, newspaper extract stating that fundamental principles of Japan's population policy were decided at Cabinet Meeting attended by War Minister; President, Cabinet Planning Board; and Welfare and Education Ministers. (TOJO War Minister)
- Exh. 1039 (p 9782) 7 February, proposal from Eden to Shigemitsu, stating that British Ambassador hoped new Konoye Cabinet would cooperate. Matsuoka stated that Cabinet was considering policy of future and that strained relations between Japan and England were inevitable.
- Exh. 1052 (p 9883) 27 February, telegram from Grew to Hull stated that in conversing with Matsuoka, the latter referred to the reported mining of Singapore and sending of troops to the Malaya-Thailand border.
- Exh. 1055 (p 9841) 8 March, newspaper announcement regarding new mobilization law of 8 March 1941, and that national mobilization law would be put in force on 20 March.
- Exh. 1058 (p 9850) 3 April. Kido Diary regarding appointment of Toyoda as Minister of Commerce and other appointments stated that Konoye phoned Kido and intimated that War and Navy Ministers had approved the appointments.
- Exh. 1059 (p 9851) 9 April. Proposal presented to Department of State through private American-Japanese individuals concerning Japanese-American relations.
- Exh. 1305 (p 11751) April. Decision by Imperial Headquarters to promote settlement of China Incident and extend national defensive power. To carry this out, Japan would establish close relations in military, political and economic affairs with FIC and Thailand.
- Exh. 1064 (p 9873) 14 April. Statement by Grew to Konoye re the bombardment of Kuming by Japanese planes when American Consulate was damaged.

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- Exh. 1060 (p 9863) 14 April. Concerns relations between Hull and Nomura regarding settlement of Japanese-American relations.
- Exh. 1061 (p 9866) Concerns relations between Hull and Nomura regarding Japanese-American relations.
- Exh. 1070 (p 9891) 12 May. Concerns relations between Hull and Nomura regarding Japanese-American relations.
- Exh. 1071 (p 9904) 16 May. Relations between Hull and Nomura stating, among other things, that Japan would declare with respect to the European War that the purpose of its Axis alliance was defensive, that Japan did further declare that it had no commitments under its Axis alliance not consistent with the terms of the above declaration.
- Exh. 1073 (p 9909) 18 May. Telegram from Ott to Ribbentrop wherein Ott told Matsuoka that America must give a clear and precise assurance not to participate in the European War, that Article 3 of the Tri-Partite Pact was the absolute minimum of what must be demanded, that Germany must be informed on United States reply and be admitted to further negotiations between Japan and the United States.
- Exh. 1075 (p 9918) 20 May. Telegram from OSHIMA to MATSUOKA concerning conversations between OSHIMA and RIBBENTROP. OSHIMA said that Japan was observing the Tri-Partite Pact as a basis of its diplomacy and that there was no reason to conclude a treaty between Japan and the United States contrary to the pact.
- Exh. 1076 (p 9933) 21 May. Telegram from OSHIMA to MATSUOKA stated that new agreement was important change in Japan's policy and was of great concern to Japanese military and naval attache in Germany, and requested MATSUOKA to inform war and navy ministers of that fact.
- Exh. 1079 (p 9947) 31 May. A statement handed to NOMURA at the time of delivery of American draft of proposal to adjust Japanese-American relations contains details of negotiations at that time.
- Exh. 1083 (p 9964) 4 June. Memorandum of conversation between HULL, NOMURA, and others, concerning Japanese-American relations.
- Exh. 1085 (p 9982) 6 June. Informal statement handed by HULL TO NOMURA expressed Hull's disappointment in the vast difference between proposal as it now stands and the original document. Hull expressed the view that the Japanese revisions took present proposals out of the fundamental point which was the establishment of peace in the Pacific.

1941 (continued)

- Exh. 1087 (p 9988) 15 June. Draft of proposal received from NOMURA in which Nomura suggested that both countries agree that the purpose of the Tri-Partite Pact was defensive and was designed to prevent more nations from being involved in the European War.
- Exh. 1092 (p 10005) 28 June. Draft proposal by Hull to Nomura concerning settlement of Japanese-American relations.
- Exh. 1097 (p 10034) Telegram from OTT to RIBBENTROP stated that Japanese Cabinet had failed to reach a clear cut decision on Japan's attitude to the German-Russian War, that preparatory measures had been ordered, but that preparations for attack would take at least six weeks unless there was a decisive weakening of Russia before hand. Discussions concerning the above were going on behind scenes. Danger exists that southern expansion desired by nationalists will be limited to FIC, and that such would hinder Japan's activity in the north. OSHIMA has advised Japan to attack Russia soon. 28 June.
- Exh. 1098 (p 10036) 28 June. KIDO's Diary states that he talked with TOJO, who said that Army's policy toward German-Soviet War was that Kwantung Army should be calm. KIDO and TOJO also discussed the China War, political moves in China, and the strengthening of Imperial General Headquarters.
- Exh. 2246 (p 16178) 30 June. Extract from Tokyo Nichi Nichi discusses conferences held by Army members of Supreme War Council and that TOJO explained the fast changing situation. Other members of the Army attending included KIMURA and DOHIHARA.
- Exh. 1107 (p 10140) 2 July. Imperial Conference attended by TOJO, OKAWA, SUZUKI, HIRANUMA, NAGANO and others.
- Exh. 1108 (p 10144) 2 July. Excerpt from KIDO's Diary stated that subsequent to the Imperial Conference Prince KONOYE came to his office and said that he found it very difficult to understand the true intentions of Foreign Minister MATSUOKA.
- Exh. 588 (p 6566) 2 July at p ~~6566~~⁶⁵⁶⁷ it is stated that regardless of any change in international situation, Japan would adhere to the principle of establishing Greater East Asia Co-Prosperity Sphere and would continue disposition of China Incident and move to the south to establish basis for self-existence and self-defense.

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To hasten CHIANG's surrender, further pressure would be exerted through southern regions. This was decision of the Emperor of 2 July. While not taking up arms against the Soviet, Japan would secretly arm and if that war progresses favorably, Japan would take arms to solve the problem.

- Exh. 1117 (p 10166) 17 July. KIDO's Diary stated that on 17 July he met with HIROTA and other former premiers in a meeting of senior statesmen to choose a new premier. KONOYE was recommended unanimously by the group.
- Exh. 642 (p 7046) 19 July, A telegram signed "RINTELIN" and addressed to German Foreign Minister. It states at page 7046 that Ambassador OSHIMA handed the Foreign Minister a memorandum with an appendix concerning the Japanese demands on France regarding Indo-China. It states among other things that the Japanese Government has started negotiations with the French Government with a firm decision to secure for herself among other things naval and air bases in Indo-China. It states that a realization of this plan is the first step in the push to the South. The demands made upon Indo-China are mentioned at pages 7047 and 7048 of the Record.
- Exh. 644 (p 7052) 20 July, A telegram from German Ambassador in Tokyo which was found in files of the German Foreign Office. It relates to the contemplated action by Japan in the event that Vichy does not come to terms with Japan regarding Indo-China. A telegram at page 7052, among other things states, "I then asked whether the Indo-China action was influenced by the Cabinet change. This was denied by the Foreign Minister." At page 7053, it is stated that should the French answer not be in the affirmative, the Japanese Government would resort to force.
- These two exhibits 642 and 644 mentioned above were referred to by Mr. Fihelly at page 10,169.
- Exh. 1157-A (p 10301) (TOJO Interrogation, 28 January 1946)
TOJO said he agreed with speech by MATSUOKA on 20 January 1941, in which latter stated Tri-Partite Pact was realization of ideals of HAKKO ICHIU - that pact states Germany and Italy recognized and respected Japan's leadership in establishing new order in Greater East Asia. MATSUOKA also stated that Japan recognized Germany and Italy's leadership in Europe. When the pact was signed, TOJO was only War Minister, so he did not feel he had responsibility for

1941 (continued)

administration. TOJO said that he became Premier in October 1941, that he and members of his cabinet did work in accordance with the principles stated by MATSUOKA in the Tri-Partite Pact.

