

Thereafter SHIGEMITSU, Mamoru, was appointed Minister of Foreign Affairs. KIDO said that he personally welcomed the appointment of SHIGEMITSU who was one of his trusted friends and that from the time of his appointment he worked in close harmony with SHIGEMITSU for the termination of the war. (See Exh. 1274, R 11363)

Exh. 3372 R 32007
MURAKAMI -- Direct

December: Witness identified exhibit as his affidavit and stated at R 32012 that in connection with the Total War Research Institute a conference was held in the summer of 1943, attended by the advisers to the institute. Matters concerning the students from the respective ministries to be accepted in 1944 were discussed and decided upon. At the graduation ceremony in December TOJO, HOSHINO, SUZUKI and other ministers were present. Prime Minister TOJO stated in his speech at the ceremony that, "The Pacific war has entered into its decisive phase, therefore the personnel of all the ministries must make intense efforts." He stated that insofar as research was concerned that the term just finished was a short one and that the students should not be satisfied with what they had achieved. TOJO further stressed that they all should endeavor to accomplish the war, firmly believing that Japan would be the ultimate winner.

1 9 4 4

Exh. 3337 R 30634
KAYA -- Direct

February 19: At R 30659 KAYA said that he resigned from the Tojo Cabinet on the above date at the request of Premier TOJO.

Exh. 3340 R 30715
KIDO -- Direct

July 17: At R 31077 KIDO in discussing the general war situation at the time said that the situation had become so bad that Premier TOJO decided to reorganize his cabinet again. He called on KIDO and handed him a paper setting forth his proposals. (See Exh. 1277, R 11372) At R 31078 KIDO said he made no comment on TOJO's proposals about the policies of the cabinet, which included the establishment of the High Command, change of the Navy Minister and the strengthening of the Liaison Conference between the government and the High Command.

Exh. 3229 R 29258
OKADA -- Cross

July: At R 29297 OKADA, referring to a meeting of the senior statesmen in July of 1944, said that KIDO did not attend the meeting. He stated it was evident in July that the cabinet of TOJO was about to fall.

Exh. 3340 R 30715
KIDO -- Direct

July 18: KIDO said at R 31079 that on the above date at about 9:30 AM Prime Minister TOJO went to the palace. KIDO met him there and TOJO said he had made up his mind to carry out a resignation of his cabinet en bloc. At R 31080 KIDO said he asked TOJO his idea on a succeeding Prime Minister and that TOJO, who apparently was dissatisfied over the senior statesmen's attitude, said that the responsibility of the senior statesmen for the present cabinet change was very great and that they may have already formulated their plan and that he would not express his views. KIDO said that the Tojo Cabinet resigned on July 18 and that a meeting of the senior statesmen was held at 4:00 PM on that date to select a succeeding Prime Minister.

At R 31093 KIDO in referring to the senior statesmen's conference held on July 18 quoted KONOYE as saying that

the Tojo Cabinet fell because they declined in public favor and that the army must change its attitude in order to renew popular confidence.

Exh. 3372 R 32007
MURAKAMI -- Direct

July 18: At R 32013 the witness stated that due to the shortage of personnel the number of students in the Total War Research Institute was cut in half in 1944. Also the Institute was ordered to conduct only researches which were considered most important by the cabinet. The Research Institute of Total War was closed down after TOJO resigned from the position of Prime Minister.

1945

Exh. 3340 (R 30715)

KIDO - DIRECT

✓ April 5 - At R. 31,120 KIDO discussed a conference the Senior Statesmen held on the above date. He said that the Senior Statesmen were opposed to an Imperial Headquarters Cabinet. It was contended, he said, that a man free from any commitment in the past capable of taking a long range view of the subject be selected as succeeding prime minister and also that the choice be not necessarily limited to a general or admiral in active service. At R. 31,121 he said General TOJO was the only exception among those attending the conference. TOJO contended that Marshal HATA be chosen as succeeding Prime Minister on the ground that the war situation had entered upon a state in which a decisive battle would have to be fought on the Japanese mainland and therefore the next prime minister should be a general or admiral in active service. ~~KIDO~~ KIDO said he argued that if a decisive battle was to be fought on the Japanese mainland political power behind the gun would be of tremendous importance. KIDO said he pointed out the ~~admiral's~~ extreme unpopularity among the people and said it would be better to choose a non-army man. TOJO, however, did not yield. On the contrary, he went so far as to say that if such a thing was done the army might look the other way (meaning a coup d'etat by the Army). KIDO said he replied that the nation would look the other way if an Army man was chosen. KIDO said no member of the conference touched upon peace moves explicitly for fear that in view of General TOJO's presence at the conference any tactless remark might stimulate the Army to an unscrupulous counter-measure. He said, however, that all conferees except TOJO had a tacit understanding on this point which was given expression in their desires for a man free from any commitment in the past. (NOTE: All of this discussion occurred upon the resignation of Premier KOISO on April 5, 1945.) (NOTE: See Prosecution Exhibit 1282, R. 11388, for proceedings of senior statesmen conference held on April 5, 1945.) Those attending the conference included KONOYE, HIRANUMA, SUZUKI, HIROTA, KIDO, WAKATSUKI, OKADA, and TOJO. *Army?*

April 5 - During the meeting of the senior statesmen TOJO said, at R. 31122, "The resignation states (meaning KOISO) that both the state affairs and supreme command require revision. What is the meaning of this statement? No particular explanation was given by Premier KOISO." At R. 31,123 TOJO said in substance that frequent changes of cabinets in wartime was deplorable. He said the San Francisco Conference of April 25 is especially the most important period. The cabinet to be formed should be the final one. He said that within the country at present there exists on one hand the opinion that Japan should fight to the very last to provide for future developments of the country; and on the other hand, opinion to accept the unconditional surrender terms, to restore peace immediately. TOJO said that he thought it necessary to decide on these points first. At R. 31125 TOJO said that if the conference decided on the cabinet ministers it would mean that the Emperor is to bear the responsibilities after the cabinet's formation and that every effort should be made to avoid the good and bad of the cabinet formation falling back on the Emperor. At R. 31131 KONOYE said at the conference that it should be decided whether the new

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premier should be from the Army or Navy and TOJO said that the premier should not necessarily be selected at this meeting but that material should be submitted to the Emperor so that he could prepare himself.

At R. 31139 at the senior statesmen's conference mentioned above HIRANUMA expressed the opinion that Admiral SUZUKI enjoyed the confidence of the Emperor and was a desirable choice for Premier. In discussing this, TOJO said that the developments of the war are beyond conjecture, that the enemy might attempt landing on Japan proper, and that home defense then would become a vital point. He said at R. 31140 that the Government and the command must be fused into one and that on this point the Army must be considered as the principal body and therefore the Premier must be a soldier on the active list. At R. 31141, TOJO said that when Japan was about to become a battle field special care must be taken to see that the Army does not take an aloof stand -- that if it did so the cabinet would collapse.

June 15 - KIDO states at R. 31155 that on the above date Navy Minister YONAI came to his room and told him about an interview he had had with Prime Minister SUZUKI. KIDO said he told YONAI of his interview with the Prime Minister. He said he took occasion to express his hope that Navy Minister YONAI would not only cooperate with Prime Minister SUZUKI but encourage him. KIDO said that on June 15 Foreign Minister TOGO came to his room and that he asked TOGO to formulate a definite peace plan and told him of his tentative peace plan which was approved by the Emperor. KIDO said that in principle TOGO was not opposed to his tentative peace plan but pointed out, R. 31156, that a vigorous war decision had just been recently adopted at the Imperial Conference and he wondered how to adjust the peace plan with it. TOGO feared that from the viewpoint of conducting routine business the Foreign Office would be in a very difficult position. KIDO said that he assured TOGO that he would facilitate the Foreign Minister's work and requested TOGO to formulate a definite peace plan without delay.

June 20 - At R. 31159 KIDO said that on the above date he saw Prime Minister SUZUKI who related to him the discussions held at a meeting of the Supreme Council for Direction of War held on June 18, 1945. SUZUKI said that the War Minister and the Chiefs of Staff of the Army and Navy expected much of the imminent decisive battle on the Japanese mainland. It was urged at the meeting, SUZUKI said, that it would be better to start peace negotiations on top of the military achievements to be attained on that occasion. At R. 31160 SUZUKI related to KIDO that at the meeting all conferees agreed that efforts be put forth to seize an opportunity for restoring peace. In connection with his discussion with SUZUKI KIDO said he had an audience with the Emperor on June 20 and suggested to the Emperor that he summon the members of the Supreme Council for Direction of War and command them to terminate the war especially since Foreign Minister TOGO felt so apprehensive about the recent decision of the Imperial Conference. KIDO said the Emperor approved his suggestion.

June 25 - At R. 31163 KIDO stated that on the above date HIRANUMA, President of the Privy Council, called on him, and at R. 31164 KIDO said he obtained HIRANUMA's approval of his tentative peace plan. KIDO said that prior to this the Government at the insistence of Foreign Minister TOGO had opened secret negotiations with the Soviet Union Ambassador in Tokyo through HIROTA, Koki, but no progress had been made. KIDO said that the Supreme Council for Direction of War in pursuance of the Emperor's wishes had been studying peace terms but no agreement of views had been reached and that the Emperor was deeply concerned over this situation. He said he talked to Prime Minister SUZUKI and Foreign Minister TOGO and urged them to hurry up.

July 3 - KIDO said at R. 31164 that on the above date the Grand Chamberlain under Imperial command called on him to ask his views. He requested the Grand Chamberlain to submit his views to the Emperor which were that it would be proper for the Emperor to urge the Prime Minister to make haste.

July 7 - KIDO said at R. 31164 as a result of his talk with the Grand Chamberlain, mentioned in the preceding paragraph, the Emperor summoned Prime Minister SUZUKI to the palace and commanded him to enter into peace negotiations immediately.

July 10 - At R. 31165 KIDO said that the Government was so much engrossed in sounding out the Soviet Union's real intentions with the result that the peace negotiations made no progress at all. He said, however, that the Emperor's reminder to the Prime Minister, mentioned in the preceding paragraph, did cause the peace negotiations to get under way. He said he talked with Foreign Minister TOGO and Prime Minister SUZUKI on July 11 about the peace plan. He said at R. 31166 that the Government referred the question of dispatching a special envoy to the Soviet Union to the Supreme Council for Direction of War, which decided that Prince KONOYE be sent to the Soviet Union as Special Envoy.

August 9 - At R. 31177 KIDO said that an Imperial Conference was held on the above date when it was decided to accept the Potsdam Declaration on the sole condition of reaffirmation of the Emperor's sovereignty and the Imperial House.

August 10 - KIDO said at R. 31178 that he was summoned by the Emperor following the Imperial Conference, mentioned in the preceding paragraph. The Emperor told him that the Army vigorously advocated the necessity of giving a decisive battle to the invading enemy on the homeland. The Emperor, however, was fearful of this, KIDO said, because fortifications were not completed, the increased production of aircraft was not going smoothly, and that because of these and other things he was very doubtful that Japan could win the war.

August 10 - KIDO said at R. 31179 that a meeting of the senior statesmen was summoned by the Emperor. The seven attending were HIRANUMA, WAKATSUKI, OKADA, KONOYE, HIROTA, TOJO and KOISO. KIDO said he was present at the conference and that the senior statesmen submitted their views to the Emperor.

August 12 - At R. 31184 KIDO in discussing the peace moves said that a reply was received from the Allies. Foreign Minister TOGO submitted the reply to the Emperor. TOGO told KIDO that there was opposition to a reference in the Allied reply, paragraph 4, to the free will of the people and that this opposition might increase among those Japanese who were anxious to guard the national policy. TOGO said he personally saw nothing objectionable in the paragraph and that nothing would be gained by letting the opinions of individuals sway them. KIDO went on to say that in addition to the thoughts expressed by TOGO that not only the paragraph in question became a serious issue but that the military stiffened an attitude since the Allied reply was received. KIDO said that HIRANUMA, President of the Privy Council, came to his room to express his opposition to paragraph 4 and at R. 31185 KIDO was told by TOGO that Prime Minister SUZUKI approved the opinion of HIRANUMA and he, TOGO, felt very uneasy about the conclusion of an amicable peace settlement.

Luft

CHRONOLOGICAL SUMMARY OF EVIDENCE INTRODUCED BY THE DEFENSE
AS TO THE DEFENDANT TOJO

THIS SUMMARY BEGINS WITH THE REOPENING OF COURT ON AUGUST 4
AND SUPPLEMENTS THE SUMMARY HERETOFORE PREPARED FROM THE
BEGINNING OF THE DEFENSE TO THE RECESS ON JUNE 19
It covers pp. 24759 to 28510 of the transcript.

Where an exhibit is referred to, it will be followed by the letter "R" and a number. This indicates that the exhibit was introduced into evidence at that page number of the Record. Where the small letter "p" is used with respect to the same exhibit followed by a number, that indicates that the exhibit was mentioned at that page of the Record.

Exh. 3030

R 27066

IIMURA -- DIRECT

(At R 27067) The witness discusses Total War Research Institute and states that in the government organization regarding it, it was prescribed that under the Premier's control it should take charge of the fundamental investigation and research into total warfare and the education and training of officials and others concerning the nation's total warfare.

Exh. 3025

R 26971

YOSHIDA -- DIRECT

(At R 27069) Witness stated that in accordance with the administrative procedure of the Institute, the result of its research was probably reported to the Cabinet which was directly in charge of the Institute. He said it was never reported to other quarters, the Ministries or the military, and that the Institute was never instructed by them.

Witness identified exhibit as his affidavit and stated that about the middle of October 1941, the Army requested the Finance Ministry to take necessary measures for dealing with the (printing of) military notes (for use as currency in the southern regions).

In Jan 1941 the Army requested the Finance Ministry to print military notes in foreign

Exh. 3026

R 26977

(At R 26980) It is stated that in view of present international situation and in case war plans in the south are made for an unexpected eventuality in the future, the issuance of military notes in foreign denominations shall be made as preparatory measure to provide for paying military expenditures. The handling procedure will be established by the Minister of Finance in consultation with the War and Navy Ministers.

Exh. 2866

R 25672 at 25695

Memoirs of KONOYE, in which it is stated that KONOYE summoned a Joint Conference of high government and military leaders for the night of April 18, 1941. For the government, KONOYE, the Home, War and Navy Ministers were present. Detailed agreements were to be arranged by a conference which was to follow the joint declaration between America and Japan for breaking the deadlock. The consensus of opinion was acceptance of the American proposal of the speediest way towards disposal of the China Incident but certain conditions were proposed.

(At R 25699) Memoirs of KONOYE in which it is stated that the examination of the American proposal had been completed on April 21, 1941. The Army and Navy had held a joint conference with the respective ministers and heads of departments (TOJO was War Minister).

(At R 25766) KONOYE's Memoirs in which he states that he told War Minister TOJO on 4 August 1941 that as President Roosevelt had said he wished to leave nothing undone to surmount the crisis, he (KONOYE) believed it necessary to do everything on their side.

(At R 25770) TOJO replied if KONOYE met personally with Roosevelt, diplomatic relations based on the Tri-Partite Pact would be weakened and a considerable domestic stir created. For these reasons the meeting is not considered a suitable move. The Prime Minister's offer of personal services was viewed with respect and if KONOYE intended to attend the meeting determined to support the basic principles embodied in the Emperor's revised plan to the "N" plan and to carry out a war against the U.S. if the President failed to understand the true intentions of Japan. Even after this final effort was made, the Army is not necessarily in disagreement. However, the Army would not favor the meeting being with anyone other than the President. TOJO felt that the failure of the meeting was the greater likelihood.

(TOJO Interrogation, February 13, 1946) NOTE: See Exh. 1123, R 10180. Portion of this interrogation read by Prosecution. TOJO said that he thought they would send troops into Southern FIC and that was all. He thought this was to be in connection with increasing close relations with that country. On May 9, 1941, Japan had arbitrated the border dispute between Thailand and French Indo-China. It was not planned to occupy FIC. Japan concluded a joint defense treaty to stabilize FIC on July 29, 1941. Prior to that time, the Japanese had not entered South FIC.

Troops were sent in accordance with the treaty signed on July 29, 1941. Troops were sent to Southern FIC the same day they entered on the basis of the agreement. He denied that they had decided in July 1941 to send troops whether FIC agreed or not. There was a military agreement of September 22, 1940 under which troops were stationed in Northern FIC. However, military pressure from Singapore, the Philippines and others had continued. TOJO said that on July 25, the U.S. freezing of assets had gone into effect and it was very difficult to carry on peaceful commerce with the NEI. The China Incident was continuing and the stabilization of FIC was very important. The Imperial Conference had foreseen changes and decided to carry on negotiations with France.

The main reason why Japan decided to advance south in July 1941 was not that she needed raw materials, but that the advance was necessary for maintaining stability there while fighting with China. Japan did need, however, peaceful trade to support production at home and maintain the China struggle. She needed oil, iron ore, tin and food, to be gained by peaceful trade.

When asked why FIC needed stabilizing, he stated that Japan was making every effort to successfully conclude the China Incident. Any disturbance in the South would have an unfavorable effect of that solution. It had been Japan's idea for a long time to maintain the stability of East Asia. Furthermore, rice and other foodstuffs imported from FIC would be unavailable if conditions were unsettled there. He said these items were necessary for Japan.

Exh. 3022 (cont'd)

As War Minister, he did not think FIC would be useful from a military standpoint in connection with the China Incident, but that there was a practical relation so far as North FIC was concerned. The supply route from North FIC was of aid to the Chinese and Japan wanted militarily to establish air bases in North FIC so as to cut off the route from Burma. However, since French power had declined, the stationing of troops was required not only in North FIC but also in the Central and Southern parts for maintaining stability.

Asked whether troops in FIC would not have been of assistance in case of war between England, U.S. or Holland, TOJO stated that economic and military pressure in those countries was increasing. The stationing of troops was chiefly to maintain stability but it did assist the China operations and helped make peaceful commerce possible. He believed that stationing troops was an appropriate measure of self-defense.

R. 25947

Exh. 3027 ✓ R 26984 ✓
TANAKA -- DIRECT

Witness identified exhibit as his affidavit and stated (at R 27004) that in the conference held on 2 July every member in attendance expressed the same desire to carry out a peaceful advancement following the international treaties as far as possible. This was in connection with the advance into South FIC. TANAKA stated that the War Minister (TOJO) also disclosed his intention to do his best in order not to cause any trouble at the time of advancement as had happened formerly in North French Indo-China.

Exh. 3021 ✓ R 26936 ✓
HIGASA -- DIRECT

*R 26936
July 23*

Witness identified exhibit as his affidavit and (at R 26940) he said that the date of the formal signing of the protocol regarding the co-defense of French Indo-China was July 29, 1941. However, the official statements were reported on July 22 to each respective agency by Japan and France. Based on this, the pact was concluded harmoniously and the occupation began.

Exh. 651 R 7079

Exh. 2836 ✓ R 25368 ✓

Excerpt from Grew's Diary September 6, 1941, concerning a discussion he had with KONOYE in which the latter stated that he and his government whole-heartedly agree with principles enunciated by Hull as a basis for rehabilitation of relations. It was hoped that as a result of the commitments Japan was prepared to assume, a rational basis had been established for a meeting with Roosevelt. Both Ministers of Navy and War were in full agreement. War Minister TOJO would send a full general to meet Roosevelt.

R. 25371

Exh. 2896 R 25805
Exh. 588 R 6566

Excerpt from Grew's "Foreign Relations".

(At R 25809) It is stated that on September 6, 1941, at an Imperial Conference the outline for executing the national policy of the Imperial Government was decided upon. TOJO was present. This policy is to be found in Exh. 588.

Exh. 3029 ✓ R 27060 ✓

(TOJO Interrogation, March 11, 1946, excerpts from Exh. No. 1137-A, R 10221) Stated that Japan was surrounded by Britain, U.S. and Holland and preparations for attack at any time by them were pushed. The nature of the preparations were defensive and were begun from the time of the September 6th Conference. TOJO said it was not true that the preparations for the four attacks previously referred to were begun after the Imperial Conference of September 6th. From the time of that conference Japan did not know when it would be attacked by ABD, and preparations to resist attack were planned.

R 27062

It was only after conference of December 1, 1941, that the surprise attacks were planned; strategically Japan was on the defensive but tactically on the offensive. She was surrounded by greater forces. The big picture was defense and actual fighting Japan attacked.

R 27062

With respect to the four operations, orders were issued by the Emperor as Commander of the Army and Navy on advice of Army and Navy Chiefs of Staff. They had responsibility of assisting the Throne and they went to the Emperor with orders prepared and asked for his assent. When this is given the orders are given to the various commanders. The responsibility is on the Chiefs of Staff from beginning to end.

R 27063-64

Chiefs of Staff have Section Chiefs. They draw plans which, if approved, are presented to the Emperor. The Imperial Conference comes in here. When the Conference of December 1st decided on war, the Chief of Staff prepared orders and took them to the Emperor for approval, and the Cabinet made various preparations. National will for war was decided for the first time on December 1, 1941. As Premier TOJO said he did not believe that any orders for war were issued previous to that time. As Premier and War Minister he believed it unlikely that any orders were issued in connection with the four attacks previous to the decision for war on December 1st. So far as their execution were concerned he meant to say that the four attacks took place after December 1st. As for plans, this was something else. Every state has a plan of defense that is revised from time to time in accordance with the situation. Just before the conference of December 1st, there was a great deal of tenseness. The situation was constantly changing, plans were changed accordingly, but the order to execute these plans was not issued until after the decision for war.

R 27065

There were other objectives also. The China Incident was in progress and there were troop movements in PIC. For this a variety of dispositions were needed. The carrying out of attacks against U.S. or Britain would not have preceded the decision for war. Defense against a possible ABD attack had to be thought of in connection with national defense. Attacks against ABD would probably have to have followed the decision of December 1, 1941.

25861-2

Excerpt from KONOYE's Memoirs, stating that after Japan's comprehensive plan had been determined on 20 September 1941, government activities began to show an acute seriousness. This was by reason of the balance struck between progress of Japanese-American negotiations on the one hand and on the outline of national policy determined upon, and the conference that was held on September 6th in the presence of the Emperor on September 24 and 25. KONOYE conferred for two days with TOJO, Navy and Foreign Ministers and the President of the Planning Board. On 5 October 1941 he expressed the opinion to TOJO that he would continue negotiations until the end.

On October 7, 1941, TOJO visited KONOYE and declared that such a formality as to withdraw troops from China and after that to station them there as insisted upon by the United States is difficult for the Army to submit to.

Exh. 2913 (cont'd)

Excerpt from KONOYE's Memoirs saying that on arrival of the American memorandum of October 2, 1941, he went to the Imperial Palace on October 4. He held a Liaison Conference with only the cabinet ministers and leaders of the Supreme Command. TOJO attended as War Minister.

Kono (?)

On October 12, 1941, KONOYE met with TOJO, Navy and Foreign Ministers and President SUZUKI of the Cabinet Planning Board and held almost the last conference relative to peace or war. TOJO was against deciding then whether or not there was a possibility of bringing negotiations to fruition. TOJO said it was a matter of great consequence to carry on negotiations for which there was no chance and let slip a time for fighting. KONOYE argued this matter with TOJO and TOJO would not yield (R 25865).

(At R 25864) KONOYE conferred with TOJO prior to a cabinet meeting and asked his opinion on the problem of stationing troops in China and KONOYE told TOJO that his responsibility for the China Incident was very great. TOJO was against the withdrawal of troops and would not yield on that point. As soon as the meeting opened, TOJO strongly set forth the reasons why the Japanese-U.S. relations should no longer continue. TOJO said (at R 25865) that the problem of stationing troops in itself means the life of the Army and we shall not be able to make any concession at all.

Exh. 3048 R 27201

SUZUKI -- DIRECT

R 27202

Witness identified exhibit as his affidavit and said that on September 29, 1942, when General KAMIMURA made a speech to newly-appointed Chiefs of POW camps at War Ministry that TOJO was not present.

(At R 27208) SUZUKI referring to instructions of the War Minister relating to prisoners of war as explained by General KAMIMURA said that he attempted to drive home the instructions, and often summoned the Chiefs of the POW camps to call the instructions to their attention. He said he had never found in any camp any prisoner who was forced to labor in disregard of his rank, health or ability.

(At R 27210) Witness said that at the end of 1943, War Minister TOJO visited the Tokyo POW Camp; that he inspected the kitchens and the entire camp and expressed his satisfaction over its administration.

(At R 27223) SUZUKI was asked if the death rate at the Tokyo Camp at the time of TOJO's visit was not very high, and he had no recollection of the figures at that time.

Exh. 2767 R 24853 at 24861

OKADA -- DIRECT

24861

Witness OKADA stated in October 1941, on TOJO's demands, various investigations were urgently and seriously conducted to ascertain final decision on national policies. Amongst these plans was one to avoid war by rapid large scale expansion of synthetic oil. TOJO requested the Planning Board to make a thorough-going investigation.

R 24864

Witness OKADA stated that beginning with January 1941, the findings of his section were reported to TOJO and SUGIYAMA, who both approved the conclusion to avoid war in April 1941.

✓ (At R 24862) OKADA stated that in connection with the report on synthetic oil which Director General SUZUKI of the Planning Board submitted to the Imperial Conference of 5 November 1941 that the report for the first time put an end to discussions among government officials on synthetic oil.

✓ (At R 24874) Witness OKADA stated that at the end of the KONOYE Cabinet, War Minister TOJO requested a re-examination and asked for a clear prospect as regards oil, shipping, iron, coal and food.

✓ (At R 24884) In connection with explaining a report concerning shipping in event of war, witness OKADA prepared a diagram and reported on it orally to TOJO. The diagram has been lost. TOJO ordered it referred to the Military Affairs Section which studied the report. TOJO's attitude at the time was nothing but to have them make various investigations.

✓ (At R 24885) Witness OKADA stated that when the TOJO Cabinet was formed in October 1941, it was decided that all the arguments concerning national policies would be put aside for the present and all problems should be investigated from the very beginning. Thorough-going investigations of the national strength without being satisfied with those previously made by the military authorities were instituted -- the Planning Board was the center of examination -- the result was submitted to the Liaison Council in order to formally form a final estimate of the national strength.

✓ (At R 24896) OKADA stated that it was towards the end of October 1941 that the government ministers agreed to the estimate and the agreement with the High Command was reached at November 1st. Persons who agreed on the estimate of national strength were the War and Navy Ministers and the President of the Planning Board (TOJO Cabinet was formed October 18, 1941. TOJO was then simultaneously Premier and War Minister.) OKADA stated further that the ministers who participated in the agreement with the High Command on November 1, 1941, which was reached after the government ministers agreed to the estimates on national strength, were those who were present at the Liaison Conference on 1 November 1941. (At R 24900) These would include the Premier, War, Navy, Foreign and Finance Ministers, President of the Planning Board, the Chiefs of Staff of the Army and Navy General Staff and the Vice Chiefs of the two staffs.

