

A. Yes, as I told you, next to my first question I said wait and I asked that, and he answered me in the affirmative, so I went on asking my questions.

Q. "No. 15. The Japanese Foreign Minister also made observation on several points, but they are not noted here."

A. I wonder on what points? At this date, I don't remember.

Q. Now, I will ask you please to turn again to that next section, and I will read the translations, what seems to be the translation of it, and ask you to follow and see if our translation or quotations are correct as we go along. Reading from page 205 in the same exhibit:

"A minutebook of the Investigation Committee of the Privy Council, concerning the Tripartite Pact, at 11:20 A.M. 26 Sept. 1940 in the East Hall of the Imperial Palace. Written by MATSUMOTO, Chief of the Treaty Bureau.

"HARA, President of the Privy Council. SUZUKI, Vice President. All the councillors except KANEKO and TANAKA were present.

Continuing the roll-call:

"KONOYE, Premier. MATSUOKA, Foreign Minister. TOJO, War Minister. OIKAWA, Navy Minister. KAWADA, Finance Minister. HOSHINO, President of the Planning Board.

"Besides, as explainers:

"MURASE, Director of the Bureau of Legislation.

MORIYAMA, Chief of the 2nd Section.

MATSUMOTO, Chief of the Treaty Bureau.

MUTO, Chief of the Army Affairs Bureau.

ABE, Chief of the Naval Affairs Bureau.

HARAGUCHI, Chief of the Exchange Bureau.

MATSUKUMA, Chief of the Bank Bureau.

TSUJI, Chief of the Administration Bureau.

A. Please wait. Here after MUTO, we have ABE, Chief of the Naval Affairs Bureau. I don't recall him.

Q. What does it say there?

A. Chief of the Navy. It is written down so, but I don't recall ABE. I don't know him. I think it must have been OKA instead of ABE, Admiral OKA. I don't know anyone by that name.

Q. Is it written there ABE or is it written OKA there in Japanese?

A. No OKA here. It is ABE, but I don't recall him.

Q. Now, the next name in line seems to be HARAGUCHI, Chief of the Exchange Bureau. Do you remember him?

A. Yes.

Q. MATSUKUMA, Chief of the Bank Bureau, and TSUJI, Chief of the Administration Bureau.

A. No, a supervising bureau.

Q. Rather than Administration Bureau?

A. No administration whatever.

Q. Now, proceedings

A. ABE was Governor General of Korea, but I never heard of an ABE of the Navy.

Q. Well, now these people were explainers, it says here.

A. Yes.

Q. All right, the proceedings:

"1. The Chairman declared the meeting open, and a secretary read aloud the draft of the treaty."

Incidentally, do you recall this meeting, Mr. Matsuoka? 26 September 1940, at the time stated?

A. Yes.

Q. "2. Premier KONOYE made an address.

"3. Foreign Minister Matsuoka's explanation. Questions were asked according to the seating order."

Do you recall that?

A. Yes.

Q. Now, "Councilor KAWAI says that he understands the object of the pact perfectly and approves of it wholeheartedly. Requests clearer explanation of Italy's attitude."

Do you recall that?

A. Yes.

Q. And is that the way it is stated there?

A. Yes.

Q. "Foreign Minister MATSUOKA. 'This was first started between Japan and Germany and Italy has left everything in the hand of Germany.'" Is that a correct translation?

A. Everything in the hands of Germany?

Q. Do you recall making that statement?

A. There is no such thing.

Q. What does it say there in your statement, your answer to KAWAI? You made a reply to him on that point. According to this, it says that this was first started -- that is on page 208 -- "This was first started between Japan and Germany and Italy has left everything in the hands of Germany." That is your reply to Mr. Kawai's inquiry.

A. Yes.

Q. Do you recall that?

A. Yes.

Q. Kawai again questions the third article, considers it most important and wants the War Minister to assure them that in case a war against America should break out, Japan will not be beaten. He also wants the War Minister to explain what attitude Germany will take if the Soviet Union should rise against Japan."

Do you recall that question?

A. Kawai again questions me that whether the steps are not necessary to be taken about Italy etc.

Q. Yes, and then his next question, he says the third article is most important. "He considers the third article most important, and wants the War Minister to assure that in case of war against America should break out, Japan will not be beaten. He also wants the War Minister to explain what attitude Germany will take if the Soviet Union should rise against Japan."

Do you recall that question by Kawai at this meeting?

A. Yes.

Q. Now, War Minister Tojo replied "In case of the worst emergency, the force the

Army is going to employ against America is only very small. . . . Military"-- there is apparently a space in the translation -- "Military operation against America is imperfect without military operation against Russia. Accordingly, readjustment of Japan-Soviet relations is very important, and if it is completed effectively, the military preparation will be made much easier. However, the Russian temperament as it is, we must not neglect our preparations. As to the Chinese Incident, we hope to solve the problem before the worst emergency comes, through effective application of the pact."

Do you recall that statement?

A. No, I do not recall how General Tojo replied on this occasion, but I know that agrees to the trend of thought of General Tojo.

Q. Well, excuse me, does that appear to be a translation of his reply there?

A. Yes, yes.

Q. Now, Navy Minister OIKAWA, "War preparation of the existing fleet being complete, we shall not be beaten by America. However, when the war is protracted we must prepare ourselves fully against the realization of the American Naval armament repletion plan."

Do you see that statement there?

A. I don't recall it, but the translation is good.

Q. Now, Kawai is worried about the resources. President of the Planning Board, HOSHINO, "Out of the total import of 210,000,000 Yen -- is that two hundred million, or is that stated in Japanese figures? Is that 210 units, or what?"

A. That is two billion, one hundred million.

Q. Good. "190 or one billion, nine hundred million yen worth of goods is coming from America and England. The most important is the question of petroleum. ~~xxxx~~ Almost all of our aviation gasoline is imported from America. We must try to get it from elsewhere besides making efforts to increase the home production. It is necessary to obtain rights to get petroleum in the Dutch Indies or in the Northern Sakalein. I tell you that a peaceful negotiation is now being carried on in the Dutch Indies, concerning petroleum."

Is that a good translation, and do you recall this statement by Mr. Hoshino?

A. At this date, I don't recall what they said, but if it is written here, he must have said it.

Q. Well, do you recall whether or not there were negotiations going on at the time, with the Dutch Indies?

A. Yes.

Q. "Kawai requests Military Minister to answer. Page 312. Oikawa, "As for the Navy, we have a sufficient stock to last for considerably long time. We are also taking some measures in order to obtain artificial petroleum."

Tojo: "The Army too has also made preparations to last for a considerably long period. When it is to be a much protracted war, we must consider some measures for getting aviation gasoline and gasoline for motorized troops."

Recess and open again at 1:00 P.M.

Now, do you recall that statement on the part of Tojo and Oikawa concerning the gasoline situation?

A. Yes, and we opened again at ten minutes after one.

Q. At that point, Councillor ISHI, "According to the third article, when one country is attacked, are the others obliged to join the war instantly? Have you talked about this point?" Matsuoka: "In the documents exchanged, there is a sentence, 'Whether one of the signed countries is attacked in the sense defined by the third article or not will be naturally decided upon at the conference of the three treaty powers. (A letter from the German Ambassador at Tokyo). This sentence was inserted upon my demand to clarify the point you questioned just now. Whether an attack is made or not will be discussed at the conference, and when the conference's decision is made, we are automatically obliged to fight in cooperation. When and how we help the others is left to the respective councils and decision of each of the treaty powers.'"

Do you recall that statement?

A. There is no such thing as automatically fighting.

Q. I don't get your point.

A. Did you say "automatically fighting"? There is no such thing.

Q. Going back here, "and when the conference's decision is made, we are automatically obliged to fight in cooperation." What word would you use in there?

A. After consultation, if we agreed that it was whether or not to fight, then automatically we must fight together. Now, this refreshes my memory. That is a letter to me from the German ambassador. You know, the other day I said there must be something but I couldn't recall exactly, what document. But here it says it is from the German ambassador.

Q. And that is the letter you referred to in making this reply on the subject?

A. Yes, yes, yes, but I couldn't recall in what form that was agreed, but I did recall that it was made clear that upon consultation, after consultation only, and then we had each of us independently how to decide.

Q. Good. Now, next ISHI. Apparently a question of Mr. Ishi's. He is one of the councillors, isn't he?

A. Yes, Viscount Ishi.

Q. "As there is no term 'instantly' in the article, I agree with what Foreign Minister said just now. As to the mixed commission in the fourth article, are they going to discuss economic questions also?"

Mr. Natsuoka: "At first, it was to be prescribed in the secret protocol attached to this pact. According to the draft, a mixed commission of navy and army was to be established in Tokyo and in Rome or Berlin, and an economic commission was to be organized separately. But we decided not to make a secret protocol. I think we shall organize a committee to handle economic problems after the pact is concluded."

Do you recall that reply?

A. Yes, yes, not only but it refreshes my memory. There is no secret agreement at the time.

Q. Good. Now, Mr. Ishi again says that a pact of this nature is almost always accompanied with the article about not making a separate peace. He asks why the pact does not have it. He asks where there is a specific intention. Do you remember that question by Mr. Ishi? Or is he Prince Ishi?

A. Viscount Ishi, who was ambassador at Washington. He is well known in your country. And who was killed in your attack from the air.

Q. Is that right? Here in Japan?

A. Yes, in Tokyo. Viscount Ishy and the Viscountess. No one knows where they went to, and I think they were both in there, and everyone killed.

Q. In reply, Mr. Natsuoka: "We did not talk about it at all, for this pact is aimed at preventing warfare and not at making war. Therefore I thought it better not to lay down the article of separate peace. That suggests commencement of hostilities. This was one reason, and the other reason was that I thought we could promise each other about it after the opening of the war, if a war should ever break out. That is why I did not propose to lay down that article."

Do you recall making that reply?

A. Yes, and

Q. Is that a good translation?

A. Very good.

Q. Viscount Ishi again "wants Matsuoka to explain what is considered the new order in Europe."

Matsuoka: "I think it is a reasonable question, but the meaning of the new order is fully explained in the previous note which was our proposal, and Germany did not propose to revise it at all."

Now, do you recall that answer?

A. Here it says preamble. That new order.

Q. Well, according to your answer here, it seems there was some communication previous to this.

A. Will you please read?

Q. I will read it again: "I think it is a reasonable question, but the meaning of the new order is fully explained in the previous note." What is meant by that?

A. No, that is a mistranslation. In the preamble of the pact, it is preamble.

Q. "Which was our proposal, and Germany did not propose to revise it at all."

Do you recall that answer?

A. To revise a word of it. But meaning just the same.

Q. Now, Councillor ARIMA, "I agree with the government in desiring to avoid a Japanese-American war through concluding this pact, but if Japan and America are destined to fight some day I think now is the best time. However, what worries me most is the problem of petroleum."

Do you recall that?

A. I don't recall, but it seems natural. He is a full admiral, a navy man, and naturally must have questioned me in this sense.

Q. Continuing, Oikawa -- "Artificial petroleum has been started only recently, and will not help us tide over the crisis. Therefore there is nothing for us to do but to get it either from the Dutch Indies or North Sakalein through peaceful measures. If this will succeed, we shall not feel a shortage. Accordingly, adjustment of relations with the Soviet Union is very important from this point of view also."

Do you recall that statement?

A. Yes, although I don't recall the words here, but that was Admiral Oikawa's opinion always.

Q. And is it true that in concluding the non-aggression pact, that this was one of the questions which you had in mind?

A. No. In concluding what?

Q. You afterwards concluded the non-aggression pact with Russia didn't you?

A. Yes.

Q. Well, here, this Admiral says, "Accordingly, adjustment of relations with the Soviet Union is very important from this point of view also." Meaning, of course, this point concerning oil supply.

A. Yes, yes.

Q. Well, isn't it fair to assume that this was one of the purposes and reasons for the conclusion of the non-aggression pact which you concluded 13 April next?

A. Together with the negotiations about the neutrality pact. We were also negotiating with Soviet Russia to return our oil concession in North Sakalein, and to obtain some oil annually too -- what would you say, as a sort of making our return good.

Q. Oh, I see.

A. I contended for 200,000 tons later of oil and Russia contended for half that amount.

Q. You will notice, or it will be noticed, Mr. Matsuoka, that so far in reading the minutes of this meeting, both Mr. Tojo and Mr. Oikawa raise the question concerning oil, and Mr. Tojo previously raised the question of the necessity of settling and adjusting the relations with Russia. Do you recall that?