Exh. 1157-B (P 10304)

(TOJO Interrogation, 28 January 1946) Said England, Spain and Portugal not included in German-Italian Sphere, matter of what countries were to be included in new order in Europe and Asia was probably discussed between Japan and Germany at the time. When new countries were conquered they were to be added to the sphere.

Exh. 1157-C (p 10305)

(TOJO Interrogation, 28 January 1946) Among other things TOJO said that the Tri-Partite Pact expressly states that each country is to have its own place in both Asia and Europe. He stated that in both Europe and Asia the sphere of the new order increased or decreased with the military situation.

Exh. 1136-A (p 10219)

6 September. (TOJO Interrogation, 23 Feb.) Imperial Conference of 6 September was called to determine the question of whether there was to be war or peace in view of the situation existing. He believed it was decided to continue negotiations with America with the hope for a break by the middle ten days of October.

Exh. 1135 (p 10215)

6 September KIDO states in his Diary that on the above date he visited the Emperor. This was prior to the Imperial Conference and the Emperor said that he would like to ask some questions at the conference in KIDO's presence. KIDO said at p 10216 that he told the Emperor that HARA, the President of the Privy Council, would ask important questions on the Emperor's behalf and that the Emperor should give only a warning in conclusion that the Supreme War Command should exert every effort to bring about a diplomatic success in the relations between Japan and the United States (Compare with Exh. 3340, p 30715, at p 30953, KIDO's direct testimony wherein he refers to the conversation with the Emperor mentioned above).

KIDO's testimony in this respect is mentioned on p 9 of the third Defense Chronological Summary.

Exh. 1147 (p 10246)

12 October. KIDO's Diary states that TOMITA, Chief Secretary of the Cabinet, told him that the war (TOJO), navy, and foreign ministers, and president of the Planning Board met with the premier to discuss diplomatic relations with U. S. TOJO, the war minister, called for great resolution since there was no hope for arriving at an understanding with U. S.

- Exh. 1148 (p 10250) October. Document entitled "Facts Pertaining to the Resignation of the Third Konoye Cabinet" stated that the Third Cabinet had started off with the mission of readjusting Japanese-United States relations. MATSUOKA was made to retire and it was said all efforts in that discussion were wasted. TOJO's opinion was that, since the policy of the United States was to advance into Asia, and that the United States lacked sincerity in her negotiations, there was absolutely no hope of a successful conclusion of negotiations. TOJO said that the Premier had grave responsibility but his advisors are responsible too. TOJO did not believe that diplomacy would be successful. TOJO said that Japan could not yield on the question of withdrawal of troops from China. SUZUKI, President of the Planning Board, came to KONOYE on 14 October with a message from TOJO which said that nothing could be done as KONOYE and TOJO had clashed head on.
- Exh. 1153-A (p 10289) 17 October. (TOJO Interrogation 11 Feb 46) TOJO said that on the aforementioned date he, as War Minister, felt that the opportune time for fighting was in danger of being lost, and the Imperial Conference had set the middle of October as the limit of waiting for a favorable diplomatic break. Theoretically he said the KONOYE Cabinet fell because he (TOJO) favored war with the U. S. He said KONOYE felt a solution was possible if Japan withdrew from China but the Army was afraid Chinese unlawful acts would continue if troops were withdrawn.
- Exh. 1150 (p 10275) 15 October at p 10276. KIDO stated in his Diary that SUZUKI delivered War Minister TOJO's message to him which stated that unless KONOYE changed his mind the general resignation of the Cabinet would be unavoidable. The succeeding Premier should be able to unite the Army and Navy and follow the Imperial Will. KONOYE said that the bridge between himself and War Minister TOJO was very great. Later, SUZUKI telephoned KIDO to say that TOJO's purpose was to establish harmony between the Army and Navy.
- Exh. 1154 (p 10291) 17 October. KIDO's Diary states that at an Ex-Premiers' Conference it was decided on KIDO's suggestion that he should recommend TOJO as the new Premier with additional position of War Minister.

1941 (continued)

- Exh. 1151 (p 10281) 16 October. KIDO's Diary states that he was opposed to the HIGASHIKUNI Cabinet. He told TOJO of this opposition and urged rescission of the previous decision and a unified policy of the Army and Navy. KONOYE telephoned to say he was resigning and did so at 5:00 o'clock. KIDO, in his talk with TOJO, urged a revision of the 6 September decisions.
- Exh. 1152 (p 10284) 16 October. KONOYE cabinet resigned and KONOYE issued a statement on his resignation. This stated that Army Minister TOJO judged negotiations with U. S. on friendly terms could not possibly materialize before the desired time (middle or latter part of October), that it was impossible to consent to the withdrawal of troops from China, and that the time had come to open war against the United States.
- Exh. 128 (p 791) On 18 October 1941, TOJO held the following positions: Prime Minister, Home Minister, War Minister, President, China Affairs Board, and Supreme War Councillor. He was especially placed on the active list and promoted to full General.
- Exh. 2241 (p 16126) (Corrected to read Exh. 2241-A at Page 22150) Excerpt from Interrogation of MUTO on 16 April 1946. MUTO stated, among other things, that he agreed with TOJO on all his policies since TOJO became Premier, that the Cabinet was unanimous and that when he said he agreed with TOJO, he had particular reference to Japan's relations with the United States and Great Britain.
- Exh 1155 (p 10293) 18 October. KIDO reported in his Diary that the Emperor gave sanction to a petition to allow TOJO to remain on active service and promoted him to full General.
- Exh. 1328 & 1329 (p 11923) October. List of questions was drawn up for the Liaison Conference between the Government and Imperial Headquarters. These questions relate to reactions to Japan's foreign policy and that repercussions will result from war, particularly if Japan attacks in the south. What help can be expected from the Axis, etc. After consideration from Ministries under SHIMADA, TOJO, TOGO and KAYA, answers were desired.
- Exh. 1325 (p 11885) 27 October. Official report by the Bureau of East Asiatic Affairs of the NEI on the organization of the Japanese Intelligence Service in the Netherlands stated that such service consisted of four organizations, the FOO, the PNO, FAO and OCO. Each of these organizations described.

