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I N D E X

Of

WITNESSES

Prosecution's WitnessesPage

HORIBA, Kazuwo (resumed)

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Cross by Mr. Brooks (continued)

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" " Mr. Levin

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Of

EXHIBITS

<u>Doc. No.</u>	<u>Pros. No.</u>	<u>Def. No.</u>	<u>Description</u>	<u>For Ident.</u>	<u>In Evidence</u>
1356	870		"First Table-Top Total War Maneuvers - No. 1"	8928	
1356-A	870-A		Excerpts therefrom		8929
2228	871		"Records of the Progress of Theoretical Maneuvers for Total War - No. 1"	8938	8939
627	872		Group of Charts and tele- grams		8941
630-A	873		Secret Telegram from Nanking dated 14 Nov 1941 from the Chief of the 3rd Air Group at Nanking to the Vice Mini- ster of War and the Vice Chief of General Staff re Troop Movements		8978

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of

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(cont'd)

<u>Doc. No.</u>	<u>Pros. No.</u>	<u>Def. No.</u>	<u>Description</u>	<u>For Ident.</u>	<u>In Evidence</u>
628	874		Monthly Wartime Report (KO) No. 4 of the HA Corps dated Nov 1941	8979	
628-A	874-A		Excerpt therefrom		8979
654	875		Top Secret Telegram from O. TSUKADA, Chief of Staff of Southern Army to H. KIMURA, Assistant Minister of War		8984
1412	876		Military Administrative Measures to be taken in the Event of Japan's Par- ticipation in War dated 12 Nov 1941	8985	
1412-A	876-A		Excerpt therefrom		8986
1448	877		Details of the Execution of Administration in the Southern Occupied Territories		8987
1441	878		Measures to be taken Towards Foreign Countries re the Outline for the Execution of National Policies which was Decided at the Council in the presence of the Em- peror held on 5 November; "Liaison Conference Decision 13 November 1941"		8994

1 Wednesday, 30 October, 1946

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3
4 INTERNATIONAL MILITARY TRIBUNAL
5 FOR THE FAR EAST
6 Court House of the Tribunal
7 War Ministry Building
8 Tokyo, Japan

9 The Tribunal met, pursuant to adjournment,
10 at 0930.

11 - - -

12
13 Appearances:

14 For the Tribunal, same as before, with the
15 exception of the HONORABLE R. B. PAL, Member from
16 India, not sitting.

17 For the Prosecution Section, same as before.

18 For the Defense Section, same as before.

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21
22 (English to Japanese and Japanese
23 to English interpretation was made by the
24 Language Section, IMTFE.)
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1 MARSHAL OF THE COURT: The International
2 Military Tribunal for the Far East is now in session.

3 THE PRESIDENT: All the accused are present
4 except OKAWA, who is represented by his counsel.

5 Captain Brooks.

6 MR. BROOKS: I have to wait on the witness,
7 your Honor.

8 - - -

9 K A Z U W O H O R I B A, called as a witness on
10 behalf of the prosecution, resumed the stand and
11 testified, through Japanese interpreters, as follows:

12 CROSS-EXAMINATION

13 BY MR. BROOKS (Continued) :

14 Q Mr. Witness, what was your duty while you
15 were a member of the Institute?

16 A My duties pertained to study and research --
17 basic study and research -- with respect to total war
18 and with respect to the training of students in the
19 Institute -- officials and students in the Institute.

20 Q Did you have anything to do with the keeping
21 of the records of the Institute?

22 A I have had no connection with that matter.

23 Q On paragraph 7 of exhibit 869 you state
24 that in your official capacity you examined the
25 twenty-six documents annexed thereto, marked exhibit E.

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1 Were you ever custodian of these documents or
2 responsible for their keeping at any time?

3 A As I said yesterday, these documents were
4 left -- were turned over into the hands of the
5 Cabinet after the abolition of the Institute. My
6 office being next door to this Tribunal, namely, the
7 First Demobilization Ministry, and being readily
8 available to the International Prosecution Section,
9 I was asked by the authorities of the IPS to examine
10 a number of documents and I did.

11 Q Now, when you examined this number of
12 documents, did you have before you for examination
13 all of the documents that had been prepared by various
14 students during this three-year period of the Institute's
15 operation?

16 A Not all, only those which have been tendered
17 as exhibits here. Furthermore, I could not -- as to
18 the extent of my examination of the documents I cannot
19 say that I was able to go into all of its details. I
20 was familiar with those pertaining to the years --
21 that is, pertaining to the one year when I was assoc-
22 iated with the Institute, but as to others, I was only
23 able to recognize by the form and nature and substance
24 of the contents of the document.

25 THE MONITOR: Slight correction: I could not

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1 go into each document and determine what it was.

