

No. 3078

Ex 3078

INTERNATIONAL MILITARY TRIBUNAL FOR THE FAR EAST

THE UNITED STATES OF AMERICA, et al

-vs-

ARAKI, Sadao, et al

Sworn Deposition (Translation)

Deponent: TOSHIMA, Fusataro

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

1. I was born on January 5, 1889 (the 22nd year of MEIJI) at my permanent domicile, No. 832-1, MUKOJIMA, OAZA, NAKAZEKI-cho, BOFU-shi, YAMAGUCHI Prefecture. My present residence is at No. 625, 1-chome, DAITA, SETAGAYA-ku, TOKYO-to.
2. The general outline of my personal-history is as follows:
 - 1910 Graduated from the Military Academy.
 - 1934 Was promoted to Colonel in March and appointed of MIYAKONOJO Regimental Commander.
 - 1937 Was promoted to Major General in December.
 - 1940 Was promoted to Lieutenant-General in August.
 - 1940 In October, was appointed Commander of the 3rd Division

in China and went there.

1942 In the middle of January, was appointed Commander of the Imperial Guards Division.

1943 In October, was appointed Commander of the 2nd Army in New Guinea and while I was stationed in the Celebes the war ended.

3. By the summer of 1941, the Chinese Forces in the Changsha area had become very powerful and were beginning to take the offensive against the Japanese Forces who were beginning to sense a grave threat.

With the aim of delivering a hard blow upon these Chinese Forces in the vicinity of Changsha, it was decided to have the troops advance towards this area. The objective of the operations was not to occupy the area but just to crush the enemy forces. For this reason, it had been arranged that our forces return to their garrison station as soon as they attained their objective.

4. The 3rd Division under my command started operations in concert with the 4th, 6th and 40th Divisions and in early October of that same year, the 4th Division of the divisions mentioned above entered the town of Changsha and after staying there three days or so, immediately pulled out for their stationed area. As for my 3rd Division, we did advance as far as Chuchow, a short distance from Changsha, but did not

enter Changsha itself. From there we returned to our former camp near Hankow.

5. During the time of the operations, military discipline of the Japanese Forces had been exceedingly strict and I can rightly state that the actions of the Japanese Forces had been very fine and exemplary. The authorities of the Japanese Expeditionary Army in China applied their utmost effort in the maintenance of strict military discipline. There is the case where around March, 1941, the Army Commander summoned together all the Divisional Commanders within the Army to Hankow where a meeting was held to talk over the maintenance of strict military discipline. On that occasion, the Army Commander delivered instructions which were both grave and firm. The gist of his speech was as follows: "The essence of the Japanese Army is not in just being strong. Every soldier must treat the inhabitants in the field of operations with sincerity and kindness, aid righteousness and punish the bad basing your actions on the true spirit of BUSHIDO. Even in time of operations, he who inflicts unnecessary injuries upon inhabitants or damages their property is acting very much contrary to the spirit of the BUSHIDO. Each Divisional Commander must make certain that there is absolutely no soldier under his command that would act contrarily to spirit of BUSHIDO."

All the Divisional Commanders got the men of their respective Divisions to faithfully obey the purport of the above instructions.

Prior to that time, there had been three taboos with the China Expeditionary Force: Do not burn! Do not kill! and Do not loot! The Japanese troops in China, in obedience to these orders of their superiors absolutely did not commit any deeds that would be a disgrace to a soldier.

While my 3rd Division was in the midst of operations a view was presented that we had better destroy enemy barracks by fire. However, I issued strict orders and prohibited soldiers from destroying even barracks of the enemy. This was because there private homes used by the enemy as and since distinguishing private homes from those used as barracks would be difficult not to mention the fact that there was doubt in the wisdom of allowing the soldiers to get into the habit of burning even barracks I prohibited rigidly this practise.

6. Another attack operations on Changsha was carried out from the end of 1941 to the beginning of 1942. The objective of this operation was the same as that of the previous one. This time the 3rd Division under my command in cooperation with the 6th Division made the attacks on the Chinese Forces in the area of Changsha. We returned, however, without

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going into Changsha, although we had advanced to a point near the city.

7. During my stay in China, in accordance with the intention of the Army Commander, I paid my utmost attention to the maintenance of strict military discipline. So far as my Division is concerned, I firmly believe that on this point, there is not a thing in which we are not unimpeachable.

On this 15 day of June, 1947

at Tokyo

Deponent: /S/ TOSHIMA, Fusataro (seal)

I, IMANARI, Yasutarō, hereby certify that the above statement was sworn by the Deponent, who affixed his signature and seal thereto in the presence of this Witness.

On the same date, at Tokyo

Witness: /S/ IMANARI, Yasutarō (seal)

OATH

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

/S/ TOSHIMA, Fusatarō (seal)