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Def. Doc. #2918
(TOGO)

ERRATA SHEET

Affidavit of NOGUCHI, Yoshio

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Paragraph 10, line 3

Please add "in October 1940" after word "Moscow".

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Def. Doc. 2918
(Tōgō)

Ex 3611

INTERNATIONAL MILITARY TRIBUNAL FOR THE FAR EAST
THE UNITED STATES OF AMERICA, et al

-vs-

ARAKI Sadao, et al

- Defendants -

A F F I D A V I T

NOGUCHI YOSHIO

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

1. I served as member of the staff of the First Section of the European-American Bureau of the Foreign Ministry from July 1925 to March 1926, during which time Mr. Tōgō was the section chief from July 1925 till the end of the year. When I served in the First Section of the European-American (later European-Asiatic) Bureau from January 1930 to October 1933 Mr. Tōgō was the director of the Bureau throughout the period. While I was a secretary-interpreter of the Japanese Embassy in Moscow from October 1939 to November 1940 Mr. Tōgō was Ambassador to the U S S R, and I returned home about a month after Ambassador Tōgō was recalled by Foreign Minister Matsuoka. While I was in Moscow under Ambassador Tōgō after October 1939 I served as interpreter of all the conversations between Ambassador Tōgō and Commissar Molotov following the settlement of the Nomonhan Incident in September. I served thereafter in the same capacity in the European-Asiatic Bureau from December 1940 to February 1943, during which time Mr. Tōgō was Foreign Minister from October 1941 to September 1942. It was immediately after Mr. Tōgō became Foreign Minister for the second time that I returned home from Bulgaria, where I had been a secretary of the Legation, and was ordered to serve in the Political Affairs Bureau, Mr. Tōgō remaining Foreign Minister till August 1945. During these two tenures of Mr. Tōgō's Foreign Ministership I served as his interpreter for all conversations with the Ambassador of the U S S R. I therefore am familiar with the negotiations which Mr. Tōgō conducted with the U S S R and with Mr. Tōgō's opinion in connection therewith.

2. While Mr. Tōgō was Ambassador to the U S S R, he seized the opportunity immediately after the Nomonhan Incident, when Russian-Japanese relations showed a favorable turn, further to improve the relations between the two countries, and succeeded in bringing about the solution of various pending problems one after another. Among these the exchange of prisoners of war of the Nomonhan Incident, the demarkation of the Mongolian-Manchuokuoan border, the settlement of the final allocation of the payment for the Chinese Eastern Railway, the negotiations concerning the Russian-Japanese commercial treaty, the question of the general settlement of border disputes, etc., were the most important. As to the negotiations for the epoch-making neutrality treaty between Japan and the U S S R, Mr. Tōgō carried the negotiations all but to consummation.

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3. In conducting the negotiations with the U S S R, Mr. Tōgō did not insist on the exclusive interests of Japan only, but always maintained the position that the interests of both parties should mutually be respected. Whenever he found any instruction from Tokyo excessive or improper he did not hesitate to request the reconsideration of Tokyo, and he always undertook negotiations after having fully examined the facts underlying the issue in question. This attitude on the part of Mr. Tōgō caused him to win the confidence of Commissar Molotov, and the conversations between the two were always carried on in the most friendly atmosphere. I have never worked so pleasantly as I did in those days in Moscow.

4. Commissar Molotov at that time was concurrently Chairman of the Council of Commissars and the Commissar for Foreign Affairs. It was indeed unusual in the practice of the U S S R in those days that Mr. Molotov accepted with hardly any exception Mr. Tōgō's requests for interviews in spite of the fact that he was busily occupied with his official business, and habitually received him most promptly.

5. In the all-night negotiations over the modus vivendi of the fisheries problem, on the night of 31 December 1939, Mr. Molotov insisted when the question of the gold clause concerning the last payment for the Chinese Eastern Railway, the simultaneous settlement of which with the fishery agreement the Soviet side had previously insisted upon, came up, that the opinion of experts had to be obtained inasmuch as the question was economic. Ambassador Tōgō, however, pointed out that there was not time enough to obtain expert opinion, as the agreement had to be reached during the year, and requested that Mr. Molotov should accept the word of the Ambassador that the Ambassador's proposal was not disadvantageous for the U S S R either. Mr. Molotov stated in reply that if the Ambassador gave so strong an assurance he would rely on the Ambassador's word and would immediately sign the document.

6. Upon the conclusion of the fisheries agreement referred to above in the early morning of 1 January after the all-night negotiations, Commissar Molotov drank a toast, saying that he expressed his respect for the efforts made by Ambassador Tōgō, that it had been his pleasure that he had been able to solve the Nomonhan Incident with the cooperation of Ambassador Tōgō and that Russian-Japanese relations would become more and more friendly in the coming year, thanks to the efforts of Ambassador Tōgō.

7. It was Mr. Tōgō's intention to establish peaceful relations with the U S S R, and he recommended the conclusion of a non-aggression pact both by telegrams and by sending a member of his staff to Tokyo. He finally obtained instructions from the Government to open the negotiation for the conclusion of a neutrality pact, and made the following oral proposal to Commissar Molotov in early July 1940.