1941 (continued)

- Exh. 852 (p 8447) 31 October. Top Secret Communication No. 10, referred to the institution of procedure for handling military currency notes in foreign denominations for the southern regions. System of military currency will defray expenditure in event of operations in South Seas areas. Issuance of such currency decided by Premier TOJO, War TOJO, Navy SHIMADA, Finance KAYA.
- Exh. 1168 (p 10331) 5 November. KIDO's Diary stated that
" 1107 " 10332 Imperial Conference decided the policy towards United States, England and the Netherlands. TOJO advised KIDO of the formation of the southern Army and the dispatch of KURUZU to the United States.
- Exh. 1169 (p 10333) 5 November. At Imperial Conference national policy was decided. It showed that at the Liaison Conference a decision was made to notify Germany and Italy of Japan's intention to start war against the United States and Britain when the present negotiations with the United States break down and war is inevitable, and as soon as preparations are ready they will open negotiations for participation by the Axis in war against United States. Relations with respect to the Soviet Union, China, Dutch East Indies also discussed.
- Exh. 1158-A (p 10308) 5 November. (TOJO Interrogation, 12 Mar 46) He stated that when he undertook the work as Premier, he followed the policy of 6 September.
- Exh. 1176 (p 10373) 12 November. General outline for hastening the conclusion of war against the United States, Britain, Netherlands and Chungking provided in essence the plan to be adopted toward foreign powers was already set forth in Exhibit No. 1169.
- Exh. 878 (In evidence, page 8994; referred to, page 10366)
13 November. Compare with Exh. 1169.
- Exh. 1245-H
Ballantine (p 10811) 20 November. Draft proposal handed by Japanese Ambassador (NOMURA) to Secretary of State. This proposal stated that both Japan and the United States agreed not to make any armed advance in Southeast Asia and South Pacific areas excepting that part of FIC where Japanese troops were stationed. Japan would undertake to withdraw troops in FIC upon restoration of peace with China. Both countries would undertake to restore their commercial relations to that prevailing prior to the freezing of assets and the United States would supply Japan a required quantity of oil. Ballantine testified that acceptance of this proposal would have meant condonement by the United States of Japan's past aggression, U. S. assent to unlimited courses of conquest by Japan in the future, etc.

1941 (continued)

- Exh. 1182 (p 10391) 21 November. Investigation Committee of the Privy Council attended by TOGO and TOJO was held on prolongation of the Anti-Comintern Pact. It was decided unanimously to approve the Pact and to request the Government to make every effort to make it effective. p10,398
- Exh. 496 (p 6047) 25 November. Official announcement of the Board of Information concerning new participants in the Anti-Comintern Pact - participants named.
- Exh. 1192 (p 10438) 28 November. Extract from the Tokyo Nichi Nichi showed that the Cabinet approved the plan for establishing a new system in press circles. An imperial ordinance creating the new system will be issued under the national mobilization law. It is aimed at placing newspapers on a wartime basis.
- Exh. 1196 (p 10452) 29 November. KIDO, in his diary, described meeting of senior statesmen to give the Emperor their individual views on questions of peace or war. TOJO, SHIMADA, TOGO and SUZUKI were present at the first part of the conference when the explanations were given. Only TOJO was present in the latter stages when the senior statesmen spoke.
- Exh. 1202-A (p 10482) 30 November. (TOJO Interrogation 18 Mar 46) Stated that the gist of the final note from Japan to United States was approved by the Cabinet but the final text was the responsibility of the foreign minister and TOJO's responsibility also. The Liaison Conferences also approved the gist of the note. The Liaison Conference, of which TOJO was the head, delegated to the two Chiefs of Staff and the Foreign Minister the task of setting the time for the delivery of the note prior to the attack. These three men did not report back to the Liaison Conference. The Foreign Minister knew of the time and the day set for the attack.
- Exh. 1206-A (p 10505) (TOGO Interrogation of 26 March 1946) Says final note was written by Foreign Office in accordance with views expressed in the Liaison and other conferences, as Foreign Minister TOJO said he could not take sole responsibility and that members of the Liaison Conference and some members of the Cabinet familiar with the question were likewise responsible. He did not mention to the Emperor anything concerning a telegram from NOMURA and KURUSU with respect to Roosevelt. He did not mention it since the matter had been previously discussed with KIDO and the opinion was that such a step would not contribute toward the satisfactory settlement of negotiations between the two countries.

1941 (continued)

- Exh. 1207-A (p 10509) 30 November. (Interrogation of TOGO 11 March 1946) Notification with respect to the final note was a summation of the results and studies at Liaison Conferences on negotiations with U. S. Responsibility for the contents and the notification rests with the members of the Liaison Conferences. The matter was reported to the Cabinet and passed without objection. Members of Liaison Conferences ^{who} were responsible for the study and discussions on the matter, included TOJO, SHIMADA, NAGANO, KAYA, SUZUKI, HOSHINO and others.
- Exh. 1201-A (p 10480) 30 November. (TOJO Interrogation 20 Feb 46) Last Liaison Conference before the Imperial Conference was 30 November. The Emperor repeatedly asked that they make certain the note was delivered before the attack. The first he knew about the delivery of the final note was just after the Imperial Conference of 1 or 2 December.
- Exh. 1197-A (p 10461) 30 November. (Interrogation of NAGANO 26 March 1946) He had approved a plan to attack Pearl Harbor probably about the beginning of November.
- Exh. 1199 (p 10469) 30 November. Telegram from Tokyo to OSHIMA in Berlin stated that Japan-United States relations were begun in April 1941, that Japan had stuck to the Tri-Partite Pact as the cornerstone of its national policy, and that in adjusting her diplomatic relations with United States, she had based her hopes to leave them within the scope of that pact.
- Exh. 1200 (p 10473) At 10475, 30 Nov. Telephone conversation between KURUSU and YAMAMOTO of the Foreign Office showed that KURUSU said he would meet HULL the next day in regard to short message. KURUSU said Roosevelt was returning next day since the newspapers had made much of TOJO's speech. TOJO's speech was drastic statement - unless greater caution exercised by TOJO, Ambassador is put in a difficult position. YAMAMOTO said the Japanese-United States negotiations were to continue and KURUSU replied that to stretch them out would require help from YAMAMOTO.
- Exh. 1204-A (p 10492) 30 November. (TOJO Interrogation 19 Feb 46) Japan felt that by her final note, breaking off diplomatic relations, she was free to act from the standpoint of international law. Prior to the attacks, the matter of treaty responsibility and international law had been considered by TOJO and his Cabinet. This matter was responsibility of Foreign Minister. Foreign Minister reported only gist of its report to the Cabinet.

1941 (Continued)

- Exh. 1204-A
(continued)
- The whole Cabinet attended Imperial Conference on the 1st or 2nd, which made the decision for war. The whole Cabinet knew that the decision had been made. TOJO said that the idea there was nothing in any treaty or international law which would preclude attack on U. S. and Great Britain as result of his own research. He and his Cabinet all studied the question, had expressed the same views on international law at the last Liaison Conference, the same views expressed by Foreign Minister. In regard to the time of the delivery of the note he did not remember the final decision. He said strategy and the necessity for victory was intimately related to the time. He was extremely anxious for the success of the attack.
- Exh. 1205-A (p 10501) 30 November. (TOJO Interrogation 18 Feb 46)
The note sent to the U. S. was an official one - it broke off diplomatic relations - gave Japan freedom of action with regard to international treaties. Everything connected with this note was his responsibility and that of the Foreign Minister. The Cabinet knew note was to be sent and approved it. He had studied the Hague Convention, the Kellogg-Briand Pact, and did not feel Japan was bound by them because it was acting in self-defense.
- Exh. 1209-A (p 10520) 1 December. (TOJO Interrogation 8 Feb 46)
1153-A (p 10289-90) He attended Imperial Conference of 1 or 2 December along with President of the Privy Council, all or nearly all of the other Cabinet members and the two Chiefs of Staff; OSHIMA, MUTO and OKA were there. He presided at the conference, explained the purpose of the meeting, and the others present discussed the question from the standpoint of his own responsibility.
- Exh. 1210 (p 10523) 1 December. Stated that the conference in the presence of the Emperor had been held and decided upon war between Japan and U. S.
- Exh. 1211 (p 10524) 2 December. Telegram from TOGO to NOMURA instructing him to burn codes, secret documents and not to arouse suspicion of those on the outside. This was in preparation for an emergency situation.
- Exh. 1212 (p 10526) 3 December. Telegram from TOGO to NOMURA said they were answering U. S. by saying that they considered the rumor concerning the increase of Japanese troops in FIC to be caused by exaggerated reports of Japan's increasing troops in North FIC against Chinese.

