

EXHIBIT No. 3273

(92)

(Translation)

EX-3273

INTERNATIONAL MILITARY TRIBUNAL FOR THE FAR EAST

THE UNITED STATES OF AMERICA, et al.

- vs -

ARAKI, Sadao, et al.

A F F I D A V I T

Deponent: HIDAHA, Shinroku, *10 Feb. 1947 (HIROTA)*
Date of birth: April 10, 1893
Domicile: 1030 Matsubara-cho, 3 Chome, Setagaya-ku, Tokyo.

Having first duly sworn an oath as on the attached sheet and in accordance with the procedure followed in my country, I hereby depose as follows:

(1) I entered the diplomatic service in 1919, and, after serving in Europe and in Tokyo, was in the office of Consul-General at Nanking for about ten months from 1933 to the beginning of 1934. Then I returned to the Foreign Office, where I held the post of the Chief of the Personnel Section for about three years. I was then in the office of the Councillor of the Embassy at Nanking from April 30, 1937, to August 16 of the same year, and afterwards at Shanghai from August 29, 1937, to March 3, 1938. I returned to Tokyo after I had served as Consul-General at Shanghai from March 17 to December 12, 1938.

In April, 1940, I was again appointed Councillor of the Embassy at Nanking, and held the post till November, 1942. Then I was Ambassador to Italy, arriving at Rome in April, 1943, and returning home in March, 1946. I was relieved from post in May, 1946.

(2) I arrived at my post as Councillor of the Embassy at Nanking at the end of April, 1937. Before leaving Tokyo, I received instructions to strive for the successful conclusion of the negotiation concerning the liaison air lines between Fukuoka and Shanghai, which had been pending between Japan and China for many years and which the Japanese Government wished to reopen shortly. On that occasion, I was told that, in order to bring the negotiation to a successful conclusion, the Government intended to manage to stop the air transportation of the Keitsu Koshi between Manchuria and North China, which was being carried out by the Kwantung Army in effect. It was the expectation of the Foreign Office to begin with this problem in resuming the negotiation for general amelioration of the Sino-Japanese relations which had been in abeyance since the end of 1936, and promote it gradually.

At that time, the general sentiment attending the Sino-Japanese relations appeared to me rather clear and bright; there was no one, as far as I was aware, who expected some untoward event in the near future. The foreign residents were expecting that summer to be the calmest summer that had been experienced in the past several years. When the summer came, the Ambassadors and Ministers of the Powers as well as the foreign correspondents resident in Nanking and Shanghai went to summer resorts. Chiang Kai-Shek and most of the leading figures of the Chinese political circles also went to Lushan and other places to avoid the heat. At the time of the Marco Polo Bridge incident, among the officials of the Chinese Foreign Department, there

remained in Nanking only Political Vice-Minister Chen and Chief of the Japanese Section Tung. Even Kao Tsung-wu, the Chief of the Asiatic Bureau, was not in Nanking. Ambassador Kawagoye, too, left Shanghai on July 7 for Tsingtao on furlough. As for me, I intended to go to Lushan in the middle of August by permission of the Government, and pass the rest of the summer there.

Meanwhile, I received, as soon as I arrived at Nanking, a strong impression that the armaments and equipment, as well as the training of the Chinese Army, had made remarkable progress as compared with those of three years before when I was Consul-General there. Younger officers appeared to have acquired much confidence in themselves. I told that to War Minister Ho Ying-chin and Home Minister Chiang Tsuo-pin and expressed my desire for the self-restraint of the Chinese military and the police authorities. I was informed also that the younger officers, sent for the study and observation of the armaments and equipment of the Japanese Army, had come back with the same old conviction that Japan was beneath their admiration. Furthermore, the latent activity of the anti-Japanese organizations, the disdainful attitude of the Chinese military towards Japan, various kinds of pressure put by some circles of the Kuomintang upon those Chinese in and out of office who entertained good will towards Japan and were on friendly terms with Japanese, all were not greatly changed from what had been three years before.

