

CONFIDENTIAL.

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February 10th, 1948.

UNITED NATIONS WAR CRIMES COMMISSION

WAR CRIMES TRIALS IN THE FAR EAST.

The following extract from a report concerning the trial of the Major War Criminals before the International Military Tribunal at Tokyo has been communicated by the United Kingdom Commissioner, and is now circulated to heads of delegations.

THE TRIAL BEFORE THE I.M.T., TOKYO.

Kuniaki KOISO, who had entered the witness box on the last day of October alleged that the fighting speeches which he had made as Premier were what any man in the same position would have had to make. His real motives, from as early as September 1944, had been to "try to conclude hostilities by negotiation, direct in the case of Chi., and through Russia in that of Great Britain and the United States. With this object the Supreme War Direction Council had been formed, in order to strengthen the Cabinet's hand over the army, but the Council "did not come up to my expectations and was ineffective" and "the army Supreme Command was prone to develop into unexpected directions without the least knowledge of the Premier." He had been negotiating with a Chinese for the cessation of hostilities in the Spring of 1945, but had broken off the negotiations (of which YONAI, SHIGEMITSU and SUGIYAMA had approved) on the 2nd April on the orders of the Emperor. His feelers through the Russians had been ignored. During examination on the Manchurian section of the indictment he admitted the genuineness of a damaging document obtained from the top secret files of the Kwantung Army, in which Major General Shun TADA, the "adviser to the Military Government of Manchukuo" had written in 1934 that Japanese advisers "are now practical rulers of both local and central governments." KOISO said that he had not seen the document himself before, having ceased to be Chief of Staff to the Kwantung Army in 1933. This document was admitted by the Tribunal only after vigorous opposition by the defence.

Testimony on General MATSUI was heard in the defendant's absence, as he was sick in bed with bronchitis, but he himself entered the witness box later in the month when he had recovered. He denied that the Japanese army staff planned the rape of Nanking. As commander of the troops in the Shanghai campaign and again of the group that captured Nanking (where he stayed only five days) he said he had repeatedly given orders that cultural objects should be spared and the people kindly treated. He heard of "only a few cases" of outrages, and immediately ordered that those responsible should be punished. Cross-questioned by the acting President of the Tribunal on this point the next day he said: "In the strict legal sense I did not have power to give detailed orders about discipline." He said that the Chinese were sympathetic to the Pan Asia programme which he tried to promote in China, which was no different in kind to Pan-American proposals or to those for a United States of Europe, and he denied having said that his objective was the expulsion of Great Britain and the United States from Asia. He was the eighth of the 25 defendants to testify, five (DOIHARA, HATA, HIROTA, HOSHYNO, and KIMURA) having refused to do so.

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