2 However, I knew all of the documents which had any-
3 thing to do with the year that I was with, and the
4 other documents I could tell by the cover or outside
5 what it was.

6 Q What was the total number of documents of
7 the Institute from which these twenty-six were
8 selected, if you know?

9 A I do not remember exactly, but I saw the
10 list of documents which was sent by the IPS to the
11 Cabinet and I do not think it was more than one hund-
12 red. I think it was under a hundred in number.

13 Q Now, was that list for only one year, or
14 do you know?

15 A No, they run over the three-year period.

16 Q Now, what was the main subject or topics
17 discussed in these documents -- in these other
18 documents -- outside of this twenty-six besides the
19 prevention of war as you testified yesterday?

20 MR. ENGLISH: We object to that, your Honor,
21 as being without the scope of this affidavit. This
22 man does not attempt to set forth the nature of the
23 contents of any documents other than those set forth
24 in the exhibit. All of these documents are available
25 to the defense.

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1 THE PRESIDENT: As an attempt to qualify
2 the affidavit, it is both relevant and material but
3 if you have the documents available, we can shorten
4 the cross-examination if they are produced.

5 MR. ENGLISH: We will be pleased, your Honor,
6 to produce all the documents.

7 MR. BROOKS: If the prosecution will make
8 these documents available, the defense will appreciate
9 it very much. I am discussing the others besides
10 this, if they have them in their hands.

11 Q Now, Mr. Witness, in mentioning this subject,
12 the prevention of war, yesterday, were there any
13 lectures -- could you mention any lecture briefly
14 concerning the prevention of war? Give us the name
15 of possibly the lecture and whether there was more
16 than one.

17 A There were many of them and I do not recall
18 each name exactly, but I shall try to recall some of
19 them. As to the subjects handled by the Institute
20 in connection with the general subject of total war,
21 there were four different categories or phases of
22 the lectures, namely, ideological or thought measures,
23 political measures, economic measures and armed
24 measures. As to armed measures, these were considered
25 to be employed as a last resort when no other possible

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1 means for any settlement of disputes was possible.

2 THE MONITOR: Slight addition there: This
3 means that the military measures came last and that
4 meant that it was the last measure to be taken, only
5 when it was unavoidable.

6 A (Continuing) By the very nature -- this
7 was considered to be the nature of modern war; that
8 is, that it was total. It was regarded in the Insti-
9 tute as being unpermissible, the resort to war with
10 a war consciousness, and that means other than military
11 should be exhausted before resort to war is taken.

12 In this connection, it was the policy of
13 the Institute to give as wide an interpretation and
14 effect to the Japanese tradition of resorting to arms
15 only in the spirit of justice when the use of arms
16 is unavoidable; and it was our intention also to apply
17 this principle to all other measures, namely, political,
18 economic and others. As another example, I should
19 say that a study over a long period was carried on
20 with respect to an over-all or comprehensive study of
21 modern warfare, primarily, as a means of studying
22 the causes of war, and by knowing these causes, in
23 finding means to prevent war.

24 As another example, I might mention that
25 considerable time was devoted to a study of

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1 international law, as well as the developments in
2 world history which pertain to the efforts toward
3 the maintenance of an organization of peace and
4 order. Also the study of the building of peace and
5 peace structure was broadly handled as a subject of
6 study and exercises and research by the students,
7 as well as in the lectures given at the Institute
8 and studies were made of the means and methods used --
9 employed in the maintenance of peace or in the con-
10 tinuance of peace since the beginning of world
11 history and the conclusions reached by the students
12 if found to be -- some of these points discovered
13 were unjust, they were labeled as unjust and improper
14 in order to find more just and better means.

15 THE MONITOR: The basic concept around
16 which the conclusion -- the basic concept that the
17 conclusion brought about was that those who were
18 unjust did not last long.

19 A (Continuing) As to all other data, I might
20 say that no studies, no lectures, no exercises were
21 carried on under the idea that war was necessary or
22 that resort to war must be had. All data, studies
23 and lectures were devoted to an analysis and study of
24 domestic and international questions in order to
25 obtain understanding of basic matters pertaining to

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1 national and international affairs. So, only on the
2 principle that the maintenance of peace was necessary,
3 and that if war started, that while war is being
4 waged, studies and efforts should be made toward
5 discovering ways of maintaining peace and order.

6 THE MONITOR: And whatever we studied about
7 war was just a basic common knowledge that one should
8 know in case the war does start and counter measures
9 should be known by those who might be engaged in it--
10 just the basic things about war that people should
11 know. That was as far as it went so far as the war was
12 concerned.