1941 (continued)

- Exh. 1213 (p 10528) 3 December. Telegram from NOMURA to TOGO saying he had received TOGO's telegram and assumed it was result of consideration. U. S. attaching great importance to reply. No saying what U. S. will do.
- Exh. 1215 (p 10532) 5 December. Statement handed by NOMURA to HULL regarding HULL's inquiry about Japan's intention with respect to troops in FIC. NOMURA said that Chinese troops have shown signs of movement along northern frontier and Japanese troops were precautioned, having been reinforced in northern FIC.
- Exh. 1216 (p 10534) 6 December. Telegram from TOGO to NOMURA. Government has carefully deliberated on U. S. proposal of 26 November and will reply. Reply may be delayed until next day, exact time for presenting the reply will be telegraphed later.
- Exh. 1217 (p 10536) 6 December. Telegram from TOGO to NOMURA stating that although it is not necessary to give this caution, we trust that you will leave nothing to be desired in keeping the memorandum strictly confidential by absolutely avoiding the use of typists, etc. in its preparation.
- Exh. 1218 (p 10537) 7 December. Telegram from Tokyo to Washington marked "urgent" stating "Will the Ambassador please submit to the U. S. Government (if possible to the Secretary of State) our reply to the U. S. at 1:00 P.M. on the 7th your time". This was the last and final note to the U. S. before the Pearl Harbor attack.
- Exh. 1219 (p 10538) 7 December. Telegram from Foreign Office described steps to be taken in event of national crisis. Present force to occupy British concessions, Shanghai, International Settlement, etc.
- Exh. 1222 (p 10544) 6 December. Synchronized time chart for events of 6, 7 and 8 December.
- Exh. 1203-A (p 10487) 7 December. (TOJO Interrogation 21 Feb 46) TOJO said that he and the Cabinet realized that the shorter the time the note was to be delivered to the U. S., the more probability there was for a mishap. He could not answer why the message had not been sent to NOMURA sooner - that was the responsibility of Foreign Minister - orders were that final note was to be delivered. He had heard gists of the contents of the note, he and the Cabinet agreed with it. He knew the attack was to take place. He first learned that Pearl Harbor was to be attacked at the Liaison Conference before the Imperial Conference.

1941 (Continued)

- Exh. 1232 (p 10626) 7 December. Memorandum of conversation between HULL and NOMURA stated that NOMURA asked for an appointment to see HULL at 1:00 pm, later postponed it to 1:45 pm. NOMURA and KURUSU arrived at 2:05 and were received by HULL at 2:20. NOMURA said he had been instructed to submit at 1:00 pm the document he was handing over, but had been delayed because of time to decode the message.
- Exh. 1235-C (p 10640) At 10647, 8 December. Radiolog of news broadcast in Japan, 6:20 a.m., announced that orders for general mobilization had been issued at Hongkong. Great Britain trying to arouse Anti-Japanese feelings in Thailand. A Central Joint Conference of the IRAA would be called for five days, TOJO to make formal address as President. TOGO and SHIMADA scheduled to make speeches to express their opinions in order to stir up the people.
- Exh. 1241 (p 10690) 8 December. Minutes of the Inquiry Committee of the Privy Council stated that SHIMADA reported on the starting of the war against U.S. and England. TOJO, TOGO and others were present. With respect to Declaration of War, TOJO said it would be done when the Imperial sanction was obtained. He said that at the Imperial Conference on 1 December war had been decided upon. Also that Japan would **not** declare war on Holland. Germany and Italy to declare war when Japan does.
- Exh. 1240 (p 10685) 8 December. Imperial Rescript, declaring war on United States and Britain - Army and Navy to do their utmost in prosecuting the war, the entire nation to mobilize its total strength. The rescript was signed by TOJO, TOGO, SHIMADA, KAYA and other ministers.
- Exh. 1244-A (p 10707) 8 December. (TOJO Interrogation 1 March 1946) Pearl Harbor attack was a Navy operation and he knew only that if the attack went smoothly it would begin at such and such a time. Malaya, Hongkong, and Philippine attacks were joint operations and he knew about them. He knew about Pearl Harbor attack from Liaison Conference preceding Imperial Conference of 1 December. He approved these attacks. He said that since England and United States menaced Japan, the attack was against military objectives.
- Exh. 1243-A (p 10705) 8 December. (TOJO Interrogation 7 February 1946. TOJO said he was the one primarily responsible for the attack on Pearl Harbor and United States and British possessions. From standpoint of assistance to the Throne, the Cabinet was jointly responsible. As senior member, he was chiefly responsible as were Army and Navy chiefs.

1941 (continued)

- Exh. 1124-A (p 10183) 8 December. (TOJO Interrogation 16 Feb 46) When Japan attacked the United States, she made an attack from Saigon, FIC, Southwest, toward the east coast of Thailand. Planes previously based at FIC helped landing forces.
- Exh. 1266 (p 11303) 10 December. The Investigation Committee of the Privy Council met to discuss the matter of no-separate-peace. TOGO, SHIMADA, TOJO, MUTO and OKA were present when the question was asked whether the treaty should not be deferred until Germany and Italy had actually entered the war. TOGO and TOJO answered that it had been arranged with Hitler to announce German participation as soon as he signed the agreement and they could trust the Germans.
- Exh. 1267 (p 11305) 10 December. Privy Council Meeting was held, which TOJO attended, on the matter of the conclusion of the agreement between Japan, Germany and Italy, regarding the waging of a common war against the United States and Britain, non-separate-peace and collaboration for the establishment of the New Order in accordance with Tri-Partite Pact.
- Exh. 51 (For identification, p 515; referred to 6668, 11 Dec.) Board of Information announced the conclusion of an agreement between Japan, Germany and Italy with respect to their joint prosecution of war against U. S. and Britain, abstention from concluding peace and cooperation for establishment of New Order.
- Exh. 826-A (p 8060) 12 December. Excerpt from newspaper "Asahi", giving text of statement by TOJO on occasion of Declaration of War by Germany and Italy on the U. S. and of the conclusion by Japan of military agreement with Germany and Italy. TOJO said the world is divided into two groups, one fighting to maintain the status quo and the other for a New Order. He believes victory will come to the latter. Offers hearty congratulations on the alliance of the three countries.
- Exh. 879-A (p 9073) 16 December. TOJO made a ministerial address to the Diet, stating that Japan owes the Army many debts of gratitude and unbounded admiration for the demonstration of their great prowess. For many years, he said, he had been silently preparing for this great day.
- Exh. 1269 (p 11309) 18 December. KIDO states in his Diary that the Chief of the Naval General Staff reported to the Palace upon the war results at Hawaii. KIDO conferred with TOJO, who mentioned the need for control of discussion about KONOYE.