A. Yes, and in connection with the deal -- that is, in connection with our concession in North Sakalein, because Soviet Russia laid obstacles everywhere in the way of getting the oil, so something had to be done.

Q. Well, you recall back here in one of the other questions, in which Tojo, the War Minister, says that concerning this Tripartite Pact it was vitally important if Japan should go to war with America, that the Army was insufficiently prepared unless the Russian relations had been adjusted. Do you recall that, farther back here?

A. No, I don't recall Tojo making that remark.

Q. I will read it to you again.

A. I heard it, but I don't recall that part here.

Q. Well, here it seems he was concerned about it.

A. About oil?

Q. I will reread his statement to you: "In case of the worst emergency, the force the army is going to employ against America is only very small. Military operation against America is imperfect without military operation against Russia. Accordingly, readjustment of Japan-Soviet relations is very important." That is Tojo's statement at this meeting.

A. I don't recall the statement, and moreover I don't make much sense out of it. What army needs to be small?

Q. He points out that the adjustment of relations with Russia are vitally important if there is war with America, and to add to their oil stock. Japan

A. Japan had very little oil.

Q. Yes, I understand that, but he is also concerned about the forces to be used against America, and he says -- he is the War Minister at this meeting -- it is very important to settle relations with Soviet Russia in view of any attack by the army against America.

A. Well naturally, if this war with America came off. You know, this military and naval authority, they study the world situation and they always contemplate as to the worst emergency, you know, in any country.

Q. That is true, but I am just pointing out to you that Tojo as well as the Minister of the Navy, point out the necessity for adjusting relations with Russia.

A. Yes.

Q. Now, continuing our quotation from this document, -- "ARIMA: 'How about petroleum with high octane gasoline? Is there enough of it?' OKAWA says that 'the Navy has been producing it by her own method and has made considerable provision.'

Now, Councillor KUBOTA -- do you recall him?

A. Yes.

Q. Who was he?

A. He was Privy Councillor. Once, many tens of years ago, he was Minister of Education.

Q. "Councillor KUBOTA asks how is the relation with the Soviet Union. If there is any understanding between Germany and the Soviet Union."

Matsuoka: "In order to avoid that doubt, we have laid down the fifth article. When I asked Stahmer if Soviet was informed of this pact, Stahmer answered in the negative. But I imagine that Stahmer said something about it to the Russians when he passed Moscow on his way. There is a fact that may prove it. Stahmer left Berlin on 23 August. Ambassador KURUSU, who met Foreign Minister Ribbentrop on that same day was told nothing about this affair. But Stahmer was talking about German intention to conclude a political treaty with Japan when he had an interview with Ambassador TOGO on the 24th. It makes me think that Stahmer must have had a talk with the Russian authorities in the interval."

Do you recall that reply?

A. Yes, that was my observation.

Q. And you still think he had a conversation with the Russians concerning that?

A. I don't know. It is doubtful, because I put that question as you must have seen point blank and he denied it, so I have no ground to suspect him of having had a talk.

Q. So when you made this reply to Mr. Kubota, you were of the opinion, for the reason stated, that Stahmer had talked with the Russians about it?

A. Yes.

Q. Now, Kubota is afraid that the pact will urge the American-Russian approach. Matsuoka replies: "As to the American-Russian approach, there is nothing concrete as far as I know. As to the successful adjustment of Japan-Soviet relations, Stahmer is firmly convinced of its possibility. Germany further proposed to intermeditate, which is written in the exchanged documents."

Do you recall that reply?

A. Yes.

Q. And did Germany agree to intermeditate in this matter?

A. Yes.

Q. Councillor ISHIZUKA -- who was he?

A. He was at one time, I think, Minister of I think Culture and Forestry in Korea, and was a long time official.

- Q. And was a member of the Privy Council?
- A. Yes. A very old member.
- Q. "Councillor ISHIZUKA has no objection against the text. He says, however, we must not have too much faith in Germany."
that
Do you recall his making/statement?
- A. Yes.
- Q. "Councillor SHIMUZU -- who was he, Mr. Matsuoka?
- A. He was a professor of constitution in the Imperial University. At this time he was a senior member of the Privy Council.
- Q. "Councillor SHIMUZU wants to know who signed the pact.
"Matsuoka tells him it was Ribbentrop, Ciano and Ambassador Kurusu.
"Shimuzu says that the pact is to be enacted as soon as it is signed, and wonders if it does not infringe upon the constitution.
"Matsuoka says it is all right."
Do you recall that discussion?
- A. Yes.
- Q. Shimizu: "Is it true that there are several German technicians in Chungking?"
"Tojo replied that the real situation is not known."
Do you recall that conversation?
- A. Yes, although there is information to such effect, he says.
- Q. That is continuing
- A. Of course, I don't remember these words, but it must have been true.
- Q. But in a general way you remember that there was a discussion of that sort?
- A. Yes.
- Q. Shimizu again "asks why Japan is to compensate for the Japanese mandate in the south seas."

"Matsuoka answers that as the Germans claim to have all her former territories returned, Japan alone cannot be an exception. The compensation is to be only nominal."

Do you recall that question and answer?

A. Yes.

Q. Who was MINAMI?

A. That is who is dead now. He is an old member of the Privy Council and he was at one time a minister of state, or something.

Q. Was he the Governor General of Korea at one time?

A. No, that is another man.

Q. "MINAMI asks if it was not too early that this pact was submitted to the Imperial Sanction on 19, when Italy had not yet approved of it.

"Matsuoka replied that Germany was sure of Italian approval from the first."

Do you recall Minami asking that question? And what does he mean?

A. Minami asks when did Italy give consent to this treaty.

Q. No, "Minami asks if it was not too early that this pact was submitted to the Imperial Sanction on 19." What does he mean, Imperial Conference or what?

A. There is no such question and answer here.

Q. There isn't? Page 226.

A. Oh, further on. Yes, I answered.

Q. What does he mean when he says "submitted to the Imperial sanction"? Does he mean Imperial conference?

A. Conference before Italy was not sure to come into this Tripartite Pact or not.

Q. What does he mean when he says if it was not too early that this pact was submitted? The point I am making is this meeting is taking place on the 26th, and he is apparently calling to the attention of yourself that this had been submitted to the Imperial sanction on 19, when Italy had not yet approved of it. Had this been submitted to the Emperor on the 19th, or the Imperial Council?

A. I think he meant here the draft of the Tripartite Pact ought to have been submitted to the Emperor after Italy made it clear that she would join, and so I answered that Italy's consent was sure to be had from the beginning.

Q. That is what we have here.

A. That I overstated the case to satisfy this Minami. That was not exactly true. As I said, we had no idea that Italy would come into this pact and sign simultaneously with Germany. That what I told you was really true, but in order to satisfy this man I had to say so.

Q. In order to satisfy Minami you assured him that Germany was sure the Italian approval would come?

A. Yes.

Q. What does Mr. Minami mean about this 19? What significance does that date have? What happened on the 19th? Imperial sanction on 19. What is that?

A. Surely I cannot recall the date, and moreover

Q. He is apparently concerned that this fact was presented to the Imperial sanction on 19 before Italy had signed it.

A. Yes, and from reasoning, I do not recall. From the reasoning, such a thing could not take place. Before I had agreement of the Privy Council, I could not ask Prince Konoye to take it to the Emperor.

Q. But you say here, when you answer his question, you don't raise that. All you say is that Germany was sure of the Italian approval from the first. You don't say what you mean about 19. He goes on questioning here, anyway. Again, "Minami asks why it is that the documents were exchanged concerning specifically the occasion when troubles turn up between Japan and England.

"Matsuka! We cannot say that there will be no Japanese-English war. Therefore, we made this point clear, even though Germany was not inclined to do so."

A. Please wait. Where is it?

Q. I assume it is on page 226 or the next page. Minami asks why it is that the documents were exchanged concerning specifically the occasion when troubles turned up between Japan and England. Do you recall him making such a question? In other words, he wants to know why these documents were exchanged on this specific occasion, when troubles were then turning up between Japan and England, and you replied, "We cannot say that there will be no Japanese-English war. Therefore, we made this point clear, even though Germany was not inclined to do so." Do you find that there?

A. Oh, yes, I see now.

Q. What sense is there to that? I don't understand either the question or your answer.

A. What is the reason for having a document about trouble taking place in Japan and Great Britain. That is Minami's question, and I answered "Great Britain has already in the war in Europe. The third article of this pact does not in any way fall in at all with the occasion, but Japan cannot say that there can be absolutely no war between Japan and England, so I made it clear, although Germany doesn't like it."

Q. I see. Now, the next question Minami asks, "Which proposed this pact first, Japan or Germany?" and you answer it was Germany. Do you recall that question and answer?

A. Yes.

Q. Minami was apparently concerned about the good faith of Germany in this matter, wasn't he, from his questions?

A. Concerned about what?

Q. About the good faith of Germany in this matter. These questions would lead one to believe that he was concerned about whether or not Germany was in good faith with Japan.

A. Oh yes, I see. Well, I don't know. I think he may have been at this time rather doubting Germany.

Q. That is why I say these questions would lead a person to believe he wanted to make certain Germany was proposing this.

A. I was well aware, and even today there are so many Japanese who take that attitude of disliking and suspecting Germany.

Q. Now, further quoting, Minami still continues, "Is it not because Germany failed in her operation against England that she made such a proposal?"

"Matsuoka: "The anti-England operation being protracted may be one reason, but it is not the all of it. I think it was because they concluded that a German-English conflict will be inevitable in the long run."

Do you recall that question and answer?

A. Here the original has this between America and Germany instead of Germany and England.

Q. In his question you mean?

A. My answer.

Q. But he inquires about England. Mr. Minami said "Is it not because Germany failed in her operation against England that she made such a proposal." You see, he still questions Germany's good faith in this thing.

A. But I answered it means trouble between Germany and America could not be avoided, if you look at it with a long eye, stretching for some tens of years.

Q. He asked you a question about England, and you replied about America.

A. Yes, that is funny. While I don't recall at all these altercations, it is funny.

Q. Yes, and our translator says your answer is "The anti-English operation being protracted may be one reason."

A. That is all right.

Q. In part, but not all of it?

A. Yes.

Q. "I think it was because they concluded that a German-English conflict will be inevitable in the long run." You mean that should read "a German-American conflict."?

A. If the original is correct, the original has America. But I don't recall making any such reply.

Q. Do you recall at this meeting that this Mr. Minami did raise these questions which indicate strongly that he was suspicious of Germany's good faith?

A. Yes, at least Germany is being beaten in the war already.

Q. Yes, he was a rather careful man, wasn't he?

A. He was a rather great questioner in the Privy Council, well-known. He asks all sorts of questions.

Q. I read this over last night, and I could not help but be impressed with the soundness of the questions and the keenness of his mind. Continuing, Minami asks "if there is no probable danger of Germany joining hands with America."

Matsuoka replied: "I do not think it is impossible that America and Germany join hands. However, in improving Japanese-American relations, the influence of German-Americans in America cannot be underestimated. In this point also, I think this pact is worth having."

Do you recall that question and answer?

A. Yes, without disclosing what I told you the other day.

Q. May I ask you at this point, Mr. Matsuoka, if in this answer, if this is what you meant when you explained to me some days ago that from your early youth you had a fear of German influence in America bringing about war against Japan?

A. Yes.

Q. It wasn't clear to me at that time what your explanation was. Is that the same?

A. Yes, without disclosing in detail. I was afraid of telling that to anyone lest it might leak out.

Q. Now, Mr. Minami swings over on this question. He says he "wants more accurate explanation of the petroleum question."

Hoshino, Tojo and Oikawa repeat the same answer that they had made to Arima and Kawai. Minami also wants to know "how the financial condition will be if the Japanese-American war should break out before the Chinese Incident is finished."

Finance Minister KAWADA states "It is natural that we shall have financial stringency. We shall have to increase the deposit of people and economize political expenditure."

Do you recall that question being raised?

A. No, I don't recall.

Q. But if it is there you would assume so, and it is well translated?

A. Yes.

Q. "Minami wants Matsuoka to explain why he did not adjust Russo-Japanese relations before starting negotiations for this pact."

Matsuoka replied "It was tried by the ex-Cabinet. The Soviet Union said she would approve of it only on the conditions of the reexamination of the Portsmouth Treaty and return of the rights in the North Sakhalin. I concluded

that we cannot adjust our relations with the Soviet Union without making use of Germany."

