

INTERNATIONAL MILITARY TRIBUNAL FOR THE FAR EAST

THE UNITED STATES OF AMERICA, et al

- vs -

ARAKI, Sadao, et al

SWORN DEPOSITION (Translation)

Deponent: NISHI, Hisashi

I, NISHI, Hisashi, having first duly sworn an oath, depose as follows:

1. I am living at No. 718, 2-chome, Daita, Setagaya-ku, Tokyo-to.
2. During the period from January 1941 until Germany collapsed in May 1945, I was stationed in Berlin as an Assistant Military Attache to the Japanese Embassy there, and was in charge of all the secret documents including telegrams to the Military Attache.
3. Since November 1943 when air-raids over Berlin were intensified, I destroyed by fire secret documents several times by order of Military Attache KOMATSU. And when we left Berlin in April 1945, I destroyed by burning every confidential documents.
4. Consequently the following documents which were kept in the chamber of Military Attache in Berlin do not exist at present.

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- (1) Telegram sent in 1935 from Military Attache OSHIMA to the Japanese Army General Staff concerning the German-Japanese Agreement.
- (2) Various instructions issued from 1937 to January 1939 by the Chief of the General Staff to the Military Attache in Berlin, concerning our plots against Soviet and the collection of information.
- (3) Telegram sent in 1937 from the Army General Staff to Military Attache OSHIMA, in forming Japan's policy of localizing the China Incident.
- (4) Instructions sent in 1937 from the Army General Staff to Military Attache OSHIMA, ordering him to negotiate with the German Army concerning Japan's peace movement toward China.
- (5) Germany's proposal made in July 1938 with regard to the Japan-German-Italian treaty.
- (6) Telegrams sent in August 1938 from the War Ministry or the General Staff to Military Attache OSHIMA concerning the above treaty.
- (7) Telegrams sent in September and in October 1938 between Military Attache OSHIMA and the General Staff, with regard to the appointment of Military Attache OSHIMA to the post of Japanese Ambassador to Germany.
- (8) Telegram sent in May 1939 from Military Attache KAWABE in Berlin to the War Ministry or the General Staff concerning the Japan-German-Italian Treaty negotiations.

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(9) Telegram sent in the same month and year from War Minister ITAGAKI to Military Attache KAWABE on the above matter.

On this 4 day of November, 1947,
at Tokyo.

DEPONENT NISHI, Hisashi (seal)

I, USHIBA, Nobuhiko hereby certify that the above statement was sworn by the Deponent, who affixed his signature and seal thereto in the presence of this witness.

On this same date,
at Tokyo.

Witness: (Signed) USHIBA, Nobuhiko

OATH

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

NISHI, Hisashi (seal)