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INTERNATIONAL MILITARY TRIBUNAL FOR THE FAR EAST

THE UNITED STATES OF AMERICA, et al

- VS -

ARAKI, Sadao, et al

Sworn Deposition

Deponent: Shigetaro SHIMADA

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

1. TOGO, Shigenori on December 19th, 1947 (Page 35,838 of the record) testified " * * * that sometime in the middle of May, last year, after lunch here at Ichigaya, SHIMADA proposed a talk among NAGANO, me, and himself. At that time, SHIMADA expressed the desire that I would not say anything about the fact that the Navy desired to carry out the surprise attack. He also said something in the nature of a threat, saying that if I said so, it would not be worth my while. NAGANO then, at that time, told me that 'Even if I might have said so, the Foreign Minister need not adopt my proposition,' to which I explained to NAGANO that the situation was not so."
2. The conversation referred to by Mr. TOGO was predicated upon the following background. NAGANO and I as well as others had been imprisoned for some months before TOGO. Some time in May of 1946 NAGANO was informed of the fact that TOGO had made several prepared statements to the Prosecution to the effect that NAGANO and ITO at a Liaison Conference had advocated the commencement of hostilities December 8th, 1941 without any notification

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and that they finally agreed to send a notification through the persuasion of Mr. TOGO. NAGANO became quite incensed over this statement and came to me saying that it was absolutely a falsehood and reflected deeply on the honor of the Japanese Navy. He asked me if I had a recollection of such a thing occurring. I told him I certainly did not and since it was a grave matter, I as Navy Minister certainly should remember it if it had taken place. In order to dispel any doubt whatsoever we questioned all of the accused who attended the Liaison Conferences. As I have previously testified before this Tribunal no one agreed with TOGO's statement.

Shortly after TOGO's incarceration NAGANO and I had a conversation with him during a recess period here in this building. I do not remember the exact conversation that took place but I know that it was in the presence of all of the other accused and no attempt at secrecy was made. The gist of the conversation was to tell TOGO about the statements of all of the other accused concerning this matter. TOGO states that I used words which sounded like a threat. What they could be I have no idea unless it was a remark to the effect that he should be more careful about the truth. As to whether I said this or NAGANO I do not clearly remember. Certainly neither NAGANO nor I attempted to influence him in any way, much less to control the statements that he would make. It would have been ridiculous for us to have done so because TOGO had already made the statement on several occasions and could not have retracted it without telling two different stories.

To have made a threat to him would have been both absurd and unthinkable and nothing was said which could have led him to this belief. It was for the first time here in this court room on December 19th, 1947 that I learned TOGO had interpreted our conversation as he had and I was shocked and astonished at his utterances and attitude. Therefore it is mainly for the purpose of denying this interpretation of our conversation that I have asked to again take the witness stand.

3. Concerning the statement made by Mr. TOGO in this court room that about ten days before the death of Admiral NAGANO he told Mr. TOGO that he was going to bear the full responsibility for the attack on Pearl Harbor I would like to state the following. I have no knowledge of whether this conversation took place or not. But Admiral NAGANO had often said and I believe freely admitted to the Prosecution that he assumed full responsibility for issuing the naval order for the attack on Pearl Harbor. The use of the words "surprise attack" as a military term by no means implies an attack without notification of the beginning of war. In many orders subsequent to commencement of hostilities the Navy used the term "surprise attack." Mr. TOGO must be confusing an attack without notification and what the Navy considered to be a surprise attack. The words "surprise attack" did not, as used by Admiral NAGANO and as understood generally in military circles denote an attack without a declaration of war. The Navy actually wanted a proper notice to be made before the attack in full compliance with international law. The wording of the declaration or notice was left entirely to the Foreign Office and if a strong declaration of

war had been delivered according to plans in Washington, D.C. at the time designated it would have made no difference insofar as the element of surprise was concerned and the success of the Pearl Harbor Attack. NAGANO, being quite indignant at Mr. TOGO's beforementioned statement, told me many times that he willingly took full responsibility for the attack against Pearl Harbor but the failure to deliver a last notification or declaration of war to the United States Government before the attack has no bearing on the Navy and was a matter for which he could not assume any responsibility. Therefore if Admiral NAGANO told Mr. TOGO that he took full responsibility for the surprise attack he certainly meant the same thing that he had said many times before to me and others and did not mean to take full responsibility for attacking without a prior notification of hostilities.