(Excerpts from TOJO Interrogation of 30 January 1946) Stated that the military setup in Japan was very different from that in the United States. The Chief of Staff is independent of the War Department in matters of command and organization. He is not subordinate to the War Minister, but is equal to him. The atmosphere which permeated the Army was communicated to the War Minister by the Chief of Staff and by the War Minister to the Cabinet. This was not a clique or faction. All matters of command passed from the Emperor to the Chief of Staff to the Commander in Chief. All matters of military administration passed from the Emperor via the War Minister to the Commander in Chief.

Exh. 3032 (cont'd)

The Emperor could also issue Imperial Ordinances. The China Incident was in progress and many decisions passed from the Emperor to the Chief of Staff to the Commander in Chief and the Chief of Staff was exceedingly important. The Chief of Staff was naturally cognizant of the pre Axis feeling in the Army and informed the War Minister. The latter introduced this subject into the Cabinet discussions where they had some influence. The Chief of Staff does not attend Cabinet meetings. However, his views on matters relating to strategy are conveyed to the Cabinet by the War Minister. Generally speaking, he is of equal standing with the War Minister and not subordinate to him.

Exh. 2866

R 25670 -

Excerpt from the Memoirs of Prince KONOYE, in which it is stated that TOJO told KIDO that since he became Premier, he understood KONOYE's difficulties and that he would proceed with a duplication of posts. KIDO replied that this was not the first time someone had told him that; that it had been the same since the first KONOYE Cabinet and that late though it may be to have the Army realize this point was fine.

Exh. 2915

R 25902

YAMAMOTO -- DIRECT

(At R 25908) Witness stated that he was told by TOYODA in October 1941 that TOJO upon the demand of the High Command made a strong request to KONOYE and TOYODA to present their views by the 15th on the ^{pending} opening negotiations and on the question of stationing troops in China. Witness stated that he was directed by the Foreign Minister (TOYODA) to draft his opinion for this purpose and that he draw up such a document.

Exh. 2980

R 26414

SAWAMOTO -- DIRECT

The witness discusses naval administration and (at R 26416) he says that the Navy Ministers controlled the naval administration and supervised all matters concerning naval officers and naval civilians. The office of Navy Minister was that of a civilian official and his appointment in this mission was decided by report to the Throne by the Prime Minister in a similar fashion with those of the other ministers. It was customary, however, for the outgoing Navy Minister to nominate a successor and recommend him to the Prime Minister acting on his recommendation and conduct the usual procedure of appointment.

Exh. 3027

R 26984

TANAKA -- DIRECT

(At R 27030) TANAKA states that at the Liaison Conference held daily from the latter part of October to the early part of November prior to the decision of November 5, it was recognized that the relations between Japan and the United States were approaching a stage where a choice had to be made between peace or war. It was agreed that efforts would be continued to effect a diplomatic settlement and that a two-fold policy of diplomacy and war preparations was determined upon. However, there was a time limit on both diplomatic steps and war preparations (TOJO was Premier and War Minister at this period).

(At R 27032) TANAKA states that on November 8, an agreement for a joint operation was made between the Hqs of the Southern General Army and the Combined Fleet.

(At R 27034) TANAKA states that the areas of operations in the south were to be the Philippine Islands, Guam, Hongkong, British Malaya, Burma, Java, Sumatra, Borneo, Celebes, Bismarck Islands and Dutch Timor.

Exh. 2916 R 25912

Opinion of the Foreign Minister concerning the Japanese-American negotiations referred to in preceding paragraph. Witness was told by TOYODA that this document was given to KONOYE and TOJO on October 16, 1941. KONOYE resigned and on the 18th the TOJO Cabinet was formed (R 25919).

Exh. 2919 R 25939

Telegram from TOYODA to NOMURA, dated 17 October 1941. TOYODA stated in substance that the KONOYE Cabinet's resignation was caused by its internal disagreement of views, the most important of the issues involved being the question of withdrawal of troops. He continued that he hoped there would be no change in regard to continuing the Japanese-American negotiations in accordance with the pre-determined principles.

Exh. 3033 R 27085

(Excerpts from TOJO Interrogation, March 13, 1946)
TOJO said, as War Minister, he was not a member of the Supreme Command, but was a participant. He was concerned with military administration and not with operations or tactics. He was not a member of the Board of Marshalls and Fleet Admirals. He was, along with the Chiefs of Staff, a member of the Supreme War Council.

He did not wish to avoid responsibility and would take full responsibility. This, he said, was only a factual explanation of a real situation. When KONOYE was Premier, it was very difficult for him because his authority included only the civil sphere. When TOJO became Premier, since he was also War Minister, he had a voice in military administration. When he became Chief of Staff, February 22, 1944, he had additional authority on purely military affairs. As War Minister, he had the additional military function of military administration, and as Chief of Staff he had the High Command functions of operations and tactics. This, he said, must be understood to explain the China Incident and the matters in Southern FIC. At first, the government policy on the China Incident was localization, but due to the independence of the High Command, the fighting spread. KONOYE, he said, had a terrible time.

In addition, the Emperor was assisted by the Lord Keeper of the Privy Seal, the Lord Chamberlain and the Imperial Household Minister and a Chief Aide-de-Camp. The Lord Keeper was the advisor on civil affairs. The Grand Chamberlain and the Imperial Household Minister had no direct connection with the civil government or the Supreme Command. The Chamberlain was Adjutant to the Emperor. He was a civil official and not a military man. The Aide-de-Camp, being a full general, had unofficial access to the Supreme Command and had no authority for direct liaison.

The Emperor conferred directly with the Board of Marshalls and Fleet Admirals. This was not a very active body, he said, since most of the members were old. In actual practice, the Emperor was in a difficult position. He had no one to help him on High Command matters. When the Premier and various Cabinet members reported to the Emperor on civil matters, he could consult the Lord Keeper. When the Chiefs of Staff reported to him on common problems, he had no one to consult except the Board of Marshalls and Fleet Admirals.

R27086

R27087

as they share primary

R27088

R27088-89

the conduct

The responsibility of the various Ministers and the President of the Planning Board and Chiefs of Staff for advice to the Emperor through Liaison Conferences and Imperial Conferences was of tremendous importance. For example, in the China Incident, TOGO said the Government policy was not enlargement, but because the civil government had no authority over the Supreme Command, fighting was enlarged and the civil government was powerless.

With respect to Exh. 3032 referred to above, it was read that TOJO stated as an answer to the question whether a large number of Army officers were pro Axis, he stated that the majority of the officers' opinion was "For a number of reasons; that one of the reasons was that the Japanese had followed the Prussian military system since the Franco-Prussian war instead of the French system.

During World War I, even though Germany was defeated, her military strategy and tactics were considered excellent. A second reason was the diplomatic isolation and a third reason was that the military situation had developed in a manner comparatively favorable to the Axis. (At R 27091) TOJO said he wished to emphasize that there was such a pro Axis atmosphere in the Army, there was no faction or clique.

21 October 1941 - Telegram from TOGO to NOMURA. It states among other things that the new Cabinet (TOJO) is one, with its predecessor, in its intense desire for the adjustment of Japanese-American relations on a fair basis.

(At R 25918) YAMAMOTO said that TOGO told him that when he was offered the foreign portfolio by TOJO he had rejected it on the ground that so long as the Army clung to its old attitude especially on the question of stationing troops in China, the successful conclusion of the Japanese-American negotiations was hopeless and it would be meaningless for him to become Foreign Minister. After exchange of opinions, however, TOGO told YAMAMOTO that he had at last accepted the offer upon TOJO's promise that his cabinet would in obedience to the Imperial Command (Exh. 1154) strive for successful conclusion of the negotiations by undertaking reconsideration of the various unsettled questions, including that of the stationing of troops without being bound by the Imperial Conference decision of 6 September, and that Ambassador NOMURA in Washington was accordingly notified that negotiations would continue.

(At R 25921) YAMAMOTO testified that the intention of the new government was confirmed by Premier TOJO, who at the first meeting of the Liaison Conference after the formation of his Ministry said that the policy of the new cabinet would be to reconsider the problem without being bound by the decision of 6 September, and asked the agreement thereto of the reports of the High Command which was given.

(At R 25921) YAMAMOTO said that after the formation of the TOJO Cabinet on October 18, 1941, that Liaison Conferences were held almost daily up to the Imperial

R 27089

R 27090

R 27090

Exh. 2917

R 25920

Exh. 2915

R 25902

Exh. 2915 (cont'd)

Conference of November 5, 1941. He said Foreign Minister TOGO always insisted it was necessary to succeed in the negotiations. The contention of the High Command voiced by the Chief of the Army General Staff was that concessions concerning the stationing of troops in China must absolutely not be made and that there being no room left for concession from the decision of Imperial Conference of September 6th that under the circumstances it was advisable to accept the opening of hostilities at that time. TOGO rejected this contention. YAMAMOTO said that TOJO reproved the Vice Chief of the Army General Staff.

(At R 25942) YAMAMOTO stated that under Plan "A", the area of stationing troops would be North China, near Mongolia and Hainan Island. Under the treaty of basic relations with China, Japan could station troops in the Shanghai Triangular Zone at Amoy and other areas and that this had been strongly defended until the time of the TOJO Cabinet. He said that as a result of the conference deliberations, however, it was decided to make the concession of restricting the areas to those mentioned.

(At R 25950) YAMAMOTO said that in connection with the preceding exhibit TOGO had requested and obtained assurance on this point before becoming Foreign Minister. He said however in the Liaison Conference the Army General Staff strongly opposed a limitation on the period of stationing troops on the ground that if a limitation were imposed the fruit of the China Incident would be lost. The Foreign Minister insisted, however, that the negotiations would undoubtedly fail unless the period was limited and that the General Staff had at last agreed to that decision.

Witness YAMAMOTO testified with respect to meetings of the Liaison Conference after the Imperial Conference of November 5. He said the Liaison Conference considered questions in connection with the Japanese-American negotiations but also considered the measures to be taken in the event negotiations failed and Japan was forced to resort to arms to preserve its own existence. He said matters concerning military operations were never brought up for discussion in the Liaison Conference, and were kept absolutely secret. With respect to Prosecution Exhs. 1175 and 1169 are related to war and ~~was~~ drawn up by the Liaison Conference, he said they were preparatory drafts discussed and adopted merely against the time when war might prove to be inevitable. YAMAMOTO said the Foreign Minister (TOGO) on November 5 instructed Ambassador NOMURA to bend every effort to concluding an agreement with the United States by the 25th (Exh. 1171), and again on the 22nd told him that Japan could wait if agreement could be reached within a few days further (Exh. 1183).

November 4, 1941 - Telegram, TOGO to NOMURA, wherein it is stated that strenuous efforts are being made day and night in order to adjust Japanese-American relations which are on the verge of rupture. TOGO said the Government had held daily meetings of the Liaison Conference with the High Command and that after long and thorough deliberation the Government and the High Command had reached unanimous agreement on the proposals in the Japanese-American negotiations (separate telegrams,

Exh. 2915

R 25902

YAMAMOTO

not correct

See 25951

Exh. 2915

R 25902 at 26057

R 26057

Exh. 2924

R 25961

Exh. 2924 (cont'd)

Nos. 726 and 727), but that these proposals together with other basic policies had to await final sanction at the Imperial Conference to be held on November 5th.

Exh. 2925

R 25964 at 25966

November 4, 1941 - Telegram, TOGO to NOMURA, wherein it is stated that this is our proposal setting forth what are virtually our final concessions made by revising our proposal of September 25th. TOGO discusses three pending issues which were (1) non-discrimination of trade, (2) interpretation and application of the Tri-Partite Pact, and (3) withdrawal of troops.

Exh. 2915

R 25902 at 26064

November 26, 1941, witness YAMAMOTO said that on the aforementioned date there was received from NOMURA and KURUSU a telegram (Exh. 2249) suggesting as their opinion that the relations between the two countries could be improved by an exchange of telegrams between the President and the Emperor, the exchange to be followed by a proposal from Japan on establishment of a neutralized area. The Ambassador requested that the Foreign Minister, TOGO, consult concerning their suggestion with the Lord Keeper of the Privy Seal and give them a prompt answer. TOGO did consult with KIDO and Premier TOJO and instructed YAMAMOTO to convey to NOMURA and KURUSU the result which was that all three of them considered the project and offered no hope of settlement in the circumstances of the time and that it would therefore be improper to adopt it. This information was conveyed to the Ambassadors (Exh. 1193).

Exh. 2926

R 25971

November 5, 1941 - Telegram, TOGO to NOMURA, wherein it is stated that our proposals in the Japanese-American negotiations mentioned in telegram No. 725 were approved at the Imperial Conference on the 5th and directed NOMURA to commence negotiations immediately in accordance with the instructions in telegram No. 725.

Exh. 2915

R 25902

YAMAMOTO -- DIRECT

(At R 25973) YAMAMOTO said that when the question of withdrawal of troops was debated in the Liaison Conference, TOGO had first advocated the adoption of a 5-year limit -- that successive proposals for 8 and 10 year periods had been suggested but none was accepted and the 25-year approximate goal was finally decided upon. YAMAMOTO said it would have been possible however to request reconsideration with a view to shortening the period had the United States been generally favorable to Proposal "A" inasmuch as there was an understanding to that effect between Premier TOJO and Foreign Minister TOGO.

Exh. 2923

R 25957

November 6, 1941 - Telegram from TOGO to NOMURA wherein it is stated while Ambassador KURUSU was sent for the reasons stated, his hurried dispatch indicates also the sincerity of the Japanese Government in accordance with the present negotiations. The Ambassador is not carrying with him any instructions other than those already telegraphed to you. His mission is to convey in person to you information concerning the latest situation here. TOGO said that it had been explained to the Japanese public in view of the necessity of negotiations being speedily brought to a successful conclusion that Ambassador KURUSU had been hurriedly sent to Washington. These circumstances had also been explained to the British and American ambassadors in Tokyo.

Exh. 2953

R 26069

Excerpt from "Ten Years in Japan" by Joseph C. Grew. This relates to an editorial which appeared in the Japan Times and Grew stated in connection therewith that on November 7, 1941, he was at the Soviet Embassy and took occasion to make the strongest representations to every Japanese to whom he talked to point out what serious harm the editorial had done especially at the moment when KURUSU had been sent to Washington. He tried to bring the current conversations to a successful conclusion. Grew said (at R 26070) that TOGO, the Foreign Minister, appeared to know nothing about the editorial and was sure that it had not been inspired by the Foreign Office -- TOGO said he would look into it and a few moments later called Toshi GO, editor of the paper, over to him and told him what Grew had said.

Exh. 2950

R 25998 -99

(At R 26071) Grew said that the next time he saw TOGO, TOGO said that while the Foreign Office had exerted no control over the "Times and Advertiser" up to the present, it was going to exert such control thereafter.

November 9, 1941 - Telegram, TOGO to NOMURA, wherein it is stated that with regard to the China question Secretary Hull's idea of having China's highest authority make a pledge may be interpreted as renewal of intention of the United States to commit to direct Japanese-Chinese negotiations of the China question which had been the crux of the Japanese-American negotiations. NOMURA was directed to ascertain the details as to how the proposal is to be dealt with in relation to Japanese-American negotiations and to telegraph the results.

Exh. 2951

R 25999

November 10, 1941 - Telegram, TOGO to NOMURA, wherein it is stated that it is considered favorable to have Hull's proposal realized. NOMURA was directed to talk with the United States after referring to TOGO's telegram No. 755.

Exh. 2927

R 25974

November 10, 1941 - Memorandum by the Secretary of State at Washington, wherein it is stated that the Japanese Ambassador called on the President and that the Secretary of State was present.

(At R 25982) Japanese Ambassador said "I may add for your information that in view of the serious situation now prevailing in the relations between our two countries, the Japanese Government is sending over here Ambassador KURUSU to assist me in the present conversations, and also that the conversations will be taken up by Foreign Minister TOGO with Ambassador Grew in Tokyo in a preliminary line."

Exh. 2918

R 25925

November 10, 1941 - Excerpt from memorandum by Ambassador Grew. Grew states (at R 25927) that the Foreign Minister (TOGO) recalled a conversation which he had with Grew on October 30th wherein TOGO said he was firmly of the opinion that the maintenance of friendly relations between the United States and Japan was a practicable proposition. TOGO said he had given constant thought to the matter -- had determined to put forward every effort to reestablish relations between the two countries and to maintain peace in the Pacific. Grew said he interrupted TOGO to say that the United States had been careful to emphasize that it was engaged

✓
Exh. 2918 (cont'd)

in preliminary and exploratory conversations with the Japanese Government. TOGO replied that he was aware of that fact but that he wondered whether the time had come to enter into formal and official negotiations.

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Exh. 2932

✓
R 26000

TOGO said that only recently KURUSU had been sent to Washington to assist Admiral NOMURA in conducting the conversations.

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Exh. 2915

✓
R 25902

YAMAMOTO -- CROSS

WPK
November 10, 1941 - Telegram from TOGO to NOMURA, stating among other things that the Japanese Government has, in connection with the adjustment of Japanese-American relations, endeavored to promote the solution of the Chinese Affair, and the United States Government also has maintained that the China problem cannot be excluded in considering the general peace of the Pacific. By making use of Hull's suggestion we can execute the problem of stationing and withdrawal of troops from the present negotiations thereby expediting the conclusion thereof, and we are also enabled to conduct peace negotiations with China without the interference of the United States.

exclude
R 26144
(At R 26144) YAMAMOTO said that he attended all of the Liaison Conferences during the TOJO Cabinet, that from October 23 to November 2, 1941, Liaison Conferences were held daily and between November 6 and November 29, Liaison Conferences were convened five or six times, and that there were conferences held on December 2, 3, 4 and 6.

✓
(At R 26146) YAMAMOTO said that persons attending the Liaison Conference included the Prime Minister, War, Navy, Foreign and Finance Ministers, and the President of the Planning Board. The Chief of the Navy and Army General Staff were always in attendance.

✓
(At R 26149) YAMAMOTO stated that the ministers who attended the Liaison Conference during the third KONOYE Cabinet were not necessarily representative of the same ministries as those during the TOJO Cabinet.

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Exh. 2936

✓
R 26021

R 26021-3
November 16, 1941 - Telegram from TOGO to NOMURA states that those points in the statement of the Imperial Government of August 28 which are enumerated in the "Oral Statement" of the United States are all contained in our proposals of September 6 and 25, and the present Cabinet has no objection to acknowledging them. These points, however, pre-suppose the consummation of the Japanese-American negotiations; it goes without saying that they shall not bind Japan alone in case the negotiations and in failure. The phrase "without provocation" is used in the reply of the Imperial Government of August 28 with respect to the use of force in general -- in the same reply we say regarding the Soviet problems as long as the Soviet Union remains faithful to the Soviet-Japanese neutrality treaty there is a phrase in our proposal of September 6 "without any justifiable reason". These terms mean the same thing. Rather detailed stipulations are made regarding the Soviet Union because of the Soviet-Japanese neutrality treaty and of the situation arising out of the Russo-German war.

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Exh. 2938

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R 26025

November 17, 1941 - Telegram from TOGO to NOMURA, stating that we had no objection to applying it as proposed by the United States to the entire Pacific area and therefore no objection to striking out "southwestern" from Article 6 of our September 25 proposal. This was in reference to NOMURA's telegram No. 1110.

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Exh. 2915

✓
R 25902

YAMAMOTO -- DIRECT

(At R 25948) YAMAMOTO discusses Proposal "A", and said that in addition Proposal "B" had been prepared for use in the event that no favorable prospect developed from presentation of Proposal "A".

(At R 25949) he said the Liaison Conference (no date but apparently the 1st of November) discussed the policy to be adopted in case the United States would not accept either Proposals "A" or "B", despite the concessions which they were believed to represent. YAMAMOTO said that before reaching the final decision; that, in that case war would have to be waged in self-defense. The Liaison Conference had hot discussions. He said it was argued in the Conference that if America refused to pay favorable consideration to Japan's proposals despite their concessions, that she was already resolved upon war against Japan. As a result of the discussions, YAMAMOTO said the opinion was reached that Japan should continue negotiations with the determination to fight America in self-defense if negotiations failed. He said prior to the agreement on this conclusion, Ministers KAYA and TOGO reserved expression of their final opinion. Foreign Minister TOGO told YAMAMOTO a day or two later that before agreeing to a conclusion, he had made some requests of Premier TOJO especially to make every effort for the success of the negotiations and to consider moderating as necessary the terms of Proposals "A" and "B" if the United States' attitude toward them was in general favorable.

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ch. 2944

✓
R 26041

November 26, 1941 - Telegram from TOGO to NOMURA, stating that in case an agreement is reached on the basis of our new proposal, Japan will be faced with the immediate necessity of securing the economic resources in connection with Articles 2 and 3 thereof (this apparently refers to Japanese proposal of 26 November 1941). As petroleum is urgently needed by Japan, you are directed to convey, as the negotiations develop but prior to the signing of the agreement, our desire for annual imports of 4 million tons from the United States. The above figures are only a rough estimate which is to be the standard in the negotiations and we hope that the quantity will gradually be increased as commercial relations shall be restored hereafter. This is for your information.

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2915

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R 25902

WOTO -- DIRECT

(At R 25985) It is stated that Foreign Minister TOGO also made an explanation to Ambassador Grew in an endeavor to insure a thorough understanding of the proposal (Exh. 2918), and that it was felt that in view of the concessions made, the United States would give favorable consideration to the proposal.

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2976

✓
R 26373

November 30, 1941 - Telegram, NOMURA to TOGO, wherein it is stated that the newspapers of the 30th reported on address of Premier TOJO under big headlines and special importance was attached to the expression therein that the exploitation of the Asiatic peoples

Exh. 2976 (cont'd)

by British and Americans "must be purged with a vengeance". NOMURA said that President Roosevelt who was taking a rest at Warm Springs had suddenly changed his program and left for Washington. NOMURA feared that the American Government might use the address as material for their propaganda. He requested TOGO to take appropriate steps in connection with the address and to send its text to him promptly.

Exh. 2932 R 26000

November 10, 1941 - Telegram, TOGO to NOMURA (this exhibit is telegram No. 755 referred to in the preceding paragraph, Exh. 2931). The China question is further discussed in this exhibit. TOGO states among other things that the United States has maintained that the China problem cannot be excluded in considering the general peace of the Pacific -- that the United States would meet the original desire of the Japanese Government relative to the problem of peace between Japan and China. In referring to Secretary Hull's suggestion TOGO states (at R-26001) that in utilizing the suggestion, Japan must first obtain a commitment by the United States to the effect that the establishment of Japanese-Chinese peace would not be made a condition for the conclusion of the Japanese-American negotiations and that the United States would not impede peace between Japan and China.

R 26000-1
If the U.S. would prefer it is good for Japan + China as suggests Hull's offer of peace to direct negotiations.

Exh. 2978 R 26376 - 8

Excerpt from Foreign Relations of the United States. Reference is made to speech of TOJO, and it is stated that it was drafted by the office staff of the East Asia Restoration League of which TOJO was President and was intended as a congratulatory address to be delivered on November 30th. It is stated however that TOJO made no speech on the 30th, and that neither he nor other government authorities had any knowledge as to the contents of the speech.

Exh. 2954 R 26072 - 4

An explanation of the Premier (TOJO) at the Imperial Conference of December 1, 1941 - TOJO stated that in accordance with the decision of the Imperial Conference of November 5, the Government had taken all possible steps to adjust relations with the United States while the Army and Navy had made efforts to complete their preparations for operations. He went on to state that the United States had not shown any signs of concession from its past position and that it was clear Japan's claims could not be attained through diplomatic measures. He said the demands of the United States would include the overall withdrawal of Japanese troops and nullification of the Tri-Partite Pact, and the withdrawal of recognition of the Nanking Government. Further, TOJO said Japan now has no other way than to wage war against the United States, Britain and the Netherlands.

Exh. 2955 R 26074

Explanation of Foreign Minister TOGO at Imperial Conference December 1, 1941 - TOGO summarized the Japanese-American negotiations after Imperial Conference of November 5 and referred to the so-called four principles which he said the United States had insisted upon and he enumerated these (at R 26075).

Exh. 2977 R 26375 - 6

December 1, 1941 - Telegram, TOGO to NOMURA, wherein it is stated that Premier TOJO's address was delivered under the auspices of the Koa Domei celebrating the anniversary of the conclusion of the treaty of basic relations between Japan and China, and had been drafted by the

Exh. 2977 (cont'd)

Exh. 2951

R 26059-60

Exh. 2962

R 26169-70

Exh. 2960

R 26167-8

KASE -- DIRECT

Exh. 2960

R 26167-8

KASE -- DIRECT

R 26171-72

Exh. 2961

R 26168

administrative office of that organization. He said the address had been handed to the press without due inspection by TOJO and other government authorities.

3 December 1941 - Telegram from TOGO to NOMURA in which it is stated that it is observed the United States makes much of the statement of our government the trend of public opinion and the troop movements in the south and expresses apprehension on account of them over our sincerity in the negotiations. However, the facts about the statement of Premier TOJO were as contained in my telegram, No. 866, and we consider that the unexpected repercussion was caused by an extreme inappropriateness of translation (made by the Domei News Agency).

December 6, 1941 - Telegram, NOMURA to TOGO. It states in substance that on the evening of the 6th, the State Department had disclosed that President Roosevelt had sent a personal message to the Emperor. NOMURA said the contents of the message were unknown but it was generally assumed that it concerned the reinforcement of troops in French Indo-China and the advance into Thailand.

Witness identified exhibit as his affidavit; stated that he entered the Japanese Foreign Ministry in 1925, and was appointed Chief of the First Section of the Bureau of American Affairs, in November 1941, continuing in that position until April 1943. He testified concerning events around December 7, 1941, and said that about 10 o'clock in the morning of that day he received information from the Domei News Agency that the United Press had carried a report to the effect that President Roosevelt had dispatched a personal message to the Emperor. He said that an urgent telegram was sent to NOMURA in Washington, instructing him to make inquiries into the report.

(At R 26171) KASE testified with respect to Exhs. 2961 and 2962 referred to above and said that at about 10:15 pm (apparently December 7, 1941), the Private Secretary to TOGO received a telephone call from the American Embassy requesting him to make an appointment around midnight for Ambassador Grew to see TOGO. KASE said that Mr. Grew came to TOGO's official residence around 12:30 am, December 8th, saying he had received an urgent message of the President to the Emperor and requesting the Foreign Minister to arrange an audience for him. TOGO replied it was unusual to take action on a request at such an hour -- he asked about the substance of the message -- Mr. Grew left a copy with TOGO and repeated his request for an audience. TOGO gave KASE a copy of the message and asked him to translate it into Japanese. He said that TOGO got in touch with KIDO, asking him to arrange for him to report the matter to the Throne. Thereafter TOGO went to TOJO's residence and at about 2 am, on December 8th, went to the Imperial Palace and there informed the Emperor of the President's message and received the answer to be sent through the American ambassador.

