not just 6-8-1
18 405. Exhibit #

Def. Doc. 613 A-14 (OSHIMA)

Excerpts from Interrogation of MATSUCKA Mosuka

## 6 March 1946 (Page 4)

- Q. Who was the Japanese Ambassador at Berlin at the time of the conclusion of the Tri-Partite Pact?
- A. Mr. Kurusu.
- Q. Do you know, as a matter of fact, that Mr. Oshima worked diligently to conclude the Tri-Partite Pact or alliance, even before this time we are speaking of now?
- A. I heard about it, but not in my time. He was not consulted at all by me.
- Q. Now, you visited Berlin, didn't you, and talked with Ribbentrop and Hitler, didn't you? Was that after the conclusion of the pact?
- A. Yes, it came about this way on the day we concluded that pact, I spoke over the telephone with Von Ribbentrop and with Count Ciano. They both invited me to visit them, and I said if the conditions were right, I may do so. So, later on I went out to visit Europe. But that again - in proper place I will explain.
- Q. Did you go first to Berlin, or first to Moscow?
- A. I passed through Moscow, and so I stopped one day and paid my respects to Mr. Stalin, and then went to Berlin.
- C. Ih Berlin did you have conversations with Oshima? A. Some casual conversations, but not on business.

## 7 March 1946 (Page 6)

- Q. So that if there is documentary evidence in the nature of dispatches between Berlin and Tokyo requesting such action, to wit: the going to war by Japan against Russia, they are either mistaken or false?
- A . Fabrications. Of course, OSHIMA, our ambassador, sent a wire (asking) what Japan will do. So we considered and decided not to join the war.
- . Reading further, "The Japanese Government replied through Mr. Matsuoka that it did not contemplate an attack against Soviet Russia. Indeed, with the exception of a few military hotheads, nebody in Japan wanted war against Russia. Press and public opinion were puzzled and confused by the sudden German attack on the Soviet especially after the much-advertised German-Russia non-aggression pact of October 1939. The Japanese Government itself had just concluded a neutrality pact with the Soviet. They had no actual conflict with Russia and considered Japan not prepared for such a war. Furthermore, it heped to find an agreement with the United States in the China question which would be impossible in case of a Japanese

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attack upon Soviet Russia". Do you recall making such a reply to \_\_\_\_well, obviously, if no such request was ever made of you, you never made such a reply?

A. No, when Oshima wired out inquiring what should Japan do, I think he had it in his telegram that Hitler said whether Japan would join or not all depends on Japan and he is not asking for Japan to decide either way. So Germany, as I said yesterday, questioned Japan's help.

## 12 March 1946 (Page 7)

- Q. Well, as Fereign Minister, didn't you usually take the advice of your Ambassador in these foreign cabinets, on matters like that?
- A. That depends upon the question: It is my principle not to discuss with Ambassadors anything he presents.
- Q. Well, he was sent to Berlin as a member of your Foreign Ministry when you were Foreign Minister.
- A. Yes.
- Germany may have known in April when you were talking to them about concluding this non-aggression pact, that they had every intention of going to war with Russia.
- A. I doubt it very much.
- Q. But they did not raise any objection when you suggested you were about to conclude a non-aggression pact?
- A. No.
- Q. And you did conclude such a pact?
- A. Yes.
- C. Now I assume that in your deliberation for the conclusion of this non-aggression pact with Russia, you were advised by other members of the cabinet?
- A. No.
- Q. Did you discuss the matter with other members of the cabinet?
- A . Not with all.
- Q. Did you discuss it with any of the members of the cabinet?
- A. With the Premier, Konoye, the Minister of War, Minister of Navy, and I think it included the Chief of Staff and Chief of Naval Operations.

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- . Q. Was the Finance Minister in on the discussion?
- A. I don't remember.
- Q. What was the nature of your discussions with these members of the cabinet?
- A. I don't exactly discuss, but I told them that I was going to, and none raised any objection. In fact, they knew it was being discussed at Moscow between our Ambassador and Mr. Molotov for some time.

## DEFENSE DOCUMENT 613-A-14

The Prosecution objects to the introduction of this excerpt from the interrogation of MATSUOKA.

A similar excerpt from the interrogation of MATSUOKA (Def. Doc. 613-A-10-13 and 2) was offered on 17 June 1947 and rejected (R. 24,570-2). The ruling of the Court at that time was as follows:

far as I recollect it is, certainly on the first occasion, when an excerpt from MATSUOKA's interrogation was tendered the Tribunal rejected it on my objection that the only basis or justification for using a part of this interrogation could be that the prosecution had used a part of it and therefore that the defense was entitled to do so; and, as the prosecution did not use any part of MATSUOKA's interrogation, I successfully objected to the defense doing so.

"THE PRESIDENT: We have fully considered that matter, and by a majority we came to the conclusion that the interrogation of any of the accused can be used for or against himself only. That is what it amounts to. Of course, where one of the other accused heard what he said and admitted its truth, it could be used against him. But, we know of no such case yet.

"MR. COMYNS CARR: MATSUOKA no longer being amongst the accused I assume the ruling means that his interrogation cannot be used by either side.

"THE PRESIDENT: That is the Court's decision and we will hear no discussion about it."

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Der. DoC 613 A 14

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