13 THE PRESIDENT: These answers are too long
14 as you must appreciate, Captain Brooks.

15 MR. BROOKS: Yes, I was just going to shut
16 him off.

17 THE PRESIDENT: They are really lengthy
18 addresses and to be effective, his answers ought to
19 be related to the publications issued by that body
20 and the answers are not.

21 Q As I gather, this Institute was not formed
22 in contemplation of war and any lecture delivered
23 or maneuvers held were not in anticipation of any
24 war; is that correct?
25

THE PRESIDENT: I think he is trespassing on

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1 our domain. We must form our conclusions from the
2 written documents produced by that body. We are
3 prepared to consider them all. If some of them have
4 not been mentioned, they should be mentioned. The
5 sooner you get a list of the documents not mentioned
6 in his affidavit, the better.

7 MR. BROOKS: I understand that that is the
8 order of the Court -- the prosecution is to furnish
9 that list if they have it.

10 THE PRESIDENT: We want to know all the
11 publications issued by that body. Some of them may
12 show that it had other purposes than those suggested
13 by the prosecution.

14 MR. BROOKS: As I understood, Mr. President,
15 the Court's instruction to the prosecution was to
16 produce not only these twenty-six but the other list
17 of the other documents was to be furnished the defense
18 so that on their part of the case they could be brought
19 in -- those things that the Court should consider in
20 order to get a complete picture.

21 MR. ENGLISH: Your Honor, we will produce
22 as soon as we can a list of all the documents relating
23 to the Total War Research Institute, that is, the
24 titles, but we do not think that we should be made
25 to translate and serve upon the defense all of those

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1 documents.

2 THE PRESIDENT: I mentioned the list.

3 MR. BROOKS: I will therefore not question
4 on publications, your Honor, until we have all of
5 those in Court.

6 BY MR. BROOKS (Continued):

7 Q Now, as to membership in this organization,
8 Mr. Witness, was it open to anyone desiring to partic-
9 ipate in one of these discussion groups?

10 A The members of the Institute were quite
11 few in number and each of them handled subjects
12 which he specialized in, and because of the very
13 nature of total war, lecturers and others were in-
14 vited from a wide field, from people from official
15 life and also people engaged in other occupations
16 and fields of endeavor.
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1 Q Now, how often did these people meet? Was it
2 daily, night or day, and for how long a period of time?

3 A Are you referring to the --

4 Q Students.

5 A (Continuing): -- staff members of the In-
6 stitute? The mornings were generally devoted to
7 lectures, and the first part of the afternoon was also
8 devoted to lectures, and the latter part of the after-
9 noon was devoted to physical exercises, on the principle
10 that a healthy mind required a healthy body.

11 In connection with so-called table-top dis-
12 cussions and maneuvers, regarding which there were
13 many questions put to me yesterday, I feel that there
14 seems to be some misunderstanding that these maneuvers
15 were held all the year round. That is not so. The
16 primary emphasis was placed upon lectures and these
17 so-called table-top maneuvers were held, say, approx-
18 imately one month out of the year as a sort of a regu-
19 lar program of the Institute, one of the regular
20 projects of the Institute. As further aids to the
21 educational program, inspection tours and field trips
22 were also undertaken.

23
24 Q Now, Mr. Witness, you say that these meet-
25 ings of the students were in the morning and after-
noon. Now was that every day, or how many days out

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1 of the month -- for one student I have in mind?

2 A All the students were given lectures and
3 training at one and the same time, and outside of
4 field trips and maneuvers and special tours -- with
5 the exception of field trips, special tours and
6 maneuvers, these lectures were given daily.

7 Q Then I take from exhibit AA of document
8 869 that these students listed there did not perform
9 any duties of public office during the time that
10 they were students in the Institute, is that cor-
11 rect?

12 A Yes, they were not connected with official
13 duties.

14 Q This exhibit AA says "List of Members." Now,
15 as I gather from this, showing the former posts and
16 return to the original posts, that that is really
17 a list of the students; am I correct or not?

18 MR. BROOKS: Show the witness the affidavit
19 there that has that in it, exhibit 869.

20 A No, that is not so. The main members of
21 the staff or members of the Institute were fixed by
22 the government regulations governing the Institute;
23 and by staff members I meant those who were perma-
24 nently engaged in administrative duties of the In-
25 stitute. Students belonged to an entirely different

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1 category.

2 THE MONITOR: Slight correction: The
3 regulation governing the organization of this Total
4 War Research Institute states that the word "members"
5 means that they are the staff members of the Institute.
6 The word for the students is "research students."

7 (Whereupon, a document was handed to
8 the witness.)

9 Q These men, as I notice on page 4 of this
10 exhibit, had a period when they were in charge. What
11 I am getting at is, did they not instruct and also
12 study at the same time? Was it an interchange of
13 ideas among them as well as to the students under
14 their charge?