Do you recall that question and answer?

A. No. Please allow me to read.

Q. Particularly your answer. I would like you to read it carefully.

A. Yes, this refreshes my memory. Soviet Russia made conditions which could not be immediately accepted by Japan. Will you please read my reply in English.

Q. Surely. I will read the English translation again: "It was tried by the ex-Cabinet." I assume that means probably some previous cabinet.

A. "Previous cabinet" it is written here.

Q. "The Soviet Union said she would approve of it only on the conditions of the reexamination of the Portsmouth Treaty and return of the rights in the North Sakhalin." And there is a space here. "I concluded that we cannot adjust our relations with the Soviet Union without making use of Germany."

A. Space?

Q. Well your answer. Apparently you make a statement of fact, and then you say "I concluded."

A. No, there not in the original. It says Russia put the conditions tantamount to refusal.

Q. I see. Now, is this there, "I concluded that we cannot adjust our relations with the Soviet Union without making use of Germany."?

A. And therefore accepted the German proposal. I meant by that, Germany's good offices. Yes, that is a fairly good translation.

Q. Now, Hinson again. Apparently this gentleman took up a good deal of the time.

A. Always he does. He takes more than half.

Q. Did you say he is not living now?

A. He is dead.

Q. He was indeed a very careful man.

A. Oh yes.

Q. Minami again, "After the Presidential election, America may try to help England as much as possible. Will that be considered an attack on Germany?"

Matsuoka: "It depends on the condition of the time. During the negotiations Germany wanted to insert the phrase 'to be attacked openly or covertly' but we insisted on not having it."

Do you recall that question and answer?

A. Yes.

Q. In other words, during the negotiations Germany wanted to insert the words "to be attacked openly or covertly" and you objected to that?

A. Yes.

Q. Minami again. "When you were talking with the Germans, did you make sure that Germany would move the Soviet Union to give up her policy of assisting Chiang-Kai-Shek?" Matsuoka:

A. In the translation, in my reply, doesn't it give illustration? Illustration of covert attack?

Q. No, it doesn't. There is a space here.

A. Well, it doesn't matter.

Q. Do you want to give us the illustration?

A. I said from our side to attack covertly is for instance in that time there is danger of being included, for instance, America allowing us or giving undersea craft to England, therefore we contended that such phraseology should be stricken out. This phraseology is rather in the interests of Japan, and so it was inserted. To illustrate, the American Navy or squadron entered Singapore -- in such case it might be said that it was a covert attack, but giving undersea craft is not covered by the phraseology. It was explained in that way. And there it stops, without completing the sentence. So perhaps the translator couldn't understand it.

Q. I see. In other words you went on to illustrate that if England should permit the American Navy or fleet to enter Singapore; or there should be a giving or permitting of England to use American submarines, this might amount to a covert attack and therefore might require a different interpretation.

A. I wanted to have it stricken out by us but Germany explained that in such case giving undersea craft to England does not come within the phraseology. And there my answer stops, and I don't recall it.

Q. Next, Mr. Minami queries, "When you were talking with the Germans, did you make sure that Germany would move the Soviet Union to give up her policy of assisting Chiang Kai-shek?" And you answered: "I am deliberating on this point, but if we mention it too early, Germany will see us through and it will be very disadvantageous. Therefore, when Ambassador Ott made an offer to that effect in August, I told him that we would dispose of the Chinese Incident by ourselves." Correct?

A. The meaning is brought out, but it is not an accurate translation.

Q. You recall the question and the answer, though, do you?

A. It is to talk about the matter prematurely would be, as we say, to talk, to bring in our conversation this about peace with China or Chang Kai-Shek and Soviet to help, etc., to bring such subject up prematurely would be of one hundred harms than one benefit, we say in Japanese, so I don't do it. And Ambassador Ott, in early August, said it, but I told at the time we will bring about the ending of China incident by herself alone.

Q. Now, next it appears that Councillor ARAKI -- who was he, Mr. Matsuoka, do you remember Councillor Araki?

A. I am not finished yet. And of course hereafter we will use this pact fully to adjust the relations between Japan and Soviet Russia, and to expedite the ending of the China Incident, etc. Please go on.

Q. Now, the next is "Araki inquired about the quality, physical strength and health conditions of the troops, and the military ministers answered him."

Does that appear there?

A. I don't recall Araki.

Q. He was one of the councillors, according to this.

A. Oh, yes. Must be. I don't recall him, though.

Q. Next, it appears that "Councillor SUGAWARA has five questions to ask, 1) Was there any discussion of making a secret protocol?, 2) what is the relation between this pact and the anti-Comintern Pact between Japan, Germany and Italy?, 3) Although this pact is concluded between three powers, is there no danger of Germany and Italy always standing on one side against Japan, in case any difference of opinion take place in interpreting the articles of the pact?, 4) Is it not necessary to write down in the document the relation with Italy?, 5) He wants to hear the opinions of the Finance Minister concerning the financial conditions if a war against America should break out."

Matsuoka replied: "1) We did not make a secret protocol because it takes time to make it complete. The documents exchanged between I and the German Ambassador at Tokyo are to be the substitute for a secret protocol. 2) The anti-Comintern Pact shall be kept, regardless of our relations with the Soviet Union. 3) There is no need to be worried about it, because the emotion of Italy toward Japan is stronger than that of Germany. 4) He does not think it necessary."

Do you recall those questions and those answers? For example, "We did not make a secret protocol because it takes time to make it complete."?

A. That refreshes me. I was not sure, you know, the other day. That is to be made by an exchange of letters with General Ott.

Q. And were they exchanged?

A. Well,

Q. Does that refresh your recollection when it says here, "The documents exchanged between I and the German Ambassador at Tokyo are to be the substitute for a secret protocol." From here it doesn't state whether you had already received them or not.

A. I don't recollect, but I think by exchanging notes or something, we agreed upon the South Seas mandated islands. That is all I recall here.

Q. You say "The Anti-Comintern Pact shall be kept, regardless of our relations with the Soviet Union."

A. Yes, that was agreed upon.

Q. Now, Kawada -- who was that?

A. Finance Minister.

Q. His answer to Sugawara is "that he is going to do his best in preventing the increase of the burden on the people."

Is that question and answer there, and does it appear to be fairly well translated?

A. Yes, although I do not recall what he said.

Q. Now, "Councillor MATSUI approves wholeheartedly the object of the pact, which lies in preventing the Japanese-American relations from getting worse. However, he says we must get prepared against the worst emergency."

Do you recall that statement?

A. While I don't recall it, Matsoura might have asked me.

Q. It appears there, does it?

A. Yes.

Q. "Councillor USHIO makes a question about internal condition and food problem in the worst emergency, which is answered by the President of the Planning Board."

A. Yes.

Q. "Councillor HAYASHI says that although the aim of the pact is betterment of the Japanese-American relations, the relation with the Soviet Union must be most prudently deliberated. When the non-aggression pact was concluded, Stalin announced at the party meeting that his final intention of communizing Germany, Japan and China was not changed at all. He wants to hear Matsuoka's opinion about it."

Matsuoka's reply: "I do not think that the adjustment of Japanese-Soviet relations can be easily accomplished, but we must admit that Germany has a considerable pressure upon the Soviet Union. According to the reliable information I have got, one of the main motives in Russia's joining hands with Germany was that Hitler told Stalin that if Russia would not listen to the German demands, Germany would attack Russia. I think it will produce considerable effects if Germany is to mediate between us."

Do you recall that, and is it fairly well translated?

A. Yes.

Q. Councillor FUKAI. -- who is he, Mr. Matsuoka?

A. Fukai was once Governor of the Bank of Japan.

Q. A financier, I suppose?

A. Yes.

Q. He asked this question, "In case of a war against America, what help can we expect of Germany?"

"Matsuoka: 'Germany is going to supply Japan with new arms even before the outbreak of war, and if a Japanese-American war should occur, she is to check America in the Atlantic.'"

Do you recall that question and answer?

A. Yes.

Q. And is it fairly well translated?

A. Yes.

Q. Tojo says: "The most important assistance German can give Japan is the supply of superior arms and materials with Russian consent."

Is that fairly well translated?

A. Yes, but I don't recall.

Q. Oikawa holds the same opinion as Tojo. Fukai asks: "Regarding our relation with the Soviet Union, what does it mean that Germany will check the Soviet Union? It is quite opposite to the Russo-German non-aggression pact."

Tojo: "From the viewpoint of the actual military movements, Germany is able to check the Soviet Union. In fact, Germany is leaving most of her army with motorized troops in her homeland when she is fighting against England. This is a method of checking the Soviet Union."

Fukai again, "The Foreign Minister talks about mutual reliance between Japan and Germany, but German attitude last year was nothing but insincerity. What has become of our protest against the conclusion of the German-Soviet non-aggression pact?"

Matsuoka "is dubious if the protest was delivered to Germany."

Do you recall that?

A. That is Fukai's question.

Q. Yes. He is also concerned about the good faith of Germany. He says what about the non-aggression treaty Germany made with Russia only a short time ago. Concerning mutual reliance of Japan and Germany -- and you say you are dubious whether or not this protest of Japan had ever been delivered. Do you recall that?

A. Yes.

Q. What was the circumstances of that, do you know? You say it is dubious if the protest was delivered to Germany. What did you mean by that?

A. That I heard from the Foreign Office people that when Japan broke off from the negotiations for alliance pact, that General Ott asked Arita whether that meant that Japan would break off this anti-Commintern Pact, or not. Arita said no. And Arita, of course, on that occasion told General Ott that Germany broke the faith, you know. And they both parted more or less with an unkind word, and whether that thing was delivered to Berlin or not, no one knew.

Q. In other words, the protest mentioned here is a verbal protest, not a written one?

A. I don't know.

Q. You were not, of course, Foreign Minister at the time?

A. No.

Q. You were doubtful whether the protest was ever delivered?

A. I was doubting.

Q. Fukai again states, "In the preface of the pact we find the phrase, 'let each nation have her own place,' but what Hitler always talks about gives an impression that he considers and approves 'The weak are prey to the strong' as a law of nature."

Matsuoka replies: "The mission of our diplomacy lies in advocacy of the Imperial Way. We must not act in accordance with interests and profit alone. The idea like 'The weak are prey to the strong' we must decisively expel."

Do you recall that question and answer?

A. Yes.

Q. And you believe that?

A. Even today.

Q. And I admire you for it. It is a good statement. "Fukai is worried that conclusion of the pact might hasten the outbreak of a Japanese-American war. He wants to hear about the Prime Minister's resolution in the worst emergency."

Prince Konoye, who was the Prime Minister: "The fundamental idea in concluding this pact is to avoid a collision with America. However, if we behave ourselves humbly towards America, she will grow impudent, so I think it necessary that we take a resolute attitude. In case of the worst emergency, we must make extraordinary decisions in executing our diplomatic and internal policies. I was very much impressed to know that His Majesty had made an annual resolution....." Is that a correct translation? What is meant by that?

A. Unusual resolution, or extraordinary.

Q. What does Prince Konoye mean by "I was very much impressed to know that His Majesty had made an annual resolution."? What is meant by that?

A. The Emperor was prepared to face the worst if it comes. Of course he desired it would not come, but if it comes, he was prepared to face the worst.

Q. And continuing, Prince Kenryo -- "I will try to apply this pact as desirably as possible at the risk of my life."

Do you recall that statement?

A. Yes.

Q. And is it fairly well translated?

A. Yes.

Q. Councillor FUTAGAMI, -- who was he?

A. Privy Councillor, and he was, I think, almost all his life the Chief Secretary of the Privy Council. A great authority on the law side.

Q. Oh, good. Councillor Futagami "asks a question about the document of the pact. He asks if all is ratified or not."

Do you understand that? Is that well translated? It doesn't seem clear to me.

A. Will you please read it to me?

Q. "Futagami asks a question about the document of the pact. He asks if all is ratified or not." What does he mean by that?

A. That it was not clear to him what document or documents among the documents given them were subjected to examination by the Privy Council.

Q. Now, your reply may clear it up. It says here "Matsuka: The protocol is ratified. The real pact will be written in Japanese, German and English."

Do you see that there?

A. Oh, that is this pact is draft pact only. The Emperor asked the advice of the Privy Council on the Tripartite Pact, although it doesn't say Tripartite here -- pact draft only. The others were only by way of reference, and the text of the pact was Japanese, German and Italian.

