

INTERNATIONAL MILITARY TRIBUNAL
FOR THE FAR EAST

THE UNITED STATES OF AMERICA, et al

- vs -

ARAKI, Sadao, et al

Sworn Deposition

Deponent:--SAITO, Yoshiye

Having duly sworn an oath, I, SAITO, Yoshiye,
hereby depose as follows:

1. My present address is No. 42, Shoto, Shibuya Ward, Tokyo.
2. From July 1940 to July 1941, I was a Counsellor of the Foreign Office and assisted Foreign Minister MATSUOKA regarding the conclusion of the Tripartite Pact in the way of office work.
3. According to the Tripartite Pact, in case any one party out of the three contracting parties be attacked by another power or powers who are not involved in the European War or the China Incident at the time of concluding

this pact the remaining contracting parties shall aid the party so attacked by means of political, economic and military measures. But the problem of judging as to whether one of the contracting parties was attacked as stipulated in the pact, viz. whether the remaining parties were to aid, was a matter the Japanese, German or Italian Government was to decide individually, and the commission incidental to the said pact was not empowered to decide on such a matter. Further, the Japanese Government never did authorize the commission to decide on such a matter.

4. As a result of the Tripartite Pact, three commissions, namely, the general commission, military commission and economic commission were to be established in Tokyo, Berlin and Rome respectively, but, these commissions, organized by the Foreign Minister of the country where the commissions were established, with the Ambassadors, military and naval attachés and others as members were nothing more than liaison organs for the Japanese,

German and Italian Governments, and these commissions were not authorized to decide matters building their Governments.

On this 5th day of February, 1948

At Tokyo.

Deponent SAITO, Yoshiye, (Seal)

I, SHIMANOCHI, Tatsuki, 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 same place.

Witness: /s/ SHIMANOCHI, Tatsuki, (Seal)

OATH

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

/s/ SAITO, Yoshiye (seal)

Def, Doc # 3077

Exh #

3907

東亞國際軍事裁判所

亞米利加合衆國其他

荒木貞夫其他

宣誓供述書

供述者 齋藤良壽

私、齋藤良衛は宣旨の上次の通り供進する。

一、私の現住所は東京都澁谷區松濤四二番地である。

二、私は一九四〇年七月より一九四一年七月迄外務省顧問であり、其間三國條約の締結について松岡外務大臣を事務的に輔佐した。

三、三國條約によれば三締約國中何れかの一國が此條約締結當時歐洲戰爭又は日支紛争に参入して居ない國によつて攻撃せられた時は他ノ締約國は攻撃せられた國を政治的、經濟的及び軍事的的方法により援助する義務があるが、此條約に謂ふ所の締約國の一國が攻撃せられたりや否や、即ち又爾余ノ締約國が援助を與ふべきや否やの判断は、日獨伊各國の政府に於て決定すべき事柄で、三國條約に基く委員會には斯かる決定はなかつた。

四、日本政府が斯かる決定を此委員會に委ねたこととなつた。

三國條約の結果として、東京、伯林、羅馬の三ヶ所には孰れも一般委員

會、軍事委員會及び經濟委員會の三委員會が設置せられることになつて居

つたが、此等の委員會は其所在地の外務大臣、駐在大使、大使館附陸海軍

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昭和二十三年（一九四八年）二月五日 於東京

供 述 者 齋 藤 良 高

右 齋 藤 良 高 人 ノ 面 前 ニ テ 宣 言 シ 且 ツ 署 名 捺 印 シ タ ル コ ト チ 證 明 シ マ ス

同 日 於 同 所

立 會 人 齋 藤 良 高 夫

武官その他ノ者ヲ以テ構成せられた所ノ日獨伊三國政府ノ連絡機關に過ぎず、
三國政府ヲ拘束するやうな決定をなす權限はなかつた。

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良心ニ從ヒ眞實ヲ述ベ何事ヲモ黙秘セズ又何事ヲモ附加セザルコトヲ以テ

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