15 A Members of the staff of the Institute were
16 at the same time nominally teachers. The students
17 or research students of the Institute received in-
18 structions, but the subject of total warfare itself,
19 being a rather new subject and the members of the
20 staff lacking in experience in the subject, they
21 also studied, but nominally they were given -- they
22 occupied the posts of instructors. As far as the
23 staff members are concerned, each handled their
24 subjects in which they specialized because they were
25 familiar with that particular subject, but total war

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1 requiring extensive and wide knowledge, and the
2 subjects handled by each instructor being small, it
3 was necessary that knowledge be obtained by other
4 specialists in order to interchange ideas and to
5 grasp a more general over-all understanding of the
6 subject on hand. Therefore, specialists from out-
7 side agencies were brought in as a lecturer or a
8 teacher for special, specific subjects.

9 THE PRESIDENT: Well, it appears that it
10 was all directed to total war.

11 Q Now, Mr. Witness, this organization of the
12 Institute as set up on the 30th of September, 1940,
13 and following that period, I think your first school
14 or first period students, as shown on page 6 of the
15 document, is from April 1, 1941 to March 2, 1942; and
16 on page 8 of the same document, exhibit 869, the
17 second period students, from the first of April, 1942
18 to March, 1943. Now, as a rule, the term of training
19 began in April and ended in March the next year,
20 is that correct?

21 A Yes.

22 Q Well, on page 10, the third period students
23 started the first of April, 1943 and continued to
24 December 15, 1943. What was the specific reason that
25 the third term ended earlier than usual, on December 1943?

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1 A At that time the war became extremely intensi-
2 fied, and both within and without the Institute there
3 were growing criticisms that the Institute was handling
4 very abstract subjects and theories, and that the
5 opinion gained currency that this Institute should be
6 abolished as soon as possible, and the members therein
7 be returned to their original official positions where
8 they might contribute more concretely to the job that
9 was required of them, and that led to the abolition
10 of the Institute.

11 Q Was this abolition by Imperial ordinance
12 or rescript?

13 A I am not familiar with regulations very much,
14 but if the organization was created by Imperial ordi-
15 nance, I should think it was also dissolved by an
16 Imperial ordinance.

17 Q Are you familiar with the budget for this
18 Institute, the amount of annual budget?

19 A As to the annual budget, I do not know,
20 but I know a little of the outline of the budget
21 when I was there.

22 Q In general, the budget was very small, was
23 it not?

24 A With respect to the annual budget for the
25 year 1941, I think the amount totaled around

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1 160,000 yen, of which 60,000 or somewhere around half
2 the total figure was -- constituted salaries, and the
3 rest administrative expenses, for the fiscal year 1941.
4 As I recall, at that time nothing much could be done
5 with such a small budget as 160,000 yen.

6 Q Now, let me ask you if the objects or the
7 objectives of the school had been attained, and was
8 that the reason for the closing down on December 15?
9 In other words, was there a purpose that had been
10 accomplished at that time? Or was it --

11 THE PRESIDENT: He has already told us that
12 it was closed down or dissolved because its purpose
13 was not accomplished.

14 MR. BROOKS: I had not finished --

15 THE PRESIDENT: (Continuing) The subject
16 that he is testifying about is most important, and
17 he may be the only witness offered by the prosecution;
18 but we think that the cross-examination has reached
19 the stage when it does not help at all, and his
20 answers are too long.

21 MR. BROOKS: I had not finished that question,
22 your Honor. I was right in the middle of it. I was
23 going to say, "or" -- but I withdraw it entirely.

24 MR. ENGLISH: May I point out to the Tribunal
25 in connection with the previous questions and answers

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1 that on page 4 of exhibit AA it appears that the
2 witness HORIBA left the Institute in August 1942.

3 BY MR. BROOKS (Continued):

4 Q Now, Mr. Witness, had any director or any
5 member of this Institute during the time that you
6 were there ever participated in any discussion or
7 consultation of any real policy of the government
8 as distinguished from a hypothetical discussion for
9 training?

10 THE PRESIDENT: That question can be
11 answered in one word.

12 A No, not at all at any time.

13 Q Now, did this Institute or the students
14 therein prepare plans for the use of the government
15 or of any government agency, either as a duty or on
16 a request of such agency?

17 A No, not at all, never. The question of
18 education and actual policy was completely separated.
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1 Q Did the General Staff or the Supreme Com-
2 mand, to your knowledge, or any of the planning bodies
3 such as those, or similar to that type of body, or
4 the Cabinet, exercise any supervision over the
5 activities of this Institute or utilize the work of
6 its students or the students therein, in any way?