December 7, 1941 - Telegram, TOGO to NOMURA. This is the telegram referred to by the witness KASE, mentioned in the preceding exhibit.

Exh. 3039

R 27132

MATSUMOTO -- DIRECT

R 27134-5

mutatis mutandis

Witness identified exhibit as his affidavit. (At R 27134) he said that on December 27, 1941, US Government addressed an inquiry through the Minister of Switzerland to the Japanese Government concerning the treatment of prisoners of war (Geneva Convention); see Exh. 1468, R. 12787. Witness said that in accordance with Foreign Minister TOGO's opinion that Japan should abide by the Hague Convention. He discussed the matter with UEMURA, Director of POW Information Bureau, and other Army and Navy officers concerned. He said as a result of these discussions, a reply was made to the United States Government on January 29, 1942 (Exh. 1469) in accordance with the answer of the War Ministry which was in charge of the matter (Exh. 1958) to the effect that Japan would ~~abide by~~ ^{adhere to} the provisions of the ~~Hague~~ ^{Hague} Convention, although Japan had not ratified it. NOTE: In connection with similar inquiries made by Great Britain on January 3, 1942, see Exhs. 1493, 1494, 1495 and 1496.

(At R 27142) On redirect examination, MATSUMOTO said that prisoners of war were under the jurisdiction of the War Minister (TOJO).

Exh. 3098

R 27694 -

NISHIURA -- DIRECT

R 27695-6

Witness identified exhibit as his affidavit and testified to the procedure concerning the treatment of prisoners of war. (At R 27695) he said that when the War Ministry received a report about sending POW to the rear, the Ministry advised the Imperial Hqs as to the ports or other places where the POW's should be sent. The Imperial Hqs informed the War Ministry of the date of arrival of POW's at the place assigned. POW's would be delivered to a receiver designated by the War Ministry. After delivery to the receiver, POW's came under jurisdiction of War Ministry. Before that time, treatment of POW's was in the hands of the troops in operations so that any trouble occurring prior to the time of delivery to the receiver of the War Ministry was out of the jurisdiction of the War Ministry.

(At R 27751) ⁷⁶⁷ Witness stated that he was advisor to the Japanese Army in the Philippines in February 1942; that the order for his appointment came from Prime Minister TOJO, and that since he (MURATA) belonged to the War Ministry that he was probably appointed by TOJO as Minister of War.

Should be out of court
Ex 3102 R 27, 764

Exh. 1472

R 12791

(At R 27819) Defense read certain portions of this exhibit which was Foreign Minister TOGO's communication of February 1942, directed to the American Government through the Swiss Government.

Exh. 3129

R 27902

Report of investigation of eight officers and men who took part in air raid of Japan in April 1942, which was forwarded to several officers, including that of War Minister and Vice Minister of War.

Exh. 3049

R 27230

YAMAZAKI -- DIRECT

Witness identified exhibit as his affidavit and stated (at R 27232) that he attended meetings of the Commanders of POW Camps on June 25 and July 7, 1942. (At R 27233) On Cross-examination he said that the same instructions were read and discussed at both conferences; that they were the instructions of Prime Minister TOJO; but that TOJO was not present.

Exh. 3049 (cont'd)

✓
Exh. 3132

✓
R 27908

✓
Exh. 3133

✓
R 27909

✓
Exh. 3040

✓
R 27146

KUDO -- DIRECT

(At R 27236) Witness on cross-examination stated that his commanding officer at the time of the conferences referred to above was General UYEMURA -- he was in charge of leading the discussions and his immediate superior was War Minister TOJO.

Order from Chief of General Staff relating to court-martial of enemy airmen who commit atrocities. This is dated 22 October 1942 (TOJO, War Minister).

Regulations concerning the punishment of POW's. Regulations prescribe in detail punishment to be inflicted in the event of breach of various regulations. *in effect until Mar 43*

✓ Witness identified exhibit as his affidavit and (at R 27151) said that the Foreign Minister TOGO informed the Swiss Minister of the ration of food being supplied to the internees in Japan on February 13, 1942 (see Exh. 1491) as an instance that the internees were receiving food better than those of the Japanese in general. Witness said that this was a statement of the condition actually existing at that time and was not a commitment for the future.

✓ (At R 27157) Witness stated on cross-examination that reports concerning prisoners of war were received from the POW Information Bureau and with regard to civilian internees from the Ministry of Home Affairs and the Ministry for Overseas Affairs. TOJO, Home Minister, October 18, 1941, to February 17, 1942.

R 27162
Witness said on cross-examination that statements in his affidavit regarding prisoners of war camps; that he obtained them from the International Red Cross such as the report published by that organization regarding the visit made to the camp at Zentsuji of March 12, 1942. (Compare with Exh. 1960, R 14423, TOJO's instructions to Commander of Zentsuji Division.)

In connection with testimony of KUDO, see Exh. 1965-A, R 14439, Article 4 thereof, which states that the Director of the POW Bureau administers the affairs of the Bureau under the direction and supervision of the Minister of War.

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Exh. 3073

✓
R 27443

SAWADA -- CROSS

✓ Witness identified exhibit as his affidavit and said (at R 27450) as Commander of the 13th Army in Shanghai, the trial of the Doolittle Flyers was carried out under the responsibility of his Army over which he was responsible -- that General HATA at the time was Commander in Chief of the China Expeditionary Forces. He said he received his orders from the Commander in Chief, but that General HATA told him that he (HATA) received his orders direct from Tokyo. He said that General HATA told him he received orders from Tokyo to hold the trial of the Doolittle Flyers and that he had also been informed by General TOJO that the orders came direct from Tokyo although SAWADA said he heard this much later.

On cross-examination by Defense Counsel (at R 27455), witness stated that instructions ordering the trial of the Doolittle Flyers coming direct from Tokyo would first clear through General HATA as Commander in Chief of the armies in China before reaching his Hqs; that a decision announced by the Court likewise would be forwarded to Tokyo through General HATA's office; also that if Tokyo decided to change the decision; that change would go through General HATA's office.

Exh. 3073 (cont'd)

During further cross-examination by Prosecution (at R 27468) in connection with orders from Tokyo to conduct the Doolittle trial, witness said he did not know whether the orders emanated from TOJO, the War Minister, or from the Army Chief of Staff.

✓
Exh. 3065

✓
R 27356

TAKATA -- DIRECT

Witness identified exhibit as his affidavit and stated (at R 27360) that it had been the practice since the Meiji era and there were various regulations pertaining to it, for the Navy to turn over the prisoners of war captured by it to the Army, and they were interned in the POW camp, under the control of the War Minister.

✓
Exh. 3069

✓
R 27429

Army Order No. 1, issued by War Minister TOJO to Japanese soldiers at the front. TOJO said that marshall spirit should not be haughty, that the virtues of bravery are noble only when they flowed naturally from oneself; that requisition, confiscation and destruction of supplies should be carried out only on orders of the commanding officer according to regulations.

1 Oct 1947

Mr. Sutton:

1. I have checked through the chronological summary of prosecution evidence prepared in the Tojo case by Mr. Dunningan, and also summary of evidence introduced by defense covering the period prior to testimony in Arai's individual phase.

2. The material presented, with minor exceptions, is a substantial presentation of the important matters related to Tojo. I have made pencil notations and additions where an error occurred.

3. The sources used in connection with counter-checking were IBS Doc 0003; the citations by prosecution in its reply to the motion to dismiss; the narrative summary, and the record itself.

4. While the summary of prosecution evidence was directed to be a chronological summary, the finished product would have been stronger, had the same material been divided chronologically under important headings bearing on Tojo's responsibility for actions ^{while holding significant posts} he took ~~as such~~ ^{as such actions were} related to the charges against him.

5. Apart from what is suggested in par. 4, it is my view that the work itself is thorough and well presented.

RWF

Letters

CHRONOLOGICAL SUMMARY OF EVIDENCE INTRODUCED BY THE DEFENSE
AS TO THE DEFENDANT TOJO.

Where an exhibit is referred to it will be followed by the letter "R" and a number. This indicates that the exhibit was introduced into evidence at that page number. Where the small letter "p" is used with respect to the same item of evidence followed by a number, that indicates that the exhibit was referred to at that page of the record.

1929-1945

Exh. 2344 (p 17698) Chart showing the composition of every cabinet from 1928 to 1945

1937

Exh. 259 (R 9474) (p 26018) KAWABE-GROSS
March, witness said upon being shown Exhibit 259 which was "Draft of Outline for the Military Disposal of the Various Railways in North China, November, 1935" that this plan was sent to C/S of the Kwantung Army. Witness came to Central Office in March 1937 and at this time TOJO was C/S of the Kwantung Army. He did not remember having seen this document while he was staff officer of the Kwantung Army. The plan had to do with the seizure and operation of certain North China railways.

Exh. 672 (R 7336) (p 22026-027) KAWABE - GROSS
Witness said Exhibit 672 was a telegram marked "Ultra Secret and Urgent" from C/S, Kwantung Army (TOJO) and addressed to Vice Minister of War UMEZU which stated in substance that, regarding operations for war against U.S.S.R., Japan should first deliver a blow against China by attacking Nanking and thereby "remove the menace in the rear." He said the general staff did not agree with TOJO's views in this respect. He did not know if the War Minister agreed with it.

Exh. 719-A (R 7560) (p 23410) IIMURA - GROSS
He admitted this exhibit showed a letter from TOJO to UMEZU submitting a detailed map of administration of Outer Mongolia. TOJO was then C/S of the Kwantung Army and UMEZU, Vice Minister of War.

1938

KAGESA - GROSS (p 24030-031)
Witness stated that the Central Military authorities amended the peace movement plans of KAO and MEI. These authorities were the officers concerned in the Army Staff and War Ministry of Japan. TOJO held the position of Vice-War Minister at this time, which was November, 1938.

1940

Exh. 2347 (p 17869)
Excerpt from TOJO's interrogation of February 1, 1946, stated that cabinet meetings were the

scene of heated discussions on the signing of the 3-Power Pact. He did not recall much urging of the Army's views in Cabinet meetings, however, the C/S kept Foreign and Prime Minister informed. Matters of secondary importance were transmitted by the Assistant C/S to the Foreign Minister or to the Assistant Foreign Minister.

1941

Exh. 779 (R 7904) (p23248)
KASAHARA - CROSS

Resolution of Imperial Conference of July 2, 1941. It was stated that the spirit of the Tri-Partite Pact will be the keynote of Japan's attitude toward the German-Soviet war. They would not intervene for a while but would voluntarily secretly prepare. Diplomatic negotiations will be continued with caution and should the war progress favorably towards Japan they will take arms to settle the Northern Problem.

Exh. 670 (R 7390) (p 23278)
TAKEBE

TAKEBE said he had not received any concrete orders from the War Minister with respect to reinforcements to the Kwantung Army. The situation at the beginning of the Russo-German war not being clear, he went to TOJO by Plans to make sure whether reinforcements of the Kwantung Army meant war against the Soviet. TOJO stated it was necessary to reinforce the Kwantung Army but would not explain why.

TANAKA - DIRECT (p 23326-327)

July 1941, witness discussed the general situation existing between Japan and the Soviet Union in view of relations with the U.S. and Britain. He said it was the desire of War Minister, TOJO, and the C/S to drive home to the officers and men on the occasion of this reinforcement the idea that it would not mean the commencement of military operations.

TANAKA - CROSS (23353)

July 1941, witness stated he did not believe his dismissal from his position in the First Division was because he disagreed with TOJO and SUGIYAMA with respect to matters pertinent to war plans.

TANAKA - CROSS (p23370-371)

July, 1941, witness said the order for Kwantung Army special maneuvers was issued by Imperial Headquarters but the order itself was drafted by C/S of the Army who consulted with War Minister TOJO. In this connection witness was discussing the reinforcement of the Kwantung Army in regard to the Soviet Union.

Exh. 719-A (R 7560) (p 23712-718)
YANO - CROSS

Exhibit 719-A, letter from TOJO to UMEZU as to administration of Outer Mongolia. Map attached was received in evidence as Exhibit 719-B, excerpts from map as 719-C, and memorandum attached, as 719-D.

Exh. 2363 (R 18141) (p 18141-143)
ANDO - DIRECT

October 1941, witness stated that IRRRA was formed in October 1941; that he became Vice President thereof at TOJO's request; that he

served as Vice President from October 1941 to April 1943; and that when he became Vice President, TOJO was president of the organization.

Exh. 2676 (R 23303) (p 23303-305)

TANAKA - DIRECT

November 1941, Exhibit 2676 identified by witness as his affidavit. The Army's plan of operation against the Soviet for 1941 was formed in 1940. In November 1941, SUGIYAMA, C/S, indicated to the vice chief and witness that in drawing up and developing operation plans against the Soviet Union they should adhere strictly to the national policy established with respect to Russo-Japanese diplomatic relations. Witness said he was informed by SUGIYAMA and War Minister TOJO that they had reached complete agreement on the fundamental principle.

ANDO - CROSS

(p 18155-158)

December 8, 1941, witness said on this date he was advised by telegram that war had broken out -- he believed it was HOSHINO, First Secretary of the Cabinet, who informed him of that fact at the instruction of Prime Minister TOJO. The Cooperative Council Meeting opened on the 8th of December. It had been a practice for the officials of the various ministries who were in charge of such matters to assemble and consult at the Cabinet Information Board. Witness, in his testimony, discussed the IRRA in detail.

Exh. 2348 (R 17870) (p 17870)

Excerpt from TOJO's interrogation of February 6, 1946. TOJO stated that Imperial Conferences were held with important ministers of state but that in some years no conferences were held. Usually those who attended were the C/S, Cabinet ministers and President of the Privy Council. Each had his own responsibility according to his position. Such conferences would be requested by the Emperor or one of the chiefs of staff.

1943

YAMAMOTO - DIRECT

(p 17914)

November 1943, witness stated that while he was Vice Minister of the GEA Affairs Ministry TOJO, who at that time was Premier and War Minister, went with him on a tour of the Southern regions.

YAMAMOTO - DIRECT

(p 17918-919)

November 1943, witness recalled an interview between TOJO and a Mr. BANO, of Burma, during a tour of the Southern regions.

YAMAMOTO - DIRECT

(p 17915-916)

November 1943, in his capacity as Vice Minister of GEA Affairs Ministry and in connection with his visit with TOJO to the Southern regions, he met Dr. Laurel, Recto, Vargas and a Mr. Aquino, the leading representatives.

These people were members of the Preparatory Committee for Independence in the Philippines. There was a free interchange of opinions between the Japanese and the Philippine representatives. He had meetings with the Regent Prince ADIT and Mr. PRASERT, the Prime Minister, Marshal PIBUL, Foreign Minister WICHIT and other important personages. These persons freely voiced their opinions to the witness and TOJO. He said there were no basic differences in opinion between those persons previously mentioned and TOJO and himself. TOJO made it a practice to give instructions to Japanese Army authorities on the spot, wherever he stopped on the course of his tour. In these instructions he would tell them to respect the opinions of the natives and to take a fatherly attitude toward them. He did not recall discussing any concrete measures with any representatives of China.

1944

Exh. 1344 (R 12068) (p 18083-085)
YAMAMOTO

Witness stated on redirect that in connection with the establishment of the GEA Affairs Ministry the policies for establishing the independence of the several countries were carried out swiftly. With respect to the statement in Exhibit 1344 and with respect to the differences between TOJO, the Foreign Office and the Central Committee. As to the granting of independence he said it would contain a clear statement of the ideas held by TOJO and the Foreign Office.

Exh. 2351,
2352 and
2353 (p 18021)

November 1944, speeches by three leading representatives of GEA Conference.

MITARI - DIRECT (p 17797-798)

He said the TOJO Cabinet fell in August because it failed to strengthen its personnel. The military situation at that time was unfavorable to Japan and public sentiment had been alienated. Some twenty leaders of the IRAPS and members of the House submitted to the Lord Keeper of the Privy Seal a resolution for the resignation of the TOJO Cabinet.

1945

YAMAMOTO (p 17994)

July 1945, witness testified with respect to NEI independence. Mr. SAEKRANO, who visited Japan soon after the GEA Conference, made his request to Prime Minister TOJO to grant the East Indies their independence. The meeting ended without any definite reply from TOJO, and Mr. SAEKRANO returned to Java greatly disappointed.

26 September 1947

MEMORANDUM TO: Mr. David N. Sutton
FROM : Mr. Lester C. Dunigan
SUBJECT : TOJO -- Chronological Summary of Defense Testimony

1. Attached hereto are four copies of a chronological summary of Defense testimony relating to the defendant TOJO.

2. You will note numerous references to the defendant TOGO which apparently have no direct relation to TOJO. These have been included however because of the respective positions held by TOJO and TOGO, and the close relations existing between the two men at the time.

LESTER C. DUNIGAN

TOJO, Hideki

TOJO first appears in the evidence in this case as Colonel, Head of the First Section, Army General Staff in 1931. The evidence thereafter shows that his was a steady and rapid advancement throughout the life of the conspiracy charged in the Indictment. He occupied successive and increasingly important and powerful positions until as War Minister in the third KONOYE Cabinet, his power became so great that he was able to bring about the fall of that Cabinet.

As Colonel, Section Chief and as Major General, Commander of the 24th Infantry Brigade, he played a sufficiently important role in the Manchurian aggressions to be awarded a decoration for his services.

Further activities in Manchuria continued while he was Chief of the Kwantung Military Police, Chief of Staff of the Kwantung Army and Japanese Member of the Manchukuo Joint Economic Committee.

On June 9, 1937 he telegraphed the Vice War Minister and Chief of Staff regarding operations for war against the USSR and advised that Japan should first deliver a blow against China by attacking Nanking and thereby "removing the menace in the rear." It is significant that this attack occurred within a month thereafter.

During 1940 he collaborated with MATSUOKA in drawing an authoritative foreign policy program for Japan. He attended a Foreign Ministers Conference which stressed German-Japanese friendship and cooperation and successive Ministers Conferences which culminated in the signing of the Tripartite Pact between Japan, Germany and Italy. In the Imperial Rescript issued on the signing of the Pact, TOJO's name appears as one of the principal officers of the Government.

When he became Premier on October 18, 1941, his interests and activities had embraced the Kwantung Army (School of Militarism and Ultra-Nationalism), Manchuria, China relations with Germany and Italy, and a possible war with the United States.

On 5 and 21 November 1940, TOJO attended Ministers Conference at which it was decided to help Siam in her boundary fight with Indo-China and to make her cooperate politically and economically in the establishment of a New Order in East Asia.

All of the evidence indicates that the policy of Japan was one of expansion during TOJO's tenure of power and the waging of successive aggressive wars.

The following items of evidence have been selected from the Prosecution's case. They indicate conclusively that his was a leading and most active role in the essence of the conspiracies charged in the Indictment.

Condensed Summary of the Prosecution's Evidence
Against the Defendant TOJO

1931

Exh. 128 (p 791) Sept 18, TOJO, Colonel, Head of the First Section, Army General Staff.

1934

Exh. 128 (p 791) April 29, decorated for his military services in the Manchurian Incident.

1935

Exh. 128 (p 791) Sept 21, was in command of Kwantung Military Police.

TANAKA (p 15858) Fall of 1935, Opium Monopoly Bureau created while TOJO Chief of Staff, Kwantung Army.

1936

TANAKA (p 2022) Five Year Development Plan of Manchukuo established after TOJO became Chief of Staff, Kwantung Army.

1937

Exh. 128 (p 791) 1st of March, appointed Chief of Staff Kwantung Army, Lt. General.

Exh. 672 (p 7337) 9 June, TOJO telegraphed Vice War Minister and Chief of Staff reference to operations for war against the USSR and advised that Japan should first deliver a blow against China by attacking Nanking and thereby "removing the menace in the rear."

1938

Exh. 2209 (p 15806) 13 April, relates to transfer of funds from Manchurian Incident account signed by UMEZU showing several hundred thousand yen transferred to TOJO, Chief of Staff, Kwantung Army.

Exh. 770 (p 7871) 17 Jan, telegram from TOJO, Chief of Staff, Kwantung Army to Vice Minister of War concerning airline connections between Japan and Germany which were to be kept secret.

- Exh. 273 (p 3679) 19 June, message concerning special investigation of Inner Mongolia sent by ISHIMOTO (Chief of Staff, Japanese Army in Mongolia) to TOJO, Vice Minister of War. Document deals with the investigation of important districts on Mongolian border, natural resources of country, etc.
- 1940
- Exh. 128 (p 791) 29 April, TOJO received decoration for services in China Affair and on 22 July appointed War Minister.
- Exh. 1310 (p 11794) 27 July, decision of Liaison Conference that policy would be to settle China Incident so as to prevent third powers from assisting CHIANG Regime and settle the southern problems within limits, these policies to foster a strong political tie with Germany and Italy.
- Exh. 543 (p 6277) 2nd Aug, telegram from Weizsacker, to the German Embassy stating that Four Ministers' Conference (TOJO, War Minister) expressed hope that Japan might belong to the New Order after the war and that Japan would not be forgotten in the "new apportionment of the world."
- Exh. 541 (p 6271) 4 Sept, Four Ministers' Conference and a Liaison Conference of 19 Sept discussion was had concerning strengthening of Japanese-Germany and Italy Axis, TOJO attending the first meeting.
- Exh. 43 (Ident p 513, Read p 6391) 27 Sept, Tripartite Pact signed. TOJO's position on that date was War Minister, President of the Manchurian Board, Vice President of China Affairs Board.
- Exh. 554 (p 6394) 27 Sept, Imperial Rescript re Tripartite Pact, TOJO signed as War Minister.
- Exh. 618-A (p 6873) 21 Nov, second Four Ministers' Conference (TOJO, War Minister) was decided to help Thailand to gain control of Probang and Pakuse provided she agreed to Japanese demands which were generally to cooperate with Japan politically and economically in establishment of a New Order in East Asia.

1941

- Exh. 1103 (p 10051) TOJO attended thirty Liaison Conferences between January 13 and June 30.

- Exh. 852 (p 8447) 16 Jan, series of 10 communications between officials of the War and Finance Ministries relating to preparation of military currency in foreign denominations (TOJO, War Minister). Letter No. 1 requested that plans be prepared for use in unspecified areas and that the matter be held secret.
- Exh. 1055 (p 9841) 8 Mar, newspaper announcement regarding new mobilization law of 8 March and that national mobilization law would be put in force on 20 March.
- Exh. 1097 (p 10034) Telegram from Ott to Ribbentrop stated among other things that Japanese Cabinet had failed to reach a clear-cut decision on Japan's attitude to the German-Russian War, that preparatory measures had been ordered but that preparations for attack would take at least six weeks unless there was a decisive weakening of Russia beforehand. OSHIMA has advised Japan to attack Russia soon.
- Exh. 1157-A (p 10301) (TOJO Interrogation, 28 Jan 1946) TOJO said he agreed with speech by MATSUOKA on 20 Jan 1941 in which latter stated Tripartite Pact was realization of ideals of hakko ichiu - that Pact states Germany and Italy recognized and respected Japan's leadership in establishing New Order in Greater East Asia. MATSUOKA also stated that Japan recognized Germany and Italy's leadership in Europe. TOJO said he became Premier in Oct 1941, that he and members of his Cabinet worked in accordance with the principles stated by MATSUOKA regarding Tripartite Pact.
- Exh. 1157-C (p 10305) (TOJO Interrogation, 28 Jan 1946) TOJO said Tripartite Pact expressly states that each country is to have its own place in both Asia and Europe. He stated that in both Europe and Asia the sphere of the New Order increased or decreased with the military situation.
- Exh. 1147 (p 10246) 12 Oct, KIDO's Diary states that the War (TOJO), Navy and Foreign Minister and President of the Planning Board met with the Premier to discuss diplomatic relations with US. TOJO called for great resolution since there was no hope for arriving at an understanding with US.

- Exh. 1153-A (p 10289) (TOJO Interrogation, 11 Feb 1946) 17 Oct - TOJO said that as War Minister he felt the opportune time for fighting was in danger of being lost and the Imperial Conference had set the middle of October as the limit of waiting for a favorable diplomatic break. He said the KONOYE Cabinet failed because he (TOJO) favored war with the US.
- Exh. 128 (p 791) On 18 Oct, TOJO held the following positions: Premier, Home Minister, War Minister, President, China Affairs Board and Supreme War Councillor. He was placed on active list and promoted to full general.
- Exh. 1169 (p 10333) 5 Nov, at Imperial Conference national policy decided. It showed that at the Liaison Conference a decision was made to notify Germany and Italy of Japan's intention to start war against US and Britain when present negotiations with US break down and as soon as preparations are ready, Japan will open negotiations for participation by the Axis in war against US. Relations with respect to Soviet Union, China, Dutch East Indies also discussed.
- Exh. 1202-A (p 10482) 30 Nov (TOJO Interrogation 18 Mar 1946). He stated that the gist of final note from Japan to US was approved by the Cabinet but the final text was the responsibility of the Foreign Minister (TOGO) and his responsibility also. He said that Foreign Minister (TOGO) knew of the time and the day set for the attack.
- Exh. 1207-A (p 10509) 30 Nov (TOJO Interrogation, 11 Mar 1946). Responsibility for contents and the notification of final note rests with members of the Liaison Conference. Members of the Liaison Conference who discussed the final note included TOJO, SHIMADA, NAGANO and others.
- Exh. 1197-A (p 10461) 30 Nov (Interrogation of NAGANO, 26 Mar 1946). He had approved a plan to attack Pearl Harbor probably about the beginning of November.
- Exh. 1200 (p 10473) Telephone conversations between KURUSU and YAMAMOTO of Foreign Office showed that KURUSU said he would meet Hull the next day, that Roosevelt was returning and the newspapers had made much of TOJO's speech. TOJO's speech was drastic statement - unless greater caution exercised by TOJO, Ambassador is put in a difficult position.

