

No 2582

INTERNATIONAL MILITARY TRIBUNAL FOR THE FAR EAST

THE UNITED STATES OF AMERICA, et al

- vs -

RAKI, Sadao, et al

Sworn Deposition

Deponent -- KAWABE Torashirō

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, KAWABE Torashirō, was on duty from March 1937 (the 12th year of Shōwa) to the end of February of the next year, as a section chief of the General Staff, taking charge of the affairs relative to tactics in the Central Military Supreme Command. During this term, I met with the outbreak of China Incident. I, therefore, depose on the problem concerning tactics of the Central Supreme Command, during the period from the time just prior to the outbreak of the China Incident to its early stages.

1. General survey by the Central Military Supreme Command of the world situation at the time just prior to the outbreak of the China Incident.

The Central Supreme Command, in order to draw up various plans of national defence and tactics, had to make, as a matter of course, a survey of the international situation of the time. In the spring of 1937 (the 12th year of Shōwa) when I took office as a section chief of the General Staff, the Central Supreme Command passed general judgment on the world situation of the time as roughly mentioned below:

"A. The European Powers are indicating their recovery at length from their exhaustion and debility from World War I. Especially, the vivid foreign policies of Germany and Italy have been creating various causes which might give rise to new situations in the world. Various Western nations of the whole world are divided into two opposing groups of great influence. Such circumstances foreshadow that the time will come when both groups must be brought into a large-scale clash ultimately."

"B. The Soviet Union has step by step increased her national power by effecting the Industrial Five Year Plan. She, at the same time, is making her stand clear, setting focus upon the international problem of interests rather than upon ideology or principles with which she has actively propagandized in the early period of foundation.

On the other hand, the military establishments in the eastern part of the Union have rapidly been strengthened of late and the parallel tracking of the Siberian Railway has been completed which has markedly increased its military value.

"C. Although such is the general situation of the Western Powers, any country would not be desirous of bringing about a great war and statesmen of the Powers will make great efforts to prevent a war."

Accordingly, no incident will probably occur in the immediate future, of such magnitude where the various Powers would be willing to stake their existence.

'D. In China, the real controlling power of the Nationalist regime has grown more and more strong. They, however, refrain for the present as ever from making various sorts of direct anti-alien operations for restoring national rights. They have gradually come to realize the true intention of Japan on the Manchurian problem and have shown a tendency to bring about friendly relations with Japan, trying to make various agreements with Manchuria. Nevertheless, racial consciousness is inclined to become stronger among the intellectual people, students, etc. anti-Japanese sentiment has gradually permeated students, soldiers, etc. and thus the anti-Japanese measures taken by the Chinese Communists are gaining ground."

. Views of the Central Supreme Command of the time on national defence.

The Central Supreme Command, on the above judgment relative to the international situation, has the following view concerning the Japanese position in point of national defence:

A. With a great international struggle which is sooner or later to be expected to break out among various Western nations, Japan as no moral or interested relations to be drawn into its vortex. Japan, therefore, ought to keep aloof from it.

B. Steady progress of Manchoukuo as well as friendly and co-existent relations among the three states of Japan, China and Manchoukuo are what secure our national defence, maintaining the peace in the Orient. Either anti-Japanese sentiment or contemptuous feeling towards Japan on the part of China will naturally disappear if the Japanese will reflect on their attitude and be prudent; and if the national strength of Japan becomes replete. As a result, true friendship and mutual respect among the aforementioned three states shall come into existence, by which any of these states can insure the security of national defence.

. When we reflect upon the actual conditions of Japanese national strength from the standpoint of national defence, we acknowledge that her strength is extremely inferior in various sorts of material factors necessary for self-defence and self-existence as a modern state. So long as the status quo remains as is, it cannot be guaranteed that the purposes of both first and second items mentioned above will be achieved.

With such a view of national defense, the Central Supreme Command had established the following principle since about half year before March 1937, which I took office. When I assumed my office, the chief of the First Division, my superior officer, fully explained the purport of this principle, which was as follows:

"In order to insure the country's peace and security in point of national defence at this moment when the new situation of the world has begun to show a delicate world move, the Army should make special efforts to improve itself in quality and efficiency. The military forces stationed in foreign territories should be very cautious in everything and restrain themselves and endeavor not to commit any faults that they might not occasion any international trouble. The Central Supreme Command, in cooperation with the military administrative authorities, should help them, directly or indirectly, in carrying out various national policies

to promote our national power." This was at that time the principle and creed which all the personnel of the Central Supreme Command observed in unity.