7 A No, they had nothing to do with the Insti-
8 tute.

9 Q It was, then, purely, if I am correct, an
10 academy of learning, or an institute, or an open
11 forum for training of the government officials of
12 the highest type, is that correct?

13 A Yes.

14 THE PRESIDENT: Mr. Levin.

15 MR. LEVIN: Mr. President, directing your
16 attention to exhibit No. 869, pages 21, 22 and 23.

17 THE PRESIDENT: That is the witness' affi-
18 davit.

19 MR. LEVIN: Yes.

20 CROSS-EXAMINATION (Continued)

21 BY MR. LEVIN:

22 Q Is it correct to state that only seven of
23 the contemplated compilations were completed prior
24 to December 7, 1941?

25 A What do you mean by seven?

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1 Q Seven compilations.

2 A I have not been able to scrutinize the
3 dates very closely, but on the face here probably
4 of the documents considered here, it might be just
5 seven.

6 THE PRESIDENT: At least seven, I should
7 say. Because of the dates. The year 1941 is stated
8 without any specific date in some cases.

9 THE WITNESS: You could readily understand
10 if you would observe the dates.

11 MR. LEVIN: That is why, Mr. President, I
12 asked the question.

13 BY MR. LEVIN (Continued):

14 Q Some mention has been made in your testi-
15 mony of the accused SUZUKI, Teiichi. Will you state
16 whether or not you have any independent recollection
17 that he was designated as one of the councillors?

18 A As I said yesterday, I do not recall.

19 Q Then you would not be able to state whether
20 or not he was active or participated either in
21 management, instruction, or business management of
22 the organization?

23 A Well, I can say this, as far as councillors
24 are concerned: As I said yesterday, their position
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1 in the Institute had no substance whatsoever, and
2 they were invited from various walks of life since
3 the establishment of the Institute, in order to re-
4 ceive general public support through the efforts of
5 these men.

6 THE PRESIDENT: That is enough. We do
7 not want that again. We have had it often enough.

8 MR. LEVIN: I did want a direct answer,
9 Mr. President, but under the circumstances, in view
10 of the character of the answer I think it is unneces-
11 sary for me to go into it any further.

12 THE PRESIDENT: He said yesterday he did
13 not know who the councillors were. He did not see
14 them there. That ought to be sufficient.

15 MR. LEVIN: There will be no further examina-
16 tion by the defense of this witness, Mr. President.

17 MR. ENGLISH: There is no redirect examina-
18 tion, Your Honor.

19 THE PRESIDENT: The witness may go on the
20 usual terms.

21 (Whereupon, the witness was
22 excused.)

23 - - -

24 MR. ENGLISH: However, Your Honor, at this
25

1 time I would like to point out to the Tribunal the
2 following entries in the affidavit of the witness.
3 Page 3, exhibit "AA," in the second column.

4 "President, Kanji OGA" A, Vice-Admiral,
5 Naval attache to Japanese Embassy in China, From
6 December 1942" -- it says "2" but obviously it means
7 "3" -- 1943, "to January 1945."

8 And the next: "General Secretary, Kunio
9 KAWAMOTO, Secretary of Great East Asia Ministry,
10 December '43 to April '45."

11 And the next: "General Secretary, Taro
12 WADA, Secretary of Commerce and Industry Ministry,
13 Ammunition official of the ammunition Ministry" -- a
14 member "From March '44 to April '45."

15 THE PRESIDENT: Well, you see what you have
16 done by letting him go without reexamination. He
17 has contradicted his affidavit and his contradic-
18 tion stands.

19 MR. ENGLISH: I would like to read one more
20 entry, at the bottom of page 5 of exhibit "AA".

21 THE PRESIDENT: All you are proving now is
22 that he contradicted himself.

23 MR. ENGLISH: Reference is made to court
24 exhibit 686-A, page 7416 of the record, being ex-
25

cerpts from a document entitled "First Table-Top Maneuvers, a Top Secret Symposium of the First Total War Military Gains of the Total War Research Institute, August 1941." Colonel Rosenblit, of the Russian section, read several paragraphs from this excerpt. I will read further, as follows: I will commence with page 1. "Document Relative to the Maneuvers for Total War. August 1941. No. 98 of 120 volumes. The Total War Research Institute."