- Exh. 1205-A (p 10501) 30 Nov (TOJO Interrogation, 18 Feb 1946). The note sent to the US was an official one. Everything connected with this note was his responsibility and that of the Foreign Minister (TOGO). The Cabinet knew note was sent and approved it.
- Exh. 1210 (p 10523) 1 Dec - Stated that conference in the presence of the Emperor had been held and decided upon war between Japan and US.
- Exh. 1203-A (p 10487) 7 Dec (TOJO Interrogation - 21 Feb 1946). TOJO said that he and the Cabinet realized that the shorter the time the note was to be delivered to US, the more probability there was for a mishap. He could not answer why the message had not been sent to NOMURA sooner - that was the responsibility of Foreign Minister (TOGO).
- Exh. 1244-A (p 10707) 8 Dec (TOJO Interrogation, 1 Mar 1946). Pearl Harbor attack was a Navy operation and he knew only that if the attack went smoothly it would begin at such and such a time. Malaya, Hongkong and Philippines attacks were joint operations and he knew about them. He knew of Pearl Harbor attack from Liaison Conference preceding Imperial Conference of 1 Dec. He approved these attacks.
- Exh. 879-A (p 9073) 16 Dec - TOJO made a ministerial address to the Diet regarding success of Army and stated that for many years he had been silently preparing for this great day.
- TANAKA (p 16145) Witness said that TOJO, KIMURA and MUTO were all familiar with the instructions given to him by SUGIYAMA on 6 Sept 1941 to begin preparations for operations against Malaya, Java, Borneo, Bismarck and Dutch East Indies.
- 1942
- Exh. 1338-B (p 12034) 22 Jan - TOJO's speech in the Diet. He said cardinal principle for directing the war was to secure strategic points in Greater East Asia and gain control of areas containing important resources to continue the war until US and Britain were defeated and would carry out aggressive operations closely with Germany and Italy.
- Exh. 689-A (p 7431) 18 Feb - An excerpt from secret publication of Institute of Total War stated that in north, Japan must strive to establish an international defense base and to maintain a superior strategic position. Appendix III of the report contains details for waging war against USSR.

channel through which the orders of the General Staff in Tokyo were transmitted. He said there was no room left for the use of any discretion or judgment on the part of the members of the Headquarters of the China Expeditionary Force.

On cross examination at R 29047 TANAKA said that the opinion of the General Staff was conveyed to the War Ministry in a conference of bureau chiefs of the War Ministry by Chief of the Military Affairs Bureau SATO, who was then acting as liaison between the War Ministry and the General Staff. At this conference War Minister TOJO definitely opposed the extreme view, namely, that the flyers should be executed. TANAKA said it was true that some of the junior officers were rather extreme in their views but that since War Minister TOJO had said the extreme view was wrong TANAKA thought it was correct to say that such was the view of the War Ministry.

On further cross examination at R 29048 when asked who was responsible for over-ruling the views of so important a figure as TOJO, TANAKA said that General SUGIYAMA, Chief of the General Staff was one of them. The vice-Chief of the General Staff, although he at first opposed the extreme view, later agreed to it. This was Lt. General TANABE. TANAKA said also at R 29049 that all the members of the First Department of the General Staff, which included Lt. General TANAKA, Shinichi, also favored the extreme penalty. At R 29051 TANAKA said during cross examination that it had become a habit which had existed for some years previous that when extreme views about executing and murdering people were held they were declared to be held by junior officers.

At R 29053 during cross examination TANAKA said that clamor for the extreme penalty for the flyers arose immediately upon receipt of word from China that the flyers who had bombed Tokyo had been captured there. He said the reason ascribed was if the flyers were executed it would act as a deterrent and thus prevent possible future raids on Japan. (R 29054) At R 29055 when asked why the flyers could not be tried in Tokyo TANAKA said he did not know the exact reason but that since the new military law had been promulgated it was his opinion that the central authorities felt that it would not be proper to hold the trial in Tokyo. He believed it to be a desire on the part of the central military authorities to evade their responsibility.

July: At R 29056 TANAKA said the new law was promulgated toward the end of July and that the flyers were sent to China on the 18th of June. He said that had General HATA refused to carry out the new law that he would undoubtedly have been relieved of his post.

Exh. 3340 R 30715
KIDO -- Direct

September 1: At R 31066 KIDO said that TOGO resigned from the Tojo Cabinet because he objected to the establishment of the Greater East Asia Ministry. With respect to this point KIDO said he did not from the rationalistic point of view dissent from the opinion of TOGO. He said he thought that the first thing to be avoided was a change of government under the circumstances, namely, in the course of war and that it would result in reinforcing the enemy if Japan were to bring about a change of government while there was no change of the cabinet of any of Japan's enemies. (See Prosecution Exh. 1273, R 11359)

October 3: At R 31067 KIDO stated that the court martial of the American flyers was under the Chief of the General Staff. He said that on October 3 Premier TOJO told him about the disposition of the American flyers (See Prosecution Exh. 1987, R 14608). KIDO said that on the above date TOJO told him that he was advised of the punishment which was going to be inflicted, namely, death, but that he had caused the penalty for most of the flyers to be reduced. According to KIDO he reported this fact to the Throne at TOJO's request. KIDO said he knew nothing of the treatment of the flyers while they were prisoners.

Exh. 3197 R 28869
MIYANO -- Direct ✓

Witness identified exhibit as his affidavit and at R 28873 testified with respect to the letter written by General USHIROGU to the vice-Chief of the General Staff in Tokyo mentioned above by TANAKA. At R 28874 MIYANO said that General HATA told Colonel ARISUE that because of the seriousness and the importance of the matter he wanted the orders from Tokyo in writing. He said that HATA did not appoint the members of the tribunal, the prosecutors or the defense counsel. At R 28877 MIYANO said that HATA's intentions of treating the flyers in a generous manner had already been communicated to Tokyo through his Chief of Staff and that was the reason why Tokyo had dispatched Colonel ARISUE as emissary ~~of the~~ of the General Staff direct to HATA to notify him of the contrary intentions of the Tokyo central authorities. At R 28878 the witness said that with the arrival of Colonel ARISUE the entire matter was handled directly in accordance with orders from Tokyo and in the same manner as if the trial had been held in Tokyo. At R 28879 the witness said that at no time were the military authorities in Shanghai permitted to alter or change any of the decisions or to offer their recommendations and that from the very beginning after the flyers were captured Tokyo assumed control of the entire matter. At R 28882 HATA is alleged by the witness to have told General SAWADA that the matter of the sentence of the flyers was beyond his control.

On cross examination at R 28890 MIYANO testified that the order directing that the flyers be tried by the China Expeditionary Forces was issued by the Chief of the Army General Staff in Tokyo. (See Exh. 1993, R 14670)

Exh. 3233 R 29407
TANAKA -- Direct ✓

At R 29414 TANAKA testified that in 1942 the question of using Chinese prisoners of war in the coal mines of Japan came up again and that General HATA, who was then Commander of the Japanese Forces in China, again strongly opposed the plan and because of his opposition the plan was not carried out. (TOJO, War Minister at the time)

1 9 4 3

Exh. 3340 R 30715
KIDO -- Direct ✓

March 30: KIDO stated at R 31069 that he had an audience with the Emperor and that the latter talked about the outlook on the war. The Emperor expressed his concern over the future of the war situation, especially Germany's war situation, and told KIDO about the necessity for terminating the war without a moment's delay.

April 30: At R 31069 KIDO said that Prime Minister TOJO called on him and said that he had decided to reconstruct his cabinet in the light of the home and foreign situation.

1943 Cont.

Exh. 3372 R 32007
MURAKAMI -- Direct ✓

March 8: Witness stated at R 32008 that from March 1943 to December 20 of the same year he was a director of the Research Institute of Total War in Tokyo. He said that on the day of his appointment he was received by Premier TOJO who handed him a written order appointing him director and said that, "At present the institute should make supreme efforts in the study of the national ideology of the Japanese Empire, (Nippon Kokutai Kannen) and in order to secure ultimate victory it is necessary that each student of the institute be imbued with this ideology." At R 32009 MURAKAMI stated the institute received various secret materials necessary to carry on the research in the various problems concerning total war from all the ministries and in addition the students of the institute constantly received additional secret data from their ministries and used them in their research. (R 32009)

At R 32009 the witness said the institute was sometimes given definite research problems on total warfare from Premier TOJO but usually the institute itself selected the most important problems of the time for investigation. (Institute under direct control of Premier, see Prosecution Exh. 868A, R 8816) MURAKAMI said that in March 1943 vice-Admiral ENDO, his predecessor in the post of director, said to him, "The research in the administration of the occupied areas in the GEA territory, occupied by the Japanese Army was personally entrusted by Premier TOJO." He said the secret research, namely, the draft for the administration of the occupied areas in the GEA had been completed before he became director. He read the draft and it provided for the establishment of:

- 1 - The central area, including Manchuria, Soviet Maritime Province and North China, which would be united by Japan.
- 2 - The smaller co-prosperity sphere, including besides 1, Eastern Siberia, China and Indo-China.
- 3 - The greater co-prosperity sphere, including in addition to 2 above, Australia, India and Pacific islands.

MURAKAMI said at R 32010 that the various problems of the further conduct of war by Japan in the near future, that is the period from 1943 to 1944, were investigated by the institute under his direction.

At R 32010 the witness said the draft plans worked out by the institute were sent to Prime Minister TOJO and all the ministries concerned in order to have them carried into practicable use. At R 32011 the witness said that compared with other ministries the War and Navy Ministries were most closely connected with the institute and that is why the institute was headed alternately by a general or an admiral.

1943 Cont.

MURAKAMI said that when he was director of the institute there were about forty students consisting of responsible officials of the respective ministries whose rank was usually equal to that of major or lieutenant colonel and also some representatives of banks and companies.

At R 32011 witness said that when he was director of the institute theoretical researches and maneuvers were conducted with the express purpose of rendering practical assistance and data to the cabinet and the various ministries. At R 32012 the witness said that in carrying out these researches and maneuvers they were conducted under strict consideration of the actual international and internal situations and were based only on the real strength and resources of the state.

Exh. 3372 R 32007
MURAKAMI -- Cross

On cross examination by defense counsel Mr. Blakeney the witness at R 32041 reiterated that in connection with his work as director of the institute he was given instructions by Premier TOJO. At R 32044 he said that students of the institute handled different subjects or different angles of the same subject in accordance with their respective specialties. On further cross examination by defense counsel Mr. Blewitt the witness said with respect to Exh. 688A, R 7424, that it was a result of studies made by the students and later on used as a reference for future studies. (R 32050-51) With respect to Exh. 690A, R 7434, which is a secret publication of the Institute of Total War under the heading, "The Plans to Govern Siberia, Including Outer Mongolia" the witness said that the research contained therein was worked out in accordance with instructions given by Premier TOJO.

1943 Cont.

Thereafter SHIGEMITSU, Mamoru, was appointed Minister of Foreign Affairs. KIDO said that he personally welcomed the appointment of SHIGEMITSU who was one of his trusted friends and that from the time of his appointment he worked in close harmony with SHIGEMITSU for the termination of the war. (See Exh. 1274, R 11363)

Exh. 3372 R 32007
MURAKAMI -- Direct

✓ December: Witness identified exhibit as his affidavit and stated at R 32012 that in connection with the Total War Research Institute a conference was held in the summer of 1943, attended by the advisers to the institute. Matters concerning the students from the respective ministries to be accepted in 1944 were discussed and decided upon. At the graduation ceremony in December TOJO, HOSHINO, SUZUKI and other ministers were present. Prime Minister TOJO stated in his speech at the ceremony that, "The Pacific war has entered into its decisive phase, therefore the personnel of all the ministries must make intense efforts." He stated that insofar as research was concerned that the term just finished was a short one and that the students should not be satisfied with what they had achieved. TOJO further stressed that they all should endeavor to accomplish the war, firmly believing that Japan would be the ultimate winner.

1 9 4 4

Exh. 3337 R 30634
KAYA -- Direct

✓ February 19: At R 30659 KAYA said that he resigned from the Tojo Cabinet on the above date at the request of Premier TOJO.

Exh. 3340 R 30715
KIDO -- Direct

✓ July 17: At R 31077 KIDO in discussing the general war situation at the time said that the situation had become so bad that Premier TOJO decided to reorganize his cabinet again. He called on KIDO and handed him a paper setting forth his proposals. (See Exh. 1277, R 11372) At R 31078 KIDO said he made no comment on TOJO's proposals about the policies of the cabinet, which included the establishment of the High Command, change of the Navy Minister and the strengthening of the Liaison Conference between the government and the High Command.

Exh. 3229 R 29258
OKADA -- Cross

✓ July: At R 29297 OKADA, referring to a meeting of the senior statesmen in July of 1944, said that KIDO did not attend the meeting. He stated it was evident in July that the cabinet of TOJO was about to fall.

Exh. 3340 R 30715
KIDO -- Direct

✓ July 18: KIDO said at R 31079 that on the above date at about 9:30 AM Prime Minister TOJO went to the palace. KIDO met him there and TOJO said he had made up his mind to carry out a resignation of his cabinet en bloc. At R 31080 KIDO said he asked TOJO his idea on a succeeding Prime Minister and that TOJO, who apparently was dissatisfied over the senior statesmen's attitude, said that the responsibility of the senior statesmen for the present cabinet change was very great and that they may have already formulated their plan and that he would not express his views. KIDO said that the Tojo Cabinet resigned on July 18 and that a meeting of the senior statesmen was held at 4:00 PM on that date to select a succeeding Prime Minister.

At R 31093 KIDO in referring to the senior statesmen's conference held on July 18 quoted KONOYE as saying that

the Tojo Cabinet fell because they declined in public favor and that the army must change its attitude in order to renew popular confidence.

Exh. 3372 R 32007
MURAKAMI -- Direct

July 18: At R 32013 the witness stated that due to the shortage of personnel the number of students in the Total War Research Institute was cut in half in 1944. Also the Institute was ordered to conduct only researches which were considered most important by the cabinet. The Research Institute of Total War was closed down after TOJO resigned from the position of Prime Minister.

1945

Exh. 3340 (R 30715)

KIDO - DIRECT

✓ April 5 - At R. 31,120 KIDO discussed a conference the Senior Statesmen held on the above date. He said that the Senior Statesmen were opposed to an Imperial Headquarters Cabinet. It was contended, he said, that a man free from any commitment in the past capable of taking a long range view of the subject be selected as succeeding prime minister and also that the choice be not necessarily limited to a general or admiral in active service. At R. 31,121 he said General TOJO was the only exception among those attending the conference. TOJO contended that Marshal HATA be chosen as succeeding Prime Minister on the ground that the war situation had entered upon a state in which a decisive battle would have to be fought on the Japanese mainland and therefore the next prime minister should be a general or admiral in active service. KIDO said he argued that if a decisive battle was to be fought on the Japanese mainland political power behind the gun would be of tremendous importance. KIDO said he pointed out the ~~army's~~ extreme unpopularity among the people and said it would be better to choose a non-army man. TOJO, however, did not yield. On the contrary, he went so far as to say that if such a thing was done the army might look the other way (meaning a coup d'etat by the Army). KIDO said he replied that the nation would look the other way if an Army man was chosen. KIDO said no member of the conference touched upon peace moves explicitly for fear that in view of General TOJO's presence at the conference any tactless remark might stimulate the Army to an unscrupulous counter-measure. He said, however, that all conferees except TOJO had a tacit understanding on this point which was given expression in their desires for a man free from any commitment in the past. (NOTE: All of this discussion occurred upon the resignation of Premier KOISO on April 5, 1945.) (NOTE: See Prosecution Exhibit 1282, R. 11388, for proceedings of senior statesmen conference held on April 5, 1945.) Those attending the conference included KONOYE, HIRANUMA, SUZUKI, HIROTA, KIDO, WAKATSUKI, OKADA, and TOJO. *Army?*

April 5 - During the meeting of the senior statesmen TOJO said, at R. 31122, "The resignation states (meaning KOISO) that both the state affairs and supreme command require revision. What is the meaning of this statement? No particular explanation was given by Premier KOISO." At R. 31,123 TOJO said in substance that frequent changes of cabinets in wartime was deplorable. He said the San Francisco Conference of April 25 is especially the most important period. The cabinet to be formed should be the final one. He said that within the country at present there exists on one hand the opinion that Japan should fight to the very last to provide for future developments of the country; and on the other hand, opinion to accept the unconditional surrender terms, to restore peace immediately. TOJO said that he thought it necessary to decide on these points first. At R. 31125 TOJO said that if the conference decided on the cabinet ministers it would mean that the Emperor is to bear the responsibilities after the cabinet's formation and that every effort should be made to avoid the good and bad of the cabinet formation falling back on the Emperor. At R. 31131 KONOYE said at the conference that it should be decided whether the new

29

premier should be from the Army or Navy and TOJO said that the premier should not necessarily be selected at this meeting but that material should be submitted to the Emperor so that he could prepare himself.

At R. 31139 at the senior statesmen's conference mentioned above HIRANUMA expressed the opinion that Admiral SUZUKI enjoyed the confidence of the Emperor and was a desirable choice for Premier. In discussing this, TOJO said that the developments of the war are beyond conjecture, that the enemy might attempt landing on Japan proper, and that home defense then would become a vital point. He said at R. 31140 that the Government and the command must be fused into one and that on this point the Army must be considered as the principal body and therefore the Premier must be a soldier on the active list. At R. 31141, TOJO said that when Japan was about to become a battle field special care must be taken to see that the Army does not take an aloof stand -- that if it did so the cabinet would collapse.

June 15 - KIDO states at R. 31155 that on the above date Navy Minister YONAI came to his room and told him about an interview he had had with Prime Minister SUZUKI. KIDO said he told YONAI of his interview with the Prime Minister. He said he took occasion to express his hope that Navy Minister YONAI would not only cooperate with Prime Minister SUZUKI but encourage him. KIDO said that on June 15 Foreign Minister TOGO came to his room and that he asked TOGO to formulate a definite peace plan and told him of his tentative peace plan which was approved by the Emperor. KIDO said that in principle TOGO was not opposed to his tentative peace plan but pointed out, R. 31156, that a vigorous war decision had just been recently adopted at the Imperial Conference and he wondered how to adjust the peace plan with it. TOGO feared that from the viewpoint of conducting routine business the Foreign Office would be in a very difficult position. KIDO said that he assured TOGO that he would facilitate the Foreign Minister's work and requested TOGO to formulate a definite peace plan without delay.

June 20 - At R. 31159 KIDO said that on the above date he saw Prime Minister SUZUKI who related to him the discussions held at a meeting of the Supreme Council for Direction of War held on June 18, 1945. SUZUKI said that the War Minister and the Chiefs of Staff of the Army and Navy expected much of the imminent decisive battle on the Japanese mainland. It was urged at the meeting, SUZUKI said, that it would be better to start peace negotiations on top of the military achievements to be attained on that occasion. At R. 31160 SUZUKI related to KIDO that at the meeting all conferees agreed that efforts be put forth to seize an opportunity for restoring peace. In connection with his discussion with SUZUKI KIDO said he had an audience with the Emperor on June 20 and suggested to the Emperor that he summon the members of the Supreme Council for Direction of War and command them to terminate the war especially since Foreign Minister TOGO felt so apprehensive about the recent decision of the Imperial Conference. KIDO said the Emperor approved his suggestion.

June 25 - At R. 31163 KIDO stated that on the above date HIRANUMA, President of the Privy Council, called on him, and at R. 31164 KIDO said he obtained HIRANUMA's approval of his tentative peace plan. KIDO said that prior to this the Government at the insistence of Foreign Minister TOGO had opened secret negotiations with the Soviet Union Ambassador in Tokyo through HIROTA, Koki, but no progress had been made. KIDO said that the Supreme Council for Direction of War in pursuance of the Emperor's wishes had been studying peace terms but no agreement of views had been reached and that the Emperor was deeply concerned over this situation. He said he talked to Prime Minister SUZUKI and Foreign Minister TOGO and urged them to hurry up.

July 3 - KIDO said at R. 31164 that on the above date the Grand Chamberlain under Imperial command called on him to ask his views. He requested the Grand Chamberlain to submit his views to the Emperor which were that it would be proper for the Emperor to urge the Prime Minister to make haste.

July 7 - KIDO said at R. 31164 as a result of his talk with the Grand Chamberlain, mentioned in the preceding paragraph, the Emperor summoned Prime Minister SUZUKI to the palace and commanded him to enter into peace negotiations immediately.

July 10 - At R. 31165 KIDO said that the Government was so much engrossed in sounding out the Soviet Union's real intentions with the result that the peace negotiations made no progress at all. He said, however, that the Emperor's reminder to the Prime Minister, mentioned in the preceding paragraph, did cause the peace negotiations to get under way. He said he talked with Foreign Minister TOGO and Prime Minister SUZUKI on July 11 about the peace plan. He said at R. 31166 that the Government referred the question of dispatching a special envoy to the Soviet Union to the Supreme Council for Direction of War, which decided that Prince KONOYE be sent to the Soviet Union as Special Envoy.

August 9 - At R. 31177 KIDO said that an Imperial Conference was held on the above date when it was decided to accept the Potsdam Declaration on the sole condition of reaffirmation of the Emperor's sovereignty and the Imperial House.

August 10 - KIDO said at R. 31178 that he was summoned by the Emperor following the Imperial Conference, mentioned in the preceding paragraph. The Emperor told him that the Army vigorously advocated the necessity of giving a decisive battle to the invading enemy on the homeland. The Emperor, however, was fearful of this, KIDO said, because fortifications were not completed, the increased production of aircraft was not going smoothly, and that because of these and other things he was very doubtful that Japan could win the war.

August 10 - KIDO said at R. 31179 that a meeting of the senior statesmen was summoned by the Emperor. The seven attending were HIRANUMA, WAKATSUKI, OKADA, KONOYE, HIROTA, TOJO and KOISO. KIDO said he was present at the conference and that the senior statesmen submitted their views to the Emperor.

August 12 - At R. 31184 KIDO in discussing the peace moves said that a reply was received from the Allies. Foreign Minister TOGO submitted the reply to the Emperor. TOGO told KIDO that there was opposition to a reference in the Allied reply, paragraph 4, to the free will of the people and that this opposition might increase among those Japanese who were anxious to guard the national policy. TOGO said he personally saw nothing objectionable in the paragraph and that nothing would be gained by letting the opinions of individuals sway them. KIDO went on to say that in addition to the thoughts expressed by TOGO that not only the paragraph in question became a serious issue but that the military stiffened an attitude since the Allied reply was received. KIDO said that HIRANUMA, President of the Privy Council, came to his room to express his opposition to paragraph 4 and at R. 31185 KIDO was told by TOGO that Prime Minister SUZUKI approved the opinion of HIRANUMA and he, TOGO, felt very uneasy about the conclusion of an amicable peace settlement.

Further

CHRONOLOGICAL SUMMARY OF EVIDENCE INTRODUCED BY THE DEFENSE
AS TO THE DEFENDANT TOJO

THIS SUMMARY BEGINS WITH THE REOPENING OF COURT ON AUGUST 4
AND SUPPLEMENTS THE SUMMARY HERETOFORE PREPARED FROM THE
BEGINNING OF THE DEFENSE TO THE RECESS ON JUNE 19
It covers pp. 24759 to 28510 of the transcript.

Where an exhibit is referred to, it will be followed by the letter "R" and a number. This indicates that the exhibit was introduced into evidence at that page number of the Record. Where the small letter "p" is used with respect to the same exhibit followed by a number, that indicates that the exhibit was mentioned at that page of the Record.

Exh. 3030

R 27066 ✓

IIMURA -- DIRECT

(At R 27067) The witness discusses Total War Research Institute and states that in the government organization regarding it, it was prescribed that under the Premier's control it should take charge of the fundamental investigation and research into total warfare and the education and training of officials and others concerning the nation's total warfare.

Exh. 3025

R 26971 ✓

YOSHIDA -- DIRECT

(At R 27069) Witness stated that in accordance with the administrative procedure of the Institute, the result of its research was probably reported to the Cabinet which was directly in charge of the Institute. He said it was never reported to other quarters, the Ministries or the military, and that the Institute was never instructed by them.

Witness identified exhibit as his affidavit and stated that about the middle of October 1941, the Army requested the Finance Ministry to take necessary measures for dealing with the (printing of) military notes (for use as currency in the southern regions).
Jan 1941 - In Jan 1941 the Army requested the Finance Ministry to print military notes in preparation for the southern regions.

Exh. 3026

R 26977 ✓

(At R 26980) It is stated that in view of present international situation and in case war plans in the south are made for an unexpected eventuality in the future, the issuance of military notes in foreign denominations shall be made as preparatory measure to provide for paying military expenditures. The handling procedure will be established by the Minister of Finance in consultation with the War and Navy Ministers.

Exh. 2866

R 25672 at 25695 ✓

Memoirs of KONOYE, in which it is stated that KONOYE summoned a Joint Conference of high government and military leaders for the night of April 18, 1941. For the government, KONOYE, the Home, War and Navy Ministers were present. Detailed agreements were to be arranged by a conference which was to follow the joint declaration between America and Japan for breaking the deadlock. The consensus of opinion was acceptance of the American proposal of the speediest way towards disposal of the China Incident but certain conditions were proposed.

(At R 25699) Memoirs of KONOYE in which it is stated that the examination of the American proposal had been completed on April 21, 1941. The Army and Navy had held a joint conference with the respective ministers and heads of departments (TOJO was War Minister).

Exh. 2866 (cont'd)

(At R 25766) KONOYE's Memoirs in which he states that he told War Minister TOJO on 4 August 1941 that as President Roosevelt had said he wished to leave nothing undone to surmount the crisis, he (KONOYE) believed it necessary to do everything on their side.

(At R 25770) TOJO replied if KONOYE met personally with Roosevelt, diplomatic relations based on the Tri-Partite Pact would be weakened and a considerable domestic stir created. For these reasons the meeting is not considered a suitable move. The Prime Minister's offer of personal services was viewed with respect and if KONOYE intended to attend the meeting determined to support the basic principles embodied in the Emperor's revised plan to the "H" plan and to carry out a war against the U.S. if the President failed to understand the true intentions of Japan. Even after this final effort was made, the Army is not necessarily in disagreement. However, the Army would not favor the meeting being with anyone other than the President. TOJO felt that the failure of the meeting was the greater likelihood.

Exh. 3022

R 26942 - 45

(TOJO Interrogation, February 13, 1946) NOTE: See Exh. 1123, R 10180. Portion of this interrogation read by Prosecution. TOJO said that he thought they would send troops into Southern FIC and that was all. He thought this was to be in connection with increasing close relations with that country. On May 9, 1941, Japan had arbitrated the border dispute between Thailand and French Indo-China. It was not planned to occupy FIC. Japan concluded a joint defense treaty to stabilize FIC on July 29, 1941. Prior to that time, the Japanese had not entered South FIC.

Troops were sent in accordance with the treaty signed on July 29, 1941. Troops were sent to Southern FIC the same day they entered on the basis of the agreement. He denied that they had decided in July 1941 to send troops whether FIC agreed or not. There was a military agreement of September 22, 1940 under which troops were stationed in Northern FIC. However, military pressure from Singapore, the Philippines and others had continued. TOJO said that on July 25, the U.S. freezing of assets had gone into effect and it was very difficult to carry on peaceful commerce with the NEI. The China Incident was continuing and the stabilization of FIC was very important. The Imperial Conference had foreseen changes and decided to carry on negotiations with France.