The measures taken for the purpose of having the military forces understand completely the policy of the Central Supreme Command.

The aforementioned principle and policy were shown and explained by the Central Supreme Command's authorities at "the Conference of the Divisional and Army Commander's" which was held in May 1937 (the 12th year of Shōwa). Moreover the Central Supreme Command, on consulting with the War Ministry, sent Lt. Col. OKAMOTO, a competent officer, of the War Ministry to North China about June 1937, for making an investigation of actual conditions of the Japanese forces in China which were in close contact with the Chinese forces in North China which seemed to be especially permeated with anti-Japanese sentiment, and, at the same time, to have the Japanese forces understand completely the purpose of the Central Supreme Command.

According to his report made on his return after having investigated thoroughly the conditions of the Japanese forces there, the principle of the Central Supreme Command was thoroughly understood by the Headquarters in China and every unit under its command, and we did not need to worry about the matter so far as the Japanese forces were concerned.

The program for operations in China at the time prior to the China Incident.

Japan, who had special relations with China, was often compelled to make a temporary despatch of forces on a small scale to China.

Accordingly, in the program for tactics in China for the year of 1937 (the 12th year of Showa), there was what corresponded to the case of calling for the sending of a part of the forces in order to secure our interests and to protect residents there. But it was never intended to use military forces on a large scale in China, much less to draw out an overall operation plan over the broader range of the whole Chinese territory.

Only a plan was drawn out, for the time being, concerning the estimated number of despatched forces, the name of the home division which shall take charge of despatching the forces, the measure for transporting the forces, the points of embarkation, etc., in case of need of sending forces for the purpose of protecting our interests and residents at every locality such as Tientsin-Peiping Province, Tsintao, Shanghai, Swatow, Amoi, etc., which were closely connected with our country.

This plan definitely existed as a part of the document concerning the tactical plan of the General Staff Headquarters and its section Chief I remember its general outline but it was later destroyed by burning and does not presently exist.

The duty of the Japanese garrison in China and its special character.

The duty of the Japanese garrison in China, equal to that of the military forces of the Powers according to the Treaty of the Boxer's Rebellion in 1900 (the 33rd year of Meiji), was in "guarding the legation quarters, securing the communication line from Peiping to the seaport and protecting the residents". And the strength of the garrison in 1937 numbered about 7,000 in all. Of all troops stationed in foreign territory, this garrison had a special character as follows:

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- A. It was absolutely a unit for guarding in a place, which had no military supplies and was hardly provided with ammunitions and equipment for military operation.
  - B. It was not authorized to draw up a plan for military operation of itself in consideration of war.
  - C. Notwithstanding the fact that it was a unit for guarding, stationed in Chinese territory, it was prohibited by the special order of the Central Supreme Command to do training, with the Chinese Army as its object.
6. The attitude of the Central Military Supreme Command at the time the Lu-kow-chiao Incident broke out.

The following items I am about to relate below, various information concerning the situation of the Chinese Army, are based mainly on telephone and telegraphic messages from the Headquarters of the Garrison Army in China and telegrams from the Japanese military attaches resident in China. These records and originals of message receipts and telegrams were kept at General Staff Headquarters at the time but later were all destroyed by fire and do not presently exist. What I am relating here are only the important items which still remain in my memory.

The first report, relating to the Lu-kow-chiao Incident, which broke out on the night of July 7, 1937 (the 12th year of Showa), was received by the Central Supreme Command on the morning of July 8, and I was notified as soon as I came to the office. The Central Supreme Command, on the whole, was calm. While I was thinking about it as an unpleasant event brought about by the Chinese, I did not take it as a grave matter; for there had so often been such similar trouble in the past that I simply considered that the matter would as usual be settled soon by mutual negotiation between the authorities of the Japanese and Chinese forces there.

At the Central Supreme Command we, the responsible persons, without holding any conferences in particular to deliberate on counter-measures for it, kept ourselves in touch with one another on the case as we were accustomed to for ordinary business. All concerned concurred in the opinion that we, in accordance with the aforementioned Central Supreme Command's policy and without any objections among ourselves, would prevent the incident from becoming enlarged, and to have the authorities at the spot settle the matter as soon as possible.

But the report which arrived on the 8th from the armed forces on the spot showed that the Chinese attitude was not necessarily so compromising that it would immediately put an end to the tense situation. Therefore, at about 6:30 p.m. on the same day, the Chief of General Staff gave, before anything else, a telegraphic order saying, "In order to prevent enlargement of the incident, you shall take more positive steps to avoid using military force and required prudence of the

Commander of the Garrison in China.

