

INTERNATIONAL MILITARY TRIBUNAL FOR THE FAR EAST

THE UNITED STATES OF AMERICA, et al

-vs-

ARAKI Sadao, et al

FILE COPY  
Defendants - TO ROOM 361  
RETURN

A F F I D A V I T

YAMAJI AKIRA

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

1. I entered the Foreign Ministry in 1922, and served as Minister to Bulgaria from 1941 to 1945, retiring from the Foreign Ministry in March 1946. In April 1934 I was assigned as a junior secretary, to the 2d Section of the Bureau of European-American Affairs, and in September 1936 was appointed Chief of the 2d Section, which was in charge of diplomatic relations with Britain, France, Germany, Italy and other European countries, remaining in that office until April 1938. During the period from April 1934 to October 1937 the Director of the European-American (later reorganized as the European-Asiatic) Bureau was Tōgō Shigenori.

2. At about the beginning of February 1936, the Japanese Foreign Ministry received a semi-official report, addressed to the Vice-Minister, from Councillor Inoue, the Chargé d'Affaires of the Embassy at Berlin, to the effect that the military attaché of the Embassy at Berlin was informally carrying on political negotiations with the German Government. Soon afterward, in April of the same year, Mr. Arita Hachirō was appointed Foreign Minister. Shortly after that Foreign Minister Arita told Ambassador Mushakōji, who was then home on furlough and was leaving Tokyo to go back to his post in Berlin, that it was considered proper, in the light of the circumstances, to conclude some political agreement between Japan and Germany, and that he wished the Ambassador to keep that in mind and make necessary investigations in Berlin. And in May of the same year, when Ambassador Mushakōji was presumed to have arrived at his post in Berlin, the Foreign Minister cabled instructions of the same import, requesting the Ambassador to sound out the German intention in this connection. In July, a telegram from Ambassador Mushakōji reported that a plan of agreement had been submitted by von Ribbentrop, containing stipulations for an anti-Comintern Pact and measures of cooperation against the Soviet Union in this connection.

3. At that time, I recall that Director Tōgō told me that he was against making any international agreement on the basis of ideologies, because that would only result in the repetition of the failure of the Holy Alliance and that therefore he was against a Japanese-German anti-Comintern Pact. The Cabinet members concerned, however, supported the conclusion of the anti-Comintern Pact, and a mere bureau director such as Mr. Tōgō could do nothing but to carry out their policies.

But he paid scrupulous attention so that damage to diplomatic relations with the Soviet Union and Great Britain might be avoided, that the matter might produce the least possible unfavorable reaction on the part of third Powers, and also that the cooperation between Japan and Germany to be provided for in the Pact might not exceed the limit of Japan's true necessity. For this purpose he made all possible efforts as stated below.

4. At the joint conference between the Foreign and the War Ministries at that time, Director Tōgō maintained, with Foreign Minister Arita, that it was absolutely necessary for entering into the Anti-Comintern Pact with Germany to conclude a political agreement with Britain, who had important interests in various areas of the world and especially deep concern in Chinese problems. He succeeded in bearing down the strong objections on the part of the military and persuading them to acceptance of the above condition.

Further, in negotiating with the German side, Director Tōgō had the Japanese Ambassador at Berlin request the following amendments, in phraseology as well as in substance, of the German draft of the Anti-Comintern Pact, and achieved his object. Though I cannot give the original German draft as it cannot be found, amendment was made to the following effect:

A) The propagandistic words in the original German draft, especially the Hitlerian expressions found in the preamble, were toned down by the Japanese request;

B) The text of the Pact was made as businesslike as possible, by limiting the scope of cooperation to the exchange of information concerning the destructive activities of the Communist International and exchange of opinions concerning the counter-measures to be taken against them.

C) The term of validity was reduced from 10 years to 5.

The efforts of Director Tōgō also succeeded in effecting amendment of the draft of the Annexed Secret Agreement in the following points:

A) The too-comprehensive condition of the first article of the German draft--to the effect that it was to become operative "in case either of the two participants became an object of attack or threat of attack"--was amended to apply, as in the final pact, only in the event of either of the participants' becoming "the object of an unprovoked attack or threat of attack".

B) Many exceptions were made from the second article of the German draft, which provided that, in case either of the two participants wanted to conclude with the Soviet Union any political agreement which was inconsistent with the spirit of the Anti-Comintern Pact, it must obtain the approval of the other beforehand. The majority of the political agreements between Japan and the Soviet Union were made exceptions to the application of the present Article, as it was decided that such approval was unnecessary in connection with the agreements concerning the fishing rights and other concessions and the Soviet-Manchoukuo boundaries problems which were pending between the Governments of Japan and the Soviet Union. The present Article was in effect almost mutilated, so far as

concerns any limitation on Japanese action.

5. With respect to Japan's relations with Britain, Mr. Tōgō had often told me that he cherished the firm belief that Anglo-Japanese relations should be smoothed by concluding an agreement with Britain, which had serious interests in China, thus improving also relations with the United States and maintaining the peace of the world. Because of this belief, he told me, he maintained that the conclusion of an agreement with Britain should be a condition for the execution of the Japanese-German Anti-Comintern Pact. Conditions at the time of signature of the Anti-Comintern Pact were unfavorable to obtaining British agreement, and negotiations made no progress. But Mr. Tōgō did not give up hope. He made up his mind to resume the negotiations with Britain in the spring of 1937, persuaded the Foreign Ministry authorities in charge of China affairs, as well as the higher officials, and succeeded in inducing the military into agreement. The plan of an Anglo-Japanese Pact, with respect for the British concessions in China as its substance, was thus completed, and instructions were given to Ambassador Yoshida at London to open negotiations with the British Government upon the basis of it. ... But time was consumed by various requests on the part of Ambassador Yoshida, and the negotiations had hardly been opened when the China Affair broke out. All the efforts of Mr. Tōgō were thus brought to nothing, to our great regret.

O A T H

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

Yamaji Akira (seal)

On this 5th day of April, 1947

At Tokyo

Deponent: Yamaji Akira

I, Nishi Haruhiko, hereby certify that the above statement was sworn to by the deponent, who affixed his signature and seal thereto in the presence of this witness.

On the same date

At Tokyo

Witness: Nishi Haruhiko (seal)

Translation Certificate

I, Nishi Haruhiko, of the defense, hereby certify that I am conversant with the English and Japanese languages, and that the foregoing is, to the best of my knowledge and belief, a correct translation of the original document.

Nishi Haruhiko (seal)

Tokyo  
8 April 1947