The main reason why Japan decided to advance south in July 1941 was not that she needed raw materials, but that the advance was necessary for maintaining stability there while fighting with China. Japan did need, however, peaceful trade to support production at home and maintain the China struggle. She needed oil, iron ore, tin and food, to be gained by peaceful trade.

When asked why FIC needed stabilizing, he stated that Japan was making every effort to successfully conclude the China Incident. Any disturbance in the South would have an unfavorable effect of that solution. It had been Japan's idea for a long time to maintain the stability of East Asia. Furthermore, rice and other foodstuffs imported from FIC would be unavailable if conditions were unsettled there. He said these items were necessary for Japan.

Exh. 3022 (cont'd)

As War Minister, he did not think FIC would be useful from a military standpoint in connection with the China Incident, but that there was a practical relation so far as North FIC was concerned. The supply route from North FIC was of aid to the Chinese and Japan wanted militarily to establish air bases in North FIC so as to cut off the route from Burma. However, since French power had declined, the stationing of troops was required not only in North FIC but also in the Central and Southern parts for maintaining stability.

Asked whether troops in FIC would not have been of assistance in case of war between England, U.S. or Holland, TOJO stated that economic and military pressure in those countries was increasing. The stationing of troops was chiefly to maintain stability but it did assist the China operations and helped make peaceful commerce possible. He believed that stationing troops was an appropriate measure of self-defense.

Exh. 3027

R 26984

TANAKA -- DIRECT

Witness identified exhibit as his affidavit and stated (at R 27004) that in the conference held on 2 July every member in attendance expressed the same desire to carry out a peaceful advancement following the international treaties as far as possible. This was in connection with the advance into South FIC. TANAKA stated that the War Minister (TOJO) also disclosed his intention to do his best in order not to cause any trouble at the time of advancement as had happened formerly in North French Indo-China.

Exh. 3021

R 26956

HIGASA -- DIRECT

Witness identified exhibit as his affidavit and (at R 26949) he said that the date of the formal signing of the protocol regarding the co-defense of French Indo-China was July 29, 1941. However, the official statements were reported on July 22 to each respective agency by Japan and France. Based on this, the pact was concluded harmoniously and the occupation began.

Exh. 651

R 7079

Exh. 2836

R 25368

Excerpt from Grew's Diary September 6, 1941, concerning a discussion he had with KONOYE in which the latter stated that he and his government whole-heartedly agree with principles enunciated by Hull as a basis for rehabilitation of relations. It was hoped that as a result of the commitments Japan was prepared to assume, a rational basis had been established for a meeting with Roosevelt. Both Ministers of Navy and War were in full agreement. War Minister TOJO would send a full general to meet Roosevelt.

Exh. 2896

R 25805

Exh. 588

R 6566

Excerpt from Grew's "Foreign Relations".

(At R 25809) It is stated that on September 6, 1941, at an Imperial Conference the outline for executing the national policy of the Imperial Government was decided upon. TOJO was present. This policy is to be found in Exh. 588.

Exh. 3029

R 27060

(TOJO Interrogation, March 11, 1946, excerpts from Exh. No. 1137-A, R 10221) Stated that Japan was surrounded by Britain, U.S. and Holland and preparations for attack at any time by them were pushed. The nature of the preparations were defensive and were begun from the time of the September 6th Conference. TOJO said it was not true that the preparations for the four attacks previously referred to were begun after the Imperial Conference of September 6th. From the time of that conference Japan did not know when it would be attacked by ABD, and preparations to resist attack were planned.

R 27062

It was only after conference of December 1, 1941, that the surprise attacks were planned; strategically Japan was on the defensive but tactically on the offensive. She was surrounded by greater forces. The big picture was defense and actual fighting Japan attacked.

R 27062

With respect to the four operations, orders were issued by the Emperor as Commander of the Army and Navy on advice of Army and Navy Chiefs of Staff. They had responsibility of assisting the Throne and they went to the Emperor with orders prepared and asked for his assent. When this is given the orders are given to the various commanders. The responsibility is on the Chiefs of Staff from beginning to end.

R 27063-64

Chiefs of Staff have Section Chiefs. They draw plans which, if approved, are presented to the Emperor. The Imperial Conference comes in here. When the Conference of December 1st decided on war, the Chief of Staff prepared orders and took them to the Emperor for approval, and the Cabinet made various preparations. National will for war was decided for the first time on December 1, 1941. As Premier TOJO said he did not believe that any orders for war were issued previous to that time. As Premier and War Minister he believed it unlikely that any orders were issued in connection with the four attacks previous to the decision for war on December 1st. So far as their execution were concerned he meant to say that the four attacks took place after December 1st. As for plans, this was something else. Every state has a plan of defense that is revised from time to time in accordance with the situation. Just before the conference of December 1st, there was a great deal of tenseness. The situation was constantly changing, plans were changed accordingly, but the order to execute these plans was not issued until after the decision for war.

R 27065

There were other objectives also. The China Incident was in progress and there were troop movements in PIC. For this a variety of dispositions were needed. The carrying out of attacks against U.S. or Britain would not have preceded the decision for war. Defense against a possible ABD attack had to be thought of in connection with national defense. Attacks against ABD would probably have to have followed the decision of December 1, 1941.

25861-2

Excerpt from KONOYE's Memoirs, stating that after Japan's comprehensive plan had been determined on 20 September 1941, government activities began to show an acute seriousness. This was by reason of the balance struck between progress of Japanese-American negotiations on the one hand and on the outline of national policy determined upon, and the conference that was held on September 6th in the presence of the Emperor on September 24 and 25. KONOYE conferred for two days with TOJO, Navy and Foreign Ministers and the President of the Planning Board. On 5 October 1941 he expressed the opinion to TOJO that he would continue negotiations until the end.

On October 7, 1941, TOJO visited KONOYE and declared that such a formality as to withdraw troops from China and after that to station them there as insisted upon by the United States is difficult for the Army to submit to.

Excerpt from KONOYE's Memoirs saying that on arrival of the American memorandum of October 2, 1941, he went to the Imperial Palace on October 4. He held a Liaison Conference with only the cabinet ministers and leaders of the Supreme Command. TOJO attended as War Minister.

Kono (?)

On October 12, 1941, KONOYE met with TOJO, Navy and Foreign Ministers and President SUZUKI of the Cabinet Planning Board and held almost the last conference relative to peace or war. TOJO was against deciding then whether or not there was a possibility of bringing negotiations to fruition. TOJO said it was a matter of great consequence to carry on negotiations for which there was no chance and let slip a time for fighting. KONOYE argued this matter with TOJO and TOJO would not yield (R 25865).

(At R 25864) KONOYE conferred with TOJO prior to a cabinet meeting and asked his opinion on the problem of stationing troops in China and KONOYE told TOJO that his responsibility for the China Incident was very great. TOJO was against the withdrawal of troops and would not yield on that point. As soon as the meeting opened, TOJO strongly set forth the reasons why the Japanese-U.S. relations should no longer continue. TOJO said (at R 25865) that the problem of stationing troops in itself means the life of the Army and we shall not be able to make any concession at all.

Exh. 3048 R 27201

SUZUKI -- DIRECT

R 27202

Witness identified exhibit as his affidavit and said that on September 29, 1942, when General KAMIMURA made a speech to newly-appointed Chiefs of POW camps at War Ministry that TOJO was not present.

(At R 27208) SUZUKI referring to instructions of the War Minister relating to prisoners of war as explained by General KAMIMURA said that he attempted to drive home the instructions, and often summoned the Chiefs of the POW camps to call the instructions to their attention. He said he had never found in any camp any prisoner who was forced to labor in disregard of his rank, health or ability.

(At R 27210) Witness said that at the end of 1943, War Minister TOJO visited the Tokyo POW Camp; that he inspected the kitchens and the entire camp and expressed his satisfaction over its administration.

(At R 27223) SUZUKI was asked if the death rate at the Tokyo Camp at the time of TOJO's visit was not very high, and he had no recollection of the figures at that time.

Exh. 2787 R 24853 at 24861

OKADA -- DIRECT

24861

Witness OKADA stated in October 1941, on TOJO's demands, various investigations were urgently and seriously conducted to ascertain final decision on national policies. Amongst these plans was one to avoid war by rapid-large scale expansion of synthetic oil. TOJO requested the Planning Board to make a thorough-going investigation.

R 24864

Witness OKADA stated that beginning with January 1941, the findings of his section were reported to TOJO and SUGIYAMA, who both approved the conclusion to avoid war in April 1941.

✓ (At R 24862) OKADA stated that in connection with the report on synthetic oil which Director General SUZUKI of the Planning Board submitted to the Imperial Conference of 5 November 1941 that the report for the first time put an end to discussions among government officials on synthetic oil.

✓ (At R 24874) Witness OKADA stated that at the end of the KONOYE Cabinet, War Minister TOJO requested a re-examination and asked for a clear prospect as regards oil, shipping, iron, coal and food.

✓ (At R 24834) In connection with explaining a report concerning shipping in event of war, witness OKADA prepared a diagram and reported on it orally to TOJO. The diagram has been lost. TOJO ordered it referred to the Military Affairs Section which studied the report. TOJO's attitude at the time was nothing but to have them make various investigations.

✓ (At R 24855) Witness OKADA stated that when the TOJO Cabinet was formed in October 1941, it was decided that all the arguments concerning national policies would be put aside for the present and all problems should be investigated from the very beginning. Thorough-going investigations of the national strength without being satisfied with those previously made by the military authorities were instituted -- the Planning Board was the center of examination -- the result was submitted to the Liaison Council in order to formally form a final estimate of the national strength.

✓ (At R 24896) OKADA stated that it was towards the end of October 1941 that the government ministers agreed to the estimate and the agreement with the High Command was reached at November 1st. Persons who agreed on the estimate of national strength were the War and Navy Ministers and the President of the Planning Board (TOJO Cabinet was formed October 18, 1941. TOJO was then simultaneously Premier and War Minister.) OKADA stated further that the ministers who participated in the agreement with the High Command on November 1, 1941, which was reached after the government ministers agreed to the estimates on national strength, were those who were present at the Liaison Conference on 1 November 1941. (At R 24900) These would include the Premier, War, Navy, Foreign and Finance Ministers, President of the Planning Board, the Chiefs of Staff of the Army and Navy General Staff and the Vice Chiefs of the two staffs.

(Excerpts from TOJO Interrogation of 30 January 1946) Stated that the military setup in Japan was very different from that in the United States. The Chief of Staff is independent of the War Department in matters of command and organization. He is not subordinate to the War Minister, but is equal to him. The atmosphere which permeated the Army was communicated to the War Minister by the Chief of Staff and by the War Minister to the Cabinet. This was not a clique or faction. All matters of command passed from the Emperor to the Chief of Staff to the Commander in Chief. All matters of military administration passed from the Emperor via the War Minister to the Commander in Chief.

Exh. 3032 (cont'd)

The Emperor could also issue Imperial Ordinances. The China Incident was in progress and many decisions passed from the Emperor to the Chief of Staff to the Commander in Chief and the Chief of Staff was exceedingly important. The Chief of Staff was naturally cognizant of the pro Axis feeling in the Army and informed the War Minister. The latter introduced this subject into the Cabinet discussions where they had some influence. The Chief of Staff does not attend Cabinet meetings. However, his views on matters relating to strategy are conveyed to the Cabinet by the War Minister. Generally speaking, he is of equal standing with the War Minister and not subordinate to him.

Exh. 2865 R 25670 -1

Excerpt from the Memoirs of Prince KONOYE, in which it is stated that TOJO told KIDO that since he became Premier, he understood KONOYE's difficulties and that he would proceed with a duplication of posts. KIDO replied that this was not the first time someone had told him that; that it had been the same since the first KONOYE Cabinet and that late though it may be to have the Army realize this point was fine.

Exh. 2915 R 25902

YAMAMOTO -- DIRECT

(At R 25908) Witness stated that he was told by TOYODA in October 1941 that TOJO upon the demand of the High Command made a strong request to KONOYE and TOYODA to present their views by the 15th on the ^{finding} opening negotiations and on the question of stationing troops in China. Witness stated that he was directed by the Foreign Minister (TOYODA) to draft his opinion for this purpose and that he draw up such a document.

Exh. 2980 R 26414

SAWAMOTO -- DIRECT

The witness discusses naval administration and (at R 26416) he says that the Navy Ministers controlled the naval administration and supervised all matters concerning naval officers and naval civilians. The office of Navy Minister was that of a civilian official and his appointment in this mission was decided by report to the Throne by the Prime Minister in a similar fashion with those of the other ministers. It was customary, however, for the outgoing Navy Minister to nominate a successor and recommend him to the Prime Minister acting on his recommendation and conduct the usual procedure of appointment.

Exh. 3027 R 26984

TANAKA -- DIRECT

(At R 27030) TANAKA states that at the Liaison Conference held daily from the latter part of October to the early part of November prior to the decision of November 5, it was recognized that the relations between Japan and the United States were approaching a stage where a choice had to be made between peace or war. It was agreed that efforts would be continued to effect a diplomatic settlement and that a two-fold policy of diplomacy and war preparations was determined upon. However, there was a time limit on both diplomatic steps and war preparations (TOJO was Premier and War Minister at this period).

(At R 27032) TANAKA states that on November 8, an agreement for a joint operation was made between the Hqs of the Southern General Army and the Combined Fleet.

(At R 27034) TANAKA states that the areas of operations in the south were to be the Philippine Islands, Guam, Hongkong, British Malaya, Burma, Java, Sumatra, Borneo, Celebes, Bismarck Islands and Dutch Timor.

Exh. 2916 R 25912

Opinion of the Foreign Minister concerning the Japanese-American negotiations referred to in preceding paragraph. Witness was told by TOYODA that this document was given to KONOYE and TOJO on October 16, 1941. KONOYE resigned and on the 18th the TOJO Cabinet was formed (R 25919).

Exh. 2919 R 25939

Telegram from TOYODA to NOMURA, dated 17 October 1941. TOYODA stated in substance that the KONOYE Cabinet's resignation was caused by its internal disagreement of views, the most important of the issues involved being the question of withdrawal of troops. He continued that he hoped there would be no change in regard to continuing the Japanese-American negotiations in accordance with the pre-determined principles.

Exh. 3033 R 27085

(Excerpts from TOJO Interrogation, March 13, 1946)
TOJO said, as War Minister, he was not a member of the Supreme Command, but was a participant. He was concerned with military administration and not with operations or tactics. He was not a member of the Board of Marshalls and Fleet Admirals. He was, along with the Chiefs of Staff, a member of the Supreme War Council.

He did not wish to avoid responsibility and would take full responsibility. This, he said, was only a factual explanation of a real situation. When KONOYE was Premier, it was very difficult for him because his authority included only the civil sphere. When TOJO became Premier, since he was also War Minister, he had a voice in military administration. When he became Chief of Staff, February 22, 1944, he had additional authority on purely military affairs. As War Minister, he had the additional military function of military administration, and as Chief of Staff he had the High Command functions of operations and tactics. This, he said, must be understood to explain the China Incident and the matters in Southern PIC. At first, the government policy on the China Incident was localization, but due to the independence of the High Command, the fighting spread. KONOYE, he said, had a terrible time.

In addition, the Emperor was assisted by the Lord Keeper of the Privy Seal, the Lord Chamberlain and the Imperial Household Minister and a Chief Aide-de-Camp. The Lord Keeper was the advisor on civil affairs. The Grand Chamberlain and the Imperial Household Minister had no direct connection with the civil government or the Supreme Command. The Chamberlain was Adjutant to the Emperor. He was a civil official and not a military man. The Aide-de-Camp, being a full general, had unofficial access to the Supreme Command and had no authority for direct liaison.

The Emperor conferred directly with the Board of Marshalls and Fleet Admirals. This was not a very active body, he said, since most of the members were old. In actual practice, the Emperor was in a difficult position. He had no one to help him on High Command matters. When the Premier and various Cabinet members reported to the Emperor on civil matters, he could consult the Lord Keeper. When the Chiefs of Staff reported to him on common problems, he had no one to consult except the Board of Marshalls and Fleet Admirals.

R27086

R27087

as they share in military

R27088

R27088-89

the conduct

The responsibility of the various Ministers and the President of the Planning Board and Chiefs of Staff for advice to the Emperor through Liaison Conferences and Imperial Conferences was of tremendous importance. For example, in the China Incident, TOGO said the Government policy was not enlargement, but because the civil government had no authority over the Supreme Command, fighting was enlarged and the civil government was powerless.

With respect to Exh. 3032 referred to above, it was read that TOJO stated as an answer to the question whether a large number of Army officers were pro Axis, he stated that the majority of the officers' opinion was "For a number of reasons; that one of the reasons was that the Japanese had followed the Prussian military system since the Franco-Prussian war instead of the French system.

During World War I, even though Germany was defeated, her military strategy and tactics were considered excellent. A second reason was the diplomatic isolation and a third reason was that the military situation had developed in a manner comparatively favorable to the Axis. (At R 27091) TOJO said he wished to emphasize that there was such a pro Axis atmosphere in the Army, there was no faction or clique.

21 October 1941 - Telegram from TOGO to NOMURA. It states among other things that the new Cabinet (TOJO) is one, with its predecessor, in its intense desire for the adjustment of Japanese-American relations on a fair basis.

(At R 25919) YAMAMOTO said that TOGO told him that when he was offered the foreign portfolio by TOJO he had rejected it on the ground that so long as the Army clung to its old attitude especially on the question of stationing troops in China, the successful conclusion of the Japanese-American negotiations was hopeless and it would be meaningless for him to become Foreign Minister. After exchange of opinions, however, TOGO told YAMAMOTO that he had at last accepted the offer upon TOJO's promise that his cabinet would in obedience to the Imperial Command (Exh. 1154) strive for successful conclusion of the negotiations by undertaking reconsideration of the various unsettled questions, including that of the stationing of troops without being bound by the Imperial Conference decision of 6 September, and that Ambassador NOMURA in Washington was accordingly notified that negotiations would continue.

(At R 25921) YAMAMOTO testified that the intention of the new government was confirmed by Premier TOJO, who at the first meeting of the Liaison Conference after the formation of his Ministry said that the policy of the new cabinet would be to reconsider the problem without being bound by the decision of 6 September, and asked the agreement thereto of the reports of the High Command which was given.

(At R 25921) YAMAMOTO said that after the formation of the TOJO Cabinet on October 18, 1941, that Liaison Conferences were held almost daily up to the Imperial

R 27089

R 27090

R 27090

Exh. 2917

R 25920

Exh. 2915

R 25902

Conference of November 5, 1941. He said Foreign Minister TOGO always insisted it was necessary to succeed in the negotiations. The contention of the High Command voiced by the Chief of the Army General Staff was that concessions concerning the stationing of troops in China must absolutely not be made and that there being no room left for concession from the decision of Imperial Conference of September 6th that under the circumstances it was advisable to accept the opening of hostilities at that time. TOGO rejected this contention. YAMAMOTO said that TOJO reproved the Vice Chief of the Army General Staff.

(At R 25942) YAMAMOTO stated that under Plan "A", the area of stationing troops would be North China, ~~near~~ Mongolia and Hainan Island. Under the treaty of basic relations with China, Japan could station troops in the Shanghai Triangular Zone at Amoy and other areas and that this had been strongly defended until the time of the TOJO Cabinet. He said that as a result of the conference deliberations, however, it was decided to make the concession of restricting the areas to those mentioned.

(At R 25950) YAMAMOTO said that in connection with the preceding exhibit TOGO had requested and obtained assurance on this point before becoming Foreign Minister. He said however in the Liaison Conference the Army General Staff strongly opposed a limitation on the period of stationing troops on the ground that if a limitation were imposed the fruit of the China Incident would be lost. The Foreign Minister insisted, however, that the negotiations would undoubtedly fail unless the period was limited and that the General Staff had at last agreed to that decision.

Witness YAMAMOTO testified with respect to meetings of the Liaison Conference after the Imperial Conference of November 5. He said the Liaison Conference considered questions in connection with the Japanese-American negotiations but also considered the measures to be taken in the event negotiations failed and Japan was forced to resort to arms to preserve its own existence. He said matters concerning military operations were never brought up for discussion in the Liaison Conference, and were kept absolutely secret. With respect to Prosecution Exhs. 1175 and 1169 are related to war and ~~was~~ drawn up by the Liaison Conference, he said they were preparatory drafts discussed and adopted merely against the time when war might prove to be inevitable. YAMAMOTO said the Foreign Minister (TOGO) on November 5 instructed Ambassador NOMURA to bend every effort to concluding an agreement with the United States by the 25th (Exh. 1171), and again on the 22nd told him that Japan could wait if agreement could be reached within a few days further (Exh. 1183).

November 4, 1941 - Telegram, TOGO to NOMURA, wherein it is stated that strenuous efforts are being made day and night in order to adjust Japanese-American relations which are on the verge of rupture. TOGO said the Government had held daily meetings of the Liaison Conference with the High Command and that after long and thorough deliberation the Government and the High Command had reached unanimous agreement on the proposals in the Japanese-American negotiations (separate telegrams,

Exh. 2915

R 25902

YAMAMOTO

not correct

See 25951

Exh. 2915

R 25902 at 26057

R 26057

Exh. 2924

R 25961

Exh. 2924 (cont'd)

Nos. 726 and 727), but that these proposals together with other basic policies had to await final sanction at the Imperial Conference to be held on November 5th.

Exh. 2925

R 25964 at 25966

November 4, 1941 - Telegram, TOGO to NOMURA, wherein it is stated that this is our proposal setting forth what are virtually our final concessions made by revising our proposal of September 25th. TOGO discusses three pending issues which were (1) non-discrimination of trade, (2) interpretation and application of the Tri-Partite Pact, and (3) withdrawal of troops.

also R 25967

Exh. 2915

R 25902 at 26064

November 25, 1941, witness YAMAMOTO said that on the aforementioned date there was received from NOMURA and KURUSU a telegram (Exh. 2249) suggesting as their opinion that the relations between the two countries could be improved by an exchange of telegrams between the President and the Emperor, the exchange to be followed by a proposal from Japan on establishment of a neutralized area. The Ambassador requested that the Foreign Minister, TOGO, consult concerning their suggestion with the Lord Keeper of the Privy Seal and give them a prompt answer. TOGO did consult with KIDO and Premier TOJO and instructed YAMAMOTO to convey to NOMURA and KURUSU the result which was that all three of them considered the project and offered no hope of settlement in the circumstances of the time and that it would therefore be improper to adopt it. This information was conveyed to the Ambassadors (Exh. 1193).

Exh. 2926

R 25971

November 5, 1941 - Telegram, TOGO to NOMURA, wherein it is stated that our proposals in the Japanese-American negotiations mentioned in telegram No. 725 were approved at the Imperial Conference on the 5th and directed NOMURA to commence negotiations immediately in accordance with the instructions in telegram No. 725.

Exh. 2915

R 25902

YAMAMOTO -- DIRECT

(At R 25973) YAMAMOTO said that when the question of withdrawal of troops was debated in the Liaison Conference, TOGO had first advocated the adoption of a 5-year limit -- that successive proposals for 8 and 10 year periods had been suggested but none was accepted and the 25-year approximate goal was finally decided upon. YAMAMOTO said it would have been possible however to request reconsideration with a view to shortening the period had the United States been generally favorable to Proposal "A" inasmuch as there was an understanding to that effect between Premier TOJO and Foreign Minister TOGO.

Exh. 2923

R 25957

November 6, 1941 - Telegram from TOGO to NOMURA wherein it is stated while Ambassador KURUSU was sent for the reasons stated, his hurried dispatch indicates also the sincerity of the Japanese Government in accordance with the present negotiations. The Ambassador is not carrying with him any instructions other than those already telegraphed to you. His mission is to convey in person to you information concerning the latest situation here. TOGO said that it had been explained to the Japanese public in view of the necessity of negotiations being speedily brought to a successful conclusion that Ambassador KURUSU had been hurriedly sent to Washington. These circumstances had also been explained to the British and American ambassadors in Tokyo.

also 25958

Exh. 2953

R 26069

Excerpt from "Ten Years in Japan" by Joseph C. Grew. This relates to an editorial which appeared in the Japan Times and Grew stated in connection therewith that on November 7, 1941, he was at the Soviet Embassy and took occasion to make the strongest representations to every Japanese to whom he talked to point out what serious harm the editorial had done especially at the moment when KURUSU had been sent to Washington. He tried to bring the current conversations to a successful conclusion. Grew said (at R 26070) that TOGO, the Foreign Minister, appeared to know nothing about the editorial and was sure that it had not been inspired by the Foreign Office -- TOGO said he would look into it and a few moments later called Toshi GO, editor of the paper, over to him and told him what Grew had said.

(At R 26071) Grew said that the next time he saw TOGO, TOGO said that while the Foreign Office had exerted no control over the "Times and Advertiser" up to the present, it was going to exert such control thereafter.

Exh. 2930

R 25998 - 99

November 9, 1941 - Telegram, TOGO to NOMURA, wherein it is stated that with regard to the China question Secretary Hull's idea of having China's highest authority make a pledge may be interpreted as renewal of intention of the United States to commit to direct Japanese-Chinese negotiations of the China question which had been the crux of the Japanese-American negotiations. NOMURA was directed to ascertain the details as to how the proposal is to be dealt with in relation to Japanese-American negotiations and to telegraph the results.

Exh. 2931

R 25999

November 10, 1941 - Telegram, TOGO to NOMURA, wherein it is stated that it is considered favorable to have Hull's proposal realized. NOMURA was directed to talk with the United States after referring to TOGO's telegram No. 755.

Exh. 2927

R 25974

November 10, 1941 - Memorandum by the Secretary of State at Washington, wherein it is stated that the Japanese Ambassador called on the President and that the Secretary of State was present.

(At R 25982) Japanese Ambassador said "I may add for your information that in view of the serious situation now prevailing in the relations between our two countries, the Japanese Government is sending over here Ambassador KURUSU to assist me in the present conversations, and also that the conversations will be taken up by Foreign Minister TOGO with Ambassador Grew in Tokyo in a preliminary line."

Exh. 2918

R 25925

November 10, 1941 - Excerpt from memorandum by Ambassador Grew. Grew states (at R 25927) that the Foreign Minister (TOGO) recalled a conversation which he had with Grew on October 30th wherein TOGO said he was firmly of the opinion that the maintenance of friendly relations between the United States and Japan was a practicable proposition. TOGO said he had given constant thought to the matter -- had determined to put forward every effort to reestablish relations between the two countries and to maintain peace in the Pacific. Grew said he interrupted TOGO to say that the United States had been careful to emphasize that it was engaged

✓
Exh. 2918 (cont'd)

in preliminary and exploratory conversations with the Japanese Government. TOGO replied that he was aware of that fact but that he wondered whether the time had come to enter into formal and official negotiations.

TOGO said that only recently KURUSU had been sent to Washington to assist Admiral NOMURA in conducting the conversations.