4. As to Mr. TOGO's statement that the rest of us who attended the Liaison Conferences could not recollect the fact that an Imperial Conference had been held on November 5th, 1941 and hence because we were forgetful of such a highly important conference it would only be natural to forget anything unfavorable to us is hardly a fair remark. As I said before, Mr. TOGO entered SUGAMO Prison some seven months after most of us. During this time he had ample opportunity to refresh his memory through records available to him and expert advice. However after the beginning of the trial all of us were given complete facilities so that any matters which were in doubt could be fully explored. We were able to refresh our recollections to the same degree that Mr. TOGO had before his confinement in Sugamo. And I venture to say that there exists no differences now between Mr. TOGO's ability to recollect matters and the other accused.

On this 8th day of January, 1948

At the International Military
Tribunal for the Far East
Tokyo, Japan

DEPONENT: SHIMADA, Shigetaro

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

On the same date

At the same place.

Witness (signed) Kan AKATANI (seal)

OATH

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

SHIMADA, Shigetaro (Seal)

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一、東郷茂徳は一九四七年十二月九日左の如く證言した（法廷速記録三五、八三八頁）東郷譯人先づ第一に昨年の五月の中旬だつたと思ひますが此處の市ヶ谷に來て晝食をした後に島田が永野と私と三人で話したいと云ふ事を申出でて話したことがあります。其時島田から私の方へ海軍が奇襲をしたと云つてくれるなと云ふ話がありました。若し私がさう云ふことを云つたら私の爲にならぬだらうと云ふ何か強迫的な事を申しました。永野は尙其時に自分がさう云ふことを云つたとして外務大臣が採用しななければならぬことではなからと云ふことを云つて居りましたから其時の事態はさう云ふことぢやなかつたのぢやないかと云ふことを私は永野に説明したことがあります。

二、東郷氏が言及した會話は、左の如き背景に基くものであつた。即ち永野と余は、他の被告と同じく東郷より數ヶ月早く收容された。一九四六年の五月中のことであるが、永野は、東郷が、永野と伊藤が連絡會談で、一九四一年十二月の敵對行爲開始は無通告

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で行ふべきことを主張し、東郷氏の説得によつて遂に兩名は通告を送附することに同意したといふ意味の陳述を數通準備して檢察側に提出したといふ事實を知らされた。永野はこの陳述に對して激怒し、余の所にやつて來て、それは全然嘘だ、日本海軍の冬營に關する重大事だと述べた。彼は余に、そういう事があつたことを記憶してゐるかと言つた。私は、全然記憶がないが、連絡會議に出席した全被告に訊ねて見たらよいだらうと言つた。先に余が本法廷で證言した如く、我々は彼等に訊ねて見たが、誰も東郷の陳述に同意する者はなかつた。

東郷が收容されて間もなく、永野と余は、本建物内で休廷時間中彼と會談した。その時の會談を正確には記憶してゐないが、それは他の被告全部の面前で行はれ、こつそり行ふなどいふ企圖は全然なかつたことを知つてゐる。會談の要旨は、東郷にこの問題に關する他の被告全部の陳述について語り、何故彼がそういうことを言つたのかと訊ねたのであつた。東郷は、余が脅迫がまし