This telegram was kept in custody of the General Staff Headquarters but was later destroyed by fire and does not presently exist. As I personally was connected with it in drawing it up at the time, however, and having received approval from higher command for it and having sent the wire, and since my instructions were to remember the importance in its meaning, it still remains in my memory at present very well.

On the following 9th, the central Command's instructions which were necessary for negotiations between both the Japanese and the Chinese forces at the spot to settle the incident was given by telegram to the Commander of the Garrison in China by the Vice Chief of the General Staff-- namely, "For the settlement of the Lukowchiao Bridge Incident, refrain from concerning yourselves in any political problem on this occasion and propose, in the main, the following requests to arrange for having the Hopei-Chahar authorities approve and execute them in the shortest time.

- 1) Suspension of the stationing of Chinese forces near the Lukowchiao Bridge on the left bank of the Yungting River.
- 2) Security necessary for the future.
- 3) Punishment of those directly responsible for the Incident
- 4) Apology

The above telegram also, as the one of July 8th, was kept in custody by the General Staff Headquarters but was later destroyed by fire and does not presently exist. Similar to the other, however, as I personally was connected with it in drawing it up at the time, however, and having received approval from higher command, and having sent the wire, and since it was an important telegram, I remember its contents very well.

Arrangements made by the central Command in conformity with the change of situation following that of the preceding paragraph.

Informed by the report of our forces at the spot of the situation in which uncontrolled defiant actions were committed intermittently by the Chinese, T.H. Hisenteki is a miswriting of, chosenteki) up to the morning of July 10th, the Central Command considered it necessary to reinforce the Garrison in China, and on the evening of the 10th it was unofficially decided to reinforce it with two brigades from the Kwantung Army, with one division from Korea, and with three divisions and other units from Japan proper, and preparation lasted until the following 11th. But on the evening of the 11th, as the Garrison in China reported that the Chinese forces approved all our demands which had been under negotiation since yesterday, the Central Command determined immediately to stop the plan of mobilization of the divisions in Japan proper. Whereas the report of our attache to the Embassy at Nanking reported that the Chinese central Command ordered the calling of air units and the concentration of four divisions in the northern provincial border regions of Honan Province. The Central Command then could not take an optimistic view regarding the situation in North China and was not confident of the Chinese forces in North China in carrying out their duties based on the conditions:

Therefore it was decided that only the above-mentioned forces from Korea and Manchuria preparing for expedition should take action as already arranged until the execution of the Conditions was confirmed, and this order was issued at about 10:30 on the evening of the 11th.

Concerning the issuance of this order, I too took part in drawing it up and besides obtaining approval from higher command and being issued as an order with imperial sanction, it was an important matter so I remember it very well. Later, however, documents relative to this were destroyed by fire.

2. Since then, while observing the situation, the central Command came to know various things from reports from various quarters up to the evening of July 13th, the outline of which were as follows:

(1) In North China, the Chinese forces have been not only making such preparation for war as building positions, transporting forces, etc. but also had fired on our forces who were passing in the suburbs south of Peking today.

(2) The Chinese Central Command ordered armed forces in every Province north of the Yangtze river to mobilize and to concentrate in regions along both the Lunghai and the Peiping-Hankow Railways. Facing the situation as mentioned above, the Central Command decided on the policy for dealing with these matters concerning the incident at 8 P.M. on the 13th. It was as follows:

(1) Our Army will adhere closely to the policy of non-enlargement of the situation or to settle locally and to make the utmost effort to avoid such actions that will lead to a full-scale war. Therefore, our Army will approve the conditions for settlement proposed by the representative of the 29th Army and signed at 8 P.M. on the 10th and watch for the fulfilment of these conditions. Thus the mobilization of armed forces in Japan proper will be subject to a change of situation for the time being.

(2) However, in case the Chinese forces ignore the conditions for settlement referred to in the preceding item and not fulfil them with sincerity or if the Nanking Government attempts to attack our forces by having the Central Army move northward without any due reason, our Army will take decisive measures. In such a case, however, the Garrison in China will receive approval of the Central Command first.

The above-mentioned policy for dealing with matters concerning the Incident was communicated by telegram to the Garrison in China.