(3) I was first informed of the outbreak of the Marco Polo Bridge incident by an official telegram of July 8 despatched from Peiping. I received also a telephone call from Chief of the Japanese Section Tung in this connection in the evening of the same day. He said he hoped that the Japanese Army would exercise prudence and caution so that the matter might not assume more serious proportions. I told him in reply that Japan had no intention to aggravate the situation on purpose, and requested the self-restraint on the part of the Chinese.

On the 10th, I received from the Chinese Foreign Department an official note, the import of which could be reduced to the following two points, namely (1) that the Japanese troops which caused the incident should be withdrawn to the places where they were originally stationed, and wait for a judicial settlement; and (2) that the Chinese Foreign Department would reserve all the judicial demands in connection with the present matter. The Japanese side replied to the effect (1) that it was by the treaty right that the Japanese troops were stationed in North China and went through manoeuvres there; (2) that it was by the provocative conduct of the Chinese side that the Japanese side was compelled to take the steps for self-defense; (3) that the Chinese side was responsible for the outbreak of the incident; and (4) that, accordingly, the Japanese Government could not accept the claim of the Chinese Foreign Department to reserve all the judicial demands in this connection.

On the 11th, I received telegraphic instructions from the Japanese Foreign Office, ordering me to convey the intention of the Japanese Government to settle the matter locally and to request the Nanking Government not to obstruct the Japanese efforts to save the situation promptly. I lost no time in conveying the import of the instructions to the Chinese Vice-Minister for Foreign Affairs, and then officially to the Chinese Foreign Minister, who, however, demanded in reply that the Japanese troops then stationed in the places of disturbance should be withdrawn to the places where they were originally stationed, and that no reinforcements should be sent from Manchuria, Korea and the home land of Japan. I then asked him if I was right in believing that, in case an agreement to stop hostile activities was reached in connection with the present incident between the Japanese and Chinese authorities on the spot, the Nanking Government had no intention to deny or

to destroy it. The Foreign Minister did not show any intention to deny it, though, in the evening, the Foreign Department sent to me an official note to the effect that any local understanding or agreement which had already been concluded or was to be concluded thereafter, would take effect upon confirmation by the Central Government. On the occasion of the interview, I also asked the Chinese Foreign Minister if the information reporting the mobilization or the northward movement of Chinese troops was true, he did not deny it.

On the 16th, I received again an official note from the Chinese Foreign Department, demanding (1) that all the Japanese reinforcement despatched on the occasion of the present incident should instantly be withdrawn; (2) that the Japanese troops responsible for the outbreak of the incident should be withdrawn to the places where they had originally been stationed; and (3) that the Chinese Government would reserve all the claim in connection with the incident.

On the following 17th, I received telegraphic instructions from the Japanese Foreign Office, which urgently ordered me to demand (1) that the Nanking Government should not obstruct the execution of the terms of settlement about which an agreement had been reached between the Japanese and Chinese military authorities on the spot on July 11; and (2) that the said Government should stop all the provocative speeches and actions in order to carry out the policy of preventing the further development of the conflict; specially requesting me to strive for the realization of the purport of the instructions. Thereupon, I called on the Chinese Foreign Minister in the very evening to hand to him an official note conveying the above two points, and earnestly persuaded him that the most urgent step which should be taken in order to maintain peace between Japan and China was to prevent the further aggravation of the situation through the faithful execution of the agreement of July 11. Further, I pointed out the fact that the Japanese force in North China was inferior beyond comparison to the Chinese force there, and reinforcements were being eagerly waited for, even for the safety of the stationary force, not to speak of the Japanese residents there. I emphasized the urgent necessity of carrying through the agreement of July 11 to alleviate the strained situation in North China, called the attention of the Foreign Minister to the danger that the further despatch of reinforcements to North China by the Nanking Government might be the surest cause of the aggravation of the situation, and requested that he should take some prompt measures to stem the advance of the Chinese Central Force which was then actually moving northward. To this the Chinese Foreign Minister promised to make a reply on the next Monday, the 19th. The official note I left in the hands of the Chinese Foreign Minister was translated in English and sent to the British and American Ambassadors at Nanking for reference.