I will omit pages 2, 3 and 4, except that I will read column 6, headed, "The Outline of Operations." Beginning on page 2: "The Outline of Operations. The following personal work are given to all of the post-graduates: 1. The investigation of our national policy. 2. Strategic planning for total warfare. 3. The judging of situation necessary for the above. The principle organs of Blue land will be constituted by all of the post-graduates and they will be required to do the following work: 1. The planning of total war strategies. 2. Preparations for the development of total war strategies. Imaginary situation is given to the principal organs of Blue land, and the management of the situation will be studied. 1. Completion of preparation

1 for total warfare within and abroad. 2. Prepara-
2 tion armed warfare. The directing of psychological
3 and economic warfare. 3. The decision for war.
4 4. The directing of total war after this decision.
5 5. Directing the outbreak of war. 6. Directing of
6 total war immediately after the outbreak of war.
7 7. Directing of total warfare during wartime accord-
8 ing to circumstances. 8. The maneuvers will be sus-
9 pended on the morning of the 20th. 1. Drafting of
10 criticism. 2. Preparations for the Research Meet-
11 ing. 1. Research Meeting. 2. Criticism after this
12 the maneuvers will be concluded. 1. The arrangement
13 of the results of the maneuvers. 2. Research for
14 the future."

1 I will read pages 5 and 5a:

2 "Prescriptions for the Execution
3 of the First Theoretical Maneuver
4 for Total War.

5 "Part I. The Object of the Maneuvers

6 "Article I. The object of this maneuver is
7 to let the first term post-graduates of this Research
8 Bureau practice definite measures for total warfare,
9 as well as to make fundamental and thoroughgoing re-
10 searches on it as superior executives.

11 "Article II. The following are the princi-
12 pal items which should be studied and practiced during
13 the maneuvers:

14 "1) The national policy and object which
15 should be propagandized within and abroad.

16 "2) Strategies for total warfare to be
17 adopted by our Empire.

18 "3) The points in drafting part of the var-
19 ious plans necessary for the execution of total war-
20 fare.

21 "4) The main points of consolidating and
22 strengthening positions for total warfare.

23 "5) The outline for directing total warfare.

24 "6) Part of a definite policy for the execu-
25 tion of psychological, economic and diplomatic warfares

1 against a specific country.

2 "7) Directing organs for total warfare, and
3 directing organs for psychological, economic and dip-
4 lomatic warfare.

5 "8) Other matters recognized as necessary
6 for the execution of total warfare by Japan.

7 "Article III. The particulars of items for
8 investigation and practice mentioned in the preceding
9 articles are prescribed separately in the outline of
10 maneuver instructions.

11 "Section IV.

12 "Article 9. When the research meetings on
13 the tenth term maneuvers are over, the Supreme Com-
14 mander will comment on it for the benefit of those
15 who participated in the maneuver.

16 "The main points on which comments will be
17 made are approximately as follows:

18 "1. Whether the plans set up beforehand
19 were suitable or not.

20 "2. Whether the maneuvers execution of the
21 plans were carried properly or not.

22 "3. Whether ex post facto research was carr-
23 ied out properly or not.

24 "4. Whether proper discipline was maintained
25 during the maneuvers or not.

"5. Instructions for the future.

"Article 10. Following actual maneuvers carried out under estimated situations (or after the conclusion of the ninth term maneuvers), each umpire department shall submit materials for comment to the Supreme Commander. Each umpire department, however, must adjust beforehand the opinions of the umpires belonging to that department regarding the materials for comment.

"The draft of the comments shall be made by the critics' council. The members who are to attend the council meeting shall be specially designated.

"Section V. - Gathering the Results of
the Maneuvers.

"Article 11. Each staff member of this Institute shall, depending on his assignment, arrange and preserve the records of the maneuvers as well as the opinions, etc., on the items for research and matters which should be improved concerning the plans of the maneuvers, or report them to other organizations which require such information.

"Section VI. - Specific Symbols.

"Article 12. In order to preserve secrecy, specific symbols given in the following list shall be used in place of the names of the nations and places, etc., which will be used in the maneuvers:"

1 THE PRESIDENT: We had those before, Mr.
2 English, but you might like to try them in here.

3 MR. ENGLISH: They have been referred to.
4 I shall omit it, your Honor.

5 THE PRESIDENT: We will recess for fifteen
6 minutes.

7 (Whereupon, at 1047, a recess was
8 taken until 1102, after which the proceedings
9 were resumed as follows:)
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1 MARSHAL OF THE COURT: The International
2 Military Tribunal for the Far East is now resumed.

3 THE PRESIDENT: Mr. English.

4 MR. ENGLISH: Your Honor, the Russian Section
5 referred to these specific symbols, but just to a few of
6 them, and I think it would be helpful if I were to read
7 all of them.