1941 (continued)

TANAKA (p 16145) Witness said that TOJO, KIMURA and MUTO were all familiar with the instructions given to him by SUGIYAMA on 6 September 1941 to begin preparations for operations against Malaya, Java, Borneo, Bismarck and Netherlands East Indies.

Exh. 649 (p 7069) 28 July. Proceedings of the Privy Council re Protocol between France and Japan states that "The Inquiry Committee on the exchange of the official documents regarding the conclusion of Protocol between France and Japan in connection with common defense of French Indo China and military cooperation."

1942

Exh. 1338-B (p 12034) 22 January. TOJO made a speech in the Diet. He said the cardinal principle for directing the war was to secure strategic points in Greater East Asia and gain control of areas containing important resources to continue the war until U. S. and Britain were defeated. Japan would carry out aggressive operations closely with Germany and Italy. In pushing her military operations Japan would also be engaged in establishing the East Asia Sphere. She would establish eternal peace in East Asia and construct a New World Order for the defense of Greater East Asia. He then enumerated the territories captured and outlined Japan's intentions toward them.

Exh. 1271 & 806 (p 11339) (p 7983) 29 January. OTT reported to Berlin Various speeches made by TOJO, TOGO and SUZUKI at the Diet and Budget Commission.

Exh. 1973 (p 14512) 1 March. Telegram to the Minister of War (TOJO) from the Chief of Staff, Korean Army, said that in destroying respect and admiration of Koreans, it would be effective if 1000 British and 1000 Americans be interned as Prisoners of War.

Exh. 1958 TANAKA (p 14299) 6 May. Record of Conference in War Ministry said there was no data to confirm a conference in War Ministry on 6 May 1942, but on the question of non-application of the Geneva Convention there are certain decisions. On 13 and 16 January, Vice-Minister of Foreign Affairs transmitted to War Ministry the inquiries of the American and British and War Ministry thereafter reached a decision and communicated it to the Foreign Office.

Exh. 2245 (p 16176) 26 May. Memorandum of transmittal of report of investigation of the Doolittle Flyers sent by Military Police Commander NAKAMURA to SUGIYAMA with copies to the Minister of War and others, stated that attached was a report of investigation of the eight American officers and enlisted men who took part in the raid on Japan on 18 April.

1942 (continued)

- Exh. 1960 (p 14423) 30 May. Excerpt concerning treatment of Prisoners of War in War Minister TOJO's instructions delivered to the Commander of the Zentsuji Division. TOJO said "the present situation of affairs in this country does not permit anyone to lie idle doing nothing but eating freely. With that in view, in dealing with the Prisoners of War, I hope you will see that they may be usefully employed."
- Exh. 1962 (p 14426) 25 June. War Minister TOJO's address delivered to the newly appointed chiefs of Prisoner of War Camps at the Ministry of War. He said that prisoners must be placed under strict discipline, their labor and technical skill should be fully utilized, and contribution rendered toward the prosecution of the Greater East Asiatic War.
- Exh. 2246 (p 16178) 1 July. Report from the Tokyo Nichi Nichi states that the Supreme War Council met on 30 June and TOJO explained the fast changing situation. Others present included DOHIHARA and KIMURA.
- TANAKA (p 14419) At end of June or beginning of July, Commanders of POW Camps were assembled and given further details on the treatment of PW's which had been decided at two conferences convened by order of War Minister TOJO.
- Exh. 1963 (p 14428) 7 July. Instructions of TOJO to newly appointed POW commanders 7 July 1942 stated supervision must be rigid, POW's not to remain idle for a single day, and that their manpower and technical ability should be utilized for expanding industries and contributing to the war.
- Exh. 2022 (p 14754) 8 July. Series of correspondence between the Japanese Minister of Foreign Affairs and the Swiss Minister. Swiss Minister wrote TOJO, stated that Sir Robert Craigie had sent him a copy of a newspaper showing British POW's cleaning the streets of Rangoon, necessary representations being made to Japan that POW's were not to be forced to do this kind of work. Switzerland is calling the attention of Japan to the fact that the dignity of soldier prisoners has been needlessly hurt, contrary to the prisoner of war code.
- de Weerd (p 12161) 5 August. An entirely new system of local administration was set up, the composition of the Administration Corps was later modified according to TOJO's promise, but leading positions remained with the Japanese and they did not hand over authority until August 1945.

1942 (continued)

- Exh. 1273 (p 11359) 1 Sept. KIDO'S Diary states that TOJO spoke to him about the establishment of the Greater East Asia Ministry. TOGO objected and TOJO asked him to resign. KIDO reported the matter to the Emperor who suggested that he call in SHIMADA as an intermediary. Thereafter KIDO received a telephone call from SHIMADA that TOGO had decided to resign and thereafter TOJO reported the resignation and said he would be responsible for the position of Foreign Minister as well as his own and the Emperor thereupon installed him as Foreign Minister.
- Exh. 128 (p 791) 1 September. Appointed concurrently as Foreign Minister.
- Exh. 1968 (p 14488) 1 September. Telegram to the Minister of War (TOJO) from Commander of the Taiwan Army, stated that 399 prisoners of war had been transferred from Tomi Group; were interned in the third branch of the Taiwan (Formosa) POW Camp (Heito), this included one Lt. Gen., 6 Maj. Gen. or Rear Admirals, 27 Brig. Gens. or Commodores, 25 Colonels, etc. Document shows it was received by the War Ministry and other bureaus.
- TANAKA (p 2054) 21 September. TANAKA testified that he approached War Minister TOJO, who said that Japan was going to fight to the last man. The question arose as to the establishment of the Ministry for Greater East Asiatic Affairs and in this connection he approached TOGO and asked him to start a political movement to oust TOJO. TANAKA was testifying concerning his resignation.
- Exh. 1967 (p 14485) 2 October. Correspondence from Chief of General Staff of Eastern District Army to Minister of War, requesting permission to employ POW's for loading and unloading cargo at harbors, etc. Details were provided. The application was approved 22 October and bears seal of Military Affairs Section and shows approving authority to be Vice-Minister of War.
- Exh. 1987 (p 14608) 3 October. KIDO Diary states that TOJO requested him to inform the Emperor regarding treatment of Doolittle Flyers; Chief of Staff also to report.
- Exh. 1961 (p 14425) October. Notification from the Director of POW Custody Division of the War Ministry to Army units concerned, stated that although imposition of labor on POW officers and non-commissions is prohibited by regulations of 1904, the policy of Central authorities in view of the present condition of the country is that no one remain idle. Proper steps to make such officers work will be taken.