(1) The two contracting parties confirm that the Basic Treaty between Japan and the U S S R shall be the basis of the relations between the two countries.

The two contracting parties declare that they will maintain peaceful and friendly relations, and will respect each other's territorial integrity.

(2) In case one of the two contracting parties, in spite of her peaceful attitude, is attacked by a third Power or Powers, the other party shall maintain neutrality throughout the conflict.

(3) The present agreement shall be effective for five years.

Commissar Molotov some days later agreed in principle to the proposal, saying that it was in substance a non-aggression pact, and communicated to Ambassador Tōgō in mid-August that the U S S R would accept the proposal on condition that Paragraph 1 of Article 1 be deleted, proposing at the same time that the concessions in northern Sakhalin should be terminated. Mr. Tōgō recommended to Tokyo that in the circumstances, when it had become so difficult to execute the concession rights, the Russian proposal should be accepted and the proposed non-aggression pact be brought to conclusion.

8. However, Mr. Matsuoka, who became Foreign Minister in July 1940, at the time when the pact was all but concluded, ordered Mr. Tōgō to return home and to suspend negotiations concerning the neutrality pact. Mr. Molotov repeatedly inquired of Mr. Tōgō, before Mr. Tōgō's departure, as to the intention of the Tokyo Government concerning the neutrality pact, for the reason that the sudden change of Ambassadors in the midst of an important negotiation was incomprehensible and that the new Ambassador, General Tatekawa, had made a statement in Hsingking on his way to Moscow that Japanese-Russian relations should be restored to a clean slate. Mr. Tōgō endeavored to dispel the concern of the Russian authorities by explaining that the previous negotiations, although commenced on his own initiative, had been conducted with full contact with the Government and the change of the cabinet could not change the policy concerning the neutrality pact, and that he himself would upon his return home do all he could to improve Russian-Japanese relations.

9. I recall Mr. Tōgō's having told me that the motive for his proposing a neutrality pact was to take the opportunity of the settlement of the Nomonhan Incident to establish a fundamentally peaceful relationship between the two countries. I was acting at that time half as interpreter and half as his secretary. I recall his having told me that Japan should not seek in the south anything beyond the promotion of economic interests, for advance in the south would necessarily cause a clash of Japan with the United States and Britain. Mr. Tōgō went to Berlin for a few days in May 1940, but it was to be examined by a doctor there and not for official business to see the Japanese Ambassador there. This was the only trip to Germany that he made during 1940.

10. At a farewell party given at the official residence of the Foreign Commissar in honor of the Ambassador on the eve of his departure from Moscow, Mr. Molotov spoke words of praise, saying "I have never in my public life of many years seen any man who insists so earnestly and frankly as Mr. Tōgō does on whatever he believes to be right. I respect Mr. Tōgō not only as a distinguished diplomat and statesman but as a man."

11. I will now turn to the time when Mr. Tōgō was Foreign Minister. When Mr. Tōgō became Foreign Minister in October 1941, Ambassador Smetanin often communicated the requests of the U S S R concerning the maintenance of neutrality between the two countries. On these occasions Mr. Tōgō suggested more than once his desire to render good offices for peace between Germany and the U S S R. Especially on the occasion when Ambassador Smetanin was leaving for home in January 1942, Mr. Tōgō entrusted to the Ambassador a message to Commissar Molotov that if the U S S R should in future come to entertain a desire for peace with Germany he was ready at any time to render good offices for mediation. At that time Mr. Tōgō remarked that in the cir

cumstances when the whole world had become involved in the war the relations between Japan and the U S S R were like a shaft of sunlight in the midst of a shower, and that it was his desire and intention to extend this light to the whole world. I recall that in the summer of 1942 Mr. Tōgō complained that the activities of the Japanese authorities abroad were too passive at the moment when it was deemed urgently necessary to bring about a general peace through the Russo-German peace. When I called on Mr. Tōgō on the eve of my departure for Bulgaria in early 1943 and urged him to act for the mediation of Russo-German peace, he spoke to me to the effect that he deemed the Russo-German peace the most proper way to bring about general peace and that he was willing to work to that end if the Government would give him full powers for action.

12. I returned from Bulgaria in April 1945. Mr. Tōgō summoned me in May and told me of his intention of negotiations with the U S S R with the aim of terminating the war. His intention materialized in June as the conversations in Hakone between former Premier Hirota and Ambassador Malik, and I served as interpreter of the conversations and liaison between Mr. Tōgō and Mr. Hirota. Although the negotiations ended in failure, it was because the war situation had too far deteriorated to be saved through the negotiations.

O A T H

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

Noguchi Yoshio (seal)

On this 19th day of November, 1947

At Tokyo

Deponent Noguchi Yoshio

I, Nishi Haruhiko, hereby certify that the above statement was sworn to by the deponent, who affixed his signature and seal thereto in the presence of this witness.

On the same date

At Tokyo

Witness: Nishi Haruhiko (seal)

Translation Certificate

I, Nishi Haruhiko, of the defense, certify that I am conversant with the English and Japanese languages, and that the foregoing is, to the best of my knowledge and belief, a correct translation of the original document.

Nishi Haruhiko (seal)

Tokyo
20 November 1947