✓
Exh. 2932

✓
R 26000

November 10, 1941 - Telegram from TOGO to NOMURA, stating among other things that the Japanese Government has, in connection with the adjustment of Japanese-American relations, endeavored to promote the solution of the Chinese Affair, and the United States Government also has maintained that the China problem cannot be excluded in considering the general peace of the Pacific. By making use of Hull's suggestion we can execute the problem of stationing and withdrawal of troops from the present negotiations thereby expediting the conclusion thereof, and we are also enabled to conduct peace negotiations with China without the interference of the United States.

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Exh. 2915

✓
R 25902

YAMAMOTO -- CROSS

(At R 26144) YAMAMOTO said that he attended all of the Liaison Conferences during the TOJO Cabinet, that from October 23 to November 2, 1941, Liaison Conferences were held daily and between November 6 and November 29, Liaison Conferences were convened five or six times, and that there were conferences held on December 2, 3, 4 and 6.

(At R 26148) YAMAMOTO said that persons attending the Liaison Conference included the Prime Minister, War, Navy, Foreign and Finance Ministers, and the President of the Planning Board. The Chief of the Navy and Army General Staff were always in attendance.

(At R 26149) YAMAMOTO stated that the ministers who attended the Liaison Conference during the third KONOYE Cabinet were not necessarily representative of the same ministries as those during the TOJO Cabinet.

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Exh. 2936

✓
R 26021

November 16, 1941 - Telegram from TOGO to NOMURA states that those points in the statement of the Imperial Government of August 28 which are enumerated in the "Oral Statement" of the United States are all contained in our proposals of September 6 and 25, and the present Cabinet has no objection to acknowledging them. These points, however, pre-suppose the consummation of the Japanese-American negotiations; it goes without saying that they shall not bind Japan alone in case the negotiations and in failure. The phrase "without provocation" is used in the reply of the Imperial Government of August 28 with respect to the use of force in general -- in the same reply we say regarding the Soviet problems as long as the Soviet Union remains faithful to the Soviet-Japanese neutrality treaty there is a phrase in our proposal of September 6 "without any justifiable reason". These terms mean the same thing. Rather detailed stipulations are made regarding the Soviet Union because of the Soviet-Japanese neutrality treaty and of the situation arising out of the Russo-German war.

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Exh. 2938

✓
R 26025

November 17, 1941 - Telegram from TOGO to NOMURA, stating that we had no objection to applying it as proposed by the United States to the entire Pacific area and therefore no objection to striking out "southwestern" from Article 6 of our September 25 proposal. This was in reference to NOMURA's telegram No. 1110.

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Exh. 2915

✓
R 25902

YAMAMOTO -- DIRECT

(At R 25948) YAMAMOTO discusses Proposal "A", and said that in addition Proposal "B" had been prepared for use in the event that no favorable prospect developed from presentation of Proposal "A".

(At R 25949) he said the Liaison Conference (no date but apparently the 1st of November) discussed the policy to be adopted in case the United States would not accept either Proposals "A" or "B", despite the concessions which they were believed to represent. YAMAMOTO said that before reaching the final decision; that, in that case war would have to be waged in self-defense. The Liaison Conference had hot discussions. He said it was argued in the Conference that if America refused to pay favorable consideration to Japan's proposals despite their concessions, that she was already resolved upon war against Japan. As a result of the discussions, YAMAMOTO said the opinion was reached that Japan should continue negotiations with the determination to fight America in self-defense if negotiations failed. He said prior to the agreement on this conclusion, Ministers KAYA and TOGO reserved expression of their final opinion. Foreign Minister TOGO told YAMAMOTO a day or two later that before agreeing to a conclusion, he had made some requests of Premier TOJO especially to make every effort for the success of the negotiations and to consider moderating as necessary the terms of Proposals "A" and "B" if the United States' attitude toward them was in general favorable.

✓
ch. 2944

✓
R 26041 - 2

November 28, 1941 - Telegram from TOGO to NOMURA, stating that in case an agreement is reached on the basis of our new proposal, Japan will be faced with the immediate necessity of securing the economic resources in connection with Articles 2 and 3 thereof (this apparently refers to Japanese proposal of 26 November 1941). As petroleum is urgently needed by Japan, you are directed to convey, as the negotiations develop but prior to the signing of the agreement, our desire for annual imports of 4 million tons from the United States. The above figures are only a rough estimate which is to be the standard in the negotiations and we hope that the quantity will gradually be increased as commercial relations shall be restored hereafter. This is for your information.

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2915

✓
R 25902

NOTO -- DIRECT

(At R 25986) It is stated that Foreign Minister TOGO also made an explanation to Ambassador Grew in an endeavor to insure a thorough understanding of the proposal (Exh. 2918), and that it was felt that in view of the concessions made, the United States would give favorable consideration to the proposal.

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2976

✓
R 26373

November 30, 1941 - Telegram, NOMURA to TOGO, wherein it is stated that the newspapers of the 30th reported on address of Premier TOJO under big headlines and special importance was attached to the expression therein that the exploitation of the Asiatic peoples

Exh. 2976 (cont'd)

by British and Americans "must be purged with a vengeance". NOMURA said that President Roosevelt who was taking a rest at Warm Springs had suddenly changed his program and left for Washington. NOMURA feared that the American Government might use the address as material for their propaganda. He requested TOGO to take appropriate steps in connection with the address and to send its text to him promptly.

Exh. 2932

R 26000

November 10, 1941 - Telegram, TOGO to NOMURA (this exhibit is telegram No. 755 referred to in the preceding paragraph, Exh. 2931). The China question is further discussed in this exhibit. TOGO states among other things that the United States has maintained that the China problem cannot be excluded in considering the general peace of the Pacific -- that the United States would meet the original desire of the Japanese Government relative to the problem of peace between Japan and China. In referring to Secretary Hull's suggestion TOGO states (at R-26001) that in utilizing the suggestion, Japan must first obtain a commitment by the United States to the effect that the establishment of Japanese-Chinese peace would not be made a condition for the conclusion of the Japanese-American negotiations and that the United States would not impede peace between Japan and China.

R 26000-1
If the U.S. would prefer it is good for Japan + China as suggested by Sec. Hull + least details negotiations.

Exh. 2978

R 26376 - 8

Excerpt from Foreign Relations of the United States. Reference is made to speech of TOJO, and it is stated that it was drafted by the office staff of the East Asia Restoration League of which TOJO was President and was intended as a congratulatory address to be delivered on November 30th. It is stated however that TOJO made no speech on the 30th, and that neither he nor other government authorities had any knowledge as to the contents of the speech.

Exh. 2954

R 26072 - 4

An explanation of the Premier (TOJO) at the Imperial Conference of December 1, 1941 - TOJO stated that in accordance with the decision of the Imperial Conference of November 5, the Government had taken all possible steps to adjust relations with the United States while the Army and Navy had made efforts to complete their preparations for operations. He went on to state that the United States had not shown any signs of concession from its past position and that it was clear Japan's claims could not be attained through diplomatic measures. He said the demands of the United States would include the overall withdrawal of Japanese troops and nullification of the Tri-Partite Pact, and the withdrawal of recognition of the Nanking Government. Further, TOJO said Japan now has no other way than to wage war against the United States, Britain and the Netherlands.

Exh. 2955

R 26074

Explanation of Foreign Minister TOGO at Imperial Conference December 1, 1941 - TOGO summarized the Japanese-American negotiations after Imperial Conference of November 5 and referred to the so-called four principles which he said the United States had insisted upon and he enumerated these (at R 26075).

Exh. 2977

R 26375 - 6

December 1, 1941 - Telegram, TOGO to NOMURA, wherein it is stated that Premier TOJO's address was delivered under the auspices of the Koa Domei celebrating the anniversary of the conclusion of the treaty of basic relations between Japan and China, and had been drafted by the

Exh. 2977 (cont'd)

Exh. 2951

R 26059-60

Exh. 2962

R 26169-70

Exh. 2960

R 26167-8

KASE -- DIRECT

Exh. 2960

R 26167-124

KASE -- DIRECT

Exh. 2961

R 26168

administrative office of that organization. He said the address had been handed to the press without due inspection by TOJO and other government authorities.

3 December 1941 - Telegram from TOGO to NOMURA in which it is stated that it is observed the United States makes much of the statement of our government the trend of public opinion and the troop movements in the south and expresses apprehension on account of them over our sincerity in the negotiations. However, the facts about the statement of Premier TOJO were as contained in my telegram, No. 866, and we consider that the unexpected repercussion was caused by an extreme inappropriateness of translation (made by the Domei News Agency).

December 6, 1941 - Telegram, NOMURA to TOGO. It states in substance that on the evening of the 6th, the State Department had disclosed that President Roosevelt had sent a personal message to the Emperor. NOMURA said the contents of the message were unknown but it was generally assumed that it concerned the reinforcement of troops in French Indo-China and the advance into Thailand.

Witness identified exhibit as his affidavit; stated that he entered the Japanese Foreign Ministry in 1925, and was appointed Chief of the First Section of the Bureau of American Affairs, in November 1941, continuing in that position until April 1943. He testified concerning events around December 7, 1941, and said that about 10 o'clock in the morning of that day he received information from the Domei News Agency that the United Press had carried a report to the effect that President Roosevelt had dispatched a personal message to the Emperor. He said that an urgent telegram was sent to NOMURA in Washington, instructing him to make inquiries into the report.

(At R 26171) KASE testified with respect to Exhs. 2961 and 2962 referred to above and said that at about 10:15 pm (apparently December 7, 1941), the Private Secretary to TOGO received a telephone call from the American Embassy requesting him to make an appointment around midnight for Ambassador Grew to see TOGO. KASE said that Mr. Grew came to TOGO's official residence around 12:30 am, December 8th, saying he had received an urgent message of the President to the Emperor and requesting the Foreign Minister to arrange an audience for him. TOGO replied it was unusual to take action on a request at such an hour -- he asked about the substance of the message -- Mr. Grew left a copy with TOGO and repeated his request for an audience. TOGO gave KASE a copy of the message and asked him to translate it into Japanese. He said that TOGO got in touch with KIDO, asking him to arrange for him to report the matter to the Throne. Thereafter, TOGO went to TOJO's residence and at about 2 am, on December 8th, went to the Imperial Palace and there informed the Emperor of the President's message and received the answer to be sent through the American ambassador.

December 7, 1941 - Telegram, TOGO to NOMURA. This is the telegram referred to by the witness KASE, mentioned in the preceding exhibit.

Exh. 3039

R 27132

MATSUMOTO -- DIRECT

R 27134-5

mutatis mutandis

Witness identified exhibit as his affidavit. (At R 27134) he said that on December 27, 1941, US Government addressed an inquiry through the Minister of Switzerland to the Japanese Government concerning the treatment of prisoners of war (Geneva Convention); see Exh. 1468, R. 12787. Witness said that in accordance with Foreign Minister TOGO's opinion that Japan should abide by the Hague Convention. He discussed the matter with UEMURA, Director of POW Information Bureau, and other Army and Navy officers concerned. He said as a result of these discussions, a reply was made to the United States Government on January 29, 1942 (Exh. 1469) in accordance with the answer of the War Ministry which was in charge of the matter (Exh. 1958) to the effect that Japan would abide by the provisions of the ~~Hague~~ ^{Geneva} Convention, although Japan had not ratified it. NOTE: In connection with similar inquiries made by Great Britain on January 3, 1942, see Exhs. 1493, 1494, 1495 and 1496.

(At R 27142) On redirect examination, MATSUMOTO said that prisoners of war were under the jurisdiction of the War Minister (TOJO).

Exh. 3098

R 27694 -

NISHIURA -- DIRECT

R 27695-6

Witness identified exhibit as his affidavit and testified to the procedure concerning the treatment of prisoners of war. (At R 27695) he said that when the War Ministry received a report about sending POW to the rear, the Ministry advised the Imperial Hqs as to the ports or other places where the POW's should be sent. The Imperial Hqs informed the War Ministry of the date of arrival of POW's at the place assigned. POW's would be delivered to a receiver designated by the War Ministry. After delivery to the receiver, POW's came under jurisdiction of War Ministry. Before that time, treatment of POW's was in the hands of the troops in operations so that any trouble occurring prior to the time of delivery to the receiver of the War Ministry was out of the jurisdiction of the War Ministry.

(At R 27751) ⁷⁶⁷ Witness stated that he was advisor to the Japanese Army in the Philippines in February 1942; that the order for his appointment came from Prime Minister TOJO, and that since he (MURATA) belonged to the War Ministry that he was probably appointed by TOJO as Minister of War.

Exh. 1472

R 12791

(At R 27819) Defense read certain portions of this exhibit which was Foreign Minister TOGO's communication of February 1942, directed to the American Government through the Swiss Government.

Exh. 3129

R 27902

Report of investigation of eight officers and men who took part in air raid of Japan in April 1942, which was forwarded to several officers, including that of War Minister and Vice Minister of War.

Exh. 3049

R 27230

YAMAZAKI -- DIRECT

Witness identified exhibit as his affidavit and stated (at R 27232) that he attended meetings of the Commanders of POW Camps on June 25 and July 7, 1942. (At R 27233) On Cross-examination he said that the same instructions were read and discussed at both conferences; that they were the instructions of Prime Minister TOJO; but that TOJO was not present.

*Should be out
Ex 3102 R 27,764*

Exh. 3049 (cont'd)

(At R 27256) Witness on cross-examination stated that his commanding officer at the time of the conferences referred to above was General UYEMURA -- he was in charge of leading the discussions and his immediate superior was War Minister TOJO.

✓ Exh. 3132 R 27908 ✓

Order from Chief of General Staff relating to court-martial of enemy airmen who commit atrocities. This is dated 22 October 1942 (TOJO, War Minister).

✓ Exh. 3133 R 27909 ✓

Regulations concerning the punishment of POWs. Regulations prescribe in detail punishment to be inflicted in the event of breach of various regulations. *in effect until Mar 43*

✓ Exh. 3040 R 27146 ✓

KUDO -- DIRECT

✓ Witness identified exhibit as his affidavit and (at R 27151) said that the Foreign Minister TOGO informed the Swiss Minister of the ration of food being supplied to the internees in Japan on February 13, 1942 (see Exh. 1491) as an instance that the internees were receiving food better than those of the Japanese in general. Witness said that this was a statement of the condition actually existing at that time and was not a commitment for the future.

✓ (At R 27157) Witness stated on cross-examination that reports concerning prisoners of war were received from the POW Information Bureau and with regard to civilian internees from the Ministry of Home Affairs and the Ministry for Overseas Affairs. TOJO, Home Minister, October 18, 1941, to February 17, 1942.

R 27162-3
Witness said on cross-examination that statements in his affidavit regarding prisoners of war camps; that he obtained them from the International Red Cross such as the report published by that organization regarding the visit made to the camp at Zentsuji of March 12, 1942. (Compare with Exh. 1960, R 14423, TOJO's instructions to Commander of Zentsuji Division.)

In connection with testimony of KUDO, see Exh. 1965-A, R 14439, Article 4 thereof, which states that the Director of the POW Bureau administers the affairs of the Bureau under the direction and supervision of the Minister of War.

✓ Exh. 3073 R 27443 ✓

SAWADA -- CROSS

✓ Witness identified exhibit as his affidavit and said (at R 27450) as Commander of the 13th Army in Shanghai, the trial of the Doolittle Flyers was carried out under the responsibility of his Army over which he was responsible -- that General HATA at the time was Commander in Chief of the China Expeditionary Forces. He said he received his orders from the Commander in Chief, but that General HATA told him that he (HATA) received his orders direct from Tokyo. He said that General HATA told him he received orders from Tokyo to hold the trial of the Doolittle Flyers and that he had also been informed by General TOJO that the orders came direct from Tokyo although SAWADA said he heard this much later.

✓ On cross-examination by Defense Counsel (at R 27465), witness stated that instructions ordering the trial of the Doolittle Flyers coming direct from Tokyo would first clear through General HATA as Commander in Chief of the armies in China before reaching his Hqs; that a decision announced by the Court likewise would be forwarded to Tokyo through General HATA's office; also that if Tokyo decided to change the decision; that change would go through General HATA's office.

Exh. 3073 (cont'd)

Exh. 3065

R 27356

TAKATA -- DIRECT

Exh. 3069

R 27429

During further cross-examination by Prosecution (at R 27468) in connection with orders from Tokyo to conduct the Doolittle trial, witness said he did not know whether the orders emanated from TOJO, the War Minister, or from the Army Chief of Staff.

Witness identified exhibit as his affidavit and stated (at R 27360) that it had been the practice since the Meiji era and there were various regulations pertaining to it, for the Navy to turn over the prisoners of war captured by it to the Army, and they were interned in the POW camp, under the control of the War Minister.

Army Order No. 1, issued by War Minister TOJO to Japanese soldiers at the front. TOJO said that marshall spirit should not be haughty, that the virtues of bravery are noble only when they flowed naturally from oneself; that requisition, confiscation and destruction of supplies should be carried out only on orders of the commanding officer according to regulations.

1 Oct 1947

Mr. Sutton:

1. I have checked through the chronological summary of prosecution evidence prepared in the Tojo case by Mr. Dunningan, and also summary of evidence introduced by defense covering the period prior to testimony in Araki's individual phase.

2. The material presented, with minor exceptions, is a substantial presentation of the important matters related to Tojo. I have made pencil notations and additions where an error occurred.

3. The sources used in connection with counter-checking were JPS Doc 0003; the citations by prosecution in its reply to the motion to dismiss; the narrative summary, and the record itself.

4. While the summary of prosecution evidence was directed to be a chronological summary, the finished product would have been stronger, had the same material been divided chronologically under important headings bearing on Tojo's responsibility for actions ^{while holding significant positions} he took ~~as such~~ ^{as such actions were} related to the charges against him.

5. Apart from what is suggested in par. 4, it is my view that the work itself is thorough and well presented.

RWF

Letters

CHRONOLOGICAL SUMMARY OF EVIDENCE INTRODUCED BY THE DEFENSE
AS TO THE DEFENDANT TOJO.

Where an exhibit is referred to it will be followed by the letter "R" and a number. This indicates that the exhibit was introduced into evidence at that page number. Where the small letter "p" is used with respect to the same item of evidence followed by a number, that indicates that the exhibit was referred to at that page of the record.

1929-1945

Exh. 2344 (p 17698) Chart showing the composition of every cabinet from 1928 to 1945

1937

Exh. 259 (R 9474) (p 26018)
KAWABE-CROSS
March, witness said upon being shown Exhibit 259 which was "Draft of Outline for the Military Disposal of the Various Railways in North China, November, 1935" that this plan was sent to C/S of the Kwantung Army. Witness came to Central Office in March 1937 and at this time TOJO was C/S of the Kwantung Army. He did not remember having seen this document while he was staff officer of the Kwantung Army. The plan had to do with the seizure and operation of certain North China railways.

Exh. 672 (R 7336) (p 22026-027)
KAWABE - CROSS
Witness said Exhibit 672 was a telegram marked "Ultra Secret and Urgent" from C/S, Kwantung Army (TOJO) and addressed to Vice Minister of War UMEZU which stated in substance that, regarding operations for war against U.S.S.R., Japan should first deliver a blow against China by attacking Nanking and thereby "remove the menace in the rear." He said the general staff did not agree with TOJO's views in this respect. He did not know if the War Minister agreed with it.

Exh. 719-A (R 7560) (p 23410)
IIMURA - CROSS
He admitted this exhibit showed a letter from TOJO to UMEZU submitting a detailed map of administration of Outer Mongolia. TOJO was then C/S of the Kwantung Army and UMEZU, Vice Minister of War.

1938

KAGESA - CROSS (p 24030-031)
Witness stated that the Central Military authorities amended the peace movement plans of KAO and MEI. These authorities were the officers concerned in the Army Staff and War Ministry of Japan. TOJO held the position of Vice-War Minister at this time, which was November, 1938.

1940

Exh. 2347 (p 17869)
Excerpt from TOJO's interrogation of February 1, 1946, stated that cabinet meetings were the

scene of heated discussions on the signing of the 3-Power Pact. He did not recall much urging of the Army's views in Cabinet meetings, however, the C/S kept Foreign and Prime Minister informed. Matters of secondary importance were transmitted by the Assistant C/S to the Foreign Minister or to the Assistant Foreign Minister.

1941

Exh. 779 (R 7904) (p23248)
KASAHARA - CROSS

Resolution of Imperial Conference of July 2, 1941. It was stated that the spirit of the Tri-Partite Pact will be the keynote of Japan's attitude toward the German-Soviet war. They would not intervene for a while but would voluntarily secretly prepare. Diplomatic negotiations will be continued with caution and should the war progress favorably towards Japan they will take arms to settle the Northern Problem.

Exh. 670 (R 7390) (p 23278)
TAKESHI

TAKESHI said he had not received any concrete orders from the War Minister with respect to reinforcements to the Kwantung Army. The situation at the beginning of the Russo-German war not being clear, he went to TOJO by Plane to make sure whether reinforcements of the Kwantung Army meant war against the Soviet. TOJO stated it was necessary to reinforce the Kwantung Army but would not explain why.

TANAKA - DIRECT (p 23326-327)

July 1941, witness discussed the general situation existing between Japan and the Soviet Union in view of relations with the U.S. and Britain. He said it was the desire of War Minister, TOJO, and the C/S to drive home to the officers and men on the occasion of this reinforcement the idea that it would not mean the commencement of military operations.

TANAKA - CROSS (23353)

July 1941, witness stated he did not believe his dismissal from his position in the First Division was because he disagreed with TOJO and SUGIYAMA with respect to matters pertinent to war plans.

TANAKA - CROSS (p23370-371)

July, 1941, witness said the order for Kwantung Army special maneuvers was issued by Imperial Headquarters but the order itself was drafted by C/S of the Army who consulted with War Minister TOJO. In this connection witness was discussing the reinforcement of the Kwantung Army in regard to the Soviet Union.

Exh. 719-A (R 7560) (p 23712-718)
YANO - CROSS

Exhibit 719-A, letter from TOJO to UMEZU as to administration of Outer Mongolia. Map attached was received in evidence as Exhibit 719-B, excerpts from map as 719-C, and memorandum attached, as 719-D.

Exh. 2363 (R 18141) (p 18141-143)
ANDO - DIRECT

October 1941, witness stated that IIRA was formed in October 1941; that he became Vice President thereof at TOJO's request; that he

served as Vice President from October 1941 to April 1943; and that when he became Vice President, TOJO was president of the organization.

Exh. 2676 (R 23303) (p 23303-305)

TANAKA - DIRECT

November 1941, Exhibit 2676 identified by witness as his affidavit. The Army's plan of operation against the Soviet for 1941 was formed in 1940. In November 1941, SUGIYAMA, G/S, indicated to the vice chief and witness that in drawing up and developing operation plans against the Soviet Union they should adhere strictly to the national policy established with respect to Russo-Japanese diplomatic relations. Witness said he was informed by SUGIYAMA and War Minister TOJO that they had reached complete agreement on the fundamental principle.

ANDO - CROSS

(p 18155-158)

December 8, 1941, witness said on this date he was advised by telegram that war had broken out -- he believed it was HOSHINO, First Secretary of the Cabinet, who informed him of that fact at the instruction of Prime Minister TOJO. The Cooperative Council Meeting opened on the 8th of December. It had been a practice for the officials of the various ministries who were in charge of such matters to assemble and consult at the Cabinet Information Board. Witness, in his testimony, discussed the INRA in detail.

Exh. 2348 (R 17870) (p 17870)

Excerpt from TOJO's interrogation of February 6, 1946. TOJO stated that Imperial Conferences were held with important ministers of state but that in some years no conferences were held. Usually those who attended were the G/S, Cabinet ministers and President of the Privy Council. Each had his own responsibility according to his position. Such conferences would be requested by the Emperor or one of the chiefs of staff.

1943

YAMAMOTO - DIRECT

(p 17914)

November 1943, witness stated that while he was Vice Minister of the GEA Affairs Ministry TOJO, who at that time was Premier and War Minister, went with him on a tour of the Southern regions.

YAMAMOTO - DIRECT

(p 17918-919)

November 1943, witness recalled an interview between TOJO and a Mr. BANO, of Burma, during a tour of the Southern regions.

YAMAMOTO - DIRECT

(p 17915-916)

November 1943, in his capacity as Vice Minister of GEA Affairs Ministry and in connection with his visit with TOJO to the Southern regions, he met Dr. Laurel, Recto, Vargas and a Mr. Aquino, the leading representatives.

These people were members of the Preparatory Committee for Independence in the Philippines. There was a free interchange of opinions between the Japanese and the Philippine representatives. He had meetings with the Regent Prince ADIT and Mr. PRASERT, the Prime Minister, Marshal PIBUL, Foreign Minister WICHT and other important personages. These persons freely voiced their opinions to the witness and TOJO. He said there were no basic differences in opinion between those persons previously mentioned and TOJO and himself. TOJO made it a practice to give instructions to Japanese Army authorities on the spot, wherever he stopped on the course of his tour. In these instructions he would tell them to respect the opinions of the natives and to take a fatherly attitude toward them. He did not recall discussing any concrete measures with any representatives of China.

1944

Exh. 1344 (R 12068) (p 18083-085)

YAMAMOTO

Witness stated on redirect that in connection with the establishment of the GEA Affairs Ministry the policies for establishing the independence of the several countries were carried out swiftly. With respect to the statement in Exhibit 1344 and with respect to the differences between TOJO, the Foreign Office and the Central Committee. As to the granting of independence he said it would contain a clear statement of the ideas held by TOJO and the Foreign Office.

Exh. 2351,
2352 and
2353

(p 18021)

November 1944, speeches by three leading representatives of GEA Conference.

MITARI - DIRECT

(p 17797-798)

He said the TOJO Cabinet fell in August because it failed to strengthen its personnel. The military situation at that time was unfavorable to Japan and public sentiment had been alienated. Some twenty leaders of the IRAPS and members of the House submitted to the Lord Keeper of the Privy Seal a resolution for the resignation of the TOJO Cabinet.

1945

YAMAMOTO

(p 17994)

July 1945, witness testified with respect to NEI independence. Mr. SAEKRANO, who visited Japan soon after the GEA Conference, made his request to Prime Minister TOJO to grant the East Indies their independence. The meeting ended without any definite reply from TOJO, and Mr. SAEKRANO returned to Java greatly disappointed.

26 September 1947

MEMORANDUM TO: Mr. David N. Sutton
FROM : Mr. Lester C. Dunigan
SUBJECT : TOJO -- Chronological Summary of Defense Testimony

1. Attached hereto are four copies of a chronological summary of Defense testimony relating to the defendant TOJO.

2. You will note numerous references to the defendant TOGO which apparently have no direct relation to TOJO. These have been included however because of the respective positions held by TOJO and TOGO, and the close relations existing between the two men at the time.