I was personally concerned in the drawing up of the document entitled the Policy for the treatment of the North China Incident of the above and of the telegrams wired to the China Garrison Army at the time and disposed of the matter after receiving approval from the higher command. Thereafter the documents were in custody of General Staff Headquarters but later were destroyed by fire and presently no longer exist. Since the matter was important, however, I remember even now its contents very well.

(c) Thus, in the further observation of the changes of the situation the Central Supreme Command learned by the evening of July 16th the following facts from reports from various quarters.

(1) The Chinese Army in North China has been actively making preparation for a war since then and her soldiers have fired on Japanese soldiers on the 14th and on this day the 16th.

(2) The Chinese Central Supreme Command ordered out the air-forces stationed at Kwangtung on the 14th.

(3) On July 15th, the Chinese military strength concentrated in an area stretching to the north of the Lung-hai railway and to the east of the border of the Shansi Province was estimated at approximately thirty divisions including her peace-time units.

(4) Some units of the Chinese Central Army marched into Hopei Province.

Under these circumstances, considering the possible danger that we might be hampered by this intentional dragging-out policy of the Chinese authorities and miss the chance of mobilization and dispatch of troops, our Central Supreme Command decided upon a settlement measure to the following effect and instructed our Garrison in China.

"The Garrison should have Sung Che-yuan affix another signature upon the settlement terms which were signed on July 10th and each term should be shown in concretely (the apology must be made by Sung Che-Yuan himself, the punishment of the responsible persons must go as far as the Commander of the 37th Division and the units to withdraw shall be specified), and the fulfilment of these terms must be made by July 19th. In case the Chinese authorities neglect to fulfil our demands, the Garrison shall chastise the Twenty-ninth Army. As the Japanese Government holds to the last the intention to limit the scope of trouble to North China and expects a local settlement, she demands the Nanking Government to draw back the Central Army to the old condition, stop defiant activities towards Japan and not to interfere with the local settlement."

I was personally concerned in the drawing up of the document entitled Policy for Settlement of the above and in the wiring of the telegrams to the China Garrison Army at the time and disposed of the matter after receiving approval from the higher command for each respectively. Thereafter the documents were in the custody of General Staff Headquarters but were later destroyed by fire and at present no longer exist. Since it was an important matter, however, I remember very well even now its essential points.

In line with the settlement measures decided in such a way, our Garrison in China has been negotiating with the Chinese Twenty-ninth Army, in North China since the following 17th day, and our diplomatic officials with the Chinese Central Government at Nanking also while the Central Supreme Command proceeded agains with preparation for the mobilization of the divisions in Japan Proper which was stopped on July 11th.

d) On July 18th our Central Supreme Command had a report from the Garrison in China that General Sung Che-yuan of China came to Tientsin to see Lieutenant General KOZUKI, the Commander of our Garrison in China, and expressed his regret. Yet according to the information which came from the Foreign office on the following day, the 19th, the Nanking Government showed no sincerity in its reply. Such being the case, the Central Supreme Command considered that it was unavoidable to chastise the Twenty-ninth Army, for, despite the apology made by Sung Che-Yuan in North China, not only had the fulfilment of other terms become quite doubtful judging from the Chinese way of doing things shown for more than ten days up to that time, but also the Chinese Central Government had not changed their above-mentioned attitude. So we pushed forward again on the preparation for mobilization orders to the divisions in Japan Proper. But on July 21st we learned from a report from the garrison in China that the Chinese authorities had punished her responsible persons, and her units began to transfer. Thereupon we decided to put off the mobilization orders again.

e) Thus while expecting the situation at the spot to improve, the Central Supreme Command got reports of the Langfang Incident on July 25th and those of the Peiping Kuangamen Gate Incident on the following day of the 26th. On the 27th, the Commander of the Garrison in China reported to us that, having exhausted every means for peaceful settlement, he was determined to start using force for chastising the Twenty-Ninth Army on or after the 28th, and at the same time requested the Central Supreme Command to approve the operation. So the Central Supreme Command gave approval to his plan, but stipulated that the Garrison not carry out operations across the Yungting River.

Concerning this designation too, as the Central Supreme Command observed special care at the time on this matter of applying restraint on the movements of the operational army on the spot, it remains in my memory well even now. The documents concerning this, however, although once with the General Staff Headquarters no longer exists at present as they were destroyed by fire later.

f) As the situation changed, as had been mentioned above, during the twenty days following the night of July 7th, the Central Supreme Command on July 27th took measures to issue orders for the Mobilization of the 5th, 6th and 10th Divisions, and other required troops. In order to meet the present situation, however the



Central Supreme Command on July 27th formulated its own first outline of program of operations in China to the following effect

For the purpose of security stability in Peiping and Tientsin province, about four divisions are to be moved, and their operation areas are roughly restricted to the north of a line between Taoting and Chuoliuchen. In preparation for cases where unavoidable circumstances may make it necessary to protect the residents in Tsintao and Shanghai, one division is to be reserved for each city.

