

Exhibit 2802

22

ERRATA SHEET

Page 2:

2nd paragraph, line 6; the following is to be inserted after "general",

"and conducting investigations, the National Resources Bureau was established and put under the jurisdiction of the local Minister. The business of the National Resources Bureau was divided into three groups:

- ~~(1) to~~ conduct investigations necessary for the control of national resources;
- (2) to frame plans for the controlled application of national resources and preparation of control laws etc. relative thereto;
- (3) matters concerning a domestic establishment relative to the above, for instance, measures for complementing the shortage of national resources.

The meaning of the last mentioned "matters concerning a domestic establishment" was to frame some specific plans which were deemed necessary for an increase of the national strength, and refer them to the Ministry concerned, recommending their materialization.

However, as the National Resources Bureau was a minor bureau attached to the Cabinet without any specific authority over any Ministry, the Ministry would not do anything more than merely listen to the plan for its information in case such was referred thereto
/by the Bureau.

Thus, nothing could be accomplished in this line except a partial standardization of industrial technical terms then used in Japan. On the other hand, the investigations of the national resources made gradual progress after passage of the National Resources Investigation Law in 1929,

Def. Doc. 1924

Page 2 continued:

About the plan for the control of national resources, the representatives of the Army, Navy" etc.

4th paragraph, the last line; "the Planning Board" should be read as "the Planning Bureau".

Page 3:

1st paragraph, 2nd line, and 2nd paragraph, 3rd line; "the Planning Board" should be read as "the Planning Bureau".

Page 4:

4th paragraph, 5th and 6th lines are to be stricken out wholly; 7th line is also stricken out through "or of", and make the sentence start anew as "The duty of the Planning Board was to", by inserting "was".

Doc. No. 1924

INTERNATIONAL MILITARY TRIBUNAL FOR THE FAR EAST

THE UNITED STATES OF AMERICA, et al.

vs.

ARAKI, Sadao, et al.

SWORN DEPOSITION

DEPONENT: Uemura, Kogoro

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

I, Uemura, Kogoro, immediately after being graduated from the Law College of the Imperial University in 1918, entered the service of the Commerce Bureau of the Agriculture and Commerce Ministry, and successively filled the posts of factory supervisor, commissioner of the Patent Bureau and private secretary of the Minister of Agriculture and Commerce.

In 1925, when the Commerce and Industry Ministry was separated from the Agriculture and Commerce Ministry, I was attached to the Engineering Bureau, and concurrently held the posts of commissioner and secretary of Commerce and Industry.

In 1925 I went abroad to Europe and America to investigate the industrial conditions there and returned in 1926.

In 1927, when the Bureau of National Resources was established in the Cabinet, I was attached thereto and occupied the post of Chief of the Research and Investigation Section. Later I was promoted to Chief of the General Affairs Section, and then to Chief of the Executive Department.

In October, 1937, when the Planning Board was created, I was appointed Chief of the Research and Investigation Department, and in July, 1938, became the Chief of the Industry Department. In 1939, when the structure of the Planning Board was reformed, I became the Chief of the 4th Section of the Planning Board with industrial affairs in its charge. In January, 1940, I became the Vice-director of the Planning Board, and resigned on August 13, 1940.

Circumstances connected with the Establishment of the Planning Board. It was made clear by various inquiries and reports that, in view of the experiences in World War I, every European and American country is striving

after the war towards research and investigation of industrial and the general mobilizations. In our country, too, the Munitions Bureau was established in the Cabinet a year after I entered the government service, that is in 1919 under the jurisdiction of which were placed the enforcement of the Munitions Industry Mobilization Law enacted in 1918, and other affairs concerning the preparation for the general mobilization in industry, communication etc. Later on, this bureau was merged with the Statistics Bureau of the Cabinet to form the Census Bureau. But later on this too, was abolished and the affairs in its charge were allocated to various Ministries.

In 1927, it was deemed necessary to conduct fundamental investigations of not only the munitions mobilization, but also the promotion of general industries and national wealth, and formulate plans based on this. Therefore, for the planning of controlled application of the resources in general, the representatives of the Army, Navy and other departments concerned met in a conference, and the plan including the rough estimate of the wartime demand submitted by the Army and Navy Departments has been drafted since 1929 or so, but it was nothing more than an extremely rough, so-called, desk plan.

After 1931 as the international situation gradually worsened the remarkable economic depression in Japan centered in the rural communities broke out and consequently the social and political insecurities became aggravated during the Cabinets of Wakatsuki, Inukai, Saito and Okada. As a result the government deeply felt it necessary that the cabinet should have a department or bureau directly attached to it to investigate thoroughly the important national policies, and at the same time to promote the said national policies by unifying the opinions of each department, so that the government might cope with or overcome such situations.