1942 (continued)

- Exh. 687-A (p 7421) The first meeting of the Investigation Committee concerning the establishment of GEA Ministry is referred to. Premier TOJO made an outline explanation regarding the purport and the contents of the draft. TOJO said at 12,072 that in order to achieve victory which is an absolute necessity for Japan the combined fighting power of East Asia must be strengthened. He said it was desirable to establish a ministry and to appoint a responsible minister in order to achieve a swift and decisive execution of Japan's policy concerning GEA with regard to the effect of the GEA ministry on foreign countries. TOJO said at 12,073 that the countries within the Co-Prosperity Sphere all have ties with Japan and since the object of the draft is a plan for the benefit of the sphere, this misunderstanding would be solved. With regard to other third countries TOJO said that it would be sufficient if their reaction was counter-acted with propaganda.
- Exh. 687-A (p 7421) 12 October meeting of the Privy Council concerning the Ministry of GEA at p. 7422. Premier TOJO stated that the limits of GEA included the Kwantung Region, South Sea Islands, Manchuria, China, Siam, French Indo-China and new occupation zones resulting from the GEA war and therefore the limits would expand with the extension of occupied territories.
- Exh. 456-A (p 5190) 1 November. The Minister of Greater East Asia stated that the main purpose of it is inseparable with the prosecution of the war; the government, in carrying out the plan, must cooperate with the High Command.
- Exh. 1489 (p12832-33, SUZUKI 34) August. Stated that protests from U. S. Government to Japan's Government were disseminated to Vice-Minister of War, Minister of War, Chief, Military Affairs Bureau and Chief, PW Information Bureau by the Foreign National Section, Foreign Office, of which he was Chief from September 1942 to surrender. U.S. State Department notes, marked Exhibit 1468 through 1487, received this treatment also he did not recall to which office individual protests were sent. Important documents went to Chief, Military Affairs Bureau.
- Exh. 1976 (p 14529) 9 September. Report from ITAGAKI, Korean Army Commander to War Minister TOJO, set forth the labor provisions of the POW's in Korea. No POW to be allowed idleness but must give appropriate labor according to skill, age, and physique. All POW's, including officers, should work. Important to guard against destruction by POW's by having them give oath and establish severe penalties. Enforcement of POW labor to be according to the plan of the commander. Further details concerning POW's.

1942 (continued)

- Exh. 688-A (p 7425) 27 January. Plans for establishment of the Greater East Asia Co-Prosperty Sphere - a publication of the Institute of Total War stated that the area including Japan, Manchukuo, North China and the Soviet Maritime Province is to be the central zone for the East Asia Union under Japan's leadership.
- Exh. 689-A (p 7431-34) 18 February. An excerpt from secret publication of the Institute of Total War stated that in the north, Japan must strive to establish an international defense base and to maintain a superior strategic position. Appendix III of the report contains details for waging war against the USSR.

1943

- Exh. 1345 (p 12096) 16 June. TOJO in speech at the Diet stated defense preparations for Greater East Asia have been strengthened, Japan was making all arrangements to launch decisive operations. Relations with Nanking were smooth, independence would be granted to the Philippines within a year. Malay, Sumatra, Java, Borneo and other places are cooperating toward Japan. Japan intends to take measures envisaging participation of the native peoples and government in the course of a year.
- Exh. 1275 (p 11364) 18 August. Meeting of the Investigation Committee of the Privy Council was held to discuss the treaty between Japan and Thailand. TOJO was present. TOJO said Japan would recognize international law as long as the enemy did so, but would interpret it from the viewpoint of war according to her own opinions.
- Exh. 1347-A (p 12103) 5 November. TOJO gave an address at the assembly of the Greater East Asiatic missions in which he stated that a successful conclusion of the war meant the completion of the construction of the New Order. He then gave his views on the conditions necessary for world peace and the ties which bound the nations of Greater East Asia together. While the nations of the sphere mutually recognize their autonomy and independence, there must be mutual trust and cooperation.
- Exh. 1346 (p 12098) 6 November. Joint declaration of assembly of the East Asiatic nations. Basic principle for world peace is that each nation have its proper place. U. S. and Britain have oppressed other nations and peoples. In East Asia they have indulged in aggression and exploitation. This principle cause of war. Japan, China, Thailand, Manchukuo, Philippines and Burma represented. A proposal was made by TOJO which was approved. SHIMADA, HOSHINO, and others attended.

1943 (continued)

- Exh. 429 (p 4908) December. A document resulting from an investigation made by Bureau of Investigation and Statistics of the National Military Council of Mei Sze Ping and incorporated in proceedings held by the High Court of Nanking, relative to Mei Sze Ping showed that the opium business in China was systematic policy of high ranking officials of the Japanese government for two reasons: First, Mongolian autonomous government, puppet of Japan, sought to solve financial deficit problems by purchasing opium in inner Mongolia where people used to grow poppy and sell it at a profit. Second, Japan looked to opium as the necessary way out of her own financial difficulties caused by war. Greater part of the proceeds from the opium sold in Shanghai and other Chinese cities was sent to Tokyo, to be allotted as secret subsidiary funds to TOJO's cabinet, as well as to subsidize members of the Diet. This was an open secret and some Japanese people at home were opposed to this notorious policy of TOJO's Cabinet.
- Exh. 1977 (p 14539) 20 December. Revision and adjustment of cautions on censorship from Chief of the Information Bureau, War Ministry, stated that domestic reports on POW's should be made mainly to contribute to raising the fighting spirit of the people and to increase production. Avoid twisted reports - prohibited to say anything that gives impression POW's are too well treated or too cruelly treated.
- Exh. 1978 (p 14543) Outline for disposal of POW's according to the change of situation issued by the Vice War Minister stated that since war situation was very critical, POW commanders not to make any blunders in treating POW's. POW's must be prevented by severe means from falling into enemy hands. POW camps to be frequently changed. Further details concerning POW's.
- Exh. 1980-A (p 14558) (TOJO Interrogation 25 March 1946) As Minister of War, he was responsible for treatment of POW's.
- Exh. 1980-B (p 14558) (TOJO Interrogation 25 March 1946) POW Bureau organized immediately after outbreak of the Greater East Asia War. Necessary to do so according to international law. Not necessary during China Incident so no organization was set up to deal with Chinese prisoners. He issued order forming POW Bureau. At that time he was familiar with the provisions of the Hague and Geneva Conventions. In general he said as Prime and War Ministers he felt Japan was bound by two Conventions and by rules and customs of civilized nations with respect to prisoners of war.

1943 (continued)

- Exh. 1980-C (p 14561) (TOJO Interrogation 25 March 1946) Only complaints coming to him about treatment of POW's was in connection with food. Atrocities were not brought to his notice, he said. He is astounded about the atrocities now being shown in the newspapers. He said if the Emperor's instructions had been followed, these atrocities would not have happened. However, as Minister of War during the period they were committed, he said he was the responsible party for their commission. He was aware of the fact that U.S. and Britain had warned Japan that it would be held responsible for violations of the conventions and rules of war. He did not remember details but believed complaints came through the POW Information Bureau. They would first come to the Foreign Office and then be re-routed to the War Ministry. Complaints received were passed on to the various Army commanders. No replies or reports were sent back from the field.
- Exh. 1980-D (p 14564) (TOJO Interrogation 25 March 1946) Matters concerning the protests of U. S. and Britain on mistreatment of POW's were taken up at the bi-weekly meetings of the War Prisoners Bureau.
- Exh. 1980-E (p 14565) (TOJO Interrogation 25 March 1946) He and his assistants had made investigations many times in connection with mistreatment of POW's on the Burma-Thai Railway. He had heard rumors of mistreatment of POW's at Bataan and when in the Philippines he inquired of the Chief of Staff, Lt. Gen'l Wachi, who said that the march was due to a lack of transportation. He made this inquiry on 5 March 1943, more than a year after Bataan. He first heard these rumors in late 1942 or early 1943. He did not know how many times he had heard them - rumors were to the effect that POW's from Corregidor and Bataan had been mistreated; many deaths occurred, referred to as caused by sickness. Rumors did not state that troops who were forced to march were in no physical condition to do so. Other details concerning treatment of prisoners of war mentioned in this exhibit.
- Exh. 1981-A (p 14575) (TOJO Interrogation 26 March 1946) Since the war he had read of inhuman acts committed by Japanese Army and Navy. He said such things were not the intention of himself or those in authority, that they did not suspect such things had happened. Treatment of POW's was responsibility of Army Commanders, TOJO relied on them to follow treaties and rules. However, since he was supervisor of Military Administration, he said he was completely responsible. Other details mentioned.