Q. Now, will you just go back with me one second.

A. "But for immediate purposes we will sign the English only."

Q. Can you go back with me a minute in this one translation? It is very important, and seems to be so definite here. One sentence. You said "The protocol is ratified."

A. There is no protocol here.

Q. Where does he get this sense to it: "The protocol is ratified. The real pact will be written in Japanese, German and English." It isn't clear to me what is meant there. Does it mean that a draft of the thing had been ratified, and if so, by whom?

A. No, I don't ask about protocol, and naturally I never referred to protocol.

Q. What does it say there, literally?

A. My answer? Futagami asked what documents given them were the Emperor asking advice of the Privy Council. I replied, literally translated, I said "Treaty draft only were submitted for advice to this body, and all others were in the nature of reference, and then I explained the text of the treaty, Japanese, German and Italian."

Q. Well, up to this point had anything concerning the pact been ratified? Do you use that term in there anywhere in your answer?

A. No, that is wrong.

Q. It says here the word "ratified." There was nothing ratified up to that time? Had there been?

A. No, that must be mistranslation.

Q. All right, I will check that. The Chief of the Treaty Bureau, Matsumoto, "says that the exchanged documents which are attached to the protocol also have been submitted to the Emperor."

A. That I do not recall at all.

Q. He makes this statement, and President HARA "suggests that such problems will be discussed at a later meeting." Do you see that here?

A. They are not the international pact. That is all it says.

Q. "Matsumoto says that the exchanged documents which are attached to the protocol also have been submitted to the Emperor."

A. Oh yes, I understand now. Although they are not the international promise yet, they are very important so when presented to the Throne there were also by way of reference, submitted.

Q. What was submitted?

A. These exchange of notes.

Q. They were also submitted to the Emperor?

A. Yes.

Q. When was that, do you recall? Up to this point, I didn't know anything had been submitted.

A. I don't recall the date, but it must be at least one or two weeks before this meeting.

Q. And by that he means that the notes exchanged under the exchange documents which were attached to the protocol also were submitted to the Emperor, so that none of these were withheld from the Emperor. Is that what he means?

A. Yes. Of course you know when these negotiations are through, we generally go before the Emperor and explain, without saying pros or cons.

Q. I see. But the Emperor, in addition to the pact itself, had also the exchanged letters or notes in the protocol?

A. So Matsumoto says, so it must be true.

Q. But you didn't know of this, of your own knowledge?

A. No, I don't recall, but I trusted Matsumoto, that he was accurate.

Q. President Hara suggests that such problems will be discussed at a later meeting. What problems did he have in mind, do you know?

A. Questions about as to form.

Q. I see.

A. He wanted to question about the form. It will be discussed in Imperial Conference later on.

Q. Now, Futagami -- who was he, Mr. Matsuoka?

A. That man I just told you. He was all his life Chief Secretary of the Privy Council, and later he was made a Privy Councillor.

Q. He says that the phrase in the third article, 'in either the European War or the Sino-Japanese conflict' is not clear. Does it mean both of them or one of them? What is a mixed commission. There is the non-aggression pact between Germany and the Soviet Union. Therefore even if Japan is attacked by the Soviet, Germany cannot attack the Soviet Union. On the contrary, when Germany is attacked by the Soviet Union, Japan is obliged to attack the Soviet Union in order to assist Germany. Is it not one-sided?"

"Matsuoka doesn't think the phrase misleading. In the case of Russia attacking Germany, the attitude of Japan will be outside the scope of the present pact. The object of this article is to make it clear that the object of the pact is not the Soviet Union. A mixed commission is a commission consisting of members from the three countries."

Do you recall that question and answer?

A. Will you please take the trouble to read it once more?

Q. Your answer or the question, or both?

A. My answer.

Q. "Matsuoka doesn't think the phrase misleading. In the case of Russia attacking Germany, the attitude of Japan will be outside the scope of the present pact."

A. It is not written so.

Q. Well, I will mark that.

A. The first point of the questions by Privy Councillor Futagami is simply the question of use of technical terms, but as a practical interpretation of it there is no room for raising the doubts. That is first. And the second point

Q. Yes, they left one point out altogether.

A. It of course means the mixed committees of three countries, and the third article because of the fifth article, the argument that it was one unilateral obligation on Japan, such argument was to forget the ~~the~~ political meaning of this pact. In case Soviet Russia attacks Germany, the political status which now exists between Germany and Soviet Russia will receive a great change, or a serious change, and to cope with such case for Japan it is outside the scope of the provisions of this treaty. That makes sense.

Q. Yes, I will have that retranslated.

A. The purpose of this article is as its immediate purpose that this pact does not make Soviet Russia the objective, was made clear.

Q. I think we will have to discontinue for today. It is very helpful to have some documents to refresh your memory.

A. Very lucky, yes. Because I heard while I was at my home that all the documents were burned down together with the Foreign Office.

Q. Many of them were. I know the Foreign Office was badly damaged.

A. All the documents I had burned down, you know. I had them in my library, and I was away in the country. When you have time to listen to me, I will say some words that I thought about in my room, why you were wondering about my contention about political parties. Then it occurred to me because conditions in Japan about elections are so different from your country or England, that no wonder you expressed your wonderment, and I could explain five minutes, I think.

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INTERROGATION OF

MATSUOKA, Yosuke

Date and Time: 29 March 1946, 1400 - 1625 hours.
Place : Sugamo Prison, Tokyo, Japan
Present : MATSUOKA, Yosuke
 : Cmdr. John D. Shea, USNR, Interrogator
 : Miss Clara B. Knapp, Stenographer

Interrogation conducted in English
Questions by Cmdr. Shea.

Q. According to this document, the paper here on the side, it seems to be from the Foreign Office.

A. Yes, it is written so, and I am wondering, you know, so -- and yet it is Chief of the Military Bureau of the Navy, ABE, but I never knew anyone by that name.

Q. Well, there was a change in the Chief of the Bureau during the war. During Tojo's cabinet they had a change of the Chief of the Military Bureau.

A. Yes, I know that, but when that was made it was Admiral OKA. I never knew ABE. I never heard of such a one.

Q. Well, that could be in error. Maybe it should be Oka instead of Abe. Or a poor translation, maybe.

A. They can't mix up the two.

Q. Now, I will hand you the document we were using yesterday, Mr. Matsuoka, and I believe we are now on page 246. I will read a question and answer here, so that you may catch the trend of it there. Reading your reply, I will read the question of TAKEGOSHI, on page 246.

A. OBADA's question comes first.

Q. All right, Councillor OBATA "wonders if this pact is not one-sided, because it is very probable that America joins the European war whereas it is less possible that there will be a Japanese-American war. Besides, the Russian assistance toward Chiang Kai-shek is not considered participation in the conflict. He is afraid Japan has to make more sacrifice than Germany."

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"Matsuoka doesn't think this pact is one-sided. He thinks that the possibility is half and half."

Does that seem to be that question and answer?

A. Yes, and I said that Obada's question was is it not unilateral and I replied I do not think it is only one-sided.

Q. Well, that is your answer as it appears?

A. Yes.

Q. Now, "Councillor TAKEGOSHI understands that the Japanese Navy is requested to help Germany in case of the worst emergency. He asks if Japan can choose when and where to send her Navy."

"Matsuoka answers that it will be discussed by the mixed commission."

A. That is well translated.

Q. Now, in that reply of yours, that it will be discussed by the mixed commission, what sort of commission is that that you have in mind?

A. Military commission to be organized.

Q. Under the terms of the Triparty Pact?

A. Under the terms, but we learned by exchange of notes afterwards with General Ott.

Q. The ones we have referred to previously as secret letters or protocol?

A. According to this, it was an exchange of notes.

Q. But they were dependent upon the pact?

A. Yes.

Q. "Chairman SUZUKI thinks a Japanese-American war inevitable and advises the Japanese Navy to watch the expansion of the American fleet."

A. Please read once more.

Q. "Chairman Suzuki thinks a Japanese-American war inevitable and advises the Japanese Navy to watch the expansion of the American fleet."

A. "Watch the expansion of the American Navy."

Q. Here they use the term fleet instead of Navy. Is that correct?

A. It is Navy.

Q. Watch the expansion of the American Navy?

A. "Must fully be watchful" -- it means well watch, and must prepare accordingly.

Q. Now, "OIKAWA is sure of victory if Japan takes the policy of quick victory. He says the Navy is contemplating upon various expansion plans."

"ISHII wants Matsuoka to explain the disposition of the Japanese mandatory area."

A. Next comes ISHII.

Q. Yes, Mr. Ishii then "wants Matsuoka to explain the disposition of the Japanese mandatory area."

"Matsuoka answers that he thinks it best to have the area formally ceded to Japan by Germany. He doesn't recognize the Versailles Treaty any more."

Does that appear there in that form?

A. That is rather long. It is a wrong translation.

Q. Which is wrong, Ishii's question or your answer?

A. Ishii's question -- although upon perusal of the last exchange of notes the southern islands under the control of our mandatory are made territories belonging to Japan the same. There is a mention to pay the remuneration for it and upon this point, according to the explanation of Minister Matsuoka, inasmuch as the Versailles Treaty is abrogated, then on the southern islands Japan continues the military occupation yet. Therefore Japan, it is said, must necessarily pay remuneration to Germany. But the area under mandatory control is given to the five great powers by the Versailles Treaty, and Japan must be looked upon to have had it sometime. I think it right to look upon as the territory belonging to Japan, and therefore I cannot persuade myself to agree to the verbal declaration of the German ambassador. Nevertheless, this question is outside the subject of the question by the Throne. I wish to limit my opinion as by way of reference only.

Q. That is that same question and answer that I read.

A. Maybe, yes.

Q. Mr. Ishii's question and your answer concerning the disposition of the Japanese mandatory area. Now, let's see if the next question is there.
Councillor MITSUCHI.

A. There is no next question. Here begins my reply.

Q. Well then, after your reply, what comes next?

A. Next, a statement of mine. I will translate. "Matsuoka, the Foreign Minister, Dr. TASHI and others -- that is famous authority on international law in Japan.

Q. Who is Mitsuchi?

A. Councillor. But here it says, page 248, in reply to Viscount Ishii, just translated.

Q. Where are you beginning now? What is this here?

A. That is all quotation of question by Ishii. It sounds funny, isn't it? It looks like my reply and yet it is what Ishii is alleged to have said.

Q. Well, according to this translation here, "Councillor Mitsuchi expects America to oppress Japan economically when the pact is announced. He inquires whether the government is prepared against the economic stringency in Japan."

A. That is way down.

Q. Will you mark on the book what part we skipped, from your last answer?

A. I haven't translated fully.

Q. Now, at this point, where do we commence that question that isn't translated right? Page 248 or 249?

A. Viscount Ishii says we are not obliged to have these mandatory islands transferred to Japan by Germany.

Q. This next question, Councillor Mitsuchi, -- who was he?

A. He was formerly Minister of Finance and belonged to Saiyukai Party.

Q. He "expects America to oppress Japan economically when the pact is announced. He inquires whether the government is prepared against the economic stringency in Japan. He warns the Japanese people not to be infatuated with Germany and Italy, and not to have antagonistic attitude against America and England."

Is that a translation of that statement?

A. He says that the Japanese may become after the treaty of this kind is concluded, pre-German and anti-American movement may be started by some people.

Q. Do you recall that statement?

A. Upon this point, please supervise or control.

Q. Do you recall that he made such a statement at this meeting?

A. No, I don't recall, but it is likely that he made such.

Q. And it is translated there the way you have read it?

A. Yes.

Q. In other words, they point out that this pact may result in such a feeling between Japan and America?

A. No, it may have the effect of producing some people trying to start an anti-American movement.

Q. Now, "HOSHINO says that the government is most concerned about the living of the people, and expects to leave nothing desired."

"Konoye agrees with Mitsuchi in suppressing anti-American movements."

Is that a translation of what is said there?

A. Yes.

Q. Do you recall Konoye making that statement?

A. Yes.

Q. Chairman SUZUKI

A. Nothing more. Half past seven and the government side retired.

Q. Now, "Chairman Suzuki requests the ministers of state and explainers to withdraw. After their withdrawal, there was a discussion between the commissioners and they concluded: 1) As for America and England, we will try to avoid the possibility of stimulation arising from the conclusion of the pact. 2) Try to smooth the Russo-Japanese relations, 3) and yet make every preparation against the worst emergency.

"The Council adjourned at 8:20 P.M."