LESTER C. DUNIGAN

TOJO, Hideki

TOJO first appears in the evidence in this case as Colonel, Head of the First Section, Army General Staff in 1931. The evidence thereafter shows that his was a steady and rapid advancement throughout the life of the conspiracy charged in the Indictment. He occupied successive and increasingly important and powerful positions until as War Minister in the third KONOYE Cabinet, his power became so great that he was able to bring about the fall of that Cabinet.

As Colonel, Section Chief and as Major General, Commander of the 24th Infantry Brigade, he played a sufficiently important role in the Manchurian aggressions to be awarded a decoration for his services.

Further activities in Manchuria continued while he was Chief of the Kwantung Military Police, Chief of Staff of the Kwantung Army and Japanese Member of the Manchukuo Joint Economic Committee.

On June 9, 1937 he telegraphed the Vice War Minister and Chief of Staff regarding operations for war against the USSR and advised that Japan should first deliver a blow against China by attacking Nanking and thereby "removing the menace in the rear." It is significant that this attack occurred within a month thereafter.

During 1940 he collaborated with MATSUOKA in drawing an authoritative foreign policy program for Japan. He attended a Foreign Ministers Conference which stressed German-Japanese friendship and cooperation and successive Ministers Conferences which culminated in the signing of the Tripartite Pact between Japan, Germany and Italy. In the Imperial Rescript issued on the signing of the Pact, TOJO's name appears as one of the principal officers of the Government.

When he became Premier on October 18, 1941, his interests and activities had embraced the Kwantung Army (School of Militarism and Ultra-Nationalism), Manchuria, China relations with Germany and Italy, and a possible war with the United States.

On 5 and 21 November 1940, TOJO attended Ministers Conference at which it was decided to help Siam in her boundary fight with Indo-China and to make her cooperate politically and economically in the establishment of a New Order in East Asia.

All of the evidence indicates that the policy of Japan was one of expansion during TOJO's tenure of power and the waging of successive aggressive wars.

The following items of evidence have been selected from the Prosecution's case. They indicate conclusively that his was a leading and most active role in the essence of the conspiracies charged in the Indictment.

Condensed Summary of the Prosecution's Evidence
Against the Defendant TOJO

1931

Exh. 128 (p 791) Sept 18, TOJO, Colonel, Head of the First Section, Army General Staff.

1934

Exh. 128 (p 791) April 29, decorated for his military services in the Manchurian Incident.

1935

Exh. 128 (p 791) Sept 21, was in command of Kwantung Military Police.

TANAKA (p 15858) Fall of 1935, Opium Monopoly Bureau created while TOJO Chief of Staff, Kwantung Army.

1936

TANAKA (p 2022) Five Year Development Plan of Manchukuo established after TOJO became Chief of Staff, Kwantung Army.

1937

Exh. 128 (p 791) 1st of March, appointed Chief of Staff Kwantung Army, Lt. General.

Exh. 672 (p 7337) 9 June, TOJO telegraphed Vice War Minister and Chief of Staff reference to operations for war against the USSR and advised that Japan should first deliver a blow against China by attacking Nanking and thereby "removing the menace in the rear."

1938

Exh. 2209 (p 15806) 13 April, relates to transfer of funds from Manchurian Incident account signed by UMEZU showing several hundred thousand yen transferred to TOJO, Chief of Staff, Kwantung Army.

Exh. 770 (p 7871) 17 Jan, telegram from TOJO, Chief of Staff, Kwantung Army to Vice Minister of War concerning airline connections between Japan and Germany which were to be kept secret.

- Exh. 273 (p 3679) 19 June, message concerning special investigation of Inner Mongolia sent by ISHIMOTO (Chief of Staff, Japanese Army in Mongolia) to TOJO, Vice Minister of War. Document deals with the investigation of important districts on Mongolian border, natural resources of country, etc.
- 1940
- Exh. 128 (p 791) 29 April, TOJO received decoration for services in China Affair and on 22 July appointed War Minister.
- Exh. 1310 (p 11794) 27 July, decision of Liaison Conference that policy would be to settle China Incident so as to prevent third powers from assisting CHIANG Regime and settle the southern problems within limits, these policies to foster a strong political tie with Germany and Italy.
- Exh. 543 (p 6277) 2nd Aug, telegram from Weizsacker, to the German Embassy stating that Four Ministers' Conference (TOJO, War Minister) expressed hope that Japan might belong to the New Order after the war and that Japan would not be forgotten in the "new apportionment of the world."
- Exh. 541 (p 6271) 4 Sept, Four Ministers' Conference and a Liaison Conference of 19 Sept discussion was had concerning strengthening of Japanese-Germany and Italy Axis, TOJO attending the first meeting.
- Exh. 43 (Ident p 513, Read p 6391) 27 Sept, Tripartite Pact signed. TOJO's position on that date was War Minister, President of the Manchurian Board, Vice President of China Affairs Board.
- Exh. 554 (p 6394) 27 Sept, Imperial Rescript re Tripartite Pact, TOJO signed as War Minister.
- Exh. 618-A (p 6873) 21 Nov, second Four Ministers' Conference (TOJO, War Minister) was decided to help Thailand to gain control of Probang and Pakuse provided she agreed to Japanese demands which were generally to cooperate with Japan politically and economically in establishment of a New Order in East Asia.

1941

- Exh. 1103 (p 10051) TOJO attended thirty Liaison Conferences between January 13 and June 30.

- Exh. 852 (p 8447) 16 Jan, series of 10 communications between officials of the War and Finance Ministries relating to preparation of military currency in foreign denominations (TOJO, War Minister). Letter No. 1 requested that plans be prepared for use in unspecified areas and that the matter be held secret.
- Exh. 1055 (p 9841) 8 Mar, newspaper announcement regarding new mobilization law of 8 March and that national mobilization law would be put in force on 20 March.
- Exh. 1097 (p 10034) Telegram from Ott to Ribbentrop stated among other things that Japanese Cabinet had failed to reach a clear-cut decision on Japan's attitude to the German-Russian War, that preparatory measures had been ordered but that preparations for attack would take at least six weeks unless there was a decisive weakening of Russia beforehand. OSHIMA has advised Japan to attack Russia soon.
- Exh. 1157-A (p 10301) (TOJO Interrogation, 28 Jan 1946) TOJO said he agreed with speech by MATSUOKA on 20 Jan 1941 in which latter stated Tripartite Pact was realization of ideals of hakko ichiu - that Pact states Germany and Italy recognized and respected Japan's leadership in establishing New Order in Greater East Asia. MATSUOKA also stated that Japan recognized Germany and Italy's leadership in Europe. TOJO said he became Premier in Oct 1941, that he and members of his Cabinet worked in accordance with the principles stated by MATSUOKA regarding Tripartite Pact.
- Exh. 1157-C (p 10305) (TOJO Interrogation, 28 Jan 1946) TOJO said Tripartite Pact expressly states that each country is to have its own place in both Asia and Europe. He stated that in both Europe and Asia the sphere of the New Order increased or decreased with the military situation.
- Exh. 1147 (p 10246) 12 Oct, KIDO's Diary states that the War (TOJO), Navy and Foreign Minister and President of the Planning Board met with the Premier to discuss diplomatic relations with US. TOJO called for great resolution since there was no hope for arriving at an understanding with US.

- Exh. 1153-A (p 10289) (TOJO Interrogation, 11 Feb 1946) 17 Oct - TOJO said that as War Minister he felt the opportune time for fighting was in danger of being lost and the Imperial Conference had set the middle of October as the limit of waiting for a favorable diplomatic break. He said the KONOYE Cabinet failed because he (TOJO) favored war with the US.
- Exh. 128 (p 791) On 18 Oct, TOJO held the following positions: Premier, Home Minister, War Minister, President, China Affairs Board and Supreme War Councillor. He was placed on active list and promoted to full general.
- Exh. 1169 (p 10333) 5 Nov, at Imperial Conference national policy decided. It showed that at the Liaison Conference a decision was made to notify Germany and Italy of Japan's intention to start war against US and Britain when present negotiations with US break down and as soon as preparations are ready, Japan will open negotiations for participation by the Axis in war against US. Relations with respect to Soviet Union, China, Dutch East Indies also discussed.
- Exh. 1202-A (p 10482) 30 Nov (TOJO Interrogation 18 Mar 1946). He stated that the gist of final note from Japan to US was approved by the Cabinet but the final text was the responsibility of the Foreign Minister (TOGO) and his responsibility also. He said that Foreign Minister (TOGO) knew of the time and the day set for the attack.
- Exh. 1207-A (p 10509) 30 Nov (TOJO Interrogation, 11 Mar 1946). Responsibility for contents and the notification of final note rests with members of the Liaison Conference. Members of the Liaison Conference who discussed the final note included TOJO, SHIMADA, NAGANO and others.
- Exh. 1197-A (p 10461) 30 Nov (Interrogation of NAGANO, 26 Mar 1946). He had approved a plan to attack Pearl Harbor probably about the beginning of November.
- Exh. 1200 (p 10473) Telephone conversations between KURUSU and YAMAMOTO of Foreign Office showed that KURUSU said he would meet Hull the next day, that Roosevelt was returning and the newspapers had made much of TOJO's speech. TOJO's speech was drastic statement - unless greater caution exercised by TOJO, Ambassador is out in a difficult position.

- Exh. 1205-A (p 10501) 30 Nov (TOJO Interrogation, 18 Feb 1946). The note sent to the US was an official one. Everything connected with this note was his responsibility and that of the Foreign Minister (TOGO). The Cabinet knew note was sent and approved it.
- Exh. 1210 (p 10523) 1 Dec - Stated that conference in the presence of the Emperor had been held and decided upon war between Japan and US.
- Exh. 1203-A (p 10487) 7 Dec (TOJO Interrogation - 21 Feb 1946). TOJO said that he and the Cabinet realized that the shorter the time the note was to be delivered to US, the more probability there was for a mishap. He could not answer why the message had not been sent to NOMURA sooner - that was the responsibility of Foreign Minister (TOGO).
- Exh. 1244-A (p 10707) 8 Dec (TOJO Interrogation, 1 Mar 1946). Pearl Harbor attack was a Navy operation and he knew only that if the attack went smoothly it would begin at such and such a time. Malaya, Hongkong and Philippines attacks were joint operations and he knew about them. He knew of Pearl Harbor attack from Liaison Conference preceding Imperial Conference of 1 Dec. He approved these attacks.
- Exh. 879-A (p 9073) 16 Dec - TOJO made a ministerial address to the Diet regarding success of Army and stated that for many years he had been silently preparing for this great day.
- TANAKA (p 16145) Witness said that TOJO, KIMURA and MUTO were all familiar with the instructions given to him by SUGIYAMA on 6 Sept 1941 to begin preparations for operations against Malaya, Java, Borneo, Bismarck and Dutch East Indies.
- 1942
- Exh. 1338-B (p 12034) 22 Jan - TOJO's speech in the Diet. He said cardinal principle for directing the war was to secure strategic points in Greater East Asia and gain control of areas containing important resources to continue the war until US and Britain were defeated and would carry out aggressive operations closely with Germany and Italy.
- Exh. 689-A (p 7431) 18 Feb - An excerpt from secret publication of Institute of Total War stated that in north, Japan must strive to establish an international defense base and to maintain a superior strategic position. Appendix III of the report contains details for waging war against USSR.

- Exh. 1960 (p 14423) 30 May - Excerpt concerning treatment of prisoners-of-war in War Minister TOJO's instructions delivered to the Commander of the ZENTSUJI Division. TOJO said "present situation of affairs in this country does not permit anyone to lie idle doing nothing but eating freely. In dealing with the prisoners-of-war I hope you will see that they may be usefully employed."
- Exh. 1963 (p 14428) 7 July - Instructions of TOJO to newly appointed POW commanders stated supervision must be rigid, POWs not to remain idle for a single day and that their man power and technical ability should be utilized for expanding industries and contributing to the war.
- Exh. 128 (p 791) 1 Sept - TOJO appointed concurrently as Foreign Minister.
- Exh. 1967 (p 14485) 2 Oct - Correspondence from Chief of General Staff of Eastern District Army to Minister of War (TOJO) requesting permission to employ POWs for loading and unloading cargo for harbors, etc. Application approved 22 October. Approving authority shown to be Vice Minister of War.
- Exh. 687-A (p 7421) 12 Oct - Meeting of Privy Council on Greater East Asia Ministry at which TOJO was present. TOJO said it was desirable to establish Greater East Asia Ministry. He then gave his opinion as to the effect of this on foreign countries which was that their misunderstanding would be solved since the draft aimed for the benefit of all but that close attention should be paid to the alienation of the relative countries.

1943

- Exh. 1980-B (p 14558) (TOJO Interrogation - 25 Mar 1946) POW Bureau originated immediately after outbreak of Greater East Asia War. He issued order forming POW Bureaus. He said at the time he was familiar with provisions of Hague and Geneva Conventions. He said as Prime and War Ministers, he felt Japan was bound by the two conventions and the rules and customs of civilized nations with respect to prisoners-of-war.
- Exh. 1980-C (p 14561) He said as Minister of War during the time atrocities were committed, he was the responsible party for their commission. He was aware of the fact that US and Britain had warned Japan that it would be held responsible for violations of the conventions and rules of war.

Exh. 1939 (p 14639) 3 Sept - Witness made inspection of Burma-Siam
WAKAMATSU Area in respect to prison labor. Reports had
been received that physical condition of POWs
was poor and death rate high. Feeding of POWs
was below required standard of quality and
quantity. He said decision to use POWs on
railway was made by SUGIYAMA, TOJO and KIMURA.

1944

Exh. 128 (p 791) 22 July - TOJO relieved of his command post as
Premier and concurrent post at his own request.

TOJO, Hideki

General Statement:

The history of TOJO is one of steady and rapid advancement throughout the life of the conspiracy charged in the indictment. From the position of Colonel and Section Chief of the Army General Staff and through successive and increasingly important and powerful positions, until as War Minister in the Third Konoye Cabinet, his power became so great that he was able to bring about the fall of that Cabinet. Thereafter, he became Premier and War Minister and was primarily responsible for leading Japan to attack the United States, Britain and the Netherlands.

As Colonel, as Section Chief, and as Major General Commander of the 24th Infantry Brigade, TOJO played a sufficiently important part in the Manchurian Aggressions to be awarded a decoration for his services.

His further activities in Manchuria continued while he was Chief of the Kwantung Military Police, Chief of Staff of the Kwantung Army, and Japanese member of the Manchukuo Joint Economic Committee.

On or about 9 June 1937, TOJO telegraphed the Vice War Minister and Chief of Staff regarding operations for war against the USSR and advised that Japan should first deliver a blow against China by attacking Nanking, and thereby "removing the menace in the rear". It is significant that this attack occurred within a month thereafter.

From his position in the field, TOJO graduated to the position of Vice Minister of War, and simultaneously held numerous positions connected with other departments. He acted as Inspector General of Army Air Forces, then as War Minister and finally as Premier and War Minister, holding from time to time other ministries.

He was decorated for his services in the China "Incident" on 29 April 1940.

On or about 22 July 1940 TOJO and MATSUOKA collaborated in drawing an authoritative foreign policy program for Japan. On 1 August 1940 he attended a Foreign Minister Conference which stressed German-Japanese friendship and cooperation, and on 4 September 1940 another Four Ministers Conference concerning strengthening of the Japanese-German-Italian Axis was attended by TOJO; on 26 September 1940 a conference of the Investigation Committee of the Privy Council was held which TOJO attended and at which the matter of the conclusion of the Tri-partite Pact and the condition of the Army for war with the United States were discussed. The same day the Privy Council, with TOJO present, approved a draft of the Tri-partite Pact.

The Tri-partite Pact was signed on 27 September 1940. At that time TOJO was War Minister, President of the Manchuria Affairs Board, and Vice-President of the China Affairs Board. In the Imperial Rescript issued on that day, the name of TOJO appears as one of the principal officers of the Japanese Government.

From the foregoing it will be observed that TOJO's interests and activities by this time had embraced the Kwantung Army (School of Militarism and Ultrationalism), Manchuria, China, relations with Germany and Italy and a possible war with the United States. All these form the very essence of the conspiracies alleged in the indictment in this case.

On 5 and 21 November 1940, TOJO attended Ministers' Conferences at which it was decided to help Siam in her boundary fight with Indo-China and to make her cooperate politically and economically in the establishment of a new order in East Asia.

TOJO has himself said in some of his interrogations that at liaison conferences the decisions and proposals were made and formulated which were later presented to and adopted by imperial conferences. At liaison conferences TOJO has said decisions were made not by a majority but were unanimous.

Some idea of the activity of TOJO and of his close association with his co-defendants can be obtained from an analysis of the liaison conferences held between 13 January and 30 June 1941, which period is an important one in the instant conspiracy. There were approximately thirty of such conferences, all of which TOJO attended.

About 12 October 1941 TOJO made the final moves in the plan which was to lead him to the premiership, and Japan to attack the United States, Britain and the Netherlands. At a meeting which he attended with other defendants named in the indictment herein, TOJO demanded a strong resolution for war.

In his interrogation of 7 February 1946 TOJO admitted his responsibility (with other members of the Cabinet and Army and Navy Chiefs) for the attacks on Pearl Harbor and the United States and British possessions.

A consideration of all the evidence must lead to the inevitable conclusion that TOJO was one of the "young Army officers" who in the early days of the conspiracy plotted for the conquest of all East Asia, that he served in that conspiracy with ever extending importance throughout the Manchurian and Chinese wars of aggression to become finally the effective leader of the conspiracy on 18 October 1941 and to continue to lead it until 22 July 1944.

The evidence indicates conclusively that TOJO was criminally liable for every crime of which he stands accused in the indictment.

Details of the above statements appear in the chronological summary below:

Chronological Summary of the Prosecution's Evidence against the Defendant TOJO:

1931

Exh. 128 (p 791) On Sept 18, TOJO, Colonel, Head of First Section, Army General Staff

1934

Exh. 128 (p 791) Apr 29, decorated for his military services in the Manchurian Incident

1935

Exh. 128 (p 791) On 21 Sept was in command of Kwantung Military Police

TANAKA (p 15858) Fall of 1935 - Opium Monopoly Bureau created while TOJO Chief of Staff of Kwantung Army

1936

TANAKA (p 2022) Five-Year Development Plan of Manchukuo established after TOJO became Chief of Staff, Kwantung Army

1937

Exh. 128 (p 791) 1 March, appointed Chief of Staff, Kwantung Army, Lt. General

Exh. 672 (p 7337) 9 June, TOJO telegraphed Vice War Minister and Chief of Staff reference to operations for war against the USSR and advised that Japan should first deliver a blow against China by attacking Nanking and thereby "removing the menace in the rear"

1938

Exh. 719-A (p 7562) 11 January, Chief of Staff, Kwantung Army, TOJO dispatched telegram to advise War Minister UMAZU and advise Chief of General Staff, stating that in order to establish Anti-Soviet fortifications as scheduled for 1928 and 1929 more men would be needed and funds should be provided from Manchukuo budget.

Exh. 719-A (p 7561) 12 January, TOJO, Chief of Staff, Kwantung Army, dispatched a telegram to UMAZU, Vice Minister of War, concerning the installation of meteorological observation organizations in Mongolia which, from the standpoint of the China Incident and Anti-Soviet strategy, must be promptly completed.

Exh. 719-A (p 7564) 29 January, UMAZU, Vice Minister of War, informed TOJO, Chief of Staff, Kwantung Army, that his request for extension of military service of enlisted men of 1935 had been approved by TADA, Chief of General Staff on 27 January.

1938 (continued)

- Exh. 2209 (p 15806) 13 April, relates to transfer of funds from Manchurian Incident account, signed by UMAZU, showing several hundred thousand yen transferred to TOJO, Chief of Staff, Kwantung Army.
- Exh. 339 (p 6266)
- Exh. 770 (p 7871) 17 January, telegram from Chief of Staff, Kwantung Army (TOJO) to Vice-Minister of War concerning air line connections between Japan and Germany, which were to be kept secret.
- Exh. 128 (p 791)
- Exh. 273 (p 3679) 19 June, message concerning special investigation of inner Mongolia sent from ISHIMOTO (Chief of Staff, Japanese Army in Mongolia) to TOJO, Vice-Minister of War. Document deals with the investigation of important districts on Mongolian border, natural resources of country, etc.
- Exh. 128 (p 791) 10 December, appointed Inspector General, Army Air Forces.
- Exh. 44 (p 6293) 31 July, telegram from GII, stating that Japanese action against British spy service was carried out at demand of War Minister TOJO, that TOJO's principal aim was acute aggravation of Anglo-Japanese relations to reach a breaking point and to hasten action against British possessions in East Asia achieved by Japanese Army.
- Exh. 542 (p 6277) 1 August, German Ambassador in Tokyo cabled the foreign office concerning the Japanese Four Ministers (Army Minister TOJO) Conference which stressed Japanese-German friendship and cooperation as being very important.
- Exh. 543 (p 6277) 2 August, telegram from Ambassador to the German Embassy stating that Four Ministers' Conference (TOJO, War Minister) and KURUSU expressed hope that Japan might belong to the new order after the war and Japan would not be forgotten in the "new apportionment of the world".
- Exh. 1311 (11,798) Organization drafts of alternative demands to be made on Netherlands East Indies.
- Exh. 541 (p 6271) 4 September, at a Four Ministers' Conference and a Liaison Conference of 19 September, discussion was held concerning strengthening of Japanese-German and Italy Axis, TOJO attended first meeting.

1940

- Exh. 128 (p 791) 29 April, TOJO received decoration in recognition of his services in the China Affair.
- Exh. 539 (p 6266) 18 July, KIDO stated in his diary that HATA had secretly recommended TOJO for new War Minister and the Emperor did not approve of this procedure since KONOYE was still in process of forming a cabinet.
- Exh. 128 (p 791) 22 July, appointed War Minister.
- Exh. 537 (p 6261) 22 July, Voermann cabled German Foreign Minister concerning meeting of KONOYE, MATSUOKO, TOJO and YOSHIDA to draw up authoritative foreign policy program which included reproachment with Axis powers.
- Exh. 1310 (p 11794) 27 July, decision of liaison conference that policy would be to settle the China Incident so as to prevent the third powers from assisting CHIANG regime and settle the southern problems within limits, these policies to foster a strong political tie with Germany and Italy.
- Exh. 546 (p 6293) 31 July, telegram from OTT, stating that Japanese action against British spy service was carried out at demand of War Minister TOJO, that TOJO's principal aim was acute aggravation of Anglo-Japanese relations to hasten a breaking point and to hasten action against British possessions in East Asia desired by Japanese Army.
- Exh. 542 (p 6277) 1 August, German Ambassador in Tokyo cabled the foreign office concerning the Japanese Four Ministers (Army Minister TOJO) Conference which stressed Japanese-German friendship and cooperation as being very important.
- Exh. 543 (p 6277) 2 August, telegram from Weizacker to the German Embassy stating that Four Ministers' Conference (TOJO, War Minister) and KURSUSU expressed hope that Japan might belong to the new order after the war and Japan would not be forgotten in the "new apportionment of the world".
- Exh. 1311 (11,798) Organization drafts of alternative demands to be made on Netherlands East Indies.
- Exh. 541 (p 6271) 4 September, at a Four Ministers' Conference and a Liaison Conference of 19 September, discussion was held concerning strengthening of Japanese-Germany and Italy Axis, TOJO attended first meeting.

1940 (continued)

- Exh. 552 (p 6350) 26 September, a conference of the Investigation Committee of the Privy Council was held, TOJO, among others, present. Members discussed the conclusion of the Tri-partite Pact, a fact that in the event of war with the United States, although the Army was in good position, supplies were needed. Watch was to be made on USSR and United States relations. Tri-partite Pact unanimously approved.
- Exh. 553-1030 (p 6379) 26 September, a Privy Council Meeting, attended by TOJO, and draft of Tri-partite Pact unanimously approved.
- Exh. 43 27 September, Tri-partite Pact signed. TOJO's position on that date was War Minister, President, Manchurian Board, Vice-President, China Affairs Board.
- Exh. 554 (p 6394) 27 September, Imperial Rescript re. Tri-Partite Pact, TOJO signed as War Minister.
- Exh. 618-A (p 6873) (Note: The record indicates on Page 6822 that Doc. No. 1411 was marked for identification only. However, on Page 6844 Mr. Tavenner said "I will read Exh. 618-A." Nowhere in the intervening pages does it appear that Exh. 618-A for identification was received in evidence.) The following appears from the reading at Page 6873:
- At a Ministers' Conference on 5 November (TOJO, War Minister) it was decided to help Thailand in her boundary fight with French Indo-China and make her cooperate politically and economically in establishment of a new order in East Asia.
- Exh. 618-A (p 6873) 21 November, the second Four Ministers' Conference (TOJO, War Minister) - it was decided to help Thailand to gain control of Probang and Pakuse as well, provided she agreed to Japanese demands.
- Exh. 2184 (p 15644) 21 July. Letter to TOJO from OKAWA stated that during these turbulent times TOJO's duties must keep him very busy, that TOJO was Japan's one hope, and OKAWA prayed that his entire mission be thoroughly accomplished.

1941

- Exh. 1103 (p 10051) 13, 16, 17, 19, 23, 30 January - Liaison Conferences held, attended by TOJO.
- Exh. 1103 3, 13, 20, 23 February - Liaison Conferences held, attended by TOJO.
- Exh. 1103 2, 6, 7, 11 March - Liaison Conferences were held, all attended by TOJO.
- 10, 17 April - Liaison Conferences held, attended by TOJO.
- 3, 8, 12, 15, 22, 29 May - Liaison Conferences held, attended by TOJO.
- 6, 11, 12, 23, 25, 27, 28, 30 June - Liaison Conferences held, attended by TOJO.
- Exh. 852 (p 8447) 16 January, series of 10 communications between officials of the War and Finance Ministries relating to preparation of military currency in foreign denominations. (TOJO, War Minister) Letter No. 1 requested that plans be prepared for use in unspecified areas and that the matter be held secret.
- Exh. 1067 (p 9878) 23 January, newspaper extract stating that fundamental principles of Japan's population policy were decided at Cabinet Meeting attended by War Minister; President, Cabinet Planning Board; and Welfare and Education Ministers. (TOJO War Minister)
- Exh. 1039 (p 9782) 7 February, proposal from Eden to Shigemitsu, stating that British Ambassador hoped new Konoye Cabinet would cooperate. Matsuoka stated that Cabinet was considering policy of future and that strained relations between Japan and England were inevitable.
- Exh. 1052 (p 9883) 27 February, telegram from Grew to Hull stated that in conversing with Matsuoka, the latter referred to the reported mining of Singapore and sending of troops to the Malaya-Thailand border.
- Exh. 1055 (p 9841) 8 March, newspaper announcement regarding new mobilization law of 8 March 1941, and that national mobilization law would be put in force on 20 March.
- Exh. 1058 (p 9850) 3 April. Kido Diary regarding appointment of Toyoda as Minister of Commerce and other appointments stated that Konoye phoned Kido and intimated that War and Navy Ministers had approved the appointments.