For this purpose the Cabinet Investigation Bureau was established. This was in May, 1935, that is, during the Okada Cabinet. After this Investigation Bureau was set up, matters concerning the political and economic measures which the National Resources Bureau was unable to carry out came in existence under the jurisdiction of this Bureau. However, this Investigation Bureau was reformed into the Planning Board in May, 1937.

As soon as the North China Incident broke out in July, 1937, the general public felt uneasy about the prospect, and the tendency to import cotton, etc in speculation became more and more conspicuous. If this matter were to be left to take its own course there might arise a remarkable deficit in the exchange fund which had been in deficit heretofore, and the maintenance of exchange rate might become difficult. Fear increased. Therefore the Finance Department established a commission and sub-commissions for each respective item to regulate the import and made them regulate the imports upon drafting the import plan. But, contrary to the expectations the Incident expanded more and more, and the government keenly felt the necessity of establishing synthetic plans and measures throughout all departments, in order to cope with this situation.

Def Doc. 1924

A proposal to establish a larger scale office by merging the existing Planning Board and the National Resources Bureau was brought forward. In so far as the executive officials of the then National Resources Bureau were concerned, they simply considered that by simply increasing the personnel of the bureau the needs would be met. However, the two offices were merged in accordance with the government's views and in October, 1937 the Planning Board was established.

Functions of the Planning Board. The powers of the Planning Board were essentially the same as those of the National Resources Bureau and Planning Board combined for the reason that the Planning Board was instituted by the merger of those two offices as stated above. Its major powers were to plan out the matters concerning the development and application of the synthetic national strength as the premier's staff; to investigate any reports that the premier would tender on all matters that were presented by each ministry; to state opinions at cabinet conferences upon such reports and matters; and to regulate and unify all the affairs of each ministry in regard to certain matters. However, the Planning Board was, to the end the premier's staff, and it had no authority to give orders to the various ministers or to enforce anything. Furthermore, it had also no function whatsoever to execute such. The national policies were all decided at cabinet conferences and, consequently, every ministry brought it in operation according to its jurisdiction.

The Commodities Mobilization Plan. The first Plan taken in hand by the Planning Board was to take charge of the affairs related to the import plan that had been previously handled by the committee of the committee of the Finance Ministry, and the Board had to draw up a synthetic commodities mobilization plan, inclusive of such matters as concerned with the import plan. In proportion to the progress of the China Incident, there was an accelerated increase in demands for commodities, and the regulation of supply and demand based upon a definite plan, became absolutely necessary from the viewpoint of a shortage of exchange capital as well as of commodities. Therefore as soon as the Planning Board was established it, first of all used the former surveys and plans as a bases and drew up a synthetic plan by adjusting such demands as presented by the Army, Navy and other ministries. This was the so-called commodities mobilization plan. Though this commodities mobilization plan was drawn up since 1937 it was extremely rough and imperfect, for its drawing up was undertaken in the later part of 1937 and moreover, it was speedily drawn up as an emergency measure taken for the China Incident. It was from 1938 that it looked somewhat like a plan set in order.

D.D. 1924

THE PLAN FOR EXPANDING THE PRODUCTION POTENTIAL

The establishment of the plan for expanding the production potential was another important task assigned to the Planning Board among the matters concerning commodities. This plan for expanding the production potential was taken up later than that for the mobilization of materials. At that time, the need of military expansion was strongly advocated as an unavoidable measure to cope with the prolongation and extension of the China Incident, and the aggravation of the international situation. Primarily, however, the development of our basic industries was markedly lagging behind the world Powers', so the necessity of all out development of national resources, by means of expansion of the basic industries, was acutely felt by all.

It was July of the 13th year of Showa (1938) when I was made the Chief of the Industrial Section that I first occupied myself with the plan for expanding of the production potential. At that time the draft of each industry placed under each planning scheme was almost completed. These drafts had been under study since the time of the Planning Bureau and I was told that the Industrial Section was continuing these studies. When I took the post of the Chief of the Industrial Section I found that the five-year plan for Manchukuo had already been begun in the 12th year (1937).

As it was considered necessary to set up a year plan in Japan too, we at last came to establish the plan based upon the synthetic readjustment of the drafts already compiled. At first we modeled ours also along the lines of a five-year plan. But as we had to draft a collective plan in coordination with that of Manchukuo and in order to make both terminal periods correspond so that we could start our second plan together with Manchukuo, we had in our case to adopt a four-year plan. On the other hand, this point was most appropriate in view of the rapidly changing economic conditions of the time.