A. That isn't here.

Q. Well, you read a place where they adjourned, back there.

A. In this record, it isn't here.

Q. What is next recorded there?

A. Concerning the conclusion of the Three Power Pact between Japan, Germany and Italy, and in parenthesis it says "Draft of Address of Premier Konoye at a committee meeting of the Privy Council." And then Konoye's speech, or what purports to be a draft of an address of Premier Konoye.

Q. How far does that run over?

A. It covers two pages, and then comes Appendix B. Oh, this is made Appendix A.

Q. Which, the draft of Konoye's speech?

A. Yes, and mine is Appendix B. Draft of Foreign Minister's explanation concerning the conclusion of Japanese, German, Italian Tripartite Treaty or pact. That covers seven pages.

Q. From what number?

A. That is Appendix B, page 253 to 259.

Q. Now, what does the next one appear to be?

A. The next one, I think still continues my explanation. Five more pages continues my explanation. Up to 264.

Q. Now what does the next one seem to be?

A. Next comes Appendix C. No, it says C -- B.

Q. Well, A was Konoye's speech, B. was yours.

A. It doesn't say Appendix, it simply says C, and my explanation continues with it. C, conclusion. Then to 268, all one explanation.

Q. Good. Now, may I see the document again, please. In this same document, Mr. Matsueka, attached to the same document are four typewritten pages immediately after this page 268, which we have just mentioned, and turning in reverse order of the book, and reading from left to right rather than right to left as we have been doing. This typewritten document, reading from the face of it, it says "Strictly Confidential -- Protocol." And in pencil, alongside of Protocol, it says "Draft Copy." Now, I would like to read you this protocol for the purpose of refreshing your recollection and ask you what relation that bears on the document we have been discussing up to the present. Is there any way you can tell by looking at this plain white paper on which the English is typewritten, whether it also comes from the Foreign Office? Is there any water-mark or any mark upon such paper as that, so that you can tell?

A. No.

Q. It doesn't bear any mark on there from which you can identify it?

A. No.

Q. But the sheets in there upon which Japanese writing appears have red Kanjee character marks which indicate they are from the Foreign Office.

A. Yes, the Japanese sheets.

Q. I would like to call your attention to this -- it does appear when we look at the way this book is bound here, as the book now appears, this English, these typewritten sheets that I have just mentioned, seem to have been bound with the other ones that are in there, at the same time.

A. Yes, only I doubt a little because generally we produce a clean typewritten papers instead of a copy to an office such as Privy Council.

Q. Well, this probably wasn't the one that was presented. It says here "Draft Copy."

A. Maybe so.

Q. Anyway, we will read it and then discuss it afterwards to see what bearing it has:

"Strictly Confidential

"Protocol

"With reference to the Pact signed on this day by the representatives of Japan, Germany and Italy the Contracting Parties have arrived at the following understanding:

I. With a view to determine by consultation with one another the detailed arrangements on the cooperation and mutual assistance between Japan, Germany and Italy as stipulated in Paragraph III of the Pact, Joint Military and Naval Commissions, preferably one at Tokio and another at Berlin or Rome, together with a Joint Economic Commission, shall forthwith be organized. The composition of the aforesaid Commissions shall be determined through consultation by the Governments of Japan, Germany and Italy.

"The conclusions of the said Commissions shall be submitted to the respective Governments for approval in order to be put in force.

"II. Whether or not a Contracting Party or Parties has or have been attacked openly or covertly as stipulated in Paragraph III of the Pact shall be determined upon consultation among the three Contracting Parties.

and in case the fact of such an attack has been established the measures of mutual assistance of political, economic and military nature to be adopted by the Contracting Parties shall be studied and recommended by the aforesaid Commissions, subject to approval of the respective Governments.

"III. As the cooperation and mutual assistance stipulated in Paragraph III of the Pact have in view as fundamental aims the efforts to establish forthwith a new order in Greater East Asia and Europe, to eventuate in a new world order, blessing Humanity with a just and equitable peace, Germany and Italy shall, in time of peace as well as war, take all possible measures to restrain a Third Power or Powers on the Atlantic with a view to better enabling Japan, Germany and Italy to accomplish their common aim of establishing a new order in Greater East Asia and in the Pacific Basin in general.

"In the event of Japan being attacked by a Power or Powers not at present involved in either the European War or the Sino-Japanese conflict referred to in the last part of Paragraph III of the present Pact, Germany and Italy also undertake to come to Japan's assistance in the Pacific Ocean with all their means and resources.

"IV. While Germany and Italy undertake to use their good offices with a view to improving relations between Japan and the U.S.S.R., Japan, Germany and Italy shall make utmost efforts to induce the U.S.S.R. to act in accord with the main purposes of the present Pact.

"V. The Contracting Parties undertake to exchange from time to time without delay all useful inventions and devices of war and to supply one another with war equipments, such as aeroplanes, tanks, guns, explosives etc., which each Party may reasonably spare, together with technical skill and men, should they be required. Furthermore they are prepared to do utmost in furnishing one another with and in aiding one another in the efforts to procure minerals including oil and other materials as well as machinery for war industries and various requisites for livelihood with machinery of all sorts employed in the production of such requisites.

"VI. In conformity with the spirit which prompted the conclusion of the present Pact, the Governments of the Contracting Parties undertake to enter into negotiations, without delay, with a view to deciding upon measures of assuring to the other Contracting Parties or their Nationals, in their commercial and industrial activities in the regions where the Contracting Parties are respectively recognized to have leadership by virtue of Paragraph I and II of the present Pact, a position which is preponderant in comparison to that of any Third Power and its nationals.

"VII. The present Protocol shall remain secret and shall not be published.

"Done in triplicate at . the day of "

Q. Now, after hearing that read, Mr. Matsuka, does that refresh your recollection as to whether or not this was a draft of the protocol proposed to run along with the Triparty Pact?

A. Yes.

Q. Now, as I understand it, from previous questioning, this protocol was not actually adopted.

A. I don't recollect, to tell you the truth.

Q. My recollection is, from our questioning yesterday and your answer to one of the members of the investigating committee, you said there was not time to complete the protocol, but the matters contained in it were taken care of in the letters.

A. If there is such a record, I think that must be correct.

Q. What about this draft? Is that a draft as it was agreed upon at the time?

A. As we talked on.

Q. This seems to be a draft of what has been agreed upon, and states in technical language what each party agreed to.

A. Yes, it looks like it.

Q. Now, I will read Article VI of this Protocol, and ask you some questions concerning it after I read it:

"VI. In conformity with the spirit which prompted the conclusion of the present Pact, the Governments of the Contracting Parties undertake to enter into negotiations, without delay, with a view to deciding upon measures of assuring to the other Contracting Parties or their Nationals, in their commercial and industrial activities in the regions where the Contracting Parties are respectively recognized to have leadership by virtue of Paragraph I and II of the present Pact, a position which is preponderant in comparison to that of any Third Power and its nationals."

Can you explain the intent and purpose of that sixth article, what it actually means? Does it mean that in such parts of Europe and in such parts of Asia as Germany and Japan shall have gained predominance, in those parts and the nations of those parts Germany and Japan will exchange the resources and economic benefits as against any other third power. Is that what it means?

A. What it means, but in reality we had not much to do with Europe, but I had to make it mutual on the face of it, but I wanted the aid of machineries

and inventions in the Greater Far East, and as to predominance, I concluded I think that was an exchange of notes in August with the French ambassador, that France recognizes the predominance of Japan in the Extreme Orient.

Q. Australasia?

A. Oh no, that means East Asia and I exchanged a note to that effect and I meant.

Q. At that time what was the understanding of France and your government with respect to what was then

A. In respect to Indo China?

Q. Well, only in respect to Indo China?

A. Yes.

Q. From your answer I judge you had agreed upon a large-scale understanding.

A. Yes, I made it just vague and large, but really with France we were negotiating about Indo China.

Q. Well actually what this article means is that such parts of the world as your country and Germany divide in the new order, such parts as fell under your predominance would be mutually, for beneficial reasons, exchanged between you and Germany, but as against third parties there, that would be precluded as against Germany or Japan.

A. No, there was no thought of precluding any party. They had equal opportunity, at least in our sphere, but we said that we are naturally leading things.

Q. Quoting again, "...recognized to have leadership by virtue of Paragraph I and II of the present Pact." That is that Germany shall have the right to develop her sphere, and also meant that Germany recognizes the right of Japan to realize her sphere, did it not?

A. But the spirit I said, that is embodied in the preamble.

Q. "...a position which is preponderant in comparison to that of any Third Power and its nationals." That contains the whole statement. What does that actually mean to you?

A. What it says. Just as if America was preponderant in the Western Hemisphere and has leadership, in the same sense.

Q. Now, according to Article 1 of the protocol, there was a definite intent to exchange materials, information, war materials, as well as other economic goods. Is that your understanding of it?

A. Yes, but as I told you the other day, the committees were not really founded.

Q. They had not really been established?

A. No, not while I was in the Government, although they would be expedited.

Q. You did hold a preliminary discussion, or one meeting of the group at your residence.

A. At my official residence. That is about the point I told you. The Japanese, particularly army authorities, object to the Foreign Minister supervising a committee of this kind.

Q. But in any event that delegation that you did meet in your official residence, after you returned from Moscow, that I called your attention to from this Information Bureau document the other day, was a committee in connection with this Article 1 here of the protocol.

A. I think that was before I went. That is -- maybe my memory may be faulty -- but I think it was before I went to Europe, and General Ott

Q. Yes, I believe it was shortly before.

A. General Ott wanted to have the committees established as soon as possible, but I told him that our military authorities objected to the Foreign Minister supervising military policy, and we determined upon consultation, that point. I think that we had no such meeting after coming back from Europe.

Q. I see. "German Economic and Goodwill Mission, headed by Mr. Wohlthat and consisting of six members, which is now en route to Japan, will reach Heinking on the 19th and, after holding informal conversations with the authorities of Manchoukuo, will leave there on the 23rd, via Fusan, and will arrive at Tokyo, at 7:30 o'clock a. m., on the 26th."

This is apparently a German commission.

A. This German commission came to negotiate chiefly about economic questions in Manchoukuo and Burma.

Q. I see.

A. This had nothing to do with the Tripartite Pact, and particularly about soy beans.

Q. There was an extreme effort, wasn't there, Mr. Matsuoka, made to develop fuel oil for motors out of soy beans, or do you know?

A. No, no such thing. We were extracting oil from coal, and at Foochow. Of course, there were talks of what you said, but nothing materialized while I was in Manchuria.

Q. On May 9, 1941, that was after you had returned from Moscow, this notice is as follows:

"The General Commission under the Tripartite Pact held its meeting at 4:30 p. m. May 9th, at the official residence of the Foreign Minister, under the chairmanship of His Excellency Mr. Matsuoka. Their Excellencies General Ott and Monsieur Indelli took part in the meeting. Question relating to the cooperation among the three Powers under the Tripartite Pact, including economic matters, were brought up and fully discussed. It was agreed that the Commission shall sit as often as possible with the assistance of the Military and Economic Commissions and continue its work in close cooperation with the Commissions established in Berlin and Rome."

A. While I don't recall, it must be correct. I thought before going.

Q. Was that meeting -- it states here, of course, "Question relating to the cooperation among the three Powers under the Tripartite Pact."

A. That is about establishing these committees and the manner of who and how to supervise those committees. And the chief point decided, as I said yesterday.

Q. But this was in keeping with the understanding under either this protocol or the secret letters or the letters exchanged concerning the establishment of these commissions under the Tripartite Pact?

A. Yes.

Q. Now, on May 30, according to the document office announcement concerning foreign relations for the year 1941, Board of Information, *Справочник* page 41, Article XLV, notice appears "The Foreign Minister's Statement Clarifying Japan's Foreign Policy. Dated May 30, 1941."

Now, wasn't the matter concerning the U. S. and Japan's relations the matter which was presented to you when you returned from Moscow -- wasn't that still pending?

A. Yes. I had not fully considered it yet.

Q. But you had been considering it?

A. Yes.

Q. You examined some of the drafts that had been prepared in your absence and made some corrections and some suggestions?