い言葉を使つたと述べてゐる。余はどんな言葉がそうであつたか
 全然知らないがそれに東郷は左様な事實についてはおもつと注意深
 くあるべきだといふ意味の事をいつた以外には思ひ出せない。私
 が斯かる事をいつたか、それとも永野であつたかも知れぬ。記憶せ
 ぬ。永野も余も、如何なる風にせよ彼を強いたつもりはなかつた況
 や彼れの發言を制肘するつもりはなかつたことは確かである。又
 既に東郷は數回に亘つてそういふ陳述を行つて居り、全然相反す
 る二つの説明を行はぬ限りそれを撤回することは出来なかつたの
 であるから、我々がさういふことをするのは滑稽なことであつた
 ことも明白である。東郷を脅迫しやうなどといふ事は馬鹿らしく
 て考へた事もない又斯く彼を信ぜしむるが如き事も何もいつた事
 はない。東郷が我々との會談をあのように解釋したことを、余は
 本法廷に於て十二月十九日始めて知つた。そして彼の發言並びに
 態度に驚愕した。従つて、余が再び證人臺に立つことを申請した
 唯一の理由は、東郷のこの證言を否定する爲である。

三、永野大將の逝去約十日前に、大將が東郷氏に、眞珠灣攻撃に就ては全責任を負ふつもりだと語つたといふ、本法廷に於ける東郷氏の陳述に關しては、余は次の如く言ひたい。即ち、かゝる會話が取交されたか否かは余は知らない。然し永野大將は、眞珠灣攻撃の海軍の命令を發したことに對して全責任を負ふといふことは度々話してゐたし、又それを敵艦側に對してもおぼつびらに認めたと思ふ。「奇襲」と言ふ軍事用語を使つたことは、決して開戦の通告なしに攻撃することを意味してゐないのである。敵對行爲開始以後の多くの命令に於ても海軍は「奇襲」といふ語を用ひた。東郷氏は無通告の攻撃と、海軍で考へてゐる「奇襲」を混同してゐるに違ひない。「奇襲」といふ言葉は、永野大將が用ひた限りでは、又軍事専門家の間で一般に了解せられてゐる限りでは宣戦無しの攻撃を指してゐるのではない。事實海軍は、攻撃前に、實際法に合致した適當な通告が爲さるべきを欲したのである。宣戦、もしくはは通告の語義について之を外務大臣に一任したのであつて若し強い言葉●宣戦布告が首都ワシントンに於ける計畫通りに定められた時間に交附されてゐたとしても、事奇襲に關する限り何

の差異もなく、眞珠灣攻撃の成功にも何ら差異を齎らさなかつたであらう。永野は、東郷氏の陳述に激怒して、余に何度も、自分は眞珠灣に對する奇襲に關しては喜んで全責任を負ふけれども、最後通告もしくは宣戰布告が攻撃前に米國政府に交附されなかつたことは、海軍には全然關係ないことであつて、その問題に就ては責任は持てぬと語つた。従つて若し永野大將が東郷氏に、奇襲に對して全責任を執ると述べたとしても彼は、前に何度も言つたことと同じ意味のことを言つたに違ひないのであつて、事前の攻撃行為開始の通告なしに攻撃したことに對して全責任を負ふといふつもりではなかつたのである。

四、東郷氏は、彼以外の連絡會議に出席した我々被告が一九四一年十一月五日に御前會議が行はれたことを記憶してゐなかつた従つてかゝる重大な會議を忘れるのは當然であると述べたが、これは公平な言ではない。前にも述べた如く、東郷氏は我々の大部分より、七ヶ月程遅れて集鴨拘留所に入所した。この間東郷は記録の利用と専門家の利用によつてその記憶を新たにするに充分な機

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會を持つたのである。然るに、我々の方は皆、裁判が始まつてから始めて完全なる便宜を與へられて、疑はしい問題を充分につきとめることが出来たのである。我々は東郷氏が巢鴨に收容される前に有したと同じ程度に記憶を新にし得たのである。かくて余は敢て言ふ、今や東郷氏と他の被害の記憶力の間には何ら差異は存しない。

昭和二十二年（一九四七年）一月八日 於東京

供述者 嶋田繁太郎

右ハ富立會人ノ面前ニテ宣誓シ且ツ署名捺印シタルコトヲ證明シマス

同日於

立會人 赤谷 鑑

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