I was personally concerned with the drawing up of the plan, "Outline of Operational Plans against China", of the above at the time and as it was after obtaining approval from higher command the document was in custody of General Staff Headquarters but later destroyed by fire and at present no longer exists. Concerning its contents, however, I remember them very well even now.

And then the Central Supreme Command, after generalizing all reports, estimated the Chinese strength in the North of the Lunghai Railway (except Shansi province) to amount to approximately 340,000 by the end of July. On the other hand, all the strength sent to Northern China from Japan Troop was expected to concentrate at the front about the end of August, amounting in the aggregate to less than 100,000.

4) The Japanese operation-progresses during the first eight months of the China Incident.

Having passed through a process of circumstances mentioned in the preceding articles, the Japanese and Chinese came at last to exchange fire with each other in Peiping and Tientsin provinces. After that, the situation gradually became more serious on an unexpectedly enlarging scale. By the end of February in 1938 (the 13th of Showa) when I resigned my post in the General Staff, hostilities came to extend throughout the whole area of Northern China and in the vicinities of Shanghai and Nanking.

I do not mention the reason why hostilities extended to those areas and what measures the Central Supreme Command took concerning its extension during the above-mentioned period. Through the Japanese operation progresses during the first eight months of this Incident, however, I can positively say that the Japanese Army's tactics were not carried out on a strategically thorough and systematic program.

On August 9th, a Japanese naval officer was shot down in Shanghai, which led to fighting there between the Japanese and Chinese armies. On account of the hard fighting on the part of our Army, our settlements nearly got into danger. So, under the necessity of promptly relieving them, two divisions in Japan Troop were prepared for mobilization on the 13th of the same month. On the next day, except for one, the Chinese Central Supreme Command issued orders for the mobilization of all the armies, making ready for an overall war. On the other hand, the Japanese Central

Supreme Command had not yet thought of such a thing as an overall war. With the Chinese Central Army in Northern China reinforced, our military strength became inadequate, and so the sending of three more divisions was decided on August 31st.

As can be seen above, the Japanese Central Supreme Command sent the required minimum strength for the purpose of coping with the danger of the situation in each field. Not only was this so, but also for the want of munitions which should have been prepared for a possible outbreak of a great war, prevented the Central Supreme Command from freely manipulating troops and made our military commanders at the front get into great difficulties, too. From the middle of September in 1937 (the 12th of Showa), for example, our army under command of General MATSUI in the vicinity of Shanghai had to fight, limiting the number of shells to be used daily by each gun to only several a day.

In fear of a case where, contrary to our own one-sided principle, fighting might enlarge to an unexpected extent, at the beginning of August I submitted to the War Ministry a proposal that the 'mobilization of munitions required for approximately 15 divisions to fight about half a year' should be carried out. However, the leaders at the War Ministry, especially Lieutenant General UMEZU, Yoshijiro, the Vice-Minister of war, maintained the non-enlargement principle so firmly that, they regarded the above figures as excessive and interpreting the possible issue of mobilization-order of those munitions as being a further step to a national war, did not give prompt consent to the proposal.

Thus the above-mentioned plan of the China operation set by the Central Supreme Command on July 29th, 1937 (the 12th year of Showa) was soon frustrated, and met up with the large scale and far-reaching Chinese resistance. For a time, we took provisional measures to reinforce soldiers in each phase of the war and obtained tactical victories to secure the front-lines. It is a plain fact that the Central Supreme Command, hoped to stop the overall hostilities every time a single operation on one field was brought to an end, and prepared in secret such a plan. Such was the case at the end of the Military operation in Tientsin districts, at the time the Chinese forces were swept away near PAO TING at the end of the Shanghai military operation, and at the end of the Nanking military operation. Especially, was this so when general peace activity was made by the offices of the German Ambassador in China, before and after the Nanking military operation, and we thoroughly cooperated with the government but unfortunately failed in attaining our object.

(9) The opinion of the Central Supreme Command on the fundamental policy of dealing with the affair.

