

EXHIBIT No. 3082

(17)

INTERNATIONAL MILITARY TRIBUNAL FOR THE FAR EAST

THE UNITED STATES OF AMERICA, et al)

vs)

ARAKI, SADAQ, et al)

SWORN DEPOSITION

DEPONENT: ABE, Yoshimitsu

I, ABE, Yoshimitsu, having been duly sworn in accordance with the procedure followed in this country depose as follows:

1. I was born on April 10th, 1898, at Kamitoku, Tomita-Mura, Ochi-gun, Ehime. At present I live at Koyaura, Saka-Mura, Aki-gun, Hiroshima Prefecture.

2. An outline of my career is as follows:

(1) Graduated from the Military Academy in 1920, Second Lieutenant, Infantry.

(2) Staff-officer, North China Area Army, Major, Infantry.

(3) Attached to the Military Affairs Bureau of the War Ministry, Lieutenant Colonel, Infantry.

(4) Chief of Staff of the 38th Division, Colonel, Infantry.

(5) Commander of the Army Railway Transport of the Hiroshima District. Major-General until the close of the war.

3. I took part in the battle of Hongkong in the capacity of Chief of Staff of the 38th Division. The said battle was started on command of the 23rd Army on the morning of December 8, 1941.

4. I shall explain this battle of Hongkong in two stages -- the first is the attack on the Kowloon Peninsula and the second on the Island of Hongkong.

1st stage:

Our Division advanced into the Tamaoshan line after we first rushed through the western and southwestern sides of Tapu for the purpose of seizing the enemy on the plain of Chintien and we began to break through border positions from the eastern district of Hsien-Chuen. Then we prepared ourselves for attacks on the enemy's principal position. We focused our main attack on Chin-Sheng from the western part of the reservoir near the cattle-gate and penetrated quickly into the northern line of the tip of the Kowloon Peninsula after breaking through the said principal position. One part of our troops further advanced to the southern tip of the Kowloon Peninsula.

2nd Stage:

Attack on the Island of Hongkong.

In regard to the landing operations against the Island of Hongkong we chose the beachhead point between the northern corner of the island and Sui-Niu Wang with the northern corner as the landing point for our main force. Our right flank made preparations for an attack near Tai-Wang, whereas our left flank prepared for the attack near Tseng-Jang Shu. After the Artillery Corps of the 23rd Army and those of our Division had fired devastatingly on the enemy positions, we landed on the island. Upon completion of the landing, we immediately

advanced further to the lines of Mt. Chadenes (T.N. phonetic).

5. No air units were attached for the purpose of the battle of Hong-Kong. But there were planes attached to the 23rd Army and they joined in the operation under the command of that Army. At first they bombed enemy aerodromes and warships and later cooperated with us in our ground operations.

6. Excepting one battalion out of our divisional artillery which was assigned to the left flank, we united all the other artillery in the landing operations against the Island of HongKong and bombarded enemy artillery positions of automatic weapons, pillboxes and various obstacles laid along the water front between the north corner and Sui-Miu Wang which was to our front and after the first landing was effected we ordered them to fire at the enemy behind these defenses. Consequently, we issued no orders to fire at water level objects. Particularly, were our artillery forces strictly forbidden to bombard the town in spite of great tactical disadvantage.

7. We did not receive any information that there were Soviet merchant ships at anchor in the harbor neither before nor during the landing operations. We did see three or four sunken ships in the harbor before our attack, however, but could not tell whether it was due to bombing by a chance shell fired either by the enemy or us or from scuttling. Our bombardment was concentrated on the enemy ground positions, obstacles and artillery positions in the vicinity of our landing point. We felt no need to fire at the ships in the harbor. And indeed there is no fact behind any accusation that we fired on the ships lying at anchor in the harbor. On the contrary, it is possible that an enemy shell might have hit the anchored ships as they were directing their fire at our landing craft in the course of the landing operation. The Japanese troops did not open fire within their landing barges until they landed. The thing they did was to put up a smoke-screen while the enemy fired at our landing barges.

The landing operation was commenced at about 2100 o'clock under cover of darkness so although the enemy used searchlights, their firing was so much hit and miss it is quite probable that some of those merchant ships which were within the zone of maneuver of our landing barges might have been hit by enemy shells.

We are positive that our army absolutely never committed such acts as to lock up the ships' crew, confiscate them of their belongings or their provisions, etc.

It cannot, however, be denied that the Chinese residents who were in the occupied area of the Japanese forces, after we succeeded in the landing operations of HongKong, plundered evacuated houses and warehouses at night and sometimes even in the daytime and used small junks to loot ships in the harbor. Since our Division was still occupied with all its strength in attacking interior positions on the island at the time it was very difficult for us to be tending to the suppression of such disorders.

8. There were many ships large and small lying at anchor in the eastern half of the harbor of Hongkong, particularly, in the spot nearer to the Island of Hongkong, Taiwan, and the eastern part. But larger ones were not numerous and probably numbered less than twenty. Three or four ships were in a sunken state but their crew must have taken refuge elsewhere as we saw nobody on the ships.