It was in January of the 14th year of Showa (1939) that the cabinet positively decided on the matter, so that only three months remained of the 13th fiscal year. Accordingly the plan became substantially three year one. Not everything was to be embraced by the plan, of course, it was intended as stated before, to establish a second plan after the expiration of the first. I believe that this plan was naturally studied fully by the War Ministry but I know absolutely nothing of any such thing as a War Ministry Five-Year Armaments Production Plan of 23 June, 1937, or of the duty of the Planning Board to adjust the demands of the Army and Navy Departments, as well as those of other Departments. Candidly speaking the primary reason why the Planning Board established the plan for the expansion of the productive potential was to aspire to a well balanced development of the industries of our country. So the Planning Board has always endeavored its utmost to secure the materials allocated for the expansion of productive potential. However, on account of increasing demand for war materials caused by the extension of China Incident, the allocations of materials for the expansion of capacity productive potential were not carried out as expected by the Planning Board. So the plan for the expansion of the productive potential did not progress as it was planned.

In what we call the fixed year for planning, the fiscal year is adopted as a matter of course, in view of its relation to the budget and the yearly material mobilization plan, etc. Therefore, the last year of the four-year plan of the productive potential for the expansion commenced in the month of April, of the 15th year of Showa (1940) and finished on the last day of March of the 17th year of Showa (1942). I should think that this plan was adequately studied at the Army Department. But I have no notion at all of the existence of a five-year plan for Manufacture of the war materials of the War Ministry dated June 23, 1937 (the 12th year of Showa), nor that of a five-year plan for the Important Industries, dated May 29, of the same year, both of which are now being brought in issue at the Tokyo Military Tribunal for the Far East.

THE NATIONAL MOBILIZATION LAW

One of the important items with which the Planning Board was concerned was the National Mobilization Law. The National Mobilization Law was prescribed at a cabinet council meeting on 9 November 1937, after the outbreak of the China Incident, was approved by the 73rd Session, and was brought into force on and after 5 May 1938.

Mr. Taki, Masao, President of the Planning Board at that time, was ordered by the Prime Minister Kenoe, after the decision of the cabinet meeting regarding its establishment, to the effect that the Planning Board should devise the National Mobilization Law cooperating with other departments, and take charge of its drafting after frequent negotiations with the other departments concerned. The bill thus drafted was further approved formally by the cabinet council meeting, and was presented to the Diet under the joint signatures of each Minister, according to my recollection.

As a law regarding the general mobilization at the time, the Ammunition Industries Mobilization Law passed in 1918 was still valid. It included the provisions applicable to a considerably wide scope to the mining industry and to communications. Thus, in order to correspond with the development of the China Incident, this Ammunition Industries Mobilization Law was applied for the time being, under Law No. 38 dated 10 September, 1937, and there was further established an Imperial decree, based upon the same law, which is called the Industry and Business Control Ordinance on 25 September to control some munition works. Besides, in the 73rd session of the Imperial Diet at that time, a great number of extraordinary measures was enacted and put into effect, such as remedial ones for the future change of conditions anticipated with the occurrence of the China Incident. The China Incident, however, expanded more and more until it was clearly indicated that it would be prolonged. International relations too became so serious as to bring about an unforeseen state of affairs. In order to take complete action to cope with such a situation, the Ammunition Industries Mobilization Law enacted some 20 years previously, and the separate temporary measures were by no means sufficient. Besides, Japan was backward in preparation for national mobilization as compared with other countries. So, it was decided to enact speedily the National Mobilization Law.

Available at that time were the laws and regulations of European and American countries during the time of World War I, such as Britain's uniform National Defence Law, and subsequent legislation, such as Italy's and Czechoslovakia's National Mobilization Law, and the U. S. National Mobilization Law Bill (Bill 5,539, introduced by the Lower House in the 74th Session of Congress, in 1935, and then under the consideration of the Upper House,) to which we referred for our drafting of the Mobilization Law. I remember that Czechoslovakia's Mobilization Law and also the U. S. Mobilization Law Bill were so perfect as to furnish us with much information.

The National Mobilization Law of Japan thus enacted went into effect in May, 1938, and the Munitions Industry Mobilization Law was abolished at the same time.

Later on, in conformity to this National Mobilization Law were issued a number of Imperial Ordinances which were proposed and executed by each of the competent ministries, but the Planning Board, as previously stated, has absolutely no authority to execute the policies of the government.

Def.Doc.# 1924

On this 25th day of July 1947

At Tokyo

DEPONENT UEMURA, Kogoro (Seal)

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

On the same date

At the same place

Witness: (signed) Uda, Masao (Seal)

Def.Doc.# 1924

OATH

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

UEMURA, Kogoro (Seal)