On the 19th, Chief of the Japanese Section Tung called on me and handed to me an official note which was to the following effect: "Japan is despatching a large body of corps to Hopei Province, and does not stop despatching even now. Under such circumstances, China cannot but make proper preparations for self-defense. The Chinese Government hereby propose that both Japan and China should simultaneously stop the movement of their respective forces, and withdraw the troops which have already been despatched to the places where they were originally stationed. Any settlement of local nature reached on the spot ought to be confirmed by the Central Government." I asked Tung if this was the reply on the part of the Chinese Government to our official note of July 17, but the only answer I could obtain was as vague as that which he carried to me by order of the Foreign Minister. On the following 20th, I called on the Chinese Foreign Minister, and ascertained that the Chinese official note of July 19 was intended to be the reply to our

note of the 17th. It was, however, far from the practical necessity to alleviate the tense situation in North China as early as possible. And I really considered that, if we wasted time in this way in such a roundabout negotiation, the situation would get all the more aggravated. From such viewpoint, I earnestly persuaded the Chinese Foreign Minister, but he only repeated his usual, abstract argument.

(4) Discouraged by the attitude of the Chinese Foreign Department which indulged in the vain, abstract formalism, I keenly realized that the prompt settlement of the incident was quite impossible in this way. I could not but feel impatient at wasting valuable time in such unpracticable negotiations, though I was aware of the prevailing sentiment in China which supported drastic attitudes towards Japan and also of the awkward position of the Chinese Foreign Department under such circumstances.

Meanwhile, I was told, not only by my Chinese friends, but by some of my Western friends, that there were certain influential elements within the Chinese Government who criticized such attitudes of the Chinese Foreign Department. Moreover, I ascertained that some members of the then Chinese Cabinet as well as other leading figures of the Chinese political circles actually advocated prudence and caution on the part of China. Such being the situation, I desired to approach some prominent figures outside the Foreign Department who might be able to take a large view of things and proceed with the negotiation in a practical way. But I could not get in touch with the right man, as the anti-Japanese sentiment of the Chinese people was all the more enhanced after the outbreak of the Marco Polo Bridge incident and the Chinese authorities outside the Foreign Department were all reluctant to meet me. It was by mere chance that I had a talk with Kao Tsung-wu, the Chief of the Asiatic Bureau, Foreign Department, who had a direct connection with Chiang Kai-shek, on the 25th, on some business apart from the negotiation in question, and was given a hint that Chiang Kai-shek himself intended to seek a prompt and practical settlement of the matter. Encouraged by this, I managed to have a conversation with Chang Chun, the Governor of Szechwan Province, who was one of those eminent statesmen most trusted by Generalissimo Chiang. I met him twice or three times during the period from July 25 or 26 to July 27, and he negotiated with me always in close connection with Chiang Kai-shek. He declared, in the course of the negotiation, that the Chinese Government had no objection to the agreement of July 11. The negotiation, hereupon, took a practical turn, and eventually it was agreed that, as soon as the execution of the agreement of July 11 was guaranteed, the Japanese force would make a voluntary statement to withdraw, and that actually the Chinese Central Force would first move southwards, directly followed by the withdrawal of the Japanese troops. I was glad to think that the Marco Polo Bridge incident was at last settled. Nevertheless, the Langfang incident of July 25 and the Kwangan-men incident of July 26 had already occurred by that time, and furthermore, from the 28th onward, the collision between the Japanese and Chinese forces went on getting all the more serious. Thus the agreement reached between Chang Chun and myself proved fruitless.

I may add by the way that I informed, as occasion called, of the progress of the negotiation with the Chinese Government to the representatives of Britain, the United States, Germany, France and Italy, and I kept close contact especially with British Ambassador Sir Natchball Huggessen.

