

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

SATŌ NAOTAKE

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 entered the service of the Japanese Foreign Ministry in November 1905. In 1931, being then Ambassador to Belgium, I was on 9 December designated one of the Japanese delegates to the Geneva Conference on General Disarmament, serving as such until the spring of 1933. Thereafter I served as Ambassador to France, 1933-37; Foreign Minister, 1937; Diplomatic Adviser to the Foreign Ministry, September-October 1938, and again November 1941 to February 1942; and Ambassador to the U S S R, February 1942 to August 1945. I am at present a member of the House of Councillors of the National Diet.

2. The Secretary-General of the Japanese delegation to the Geneva Conference on General Disarmament of 1932 was Mr. Tōgō Shigenori, at that time Councillor of the Japanese Embassy in Berlin. It so happened that the extraordinary session of the Assembly of the League of Nations to consider the Manchurian question was held in Geneva during part of the time that the Disarmament Conference met, and in consequence very many Japanese were in Geneva for both conferences. In order to promote the efficiency of our delegation's work, and to avoid its confusion with other matters, Mr. Tōgō proposed to the delegates that the business of the delegation to the Disarmament Conference should be kept separate from and not mixed with that of the delegation to the Extraordinary Assembly, and that the personnel of the two delegations should as far as possible be of composition independent of each other. The consent of the chief delegate, Mr. Matsudaira, and myself was given to this plan, and as a result Mr. Tōgō worked exclusively on the business of the Disarmament Conference, without being involved in the question of the Manchuria Incident, although some of the personnel (including myself, as it happened) were connected with both.

3. During the summer recess of the Disarmament Conference, in August 1932, Mr. Tōgō was ordered to Japan temporarily to make report and receive instructions concerning disarmament questions. Upon his return to Europe in November he came to Geneva from Berlin and made a report to the delegates on his mission to Tokyo. But, having already received notice of his recall to Japan, he stayed in Geneva only a short time after his return.

4. The chief Japanese delegate to the Extraordinary Assembly of the League was Matsuoka Yōsuke. The extraordinary session convened in October 1932, and as I remember Mr. Matsuoka arrived at Geneva some time afterward. He and Mr. Tōgō were in Geneva simultaneously for only a week or a little more after Mr. Tōgō returned to Geneva as mentioned in section 3 above; and then

also they were of course engaged in entirely different business. Mr. Matsuoka had nothing to do with the business of the delegation to the Disarmament Conference; Mr. Tōgō had nothing to do with the League Assembly or the Japanese delegation thereto.

5. At that time in Geneva rumors of Japan's withdrawal from the League of Nations over the Manchuria Affair were current, and the question was naturally, although it had no connection with the business of the Disarmament Conference, being discussed by all of us as one of the burning issues of the hour. I recall Mr. Tōgō's saying at the time that Japan should remain in the League and endeavor to maintain her friendly relations with other nations. I had of course known Mr. Tōgō as one opposed to extreme measures and an advocate of peace with foreign countries.

6. One evening toward the end of October 1941, if I remember right, Foreign Minister Tōgō invited a number of us, seniors in the diplomatic service, to dinner at his official residence for the first time after he had assumed the office. By that time the relations with the United States and Britain had already deteriorated considerably; and so, after dinner, in the presence of all my colleagues, I addressed the Foreign Minister, saying that the Foreign Ministry should continue, with the utmost perseverance to the last, its efforts for the success of the negotiations then in progress between the Governments of Japan and the United States. I pointed out the danger that the situation might in the worst case develop into a war between the two countries, and declared that, at that critical moment, the people would never understand the situation if, as had been the case with the China Affair, hostilities should be opened without adequate diplomatic efforts, and should drag on for years. I further emphasized that, should a war break out between Japan and the United States, it would indeed be a matter of life and death for Japan, and demanded that every one should rack his brains to make efforts to maintain peace. I said that the people would never be persuaded to the resolution to rise in arms, unless they were convinced that the war was really inevitable in spite of all efforts on the part of the Japanese Government, and expressed my earnest desire that the Foreign Ministry should leave nothing undone to bring the negotiations to an amicable conclusion, in defiance of all unfavorable criticisms, and never giving up hope to the last. To this the Foreign Minister replied that he was of the same opinion, and that he was actually doing his utmost to carry out his task on that principle.

7. I was unexpectedly requested on the following morning to call on the Foreign Minister. He asked me at the interview if I would assist him as a diplomatic adviser to the Foreign Ministry, saying that he felt exactly the same way that I had expressed myself the night before and that he felt that he was too busy, being occupied with many important conferences and interviews with the diplomatic corps, to think things over himself. I accepted the offer in view of the importance of the situation, and was formally appointed Diplomatic Adviser on 11 November.

8. When Mr. Tōgō confided to me (I do not remember the exact date, but it was at the end of November 1941, after receipt of the Hull note of 26 November) that the Japanese Government had finally been compelled to decide to terminate the negotiations, I pleaded with him to try negotiations further, notwithstanding all disappointments. Foreign Minister Tōgō told me that he had already done all that he could and that there was nothing that he could do further except to try to obtain reconsideration of the United States, adding that he was willing to resign and to be replaced, if any way could be suggested by any of the senior diplomats to bring matters to a different conclusion, because it

was his greatest desire that Japan should not enter upon a war. I replied that all the senior diplomats reposed full confidence in Mr. Tōgō, and that he should not resign, for no one could hope to do any better.

9. As Diplomatic Adviser to the Foreign Ministry in 1941-42 I was not in charge of any routine business of the Ministry, but from time to time gave advice to the Foreign Minister upon his request. In January 1942, however, Foreign Minister Tōgō requested of me that, in view of the importance of the problem of the treatment of prisoners of war and internees of enemy nations in Japan, I should assist with the business of the bureau in charge of the matter by making contact with the diplomatic corps, and especially those representing the interests of enemy nations, concerning these matters. In conformity with the request, I talked about the matter from time to time with the representatives concerned, in order to contribute to the satisfactory handling of the matter. Shortly thereafter, however--at the end of February--I was appointed Ambassador to the U S S R, before I had had a chance to do much in that direction.

10. In July 1942, while I was in Kuibyshev, I received instructions from Foreign Minister Tōgō to pay as frequent visits as possible to Moscow and to pave the way for Japan's using her good offices for restoration of peace between Germany and the Soviet Union. Japan's intention was, he said, to spare no effort toward the termination of the Russo-German war, with the final aim of bringing about the earliest possible restoration of general peace. I considered that, as battles were then being bitterly fought in the Ukraine and the Caucasus, there was no prospect of peace between Germany and the U S S R at that time, and I so reported to the Foreign Minister. Mr. Tōgō, however, instructed me again, in the middle of August of the same year, to visit Moscow as frequently as possible, sending me the draft of the new fisheries convention and suggesting that my calls on the Soviet authorities in connection with it would provide opportunities for bringing up the subject of peace. While I was prevented from visiting Moscow, Mr. Tōgō resigned from the Foreign Ministership in September 1942, and his communications with me in the matter of a general peace came to an end.

O A T H

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

Satō Naotake (seal)

On this 6th day of November, 1947

At Tokyo

Deponent: Satō Naotake

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, hereby 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

Tokyo
6 November 1947