Our landing barges, therefore, were compelled to thread their way around these ships lying at anchor in the Port.

We could not recognize the nationality of the ships in port because they had no flags nor any other clear marks of identification.

9. In order to avoid further useless sacrifice of human lives, the 23rd Army twice despatched its Chief of Staff Gada as a bearer of a flag of truce, to advise the British Army to surrender. Particularly, on the second occasion, we suggested to them to consider the evacuation of at least the women and children from the Island, which, however, was not accepted by the British Army.

10. With reference to prisoners of war, as our Division took charge of only disarming and keeping watch of them, I do not remember exactly how many British war prisoners there were, but I think there were about fifteen in Kowloon and about six thousand in Hongkong.

The British Army troops voluntarily disarmed themselves and gathered in their barracks, so it wasn't as troublesome as we had anticipated nor did any incident occur. Thereafter the handling of the war prisoners was completely under the supervision of the 23rd Army.

11. Regarding the non-combatants in Hongkong, the 23rd Army took charge of them, but they were small in number as the majority of the families of the British had evacuated Hongkong before the battle began. The remaining number continued to live in hotels or in their own homes just as they had been doing.

12. We were deeply moved by the Imperial Command which gave us the honor of capturing HongKong and very conscious of the heavy responsibility and duties involved.

The Divisional Commander gave us instructions on several occasions, the gist of which was as follows:

"The attack on Hongkong differs from garrisoning in China. It is an attack on a fortress which has seen years of laborious preparation by the British, and it will be against an army which is one of the strongest forces in Europe. It is therefore, certain that the history of this battle will be closely examined and commented upon by future historians for a long time. We must pledge ourselves to stake all our lives upon a victory in this battle. Particularly, no act of illegal conduct should be committed throughout the battle, such as murder, atrocities, plunder and destruction, etc. Our attitude must be gentlemanly so that we may not suffer even the slightest criticism from the enemy as well as the third Powers."

Throughout the battle, we strictly obeyed, without the slightest variation the purport of the above instructions.

After our Division broke through the border and captured the enemy's principal position, tactical principles demanded that the whole army should immediately storm into the town of Kowloon so that the enemy garrison for the district of Kowloon might be prevented from retreating to the Island of Hongkong. However, as it was plain that the entry of a large number of soldiers into Kowloon would necessarily throw the city into confusion, the entire army was ordered to halt at the foot of a hill to the north of the city, and only two infantry battalions with the best training records in the Division were ordered to enter the town. As a consequence the whole town was completely saved from confusion.

During our landing operations on Hongkong, enemy artillery from their positions inside the town fired fiercely at us. But despite the intense firing by the enemy our troops were strictly forbidden to bombard the town, and were ordered to aim only at such pill-box positions as were located higher on the hill than the residential section. Needless to say this proved a great tactical disadvantage in our operations but in spite of it we did our utmost to protect HongKong from war disaster. Because our troops were not permitted to attack inside of the city, HongKong still remains today as it used to be and there were no casualties among its residents. After the enemy on the Island of HongKong surrendered at least three battalions were needed ordinarily to maintain peace and order of the city as well as to disarm the enemy. But we selected only one of the best infantry battalions in the Division for this difficult task, cut the number of men to the least possible, placed them on their honor and they performed wonderfully.

Even after the capture of all of HongKong, we stationed only three select infantry battalions in the town, because unforeseen incidents might possibly follow the entry of a mass of troops into the city and its vicinity. Our main forces, therefore, were concentrated in the suburbs to the north of the town of

Kowloon and restrictions were placed on the soldiers in entering the town. Thanks to these measures, no incidents took place although some complaints were heard among the soldiers.

13. Looting by Chinese refugees was perpetrated taking advantage of unguarded moments even during the course of battle; therefore, we strictly prohibited the public in general from going out at night. However, as these refugees broke into evacuated houses even during broad daylight to say nothing of at night, we had extreme difficulty in preventing such looting.

After the occupation, Chinese refugees opened markets in Kowloon and HongKong but the majority of their transactions consisted of stolen goods.

I am firmly convinced that there was absolutely no case of murder, atrocity and looting committed by the officers or men of our Division.

14. I do not remember exactly the number of British soldiers killed and wounded, but the wounded for the most part were taken care of by the British Army themselves.

Some of them were searched for and found by our front line troops in conjunction with the British Army. When the dead were discovered, they were buried respectfully at the spot where they were found; and the wounded were taken into hospitals.

On this seventh day of December 1946, at the First Demobilization Bureau in Tokyo.

DEPONENT: ABE, Yashimitsu

(Seal)

I hereby certify that the above signature and seal were affixed hereto in the presence of the witness at the same place at the same date.

WITNESS: IMANARI, Yasutaro

(Seal)

O A T H

I swear according to my conscience to state the truth
withholding nothing nor adding anything.

ABE, Yoshimitsu