8 THE PRESIDENT: Not all of them; a general
9 description would be sufficient.

10 MR. ENGLISH: (Reading)

11 "A, United States of America; P, the Soviet
12 Union; G, Australia; J. Inner South Sea; M; Manchukuo;
13 P, Philippine Islands; S, Singapore; U, Vladivostok;
14 W, Aleutian and Alaskan regions; B, Britain; E, Dutch
15 East Indies; H, Hawaii; K, Canada; N, Japan; Q, Malay;
16 T, Thailand; V, Burma; X, the Axis Powers; X1, Germany;
17 X2, Italy; C, China; F, French Indo-China; I, India;
18 L, Central and South America; O, Borneo; R, Far Eastern
19 Regions of the Soviet Union."

20 I will read columns 2, 5, and 7 headed, respec-
21 tively, "Imaginary Time," "Functions for directing the
22 maneuvers," and "The principal maneuver items," from
23 pages 6, 7, and 8:

24 "Imaginary Time, August, 16 Showa, 1941.
25 Functions for directing the maneuvers: The opening of

1 of the maneuver. The supervisor's address. The
2 explanation of the situation for the third term. Ex-
3 planations concerning the Empires will follow in the
4 same way.

5 "Secret report to the supervising section on
6 the general policy of the Blue Country to the supervising
7 section. The presentation of measures to be taken until
8 20 August. The criticism regarding this. Delivery and
9 explanation of supplementary situations.

10 "The principal maneuver items: (1) Negoti-
11 ations with A and the economic demands thereof.
12 (2) The reply to X (that is the Axis Powers) and D
13 (Soviet Union). (3) The preparations of war against
14 D (Soviet Union) and A (America).

15 "September. The presentation of the measures
16 to be taken until the end of August. The criticism re-
17 garding this. Discussion of the situation for the
18 Fourth Term. The announcement and explanation of the
19 situation for the Fourth Term. Continuation of No. 1
20 in the preceding term. Secret report to the super-
21 visers on the general policy of the Blue country (that
22 is, Japan). (2) The response to X (the Axis Powers)
23 concerning the NX Treaty. The presentation of measures
24 to be taken until 20 September. The criticism regarding
25 this. Announcement and explanation of additional

1 situations. (3) Measures against the stiffening
2 attitude between A (America) and N (Japan). September.
3 The announcement and explanation of the situation.
4 The reply to X (the Axis Powers).

5 "October. The secret report to the super-
6 vising section on the general policy of the Blue Country.

7 (2) Measures against the suspension of the commercial
8 relations with A (America), B (Britain), E (Dutch East
9 Indies), and L (Central and South America). The
10 presentation of measures to be taken until 20 October.
11 The criticism regarding this. The announcement and
12 explanation of additional situations.

13 "November. The presentation of measures to be
14 taken until the end of October. The criticism thereof.
15 The announcement and discussion of the situation of the
16 sixth term. (3) Measures in regard to the resolution
17 to advance into E (Dutch East Indies). The announce-
18 ment and explanation of the situation of the sixth
19 term. (1) Resolution to hasten actions against E
20 (Dutch East Indies). The secret report to the super-
21 visory section on the general policy of the Blue
22 Country. (2) Negotiations with D (Russia). The
23 presentation of measures to be taken until 20
24 November. The criticism thereof. The announcement
25 and explanation of the additional situation.

1 "December. The presentation of measures to be
2 taken until the end of November. The criticism thereof.
3 The discussion of the situation of the seventh term.
4 (3) Measures for commeneing the advance into E (Dutch
5 East Indies). The announcement and explanation of the
6 situation of the seventh term. (1) The resolution for
7 'P' (Philippine) operations and the measures thereof.
8 The secret report to the supervising section on the
9 general policy of the Blue Country. (2) measures against
10 B (Britain) and D (Soviet Union). The presentation of
11 measures to be taken until 20 December. The criticism
12 thereof. The announcement of the additional situations.
13 The presentation of measures to be taken until the end
14 of December. The criticism thereof. The discussion of
15 the situation of the eighth term."

16 THE MONITOR: Mr. English, will you put the
17 earphone on? This is the Language Section speaking.
18 The English translation of this document has lines, that
19 is, it is easy for you to read one line and then continue
20 on to the fifth column. However, when this was trans-
21 lated into Japanese it was not done in the same way. It
22 is very difficult to read it simultaneously. Will you
23 read it slow?

24 MR. ENGLISH: I will. The last column on
25 page 7:

1 "(3) The measures in accordance with the out-
2 breaks of war between N (Japan) and A (America), B
3 (Britain).

4 "From January to March, 17 Showa, 1942. The
5 announcement and explanation of the situation of the
6 eighth term. (1) The measures against the air-raid on
7 Tokyo. The secret report to the supervising section
8 on the general policy of the Blue Country (Japan).
9 (2) The measures towards the Diet. The presentation
10 of measures to be taken until the end of February. The
11 criticism thereof. The announcement and explanation of
12 additional situations. (3) The measures towards D
13 (Soviet Union) and L (Central and South America).
14 (4) The economic and political measures towards E
15 (Dutch East Indies), F (French Indo-China), T (Thailand),
16 P (Philippines), and Q (Malay).