(5) After the outbreak of the Marco Polo Bridge incident, Shanghai was comparatively calm. It was at the end of July or the beginning of August that the situation there began to grow threatening. We could plainly perceive, at Nanking, that many troops from various districts were being concentrated, and that troops and munitions were being transported from Nanking to Shanghai. On August 8, British Ambassador Huggessen presented to me his opinion concerning the maintenance of peace in and around Shanghai. Being well aware, through the successive telegram from the Japanese Foreign Office, that the Japanese Government, holding fast to the policy of local settlement, earnestly desired to avert collisions between Japan and China in Shanghai, I promptly reported the British Ambassador's opinion to the Japanese Foreign Office. Indeed in Shanghai, the Japanese authorities, including those of the Navy, had not the slightest intention to make the matter serious. I was actually told by Captain Risaburo Fujita, the Vice-Chief of the Staff of the Landing Forces, who had arrived at his post in Shanghai shortly before the outbreak of collision between the Japanese and Chinese forces there, that he had received a special secret order from the Naval General Staff on leaving Tokyo to the effect that collision must be averted at all hazards in Shanghai. On the 11th, the British Ambassador, on behalf of the Representatives of Britain, the United States, Germany, Italy and France, offered to our Ambassador Kawagoye, who had returned to Shanghai on August 7 from his travel in North China, in writing, that the representatives of Japan and China as well as of the above five powers should cooperate to maintain peace and order in Shanghai and its vicinity. I immediately reported the offer to the Foreign Office. And on the following 12th, I received a telegram to the effect that the Japanese Government would accept the joint offer of the representatives of the five powers on condition that the Chinese Government should observe the truce agreement of 1932. I conveyed this, through British Ambassador Huggessen, to the representatives of the said five powers and Chiang Kai-shek. In this way, the joint committee consisting of the representatives of Japan, China and the said five powers, was held on the 12th in Shanghai, and Consul-General Okamoto attended the committee as the Japanese delegate. On the same day, I received a telegram from Consul-General Okamoto asking me to request the Nanking Government to withdraw the Chinese peace preservation corps stationed near the foreign settlements in Shanghai and to remove the military equipment and constructions around the settlement. I called on Vice-Minister for Foreign Affairs Chen in the afternoon of the same day and made the request. On the following 13th, I again received a telegram from the Japanese Foreign Office which was to the same effect. I called on Foreign Minister Wang, and repeated the request. The Foreign Minister, however, argued the validity of the truce agreement, repeating abstract and formal discussion, and the request obtained no effectual result.

(6) From July 7 to the middle of August, while I was negotiating with the Chinese Government and observing the trend of the general sentiment, I came to realize that the Chinese Government, at least the Chinese military, had an intention, from a certain time onward, to fight a general war with Japan. There is a telegram I received from Acting-Consul Takai at Changsha at the end of July, which endorses this impression of mine. According to the telegram, a staff officer of Ho Chien, the Governor of Hunan Province, told Takai that the Nanking Government had given a secret order to Ho Chien to open fire at Japanese warship off the coast of Changsha in case collision took place between the Japanese and Chinese forces in Shanghai, and asked Takai to use his influence to withdraw the Japanese warship lying at anchor at Changsha before some accident might happen. Mr. Takai in person made a verbal report of the above facts in detail when he stopped at Nanking, retiring from Changsha, on August 10 or thereabouts.

(7) I left Nanking by order of the Japanese Foreign Office on August 16 and returned to Tokyo. When I had a chance to talk with the Foreign Minister Hirota on the 21st, I told him that I was to make a verbal report to His Majesty the Emperor, a few days later and asked for his advice in this connection. The Foreign Minister advised me that the circumstances in China should be reported to His Majesty so as to suggest that there was still some hope of peaceful settlement. Further I met War Minister Sugiyama at that time. He said he feared that Japan's proposal of peace might be rejected by the Chinese Government, and asked for my opinion about that. I replied that I considered there was still a ray of hope for peace.

(8) The telegrams and documents referred to in the above statement have been lost in fire and cannot be found in the files of the Foreign Office.

On this 10th day of February, 1947, at Tokyo.

(Signed) Shinrokuro Hidaka (Seal)

Sworn to and subscribed before me on the above-mentioned date and place.

(Signed) Goro Morishima (Seal)

Witness

O A T H

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

(Signed) Shinrokuro Hidaka (Seal)