1943 (continued)

- Exh. 1981-B (p 14579) (TOJO Interrogation 26 March 1946) he said it was likely that on or about 30 January 1942 Japan informed the U.S. that she would follow international conventions, law and rules and customs of law as to POW's and civilians. He said it was the intention of the government and himself to follow these conventions and for the things that happened the responsibility was his. When a protest would come in, he would forward it to the responsible Army Commander. He presumed investigations were made.
- Exh. 1981-C (p 14581) (TOJO Interrogation 26 March 1946) Emperor was not informed of any complaints regarding POW's. These were handled on TOJO's responsibility. The Emperor, he said, had no responsibility in connection with the matter.
- Exh. 1982-A (p 14583) (TOJO Interrogation 27 March 1946) He went to the Philippines in July 1943 in connection with the independence of the Islands. Because of rumors, he discussed with Chief of Staff POW treatment. C/S told him it was a fact that men had walked the long distance. He did not talk to C/S about prisoners being beaten and bayoneted. He felt that if responsible Army Commander knew of those things he would take proper action. He relied upon the commanders.
- Exh. 1983-A (p 14591) (TOJO Interrogation 28 March 1946) POW Information Bureau set up month after war started on the basis of treaties. All matters dealing with military prisoners handled by Information Bureau. Actual handling of prisoners in the field was performed by the head of the Prisoners Reception Centers under regulations and orders from the War Department. War Minister issued orders but Army Commanders could issue further orders on the basis of the previous ones provided they were consistent with those issued by the War Minister.
- Exh. 1983-B (p 14597) (TOJO Interrogation 28 March 1946) He had heard rumors that POW's in Thailand had been mistreated, ~~in China~~. A few cases came to his attention. Matter of mistreatment of prisoners was usually brought up twice a week at meetings of the Bureau Chiefs. The Chief of the POW Information Bureau or the Military Affairs Bureau would bring them up. They would then be referred by the Bureau Chiefs to the commander in the field who had the authority to act. He felt that if there was inhumane treatment the commander would take measures accordingly and send a report back to the War Minister.

1943 (continued)

- Exh. 1984-A (p 14599) (TOJO Interrogation 29 March 1946) He was responsible for Army orders and regulations. He did not recall any regulations directed against flyers before October 1942 when Japan was raided by American flyers. Extreme punishment meted out to these first flyers he said was to act as a deterrent to prevent further raids. General Sugiyama demanded severe punishment and as a result TOJO issued the order. The order was an ex-post facto law which was as follows: the raid, capture, issued order, trial, and executions.
- Exh. 1984-B (p 14605) (TOJO Interrogation 29 March 1946) He believed that on the basis of regulations various prison camps made a monthly report to the Military Bureau with respect to POW's. The War Minister received a stack of papers about a foot and a half high each day and he thought these were probably among them. He said he paid particular attention to reports of deaths caused from malnutrition. Responsibility for these matters belong to the commanders in the field. When they couldn't fulfill their responsibility, they made request of the War Ministry through Military Affairs Bureau.
- Exh. 1989 WAKAMATSU (p 14633-36) 3 September. Witness made an inspection and report of the Burma-Siam Area in regard to prison labor. Reports had been received that physical condition of POW's was poor and the death rate high. Feeding of POW's was below the required standard of quality and quantity. Decision to use POW's on the railway was made by SUGIYAMA, TOJO and KIMURA.
- Exh. 1988 (p 14609) 3 September. Monthly report from POW camps commandant in Thailand showed 40,314 POW's of which 15,064 were ill with malaria, malnutrition, gaihi and beri-beri.
- Exh. 690-A (p 7435) Plans to govern Siberia, including outer Mongolia, a publication of the Institute of Total War stated that the object of government is in preparing and adjusting defensive areas in the northern borders, to establish defense for the sphere, and a military administration should be secured.

1944

- Exh. 1276 (p 11367) 6 January. KIDO, in his Diary, discusses the war situation at the time. The fate of Germany is the most important problem. Japan must consider whether she will take measures to bring the war to an end in case Germany is beaten. The TOJO Cabinet will be difficult to continue in the event Japan attempts to bring war to end. He discusses future diplomatic moves in the event the war should come to an end.

1944 (continued)

- Exh. 128 (p 791) 21 February. TOJO appointed as Chief of the Army General Staff.
- Exh. 827-A (p 8063) 16 April. Speech by TOJO stated that Allied Powers had mobilized their full force and are now pressing the Axis in the east and west. Firm conviction of ultimate victory of Japan, Germany and Italy has only been more strengthened. Through complete co-operation in war effort by the countries within the Great East Asia Sphere, Japan's position is strengthened day by day. Japan will fight to the end. Necessary for the Axis to cooperate and concert more closely and to increase the fight against America and Britain.
- Exh. 1278 (p 11377) 18 July. TOJO reported and told KIDO that he had decided on a resignation en bloc. KIDO asked if he had a succeeding Prime Minister in mind. TOJO replied that the senior statesman must have a plan in mind and he did not venture to give his opinion. KIDO was shown the written resignation of TOJO. At the meeting of the senior statesmen a long discussion centered around the reconciliation of differences between the Army and Navy.
- Exh. 1280 (p 11383) 20 July. The senior statesmen met again and KIDO explained the development regarding the coalition. KOISO came to the palace from Korea, called on KIDO and told him about the discussion with TOJO and UMEZU.
- Exh. 128 (p 791) 22 July. TOJO relieved of his command post as Premier and concurrent post at his own request.

channel through which the orders of the General Staff in Tokyo were transmitted. He said there was no room left for the use of any discretion or judgment on the part of the members of the Headquarters of the China Expeditionary Force.

On cross examination at R 29047 TANAKA said that the opinion of the General Staff was conveyed to the War Ministry in a conference of bureau chiefs of the War Ministry by Chief of the Military Affairs Bureau SATO, who was then acting as liaison between the War Ministry and the General Staff. At this conference War Minister TOJO definitely opposed the extreme view, namely, that the flyers should be executed. TANAKA said it was true that some of the junior officers were rather extreme in their views but that since War Minister TOJO had said the extreme view was wrong TANAKA thought it was correct to say that such was the view of the War Ministry.

On further cross examination at R 29048 when asked who was responsible for over-ruling the views of so important a figure as TOJO, TANAKA said that General SUGIYAMA, Chief of the General Staff was one of them. The vice-Chief of the General Staff, although he at first opposed the extreme view, later agreed to it. This was Lt. General TANABE. TANAKA said also at R 29049 that all the members of the First Department of the General Staff, which included Lt. General TANAKA, Shinichi, also favored the extreme penalty. At R 29051 TANAKA said during cross examination that it had become a habit which had existed for some years previous that when extreme views about executing and murdering people were held they were declared to be held by junior officers.