1941 (continued)

- Exh. 1059 (p 9851) 9 April. Proposal presented to Department of State through private American-Japanese individuals concerning Japanese-American relations.
- Exh. 1305 (p 11751) April. Decision by Imperial Headquarters to promote settlement of China Incident and extend national defensive power. To carry this out, Japan would establish close relations in military, political and economic affairs with FIC and Thailand.
- Exh. 1064 (p 9873) 14 April. Statement by Grew to Konoye re the bombardment of Kuming by Japanese planes when American Consulate was damaged.
- Exh. 1060 (p 9863) 14 April. Concerns relations between Hull and Nomura regarding settlement of Japanese-American relations.
- Exh. 1061 (p 9866) Concerns relations between Hull and Nomura regarding Japanese-American relations.
- Exh. 1070 (p 9891) 12 May. Concerns relations between Hull and Nomura regarding Japanese-American relations.
- Exh. 1071 (p 9904) 16 May. Relations between Hull and Nomura stating, among other things, that Japan would declare with respect to the European War that the purpose of its Axis alliance was defensive, that Japan did further declare that it had no commitments under its Axis alliance not consistent with the terms of the above declaration.
- Exh. 1073 (p 9909) 18 May. Telegram from Ott to Ribbentrop wherein Ott told Matsuoka that America must give a clear and precise assurance not to participate in the European War, that Article 3 of the Tri-Partite Pact was the absolute minimum of what must be demanded, that Germany must be informed on United States reply and be admitted to further negotiations between Japan and the United States.
- Exh. 1075 (p 9918) 20 May. Telegram from OSHIMA to MATSUOKA concerning conversations between OSHIMA and RIBBENTROP. OSHIMA said that Japan was observing the Tri-Partite Pact as a basis of its diplomacy and that there was no reason to conclude a treaty between Japan and the United States contrary to the pact.
- Exh. 1076 (p 9933) 21 May. Telegram from OSHIMA to MATSUOKA stated that new agreement was important change in Japan's policy and was of great concern to Japanese military and naval attache in Germany, and requested MATSUOKA to inform war and navy ministers of that fact.

1941 (continued)

- Exh. 1079 (p 9947) 31 May. A statement handed to NOMURA at the time of delivery of American draft of proposal to adjust Japanese-American relations contains details of negotiations at that time.
- Exh. 1083 (p 9964) 4 June. Memorandum of conversation between HULL, NOMURA, and others, concerning Japanese-American relations.
- Exh. 1085 (p 9982) 6 June. Informal statement handed by HULL to NOMURA expressed Hull's disappointment in the vast difference between proposal as it now stands and the original document. Hull expressed the view that the Japanese revisions took present proposals out of the fundamental point which was the establishment of peace in the Pacific.
- Exh. 1087 (p 9988) 15 June. Draft of proposal received from NOMURA in which Nomura suggested that both countries agree that the purpose of the Tri-Partite Pact was defensive and was designed to prevent more nations from being involved in the European War.
- Exh. 1092 (p 10005) 28 June. Draft proposal by Hull to Nomura concerning settlement of Japanese-American relations.
- Exh. 1097 (p 10034) Telegram from OTT to RIBBENTROP stated that Japanese Cabinet had failed to reach a clear cut decision on Japan's attitude to the German-Russian War, that preparatory measures had been ordered, but that preparations for attack would take at least six weeks unless there was a decisive weakening of Russia before hand. Discussions concerning the above were going on behind scenes. Danger exists that southern expansion desired by nationalists will be limited to FIC, and that such would hinder Japan's activity in the north. OSHIMA has advised Japan to attack Russia soon. 28 June.
- Exh. 1098 (p 10036) 28 June. KIDO's Diary states that he talked with TOJO, who said that Army's policy toward German-Soviet War was that Kwantung Army should be calm. KIDO and TOJO also discussed the China War, political moves in China, and the strengthening of Imperial General Headquarters.
- Exh. 2246 (p 16178) 30 June. Extract from Tokyo Nichi Nichi discusses conferences held by Army members of Supreme War Council and that TOJO explained the fast changing situation. Other members of the Army attending included KIMURA and DOHIHARA.

1941 (continued)

- Exh. 1107 (p 10140) 2 July. Imperial Conference attended by TOJO, OKAWA, SUZUKI, HIRANUMA, NAGANO and others.
- Exh. 588 (Evidence Page 6566; Reading Page 10141) 2 July. Regardless of any change in international situation, Japan would adhere to the principle of establishing Greater East Asia Co-Prosperity Sphere and would continue disposition of China Incident and move to the south to establish basis for self-existence and self-defense. To hasten CHIANG's surrender, further pressure would be exerted through southern regions. This was decision of the Emperor of 2 July. While not taking up arms against the Soviet, Japan would secretly arm and if that war progresses favorably, Japan would take arms to solve the problem.
- Exh. 1117 (p 10166) 17 July. KIDO's Diary stated that on 17 July he met with HIROTA and other former premiers in a meeting of senior statesmen to choose a new premier. KONOYE was recommended unanimously by the group.
- Exh. 642 & (p 10169) 17 July. Showed that new KONOYE Cabinet, 644 wherein TOJO was War Minister, continued policy of the old cabinet with respect to FIC.
- Exh. 1157-A(p 10301) (TOJO Interrogation, 28 January 1946) TOJO said he agreed with speech by MATSUOKA on 20 January 1941, in which latter stated Tri-Partite Pact was realization of ideals of HAKKO ICHIU - that pact states Germany and Italy recognized and respected Japan's leadership in establishing new order in Greater East Asia. MATSUOKA also stated that Japan recognized Germany and Italy's leadership in Europe. When the pact was signed, TOJO was only War Minister, so he did not feel he had responsibility for administration. TOJO said that he became Premier in October 1941, that he and members of his cabinet did work in accordance with the principles stated by MATSUOKA in the Tri-Partite Pact.
- Exh. 1157-B(p 10304) (TOJO Interrogation, 28 January 1946) Said England, Spain and Portugal not included in German-Italian Sphere, matter of what countries were to be included in new order in Europe and Asia was probably discussed between Japan and Germany at the time. When new countries were conquered they were to be added to the sphere.

1941 (continued)

- Exh. 1157-C(p 10305) (TOJO Interrogation, 28 January 1946) Among other things TOJO said that the Tri-Partite Pact expressly states that each country is to have its own place in both Asia and Europe. He stated that in both Europe and Asia the sphere of the new order increased or decreased with the military situation.
- Exh. 1136-A(p 10219) 6 September. (TOJO Interrogation, 23 Feb.) Imperial Conference of 6 September was called to determine the question of whether there was to be war or peace in view of the situation existing. He believed it was decided to continue negotiations with America with the hope for a break by the middle ten days of October.
- Exh. 1147 (p 10246) 12 October. KIDO's Diary states that TOMITA, Chief Secretary of the Cabinet, told him that the war (TOJO), navy, and foreign ministers, and president of the Planning Board met with the premier to discuss diplomatic relations with U.S. TOJO, the war minister, called for great resolution since there was no hope for arriving at an understanding with U.S.
- Exh. 1148 (p 10250) October. Document entitled "Facts Pertaining to the Resignation of the Third Konoye Cabinet" stated that the Third Cabinet had started off with the mission of readjusting Japanese-United States relations. MATSUOKA was made to retire and it was said all efforts in that discussion were wasted. TOJO's opinion was that, since the policy of the United States was to advance into Asia, and that the United States lacked sincerity in her negotiations, there was absolutely no hope of a successful conclusion of negotiations. TOJO said that the Premier had grave responsibility but his advisors are responsible too. TOJO did not believe that diplomacy would be successful. TOJO said that Japan could not yield on the question of withdrawal of troops from China. SUZUKI, President of the Planning Board, came to KONOYE on 14 October with a message from TOJO which said that nothing could be done as KONOYE and TOJO had clashed headon.
- Exh. 1153-A (p 10289) 17 October. (TOJO Interrogation 11 Feb 46) TOJO said that on the aforementioned date he, as War Minister, felt that the opportune time for fighting was in danger of being lost, and the Imperial Conference had set the middle of October as the limit of waiting for a favorable diplomatic break. Theoretically he said the

1941 (continued)

KONOYE Cabinet fell because he (TOJO) favored war with the U.S. He said KONOYE felt a solution was possible if Japan withdrew from China but the Army was afraid Chinese unlawful acts would continue if troops were withdrawn.

- Exh. 1150 (p 10275) 15 October. KIDO stated in his Diary that SUZUKI delivered War Minister TOJO's message to him which stated that unless KONOYE changed his mind the general resignation of the Cabinet would be unavoidable. The succeeding Premier should be able to unite the Army and Navy and follow the Imperial Will. KONOYE said that the bridge between himself and War Minister TOJO was very great. Later, SUZUKI telephoned KIDO to say that TOJO's purpose was to establish harmony between the Army and Navy.
- Exh. 1154 (p 10291) 17 October. KIDO's Diary states that at an Ex-Premiers' Conference it was decided on KIDO's suggestion that he should recommend TOJO as the new Premier with additional position of War Minister.
- Exh. 1151 (p 10281) 16 October. KIDO's Diary states that he was opposed to the HIGASHIKUNI Cabinet. He told TOJO of this opposition and urged rescission of the previous decision and a unified policy of the Army and Navy. KONOYE telephoned to say he was resigning and did so at 5:00 o'clock. KIDO, in his talk with TOJO, urged a revision of the 6 September decisions.
- Exh. 1152 (p 10284) 16 October. KONOYE cabinet resigned and KONOYE issued a statement on his resignation. This stated that Army Minister TOJO judged negotiations with U.S. on friendly terms could not possibly materialize before the desired time (middle or latter part of October), that it was impossible to consent to the withdrawal of troops from China, and that the time had come to open war against the United States.
- Exh. 128 (p 791) On 18 October 1941, TOJO held the following positions: Prime Minister, Home Minister, War Minister, President, China Affairs Board, and Supreme War Councillor. He was especially placed on the active list and promoted to full General.
- Exh. 2241 (p 16126) (Corrected to read Exh. 2241-A at Page 22150) Excerpt from Interrogation of MUTO on 16 April 1946. MUTO stated, among other things, that he agreed with TOJO on all his policies since TOJO became Premier, that the Cabinet was unanimous and that when he said he agreed with TOJO, he had particular reference to Japan's relations with the United States and Great Britain.

1941 (continued)

- Exh. 1155 (p 10293) 18 October. KIDO reported in his Diary that the Emperor gave sanction to a petition to allow TOJO to remain on active service and promoted him to full General.
- Exh. 1328 &
1329 (p 11923) October. List of questions was drawn up for the Liaison Conference between the Government and Imperial Headquarters. These questions relate to reactions to Japan's foreign policy and that repercussions will result from war, particularly if Japan attacks in the south. What help can be expected from the Axis, etc. After consideration from Ministries under SHIMADA, TOJO, TOGO and KAYA, answers were desired.
- Exh. 1325 (p 11885) 27 October. Official report by the Bureau of East Asiatic Affairs of the NEI on the organization of the Japanese Intelligence Service in the Netherlands stated that such service consisted of four organizations, the FOO, the PNO, FAO and OCO. Each of these organizations described.
- Exh. 852 (p 8447) 31 October. Top Secret Communication No. 10, referred to the institution of procedure for handling military currency notes in foreign denominations for the southern regions. System of military currency will defray expenditure in event of operations in South Seas areas. Issuance of such currency decided by Premier TOJO, War TOJO, Navy SHIMADA, Finance KAYA.
- Exh. 1168 (p 10331) 5 November. KIDO's Diary stated that Imperial Conference decided the policy toward United States, England and the Netherlands. TOJO advised KIDO of the formation of the southern Army and the dispatch of KURUZU to the United States.
- Exh. 1107 (p 10140) 5 November. TOJO, TOGO, SHIMADA, KAYA, SUZUKI, NAGANO, HOSHIMO, MUTO and others were present.
- Exh. 1169 (p 10333) 5 November. At Imperial Conference national policy was decided. It showed that at the Liaison Conference a decision was made to notify Germany and Italy of Japan's intention to start war against the United States and Britain when the present negotiations with the United States break down and war is inevitable, and as soon as preparations are ready they will open negotiations for participation by the Axis in war against United States. Relations with respect to the Soviet Union, China, Dutch East Indies also discussed.
- Exh. 1158-A (p 10308) 5 November. (TOJO Interrogation, 12 Mar 46) He stated that when he undertook the work as Premier, he followed the policy of 6 September.

1941 (continued)

- Exh. 1176 (p 10373) 12 November. General outline for hastening the conclusion of war against the United States, Britain, Netherlands and Chungking provided in essence the plan to be adopted toward foreign powers has already set forth in Exhibit No. 1169.
- Exh. 878 (In evidence, page 8994; referred to, page 10366) 13 November. Compare with Exh. 1169.
- Exh. 1245-H
Ballantine (p 10811) 20 November. Draft proposal handed by Japanese Ambassador (NOMURA) to Secretary of State. This proposal stated that both Japan and the United States agreed not to make any armed advance in Southeast Asia and South Pacific areas excepting that part of FIC where Japanese troops were stationed. Japan would undertake to withdraw troops in FIC upon restoration of peace with China. Both countries would undertake to restore their commercial relations to that prevailing prior to a freezing of assets and the United States would supply Japan a required quantity of oil. Ballantine testified that acceptance of this proposal would have meant condonement by the United States of Japan's past aggression, U.S. assent to unlimited courses of conquest by Japan in the future, etc.
- Exh. 1182 (p 10391) 21 November. Investigation Committee of the Privy Council attended by TOGO and TOJO was held on prolongation of the Anti-Comintern Pact. It was decided unanimously to approve the Pact and to request the Government to make every effort to make it effective.
- Exh. 496 (p 6047) 25 November. Official announcement of the Board of Information concerning new participants in the Anti-Comintern Pact - participants named.
- Exh. 1192 (p 10438) 28 November. Extract from the Tokyo Nichi Nichi showed that the Cabinet approved the plan for establishing a new system in press circles. An imperial ordinance creating the new system will be issued under the national mobilization law. It is aimed at placing newspapers on a wartime basis.
- Exh. 1196 (p 10452) 29 November. KIDO, in his Diary, described meeting of senior statesmen to give the Emperor their individual views on questions of peace or war. TOJO, SHIMADA, TOGO and SUZUKI were present at the first part of the conference when the explanations were given. Only TOJO was present in the latter stages when the senior statesmen spoke.

1941 (continued)

- Exh. 1202-A (p 10482) 30 November. (TOJO Interrogation 18 Mar 46) Stated that the gist of the final note from Japan to United States was approved by the Cabinet but the final text was the responsibility of the foreign minister and TOJO's responsibility also. The Liaison Conferences also approved the gist of the note. The Liaison Conference, of which TOJO was the head, delegated to the two Chiefs of Staff and the Foreign Minister the task of setting the time for the delivery of the note prior to the attack. These three men did not report back to the Liaison Conference. The Foreign Minister knew of the time and the day set for the attack.
- Exh. 1206-A (p 10505) (TOJO Interrogation of 26 March 1946) Says final note was written by Foreign Office in accordance with views expressed in the Liaison and other conferences, as Foreign Minister TOJO said he could not take sole responsibility and that members of the Liaison Conference and some members of the Cabinet familiar with the question were likewise responsible. He did not mention to the Emperor anything concerning a telegram from NOMURA and KURUSU with respect to Roosevelt. He did not mention it since the matter had been previously discussed with KIDO and the opinion was that such a step would not contribute toward the satisfactory settlement of negotiations between the two countries.
- Exh. 1207-A (p 10509) 30 November. (Interrogation of TOGO 11 March 1946) Notification with respect to the final note was a summation of the results and studies at Liaison Conferences on negotiations with U.S. Responsibility for the contents and the notification rests with the members of the Liaison Conferences. The matter was reported to the Cabinet and passed without objection. Members of Liaison Conferences were responsible for the study and discussions on the matter, included TOJO, SHIMADA, NAGANO, KAYA, SUZUKI, HOSHINO and others.
- Exh. 1201-A (p 10480) 30 November. (TOJO Interrogation 20 Feb 46) Last Liaison Conference before the Imperial Conference was 30 November. The Emperor repeatedly asked that they make certain the note was delivered before the attack. The first he knew about the delivery of the final note was just after the Imperial Conference of 1 or 2 December.
- Exh. 1197-A (p 10461) 30 November. (Interrogation of NAGANO 26 March 1946) He had approved a plan to attack Pearl Harbor probably about the beginning of November.

1941 (continued)

- Exh. 1199 (p 10469) 30 November. Telegram from Tokyo to OSHIMA in Berlin stated that Japan-United States relations were begun in April 1941, that Japan had stuck to the Tri-Partite Pact as the cornerstone of its national policy, and that in adjusting her diplomatic relations with United States, she had based her hopes to leave them within the scope of that pact.
- Exh. 1200 (p 10473) At 10475, 30 Nov. Telephone conversation between KURUSU and YAMAMOTO of the Foreign Office showed that KURUSU said he would meet HULL the next day in regard to short message. KURUSU said Roosevelt was returning next day since the newspapers had made much of TOJO's speech. TOJO's speech was drastic statement - unless greater caution exercised by TOJO, Ambassador is put in a difficult position. YAMAMOTO said the Japanese-United States negotiations were to continue and KIDO replied that to stretch them out would require help from home.
- Exh. 1204-A (p 10492) 30 November. (TOJO Interrogation 19 Feb 46) Japan felt that by her final note, breaking off diplomatic relations, she was free to act from the standpoint of international law. Prior to the attacks, the matter of treaty responsibility and international law had been considered by TOJO and his Cabinet. This matter was responsibility of Foreign Minister. Foreign Minister reported only gist of its report to the Cabinet. The whole Cabinet attended Imperial Conference on the 1st or 2nd, which made the decision for war. The whole Cabinet knew that the decision had been made. TOJO said that the idea there was nothing in any treaty or international law which would preclude attack on U.S. and Great Britain as result of his own research. He and his Cabinet all studied the question, had expressed the same views on international law at the last Liaison Conference, the same views expressed by Foreign Minister. In regard to the time of the delivery of the note he did not remember the final decision. He said strategy and the necessity for victory was intimately related to the time. He was extremely anxious for the success of the attack.
- Exh. 1205-A (p 10501) 30 November. (TOJO Interrogation 18 Feb 46) The note sent to the U.S. was an official one - it broke off diplomatic relations - gave Japan freedom of action with regard to international treaties. Everything connected with this note was his responsibility and that of the Foreign Minister. The Cabinet knew note was to be sent and approved it. He had studied the Hague Convention, the Kellogg-Briand Pact, and did not feel Japan was bound by them because it was acting in self-defense.

1941 (continued)

- Exh. 1209-A
& 1153-A (p 10520) 1 December. (TOJO Interrogation 8 Feb 46)
He attended Imperial Conference of 1 or 2
December along with President of the Privy
Council, all or nearly all of the other
Cabinet members and the two Chiefs of Staff;
OSHIMA, MUTO and OKA were there. He presided
at the conference, explained the purpose of
the meeting, and the others present discussed
the question from the standpoint of his own
responsibility.
- Exh. 1210 (p 10523) 1 December. Stated that the conference in
the presence of the Emperor had been held
and decided upon war between Japan and U.S.
- Exh. 1211 (p 10524) 2 December. Telegram from TOGO to NOMURA
instructing him to burn codes, secret docu-
ments and not to arouse suspicion of those
on the outside. This was in preparation
for an emergency situation.
- Exh. 1212 (p 10526) 3 December. Telegram from TOGO to NOMURA
said they were answering U.S. by saying
that they considered the rumor concerning
the increase of Japanese troops in FIC
to be caused by exaggerated reports of
Japan's increasing troops in North FIC
against Chinese.
- Exh. 1213 (p 10528) 3 December. Telegram from NOMURA to TOGO
saying he had received TOGO's telegram and
assumed it was result of consideration.
U.S. attaching great importance to reply.
No saying what U.S. will do.
- Exh. 1215 (p 10532) 5 December. Statement handed by NOMURA to
HULL regarding HULL's inquiry about Japan's
intention with respect to troops in FIC.
NOMURA said that Chinese troops have shown
signs of movement along northern frontier
and Japanese troops were precautioned,
having been reinforced in northern FIC.
- Exh. 1216 (p 10534) 6 December. Telegram from TOGO to NOMURA.
Government has carefully deliberated on
U.S. proposal of 26 November and will reply.
Reply may be delayed until next day, exact
time for presenting the reply will be tele-
graphed later.
- Exh. 1217 (p 10536) 6 December. Telegram from TOGO to NOMURA.
Memorandum to be kept strictly secret by
avoiding use of typists.
- Exh. 1218 (p 10537) 7 December. Telegram from TOGO to NOMURA
said that the reply was to be given to the
U.S. at 1:00 pm on the 7th, Washington time.

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- Exh. 1219 (p 10538) 7 December. Telegram from Foreign Office described steps to be taken in event of national crisis. Present force to occupy British concessions, Shanghai, International Settlement, etc.
- Exh. 1222 (p 10544) 6 December. Synchronized time chart for events of 6, 7 and 8 December.
- Exh. 1203-A (p 10487) 7 December. (TOJO Interrogation 21 Feb 46) TOJO said that he and the Cabinet realized that the shorter the time the note was to be delivered to the U.S., the more probability there was for a mishap. He could not answer why the message had not been sent to NOMURA sooner - that was the responsibility of Foreign Minister - orders were that final note was to be delivered. He had heard gists of the contents of the note, he and the Cabinet agreed with it. He knew the attack was to take place. He first learned that Pearl Harbor was to be attacked at the Liaison Conference before the Imperial Conference.
- Exh. 1232 (p 10626) 7 December. Memorandum of conversation between HULL and NOMURA stated that NOMURA asked for an appointment to see HULL at 1:00 pm, later postponed it to 1:45 pm. NOMURA and KURUSU arrived at 2:05 and were received by HULL at 2:20. NOMURA said he had been instructed to submit at 1:00 pm the document he was handing over, but had been delayed because of time to decode the message.
- Exh. 1235-C (p 10640) At 10647, 8 December. Radiolog of news broadcast in Japan, 6:20 a.m., announced that orders for general mobilization had been issued at Hongkong. Great Britain trying to arouse Anti-Japanese feelings in Thailand. A Central Joint Conference of the IRRA would be called for five days, TOJO to make formal address as President. TOGO and SHIMADA scheduled to make speeches to express their opinions in order to stir up the people.
- Exh. 1241 (p 10690) 8 December. Minutes of the Inquiry Committee of the Privy Council stated that SHIMADA reported on the starting of the war against U.S. and England. TOJO, TOGO and others were present. With respect to Declaration of War, TOJO said it would be done when the Imperial sanction was obtained. He said that at the Imperial Conference on 1 December war had been decided upon. Also that Japan would declare war on Holland. Germany and Italy to declare war when Japan does.

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- Exh. 1240 (p 10685) 8 December. Imperial Rescript, declaring war on United States and Britain - Army and Navy to do their utmost in prosecuting the war, the entire nation to mobilize its total strength. The rescript was signed by TOJO, TOGO, SHIMADA, KAYA and other ministers.
- Exh. 1244-A (p 10707) 8 December. (TOJO Interrogation 1 March 1946) Pearl Harbor attack was a Navy operation and he knew only that if the attack went smoothly it would begin at such and such a time. Malaya, Hongkong, and Philippine attacks were joint operations and he knew about them. He knew about Pearl Harbor attack from Liaison Conference preceding Imperial Conference of 1 December. He approved these attacks. He said that since England and United States menaced Japan, the attack was against military objectives.
- Exh. 1243-A (p 10705) 8 December. (TOJO Interrogation 7 February 1946. TOJO said he was the one primarily responsible for the attack on Pearl Harbor and United States and British possessions. From standpoint of assistance to the Throne, the Cabinet was jointly responsible. As senior member, he was chiefly responsible as were Army and Navy chiefs.
- Exh. 1124-A (p 10183) 8 December. (TOJO Interrogation 16 Feb 46) When Japan attacked the United States, she made an attack from Saigon, FIC, Southwest, toward the east coast of Thailand. Planes previously based at FIC helped landing forces.
- Exh. 1266 (p 11303) 10 December. The Investigation Committee of the Privy Council met to discuss the matter of no-separate-peace. TOGO, SHIMADA, TOJO, MUTO and OKA were present when the question was asked whether the treaty should not be deferred until Germany and Italy had actually entered the war. TOGO and TOJO answered that it had been arranged with Hitler to announce German participation as soon as he signed the agreement and they could trust the Germans.
- Exh. 1267 (p 11305) 10 December. Privy Council Meeting was held, which TOJO attended, on the matter of the conclusion of the agreement between Japan, Germany and Italy, regarding the waging of a common war against the United States and Britain, non-separate-peace and collaboration for the establishment of the New Order in accordance with Tri-Partite Pact.
- Exh. 51 (For identification, p 515; referred to 6668, 11 Dec.) Board of Information announced the conclusion of an agreement between Japan, Germany, and Italy with respect to their joint prosecution of war against U.S. and Britain, abstention from concluding peace and co-operation for establishment of New Order.

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- Exh. 826-A (p 8060) 12 December. Excerpt from newspaper ~~the~~ "Asahi", giving text of statement by TOJO on occasion of Declaration of War by Germany and Italy on the U.S. and of the conclusion by Japan of military agreement with Germany and Italy. TOJO said the world is divided into two groups, one fighting to maintain the status quo and the other for a New Order. He believes victory will come to the latter. Offers hearty congratulations on the alliance of the three countries.
- Exh. 879-A (p 9073) 16 December. TOJO made a ministerial address to the Diet, stating that Japan owes the Army many debts of gratitude and unbounded admiration for the demonstration of their great prowess. For many years, he said, he had been silently preparing for this great day.
- Exh. 1269 (p 11309) 18 December. KIDO states in his Diary that the Chief of the Naval General Staff reported to the Palace upon the war results at Hawaii. KIDO conferred with TOJO, who mentioned the need for control of discussion about KONOYE.
- TANAKA (p 16145) Witness said that TOJO, KIMURA and MUTO were all familiar with the instructions given to him by SUGIYAMA on 6 September 1941 to begin preparations for operations against Malaya, Java, Borneo, Bismarck and Netherlands East Indies.
- Exh. 649 (p 7069) 28 July. Proceedings of the Privy Council re Protocol between France and Japan states that "The Inquiry Committee on the exchange of the official documents regarding the conclusion of Protocol between France and Japan in connection with common defense of French Indo China and military cooperation."