As stated in the above items, the Central Supreme Command, hoping to localize the incident and to solve it immediately in the local area, was making a study on a general stoppage of resorting to arms and the final dealing with the affair at the end of every operation. And the opinion of the Central Supreme Command on the fundamental policy of settling the affair was in perfect unison with the opinion expressed by the government since

the beginning of the incident. Especially the principle called "KONOE's Three Principles" which stressed morality accorded completely with that which the Central Supreme Command delivered to the government as its opinion, before it was made public.

(10) The opinion of the Central Supreme Command on the problems of the international agreements and the international laws. The motive for the China Incident lies only in Japan's exercising her right of self-defense in the local area. After the negotiation between the commanders of the Japanese and Chinese forces or between the authorities of both states in Nanking for twenty long days, we realized that China had no sincerity in a peaceful solution and we finally resorted to arms. We, as stated above, had no intention in the fundamental policy of dealing with the incident and in the actual process of military operations to injure Chinese sovereignty and the territorial or administrative security therefore we were convinced that our activity did not violate and hurt existing international agreements and our opinion was in accord with what the government often stated to the world on necessary occasions. The Central Supreme Command often called attention to the higher commanders in the front to esteem the interests of the third States, and not to violate the safety of the peoples of third States. I do not remember the exact year and date when I gave such notices. But such notices, as far as my memory runs, were delivered sometimes by wire or sometimes by important figures who were sent from the Central Supreme Command to the front for liaison. In cases where there were damages to the third States, or the peoples of the third States, the Central Supreme Command was ready to make fair investigation on the damages and to make necessary compensation for them. From the above-mentioned standpoint the 2nd division in the General Staff Office chiefly cooperated with the War Ministry in investigating such matters. The greatest of the accidents of such kind which took place while I held my post as chief was the bombardment of the "Ladybird". According to my investigation at that time, the ship was bombarded under the orders made by Lieutenant General YAMAGAWA, Army Commander, and, Colonel HASHIMOTO, Ringoro, the intermediate Commander, was not responsible for this accident. I remember that I strongly insisted upon my opinion at the meeting where the leaders concerned were assembled to solve the problem. Concerning the accident itself, I remember, too, that we soon reached a settlement with Britain.

(11) The opinion of the Central Supreme Command regarding declaration of war.

The situation gradually took an unforeseen development and the war situation became unexpectedly serious, so the Central Supreme Command discussed the problem whether Japan should declare war against China or not.

So far as I know at the time of my resignation, the Central Supreme Command realized the characteristics of the Incident as follows:

I. The Incident was started on the part of Japan as a self-defensive move for what was only a local problem. Thereafter Japan against her wish had to increase her forces in each zone of fighting as a temporary expedient. Japan had no intention to wage a war against China. If only the offensive manœuvres on the part of China would be brought to an end; the Japanese Army would immediately cease taking the offensive.

II. Japan does not consider China as a whole, that is, the whole Chinese people as an enemy.

III. Japan has primarily no politico-strategic intention against China. What Japan desires is nothing more but to cease the armed conflict at once, which is rather a collision of feelings between the two nations; to realize "Friendly Relations between Neighbouring States," "Mutual Respect of the Sovereignty and Territory", and "Reciprocal Economic Cooperation," all of which are the outcome of natural and essential conditions of the two States.

IV. To sum up the above four points, to declare war against China is not only to misrepresent Japan's real intention but to be against morality.

V. So long as the two states are to a wider extent in a state of war, without declaration of war, Japan can not freely exercise rights based on the International Laws of War; which results in our inconveniences and disadvantage. Japan, however, being influenced by the actual interests, must not lose sight of the substance of the Incident and her basic principles of morality.

VI. With declaration of war against China, Japan may be able to justify casualties and the other losses on the part of China. If Japan, however, takes such a measure, she would come to adhere formally and distort the substance of the Incident, and after all to strengthen violence.

This goes against Japan's intention.

From the above mentioned points, the opinion of the Central Supreme Command was that Japan ought not to declare war against China.

On this 28 day of March, 1947

at Tokyo

DEPONENT Torashiro KAWABE (Seal)

I, BANNO, Junkichi, 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) Junkichi BANNO (seal)

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OATH

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

Torashiro KAWABE (seal)

Translation Certificate

I, KAWAMOTO, Yukio, of the Defense Language Branch, hereby certify that the foregoing translation described in the above certificate is, to the best of my knowledge and belief, a correct translation and is as near as possible to the meaning of the original document.

/s/ KAWAMOTO, Yukio

Tokyo, Japan

Date 14 April 1947