At R 29053 during cross examination TANAKA said that clamor for the extreme penalty for the flyers arose immediately upon receipt of word from China that the flyers who had bombed Tokyo had been captured there. He said the reason ascribed was if the flyers were executed it would act as a deterrent and thus prevent possible future raids on Japan. (R 29054) At R 29055 when asked why the flyers could not be tried in Tokyo TANAKA said he did not know the exact reason but that since the new military law had been promulgated it was his opinion that the central authorities felt that it would not be proper to hold the trial in Tokyo. He believed it to be a desire on the part of the central military authorities to evade their responsibility.

July: At R 29056 TANAKA said the new law was promulgated toward the end of July and that the flyers were sent to China on the 18th of June. He said that had General HATA refused to carry out the new law that he would undoubtedly have been relieved of his post.

Exh. 3340 R 30715
KIDO -- Direct

September 1: At R 31066 KIDO said that TOGO resigned from the Tojo Cabinet because he objected to the establishment of the Greater East Asia Ministry. With respect to this point KIDO said he did not from the rationalistic point of view dissent from the opinion of TOGO. He said he thought that the first thing to be avoided was a change of government under the circumstances, namely, in the course of war and that it would result in reinforcing the enemy if Japan were to bring about a change of government while there was no change of the cabinet of any of Japan's enemies. (See Prosecution Exh. 1273, R 11359)

October 3: At R 31067 KIDO stated that the court martial of the American flyers was under the Chief of the General Staff. He said that on October 3 Premier TOJO told him about the disposition of the American flyers (See Prosecution Exh. 1987, R 14608). KIDO said that on the above date TOJO told him that he was advised of the punishment which was going to be inflicted, namely, death, but that he had caused the penalty for most of the flyers to be reduced. According to KIDO he reported this fact to the Throne at TOJO's request. KIDO said he knew nothing of the treatment of the flyers while they were prisoners.

Exh. 3197 R 28869
MIYANO -- Direct ✓

Witness identified exhibit as his affidavit and at R 28873 testified with respect to the letter written by General USHIROGU to the vice-Chief of the General Staff in Tokyo mentioned above by TANAKA. At R 28874 MIYANO said that General HATA told Colonel ARISUE that because of the seriousness and the importance of the matter he wanted the orders from Tokyo in writing. He said that HATA did not appoint the members of the tribunal, the prosecutors or the defense counsel. At R 28877 MIYANO said that HATA's intentions of treating the flyers in a generous manner had already been communicated to Tokyo through his Chief of Staff and that was the reason why Tokyo had dispatched Colonel ARISUE as emissary of the General Staff direct to HATA to notify him of the contrary intentions of the Tokyo central authorities. At R 28878 the witness said that with the arrival of Colonel ARISUE the entire matter was handled directly in accordance with orders from Tokyo and in the same manner as if the trial had been held in Tokyo. At R 28879 the witness said that at no time were the military authorities in Shanghai permitted to alter or change any of the decisions or to offer their recommendations and that from the very beginning after the flyers were captured Tokyo assumed control of the entire matter. At R 28882 HATA is alleged by the witness to have told General SAWADA that the matter of the sentence of the flyers was beyond his control.

On cross examination at R 28890 MIYANO testified that the order directing that the flyers be tried by the China Expeditionary Forces was issued by the Chief of the Army General Staff in Tokyo. (See Exh. 1993, R 14670)

Exh. 3233 R 29407
TANAKA -- Direct ✓

At R 29414 TANAKA testified that in 1942 the question of using Chinese prisoners of war in the coal mines of Japan came up again and that General HATA, who was then Commander of the Japanese Forces in China, again strongly opposed the plan and because of his opposition the plan was not carried out. (TOJO, War Minister at the time)

1 9 4 3

Exh. 3340 R 30715
KIDO -- Direct ✓

March 30: KIDO stated at R 31069 that he had an audience with the Emperor and that the latter talked about the outlook on the war. The Emperor expressed his concern over the future of the war situation, especially Germany's war situation, and told KIDO about the necessity for terminating the war without a moment's delay.

April 30: At R 31069 KIDO said that Prime Minister TOJO called on him and said that he had decided to reconstruct his cabinet in the light of the home and foreign situation.

1943 Cont.

Exh. 3372 R 32007
MURAKAMI -- Direct ✓

March 8: Witness stated at R 32008 that from March 1943 to December 20 of the same year he was a director of the Research Institute of Total War in Tokyo. He said that on the day of his appointment he was received by Premier TOJO who handed him a written order appointing him director and said that, "At present the institute should make supreme efforts in the study of the national ideology of the Japanese Empire, (Nippon Kokutai Kannen) and in order to secure ultimate victory it is necessary that each student of the institute be imbued with this ideology." At R 32009 MURAKAMI stated the institute received various secret materials necessary to carry on the research in the various problems concerning total war from all the ministries and in addition the students of the institute constantly received additional secret data from their ministries and used them in their research. (R 32009)

At R 32009 the witness said the institute was sometimes given definite research problems on total warfare from Premier TOJO but usually the institute itself selected the most important problems of the time for investigation. (Institute under direct control of Premier, see Prosecution Exh. 868A, R 8816) MURAKAMI said that in March 1943 vice-Admiral ENDO, his predecessor in the post of director, said to him, "The research in the administration of the occupied areas in the GEA territory, occupied by the Japanese Army was personally entrusted by Premier TOJO." He said the secret research, namely, the draft for the administration of the occupied areas in the GEA had been completed before he became director. He read the draft and it provided for the establishment of:
1 - The central area, including Manchuria, Soviet Maritime Province and North China, which would be united by Japan. 2 - The smaller co-prosperity sphere, including besides 1, Eastern Siberia, China and Indo-China. 3 - The greater co-prosperity sphere, including in addition to 2 above, Australia, India and Pacific islands.

MURAKAMI said at R 32010 that the various problems of the further conduct of war by Japan in the near future, that is the period from 1943 to 1944, were investigated by the institute under his direction.

At R 32010 the witness said the draft plans worked out by the institute were sent to Prime Minister TOJO and all the ministries concerned in order to have them carried into practicable use. At R 32011 the witness said that compared with other ministries the War and Navy Ministries were most closely connected with the institute and that is why the institute was headed alternately by a general or an admiral.

1943 Cont.

MURAKAMI said that when he was director of the institute there were about forty students consisting of responsible officials of the respective ministries whose rank was usually equal to that of major or lieutenant colonel and also some representatives of banks and companies.

At R 32011 witness said that when he was director of the institute theoretical researches and maneuvers were conducted with the express purpose of rendering practical assistance and data to the cabinet and the various ministries. At R 32012 the witness said that in carrying out these researches and maneuvers they were conducted under strict consideration of the actual international and internal situations and were based only on the real strength and resources of the state.

Exh. 3372 R 32007
MURAKAMI -- Cross

On cross examination by defense counsel Mr. Blakeney the witness at R 32041 reiterated that in connection with his work as director of the institute he was given instructions by Premier TOJO. At R 32044 he said that students of the institute handled different subjects or different angles of the same subject in accordance with their respective specialties. On further cross examination by defense counsel Mr. Blewitt the witness said with respect to Exh. 688A, R 7424, that it was a result of studies made by the students and later on used as a reference for future studies. (R 32050-51) With respect to Exh. 690A, R 7434, which is a secret publication of the Institute of Total War under the heading, "The Plans to Govern Siberia, Including Outer Mongolia" the witness said that the research contained therein was worked out in accordance with instructions given by Premier TOJO.