A. And I was wiring out to Washington.

Q. Incidentally, was Admiral Hozura sent to Washington during your administration as Foreign Minister?

A. Yes, I told you I kept on asking him for three months, and he kept up refusing.

Q. I will read you this article XLV:

"Some American newspapers are said to have recently carried reports conjecturing that Japan is becoming indifferent toward the Tripartite Pact. The Foreign Minister stated in this connection that there is no question whatever as to the fact that the Pact constitutes the immutable basis of Japan's foreign policy, and that he could hardly believe the American authorities to be entertaining such a misunderstanding. If there were any misunderstanding of that sort, he continued, it was an absurd misconception and that if such erroneous views were current in America, he could not but ascribe it to misleading information spread wilfully. Considering that it would not be entirely useless to clarify Japan's position on this point, he said as follows:

"1. Japan's fundamental policy has for long time been firmly established and has undergone no change whatever.

"2. Since the conclusion, on September 27 last, of the Tripartite Pact, Japan's foreign policy has consistently been conducted with this Pact as its pivot. This should be clear to all from the statements on various occasions by Prime Minister Prince Kameyama and myself as well as from the subsequent development of Japan's policy. There has, of course, been not the slightest deflection from this course of policy.

"3. It is, therefore, absolutely impossible to imagine that Japan should fail in the slightest degree to carry out faithfully her obligations under the Tripartite Pact.

"4. As has frequently been affirmed, Japan's policy toward the South Seas is peaceful. Should, however, untoward international developments render the execution of such policy impossible, it is a possibility that Japan may have to reconsider her attitude in the light of the changed situation."

Now, do you recall that statement?

A. While I don't recall, I think I must have said those things, because that is in keeping with what I agree with Germany about the Tripartite Pact. That is, to take a united front. Moreover, it was in keeping with my contention that if the Tripartite Pact can be of any effect, we must not take an attitude which will lead others to assume that we have split, whether Germany or Japan.

Q. This article seems to be directed principally and entirely at America and American newspapers and information. What was in this address? You were making a reply to the representations that had been made by America to Japan, for a solution to the problems, and in this reply you bluntly told them you would abide by the principles laid down between Germany and you in the Tripartite Alliance.

A. No, I don't recall making any reply to representations from your country, but I do remember that American press reports, from them at least one could draw a conclusion that Japan was not necessarily loyal and faithful to the Tripartite Pact, and there was a split between Germany and Japan. And I wanted to make the situation clear.

Q. So that, let us assume that there were a number of persons in your government and the government of the U. S.--keeping in mind that you returned on the 22nd of April, that you were met in the airport by Prince Konoye and that a person whose name I have already recalled to you, rode in an automobile with you on your return from the airport, and informed you that serious representations had been made by the U. S. and were under consideration at the time; the fact that you attended a meeting that same night, according to the record, and asked to be excused because you felt ill.

A. Fatigued.

Q. The fact that subsequently members of the Army and Navy branch of the government called upon you at your home and urged you to speed in a reply --- having in mind all these facts, as I have stated, and having in mind the 22nd of April and the delivery of this statement of yours concerning Japan's foreign policy, the nature of it, the fact that it calls attention to the American newspapers and/or those other erroneous views which were current in America, doesn't it occur to you that this could be construed in a very logical manner to be a reply, in a sense, as to your attitude concerning representations in America about a change in your foreign policy?

A. No, it doesn't appear to me so, but at least I wanted to make, even in connection with the negotiations, the ground clear with no misunderstandings.

Q. Before you made this declaration, if you can recall, which is May 30, and the date of April 22, your return from Russia -- between those two dates did you receive any messages or communications from Admiral Higura in Washington concerning the situation then pending between the Japanese government and the U. S. government?

A. When?

Q. Between those two dates, between your return on 22 April and 30 May when you made this statement concerning the foreign policy.

A. I don't recall exactly the date, but I got a long distance telephone call from Admiral Nemura saying that he would like very much to hasten up negotiations, and I said I am trying although as fast as I can, and Nemura I think said he thoroughly understands how difficult it is for me, but he wishes that the matter be hastened.

Q. Did he tell you why there was a necessity for hastening the matter?

A. No.

Q. He is your ambassador there, and he is talking to you on the long distance phone, and urging you to hasten?

A. Yes, and I assured him that I will try my best.

Q. Did he give any reason?

A. No.

Q. Do you think this telephone call came after you returned from Moscow?

A. Yes.

Q. And do you have a recollection now whether or not it was before you made this speech here?

A. I have no clear recollection.

Q. You do not recollect whether it was after this speech or before?

A. No.

Q. Did you afterward send someone else from your government to assist Admiral Nemura to act as

A. No.

Q. Who sent Kurusu there?

A. That was long after the second Konoye Cabinet fell down.

Q. Having in mind that you left the government in July, on the 16th or 17th, and that Pearl Harbor was attacked in December, that wasn't such a long period of time, was it?

A. Well, it was long and I was anyhow laid up in my sickbed and afterward I knew nothing of the world outside, and I was not mostly in Tokyo. I was laid up in sickbed at Karasawa. But at the time Pearl Harbor event took place, I was back in Tokyo, but of course confined in the house.

Q. Why did you leave the Konoye Cabinet?

A. Because the second Konoye Cabinet handed in resignation of the cabinet en masse.

Q. On what account? What brought it about?

A. He asked each member to hand in resignation.

Q. You don't have any recollection of what that was about?

A. No, I didn't go to the government office for some days, and the Chief Secretary called on me at my house and asked for my resignation, and I said so, yes, willingly.

Q. Up until July 16 or 17, when you retired, had you still made any settlement or responsible reply to the U. S.?

A. Two drafts, you know -- first and second, and without knowledge of what was done with my second draft, I retired from the government.

Q. What was the nature of your first draft, if you recall now?

A. That was to lessen the items to a few. My contention was never try to settle too many issues, and then postpone the meeting of the President with Konoye, and the meeting and exchange of felicitations between the Japanese and American navies, etc., -- just postpone, but don't include in this, and first in a few basic things let us agree.

Q. Well, you did know, though, that in May of 1941, when you made this speech, you did know you had concluded the non-aggression pact with Russia?

A. Yes.

Q. And whether it was your idea or not, and whether you agreed with the theory of these people -- Tojo, the War Minister; and the Minister of the Navy -- which they put forward in the reading of these minutes yesterday, as their reason for the urgent need of settling the Russian relations with Japan, they had accomplished the purpose which they outlined. For example, Mr. Tojo said that in event of war with America, the Army was still prepared, that it was vitally necessary that relations between Russia and Japan should be settled in that event. The Navy Minister also urged a settlement of relations on the basis of obtaining oils and other materials. So, regardless

of your purpose, it also accomplished the desires of these two people as they declared in this meeting, isn't that true?

A. Well, they may desire one thing or another.

Q. Let's stick to this one question. If Tojo and the Navy Minister urged the settlement of relations between Japan and Russia, if there was any chance of a war with America and England, if they urged that it must necessarily follow as logically as day follows night -- if you did conclude such a pact, it must be satisfactory to them.

A. Not necessarily. Many arguments and emergency commissions, military men of all countries.

Q. Didn't Tojo say that was desirable?

A. Oh, that it was desirable.

Q. Didn't the Navy Minister say it was desirable?

A. Yes, desirable.

Q. This was held 26 September 1940, right?

A. Yes.

Q. And on 13 April 1941 there was concluded a non-aggression pact with Russia?

A. Yes.

Q. Now, regardless of your opinion of the matter, wouldn't you say that that was the thing that the Army and Navy ministers wanted from their very statement at this meeting?

A. Well, that is why I say -- but whether I give much consideration to that point or not, that is quite another thing.

Q. That is quite another thing. I am just asking you, keeping in mind the statement of the War Minister and the Navy Minister, September 26 1940, at that High Liaison conference, when they said if war with America and England is probable we must have our relations with Russia put in shape as that was vital. They both said that, didn't they?

A. Both said, but on account of their own reasons.

Q. Let me just read you Tojo's statement on page 1. I read it yesterday. It is the early part of the meeting. Councillor Kawai "considers the third article most important, and wants the War Minister to assure that in case

a war against America should break out, Japan will not be beaten. He also wants the War Minister to explain what attitude Germany will take if the Soviet Union should rise against Japan."

Now, here is the War Minister's statement: "Tojo: 'In case of the worst emergency, the force the Army is going to employ against America is only very small. Military operation against America is imperfect without military operation against Russia. Accordingly, readjustment of Japan-Soviet relations is very important, and if it is completed effectively, the military preparation will be made much easier. However, as the Russian temperament as it is, we must not neglect our preparations. As to the Chinese incident, we hope to solve the problem before the worst emergency comes, through effective application of this pact."

Now, that is Tojo's statement on that day. All I ask you is, when that non-aggression treaty was completed, wasn't it in keeping with the idea that Tojo is expressing here?

A. That is what I said yesterday, that I couldn't make out clearly what he meant there in his reply. Very little troops or something.

Q. You don't understand why he needs a non-aggression treaty with Russia if he is going to attack America with his Army?

A. I understand that point, but in his way of figuring I can't.

Q. Here he says further, "...and if it is completed effectively, the military preparation will be made much easier." He tells you why.

A. That is true, but he says only small part of the Army.

Q. Now, the Navy Minister pipes up next, and here is what he says:

"War preparation of the existing fleet being complete, we shall not be beaten by America. However, when the war is protracted, we must prepare ourselves fully against the realization of the American Naval Armament Repletion Plan."

Now, FUTAGAMI "says that the phrase in the third article, 'in either the European War or the Sino-Japanese conflict,' is not clear. Does it mean both of them or one of them? What is a mixed commission? There is the non-aggression pact between Germany and the Soviet Union. Therefore, even if Japan is attacked by the Soviet Germany cannot attack the Soviet Union. On the contrary, when Germany is attacked by the Soviet Union, Japan is obliged to attack the Soviet Union in order to assist Germany. Is it not one-sided?"

"Matsuoka doesn't think the phrase misleading. In the case of Russia attacking Germany, the attitude of Japan will be outside the scope of the

present pact."

None of this discussion here in this committee meeting of the High Liaison Committee investigating the Tripartite Pact, none of this discussion turns on any other point, and none of it gets serious except when they say in the worst event, and that always seems to turn on whether or not war with England and U. S. is probable. Both parties have insisted upon settling relations with the Soviet Union before that event should happen.

A. That is how I think most of them felt.

Q. Isn't that the principal reason why you attempted, and why you concluded this pact?

A. No.

Q. The thing you had in view is for many years on the fire, and has to do with fishery rights and gasoline rights and commercial rights, and you all of a sudden felt it a good time to conclude a non-aggression pact?

A. Not only that, but after the pact was concluded I might have a good opportunity to go to Washington myself.

Q. What about the pact with Russia? By the very terms, it is an agreement by the two parties not to attack each other with their military.

A. Yes, to remain neutral.

Q. It says specifically they will respect the boundaries. There is nothing in the pact that has anything to do with fisheries or gasoline supplies, isn't that true?

A. Yes.

Q. It says Russia agrees not to attack Japan and Japan agrees not to attack Russia, and so far as the pact is concerned it is in language that satisfies the questions outlined here by Tojo.

A. It may have satisfied, but I heard later on, at the time I concluded the treaty, that Tojo was complaining against it, that I concluded this treaty.

Q. He was complaining about it?

A. Yes.

Q. He must have had a change of mind, then.

A. Yes.

Q. How long do you think the Japanese Navy was preparing for the attack on Singapore and Pearl Harbor?

A. They never prepared for war with America any length of time, but apart from the fact that military men in all countries consider all possible emergencies.

Q. Do you have any personal knowledge of what date the order was sent out to the Japanese fleet to prepare for the attack on Pearl Harbor?

A. No.

Q. No?

A. You must really know that I was always complaining that in Japan you can never pursue one policy more than one year. They change so rapidly.

Q. But it does seem, though, that in pursuing this policy which you had outlined, that is the Tripartite Pact, your consistent announcement that your foreign policy was around the Tripartite Pact, the non-aggression pact with Russia, and every act and speech which you made concerning the expansion in East Asia, was in keeping with the war program as it eventually came about.

A. I think my policy would not have continued very long after my fall. It is always changing -- jumbling policy.

Q. Let's see, when you left the Cabinet, Konoye was still Prime Minister?

A. Yes.

Q. Who moved up to your position as Foreign Minister?

A. Admiral TOYODA.

Q. And then who became War Minister?

A. I think it was TOJO.

Q. The same man?

A. Yes.

Q. Who was Navy Minister?

A. Same man.

Q. Now, usually the "big five" in the cabinet are ~~ixx~~ those five, aren't they? Prime Minister, Foreign Minister, Finance Minister, War Minister, Navy Minister. Right?

- A. No. Usually big men.
- Q. Well, some time ago I inquired of you whether, before you accepted your position in the Konoye Cabinet, there was a meeting at which those five were present.
- A. Four -- Prime Minister, War, Navy, and myself.
- Q. What about the Finance Minister?
- A. He wasn't there.
- Q. Well, before that government was formed, you people got your heads together on certain matters.
- A. Yes, I think for the first time in political history. Of course, I was very close to Konoye.
- Q. You don't mean to suggest here that the Foreign Office never cooperated with the War Office or the Navy Office, do you?
- A. I think Toyoda doesn't carry much weight.
- Q. I meant when you were Foreign Minister. You didn't go about your business without any consultations with the War and Navy ministers.
- A. They consulted me. But how much weight I carried, I don't know.
- Q. And you considered and advised in matters that involved military matters, didn't you?
- A. Oh yes, I couldn't say anything on military matters. Don't mistake this Toyoda with the Toyoda who is in prison.
- Q. I do not know ~~any~~ either one of them.
- A. This Toyoda is another Toyoda who retired from the Navy and became Minister of Commerce.
- Q. Well, the government was practically under the control of the military at that time, anyway, wasn't it?
- A. At least I was fighting against it. I had to.
- Q. You had to fight against it?

A. Oh yes, sometimes I even rebuked to the face of the War Minister, but Kenoye never gave his opinion.

Q. Did you have any advice from the War or Navy Minister concerning the settlement of the Indo-Chinese and French question with your government?

A. No.

Q. Did you have any advice or consultation concerning the so-called settlement of the border dispute between Thailand and Indo-China?

A. No.

Q. Now, by that do you mean to say there were no military commissions involved in either one of these?

A. No, except when Tojo asked me for the right of way to pass through Indo-China from Hanoye.

Q. When did he ask that?

A. That is a long time ago.

Q. Was he War Minister at the time?

A. Yes, that was in August, I think.

Q. In August of 1940?

A. Yes.

Q. And what did he want to do? He wanted to pass from where?

A. From Hanoye up into China.

Q. Where in China?

A. To attack Chiang Kai-Shek.

Q. And in order to do this, he had to pass through where?

A. Through Indo-China.

Q. Now, in August 1940, the German Army had defeated France, hadn't it?

A. Yes.

Q. And French Indo-China fell under the Vichy Government of France?

A. Not necessarily.

Q. Was it a possession of France at the time?

A. Yes, but most of the officers were de Gaulleists.

Q. Were they in opposition to your plan?

A. They don't give in at first, but at the last.

Q. In any event, French Indo-China being a part of the French Empire, this problem of Tojo's came at a time after the fall of France to Hitler?

A. Yes. It was not exactly a part of France, it was a protectorate.

Q. Now, Tojo wanted to obtain the right to move troops from Hanoi through Indo-China to a place in China, to attack Chiang Kai-shek? That was in August?

A. Yes.

Q. Did you obtain this right for him?

A. Yes, from the French ambassador at Indo-China.

Q. And did ^{you} get that right?

A. Yes.

Q. Now, the basic contention of the U. S. in her relationship with Japan was the war which the Japanese Army was carrying on against China -- one of the basic principles, isn't that true?

A. Yes.

Q. So that when you assisted Tojo to obtain from French Indo-China, through some French government official, the right to move his troops over Indo-China to attack the Chinese troops, that was not, in any sense, a mediation of the question between Japan and the U. S. on the subject, was it?

A. Oh no.

Q. That didn't have a tendency to make relations better with the U. S.?

A. There was no such question at the time.

Q. Isn't it true that one of the most difficult problems Nemura ran into in Washington, when they were about to reach a settlement, was this actual movement of troops into Indo-China and Thailand?

A. I think that was in connection with sending Japanese forces to Saigon, in southern Indo-China. You must know that Indo-China was never compelled by any agreement with any country.

Q. Whereas it was the intention of the U. S. to put an end to the invasion of China, the Japanese forces went still further into China in their operations. Isn't that true?

A. It is true, but nevertheless

Q. Now, in order to obtain these rights and certain military bases and airfields in Thailand and Indo-China, which the Japanese Armies used in their attack on Singapore and other military operations, it was through your Foreign Ministry that these details were made, isn't that true?

A. Yes, that is the Foreign Ministry during my holding portfolio as Foreign Minister, and the Minister succeeding me.

Q. So that, from just a reading of the events that took place at that time, it would be fair to conclude that the Foreign Office was acting for and in assistance of the military forces of Japan in those operations?

A. Yes, certainly.

Q. And at a time immediately previous to the signing by Japan of the Tripartite Pact. Correct?

A. Immediately, as you say -- immediately after.

Q. If these things occurred in August, and in July, and in June, and the Tripartite Pact was signed in September

A. September 27.

Q. These things then, took place before the signing of the Tripartite Pact.

A. Yes, before.

Q. And the Tripartite Pact had for its plain, stated purpose, the mutual agreement and understanding between Germany and Japan, that each was to have the right to expand within their own sphere.

A. To lead. To expand, I think, is erroneous.

- Q. You don't think Hitler led the Poles into Poland, do you? You don't think he led France or Holland or Belgium or Denmark, do you? You don't think he was leading England when she was bombed, do you?
- A. I was trying to bring Germany down to our Hakko Ichiu.
- Q. Down to it? Why do you say down?
- A. Bring around, I say.
- Q. Well, Japan started the China incident in 1937, and Hitler didn't invade Poland until 1939.
- A. And so it is only sensible that Japan was anxious to stop the China incident.
- Q. Now, in this Tripartite Pact which was signed in 1940, you must necessarily have recognized the right of Germany to predominate Poland.
- A. No.
- Q. And Belgium? And Holland? Or Denmark?
- A. No.
- Q. You didn't recognize that?
- A. No, not only Germany but I was against Japan making
- Q. Didn't Germany and Italy, and almost in the order of the nations that fell under the German influence, didn't they in that order recognize Manchukuo as a government and also the government which was established in China?
- A. I don't recall.
- Q. Don't you recall Germany, then comes Italy, and then comes other nations that fell under the German influence.
- A. I recall, yes, Germany and Italy did.
- Q. What was the government setup in China?
- A. That was Nanking government.
- Q. UPI, or whatever his name was? What was the recognized government in China that the Japanese Government recognized?

- A. Hanking government, head of which was Wang Ching Way.
- Q. This was set up and your government recognized it?
- A. Yes.
- Q. What year?
- A. That is 1940.
- Q. Didn't Germany recognize that government?
- A. Yes.
- Q. Didn't Italy recognize that government?
- A. Yes. Well, let me insert a few words. The other day you called it a puppet government, but that depends on how you look at it.
- Q.
- Q. That is a relative term, isn't it?
- A. This Wang Ching Way was one of the two in China of most influence among the people, particularly among the younger people. Chiang Kai-shek and Wang Ching Way, and at one time Way was more popular. Without that, you know, we could not set him up there as puppet.
- Q. Well, he visited Tokyo, didn't he?
- A. Yes.
- Q. He came here and was feted as ruler of China, President of China, or something of the sort.
- A. Yes.
- Q. You don't mean to say that Manchukuo and this Chinese government were not puppet governments, do you, set up with the assistance of Japanese forces?
- A. I contend that it is not quite right to call them puppet because without Wang Ching Way's influence, you couldn't have done it.
- Q. How would you express it then?
- A. I think separatist. Wang Ching Way was striving for peace with Japan, and to save China.

Q. To save China?

A. And take, for instance, Manchukuo. Manchuria was Manchu Dynasty's domain. And moreover I think even today there are a great many Chinese who revere him.

Q. Now, Germany signed this Tripartite Pact with Japan after the China Incident in 1937, isn't that right?

A. Yes.

Q. After the attack on Nanking, the bombing of Shanghai?

A. Yes.

Q. And that pact states that they recognize here in Greater East Asia, your right to do these things?

A. Yes.

Q. Now, do you mean to say that you do not recognize the right of Germany to do what she had done in Europe?

A. My intention was to advise Germany to restore independence to all these small states in Europe when opportune moment comes.

Q. But you hadn't considered that the opportune moment had arrived yet?

A. No.

Q. Aside from the attack on Singapore and Pearl Harbor, all of the East Asian territories which you had previously outlined in many of your speeches, Manchukuo, and others had already been an accomplished fact, hadn't it, -- here in Japan?

A. But we restored extraterritorial rights, we told them we recognized the independence of China and we will be on equal footing with, etc. That is what we called the Kenoye declaration.

Q. Now, excuse me.

A. We will withdraw from China.

Q. Now, when Japan did make war upon America, Germany and Italy did join the war on the side of Japan against America, by open declaration.

A. That is after Japan made war.

Q. And when they did so, they expressly said they did so as a member of the Tripartite Pact.

A. That I don't know. I was in sickbed.

Q. But the fact is that they did declare war?

A. Yes.

Q. It is true Thailand declared war on the U. S., and they were within the Japanese sphere of influence.

A. Yes.

Q. And do you remember other countries under German influence who declared war on the U. S.?

A. I don't recall any, but as I said the other day that war against America was made in violation of the Tripartite Pact, and Germany and Italy were not obliged to join under the Tripartite Pact.

Q. You consider that the attack on Singapore, Pearl Harbor and the rest of the move was in violation of the Pact?

A. Yes.

Q. When you say violation, do you mean there was anything written that substantiates that, or according to your understanding or interpretation of it?

A. It was written so and understood that it was to prevent any third party from attacking.

Q. You said previously it was to prevent the U. S. from entering the war.

A. Yes, I meant attack Germany, and it was to limit the sphere of the war. It was not an alliance treaty to make war, and if it is not in violation of that treaty nothing would have been done.

Q. But you signed the treaty, you were Foreign Minister at the time the treaty was signed, at a time Germany had overrun all of Europe except, of course, Russia and England, and at a time when Japan's armies had invaded China, and after these various attacks on Nanking and Singapore, and your Foreign Office's endeavors via the French Vichy Government for the right of your troops to move through Indo China, the situation in Thailand, and the setting up of these governments -- after all this had been accomplished, you entered into a pact with Germany, the dominating military power in Europe at the time, and who at the time was of your visit in March had then commenced another blow against Yugoslavia and Greece in the Mediterranean

Area. And still you haven't denounced them in any way. Did you approve of their action?

A. No.

Q. Did you approve of Japan's action in this area?

A. I was waiting until the opportune moment when Japan could offer advice to Germany.

Q. What representations did the Russian Government make to your government concerning your entrance into the Tripartite Pact, if any?

A. They don't make any.

Q. Now, I will show you an exhibit which, for the purpose of the record we will call 19-B-2 Proj 199 SA 15069. I will show you a document written in Japanese and ask you if you recognize what that is. Do you recognize it?

A. I have no memory, but from the tenor of it, I must have gotten it sometime.

Q. Can you tell me what this Congee here is?

A. "Strictly Confidential."

Q. And this, here?

A. For reference. This also says "Strictly Confidential."

Q. I will read you what purports to be an English translation of that Japanese document -- and incidentally, does it appear to be from the Foreign Office? Can you tell by looking at that paper whether it comes from the Foreign Office?

A. No. There is no way to identify it.

Q. Now, I will commence to read.:

"Strictly Confidential (Draft)

"Personal letter of the German Ambassador to His Excellency the Imperial Japanese Foreign Minister.

"Excellency:

"At the moment when our conversations, begun on the 9th instant at Tokyo, are about to eventuate in a successful conclusion of the Three Powers Pact, it is Minister Stahmer's and my sincerest desire to tender to Your Excellency the expression of deepest appreciation for the principal part

Your Excellency has played throughout in a most generous and accommodating spirit.

"We wish to take this occasion to state once more in this letter some of the salient points reiterated in our conversations with Your Excellency which are as follows:

"The German Government are convinced that the Contracting Parties are about to enter into a new and decisive phase of world history in which it will be their task to assume the leadership in the establishment of a new order in Greater East Asia and Europe respectively.

"The fact that for a long time to come their interests will coincide and the unrestricted mutual confidence of the Contracting Parties form the solid foundation on which the Pact is built.

"The German Government firmly believe that the technical details concerning the execution of the Pact will be settled without difficulties and that it would not be in keeping with the far-reaching importance of the Pact and it would be practically impossible to anticipate all possible cases which might arise in the course of its application; they can only be dealt with in the spirit of mutual confidence and helpfulness as they arise from time to time.

"Conclusions of the Technical Commissions stipulated in Article 4. of the Pact shall be submitted to the respective Governments for approval in order to be put in force.

"It is needless to say that whether or not a Contracting Party has been attacked within the meaning of Article 3. of the Pact shall be determined upon consultation among the three Contracting Parties.

"If Japan, contrary to the intentions of the Pact, should be attacked by a Power so far not engaged in the European War or the China Incident, Germany will consider it a matter of course to give Japan full support and assist it with all military and economic means.

"With regard to the relations between Japan and Soviet Russia, Germany will do everything within its power to promote a friendly understanding and will at any time offer its good offices to this end.

"Germany will use her industrial capacity and other resources technical and material as far as possible in favour of Japan in order both to facilitate the establishment of a new order in Greater East Asia and to enable her to be better prepared for any emergency. Germany and Japan will further undertake mutually to aid each other in procuring in every possible way raw materials and minerals including oil which they will have been in need of.

"The German Foreign Minister implicitly believes that Italy will of course act in concord with Germany and Japan when and where assistance and cooperation by Italy is sought in reference to the matters above enumerated.

"I have the honour to present to Your Excellency the above expose as the views of the German Foreign Minister conveyed personally by his special delegate, Minister Stahmer, and repeatedly transmitted to me from my Government.

"I avail myself of this opportunity to renew to Your Excellency the assurance of my highest consideration. gez. Ott."

Next:

"Strictly Confidential (Draft)"

"Letter from Foreign Minister to German Ambassador.

"Excellency:

"I have the honour to acknowledge receipt of Your Excellency's letter No. 1111 of this date and I feel happy to take note of the contents therein.

"I avail myself of this opportunity to renew to Your Excellency the highest consideration."

Now, is that a good translation?

A. Fairly, except one or two places.

Q. Do you recall having received that letter?

A. No, but I think from the tenor of it I must have received it at the time when von Ribbentrop's words were carried to me, to permit Italy to join.

Q. Now, is this one of the letters we have in mind when we talk of the exchanged letters concerning the Tripartite Pact?

A. No, I don't think so.

Q. This covers all of the details -- the commission to be established, or committees as you call them.

A. It may be.

Q. Having listened to this read, is this your understanding of the agreement?

A. Yes.

Q. Now, I will show you another draft of another document which we will mark in the same manner, and ask you if you recognize what that is?

A. Yes, this is about our British attack.

Q. Is that a letter which you wrote to the German Ambassador?

A. While I don't recall, it must be.

Q. Does it appear to be a letter which you wrote to the German Ambassador?

A. Yes.

Q. Can you tell from looking at that what date it was written?

A. No, but it must have been written about the same time the Tripartite Pact was signed.

Q. Now, can you tell me what the Congee is on the left hand margin of that?

A. Oh, "Strictly Confidential."

Q. Now, this?

A. "Reference."

Q. Now, in the margin on the right, alongside of a black line, there is an indented Congee there.

A. "Strictly Confidential."

Q. This is marked in two places "Strictly Confidential." What is this?

A. "Reference."

Q. Oh, this is "Reference", and it is marked "Strictly Confidential" in two places.

A. Yes.

Q. I will read you this document for the purpose of your determining whether or not this is a good translation of what is contained therein:

"Strictly Confidential (Draft)

"Letter from the Foreign Minister to the German Ambassador.

"Excellency:

"I have the honour to inform Your Excellency that the Japanese Government earnestly share the hope with the Governments of Germany and Italy that the present European War will remain limited as far as possible in its sphere and scope and will come to a speedy conclusion and that they shall on their part spare no effort in that direction.

"However, the conditions actually prevailing in Greater East Asia and elsewhere do not permit the Japanese Government to rest assured in the present circumstances that there is no danger whatever of an armed conflict taking place between Japan and Great Britain, and accordingly they desire to call attention of the German Government to such a possibility and to state that they feel confident that Germany will do their utmost to aid Japan in such eventuality with all means in their power.

"I avail myself of this opportunity to renew to Your Excellency the highest consideration."

Do you recall having sent that letter?

A. Yes, but will you please see if it coincides with my translation? The second paragraph,

Q. The second paragraph reads:

"However, the conditions actually prevailing in Greater East Asia and elsewhere do not permit the Japanese Government to rest assured in the present circumstances that there is no danger whatever of an armed conflict taking place between Japan and Great Britain, and accordingly they desire to call attention of the German Government to such a possibility and to state that they feel confident that Germany will do their utmost to aid Japan in such eventuality with all means in their power."

A. Oh, it is well translated.

Q. Now, the next is also marked "Strictly Confidential", and appears to be the German Ambassador's reply to you on this same letter:

"Strictly Confidential (Draft)

"Letter from the German Ambassador to the Foreign Minister.

"Excellency:

"I have the honour to acknowledge receipt of Your Excellency's letter of this date No. 1111 with the contents as follows:"

Apparently he quotes your letter.

A. Yes.

Q. Then he says:

"I take this occasion to note the contents of Your Excellency's letter.

"I avail myself of this opportunity to renew to Your Excellency the highest consideration."

Is that a good translation?

A. Yes.

Q. Now, do you recall receiving that letter, and sending the letter?

A. Yes, faintly. Not every word of it, but I think this must have been signed at the same time the Tripartite Pact was signed.

Q. And you did call attention to the German Government that there was an imminent possibility of war with Great Britain and the U. S. at that time?

A. Only that we cannot rest assured at the present time that there will not be, to absolutely believe that there will be no danger of conflict, etc.

Q. Good. Now, I will show you another document written in Japanese, and ask you to examine that and see if you can, what it is. Do you recognize it?

A. It is my letter to the German Ambassador.

Q. Good. Now, that also has a Congee on both the right and left-hand side.

A. Same thing, "Strictly Confidential."

Q. I will read you the English copy which was attached to the Japanese copy, and ask you to follow it and see whether or not it is a good translation!

"Strictly Confidential (Draft)

"Letter from the Foreign Minister to the German Ambassador.

"Excellency:

"I have the honour to ask Your Excellency to confirm the following oral declaration which was made by Your Excellency on behalf of the German Government:

"The German Government agree that the former German Colonies actually under Japan's Mandate in the South Seas shall remain in Japan's possession, it being understood that Germany be in

a way compensated therefor. In regard to other former Colonies in the South Seas, they shall be restored automatically to Germany upon conclusion of peace ending the present European War. Afterwards the German Government would be prepared to confer, in an accommodating spirit, with the Japanese Government with a view to disposing of them as far as possible in Japan's favour against compensation.'

"I avail myself of this opportunity to renew to Your Excellency the highest consideration."

Do you recall having sent that letter?

A. Yes.

Q. And is that a good translation?

A. Roughly, yes. On the whole it is good.

Q. Then attached to it, "Strictly Confidential" letter from the German Ambassador to the Foreign Minister?

"Excellency:

"I have the honour to acknowledge receipt of Your Excellency's letter of this date No. 1111 and to confirm the oral declaration set forth therein as made by me concerning the former German Colonies in the South Seas.

"I avail myself of this opportunity to renew to Your Excellency the highest consideration."

Do you recall receiving that reply?

A. Yes.

Q. Now, is it your opinion that these documents which we have read here are the exchanged letters which you had referred to in this committee meeting in support of the Tripartite Pact?

A. Yes. In committee meeting. I think they were exchanged between me and General Ott.

Q. At this committee meeting we were discussing yesterday, at the liaison conference, you pointed out there was no time to make a protocol but that these matters had been taken care of in letters between yourself and the German Ambassador.

A. Yes.

Q. These are the letters?

A. I think so.

Q. They are copies of them? Can you tell whether they came from the Foreign Office or not?

A. No. Not at all. There is no trace.

Q. Now, I will just show you these for the purpose of identification, and ask you if they are a copy of the Tripartite Pact between Japan, Germany and Italy, in the English language and in the Japanese language? Those two.

A. This purports to be the English translation, and while there is no trace to identify these documents here, it says 25 September 1940. So it must have been printed at the Foreign Office. Or some government office.

Q. Now, I would just like to ask this one question because I haven't asked it yet in this manner -- in fairness to yourself and myself, so that our theories may be kept clear. I would like to ask you whether or not your policy and actions as Foreign Minister were not based upon the belief that actually the world was going through a division of spheres of control and influence, and that it was a game when Japan must join in that process, so that in the division she would get her goal in the division of these parts of the world. That is a cold, calculated question, and I would like to ask you, that is to say whether or not I am thinking along the same line that you are.

A. Well, particularly after Geneva I began to think that the League of Nations that tries to gather all the nations in one conference was impossible, and that the world should have leadership in each region and establish a kind of league of nations of that smaller and separate sphere. For instance, America to lead the Western Hemisphere and Great Britain to lead the nations she is closely interwoven with, and then Soviet Russia to lead Soviet Russia and some neighboring countries, and Japan to lead the Far East, etc. And then these regional leagues to be joined roughly, so that from time to time they can exchange their opinions and views. In such a way only in the then prevailing conditions of the world, can we contribute toward world peace. This idea I gave while I was passing through your country on my way from Geneva back to Tokyo, and some years afterward I ~~had~~ had a similar idea in some of the books written by Americans -- idealists. And then another thought of mine was that I believed in Hakko Ichiu, and I couldn't try all over the world at once.

Q. Excuse me for smiling, but I haven't yet come to understand what Hakko Ichiu is. You have explained it to me a dozen times, but I still don't understand.

A. No one does. That is no surprise. I think it would be understandable to you if I said a kind of international democracy. To put all the races and nations on an equal footing. And I thought of trying that first in East Asia. That doesn't preclude America or any other country from participating there economically and contributing to the peace there, and just to start with it and try there in East Asia.

Q. May I ask this question -- The fact that you had perceived this chance of the division of the earth's surface and territories in such spheres as that, that it was in your opinion the only possible -- not only possible but probable solution -- did you not consider that there were then existing certain treaties between nations concerning this matter, that it involved violation of treaties to commence this division of world spheres.

A. Yes.

Q. Did you not consider certain sections taken by Japan, such as in China, Manchuria, and the many other incidents, were in violation of the Nine Power Treaty?

A. I admit those things, but gradually to correct those things.

Q. Wasn't the Tripartite Pact, with its expressed, stated purposes, in violation of the Nine Power Treaty?

A. No, I don't think so.

Q. One more question, in order to obtain this division of the world spheres, and of influence, were you opposed to the use of armed force to obtain this, or did you consider it correct or necessary -- one of the necessary elements?

A. I don't consider it to be one of the necessary elements, but I feared that something may take place, as I said in some speech, if other powers came into East Asia, for instance, and interfered with the affairs there without reason, and even to upset our ideal, just as Japan would go to Western Hemisphere and try to upset democracy. I am afraid it would lead eventually to war. And that is the thing I wanted to avoid. Therefore, to begin with, let us have our sphere each.

Q. Do you believe that the League of Nations was unworkable?

A. Unworkable, yes. I feel that when I went to Geneva. Most of the people there, for instance, knew nothing or cared to know anything about Manchuria, nor did we bother ourselves to know about ... (not understood)... a place of contention, too. In America, for instance, our people don't care to know anything about it. They never knew where that place was. It is no use to have these who have no interest in one conference and try to settle.

Q. But the Nine Power Treaty and other treaties that England and America and Japan signed, had definitely settled such things in East Asia.

A. Take, for instance, I was surprised in going out to Geneva one day, I talked with the Foreign Minister of France, who he was then -- that famous man who was great orator? He had a map of the Far East. He asked me many questions, and I knew that he doesn't know where Manchukuo was. Why at that day

Q. Maybe he didn't recognize the Japanese name for it.

A. No, no. I was so chagrined at the Foreign Minister of France not knowing.

Q. They seemed to get pretty well acquainted with it in a hurry when the committee sent from the League of Nations came over here.

A. No.

Q. Didn't you ever hear of the Lytton Report, when they condemned Japan, and a lot of these people got vitally interested in Manchuria and where it was located.

A. They wanted to talk to me and get my advice, and I found out how little they knew about it.

Q. Well, thank you for this afternoon.

Certificate of Interpreter

I, _____, _____
(name) (Rank) (Serial Number)

being sworn on oath, state that I truly translated the questions and answers given from English to Japanese and from Japanese to English respectively, and that the above transcription of such questions and answers, consisting of _____ pages, is true and accurate to the best of my knowledge and belief.

Subscribed and sworn to before me this _____ day of _____, 1946.

(Name and Rank)

Duly Detailed Investigating Officer,
International Prosecution Section, GHQ, SCAP.

Certificate of Stenographer