17 "From April to October. The presentation of the
18 measures to be taken until the end of March. The
19 criticism thereof. The discussion of the situation of
20 the ninth term. The announcement and explanation of
21 the situation of the ninth term. (1) the continuation
22 of the No. 4 in the preceding term. The presentation of
23 measures to be taken until the end of June. The
24 criticism thereof. The announcement and explanation
25 of the additional situations. (2) the measures in

1 relations with D (Soviet Union). (3) The resolution
2 of war against D (Soviet Union). The presentation of
3 measures to be taken until the end of August. The
4 criticism thereof. The announcement and explanation of
5 the additional situations. (4) The total war strategies
6 to be taken by the Blue Country (Japan) henceforward.
7 The presentation of the works of each participant.
8 Maneuver to be stopped."

1 MR. ENGLISH: I will now read the remainder
2 of the excerpt except certain paragraphs on pages 11,
3 11-a and 12, which were read by Colonel Rosenblit of the
4 Russian Section. I will inform the Court of the para-
5 graphs which are not to be read. Page 9. (Reading:)

6 "The Theoretical Maneuvers for Total Warfare, No.
7 6 -- 3. No. 098 of the 100 volumes, 24 July, (Showa
8 16) 1941. Supervisor of the theoretical maneuvers
9 for the total warfare: IIMURA, Yuzuru.

10 "(1) The Situation. As a result of the liaison
11 conference with the Supreme Command of the Govern-
12 ment on July 24th regarding the strategy of total war-
13 fare, we have agreed on the following unanimously.

14 "1. Blue land, from necessity, will promote
15 all preparations for the object of advancing into E
16 on a favorable occasion, if no special circumstances
17 arise.

18 "The Theoretical Maneuvers for Total Warfare,
19 No. 6 -- 5. (Secret) No. 98 of 120 volumes. De-
20 signated Distribution. Maintenance of Secrecy. Only
21 for those concerned with the maneuvers. Disposal. To
22 be returned on conclusion of the maneuvers.

23 "The 1st Theoretical Maneuvers for Total
24 War for 1941 (SHOWA 16).
25

"The Report on Activities in Regard to the

Subjects Given for the Second Term of the Maneuvers.

"Part I. The national policy of Blue land to be propagandized internally and abroad.

"Part II. A part of the plan for total warfare by Blue land.

"Presented on 30 July 1941 (SHOWA 16).

"The Government of Blue land.

"(or the Total Warfare Research Bureau)

"TABLE OF CONTENTS.

"Part I. The national policy of Blue land to be propagandized internally and abroad.

"1st Item - The statement of Blue land.

"2nd Item - The conversation of the Prime Minister of Blue land.

"Part II. A part of the plan for total warfare by Blue land.

"Classification I - Tactics of total warfare of the Blue land plan.

"Classification II - A part of the plan for the Blue land's army and navy.

"Item I. Matters concerning the army.

"1. The classification and numbers of necessary personnel.

"2. The amount of important necessary materials.

"3. The classification and number of requis-

1 tioned ships necessary.

2 "4. The productive power of war materials to
3 be demanded of the civilian factories.

4 "5. Summary of the military budget.

5 "Item II. Matters concerning the navy.

6 "1. The classification and number of the
7 necessary personnel.

8 "2. The amount of necessary important materials.

9 "3. The classification and number of requisitioned
10 ships necessary.

11 "4. The productive power of war materials to be
12 demanded of the principal civilian factories.

13 "5. Summary of the military budget.

14 "Item III. The outline of plan for defense
15 against air raids throughout the nation.

16 "Item IV. The plan for defense against air-
17 raid in the Kanto District.

18 "Item V. The plan for maintenance and control
19 of marine transportation.

20 "Classification III - The outline of foreign
21 policy for Blue land.

22 "Item I. The plan for diplomatic warfare.

23 "Item II. The policy for the disposal of the
24 China Incident.

25 "Item III. The policy towards Manchuria.

1 "Item IV. The plan for administration of the
2 occupied territories.

3 "Classification IV - The plan for psychological
4 warfare of Blue land.

5 "Classification V - The plan for economic war-
6 fare of the Blue land.

7 "Item I. The principle of repletion of the
8 economic power of Blue land.

9 "1. The policy of expanding the productive
10 power,

11 "2. The policy of expanding and strengthening
12 the economic co-prosperity sphere.

13 "3. The commercial policy (the exchange of
14 materials).

15 "4. The policy for replenishing deficient
16 materials.

17 "Item II. The outline for mobilizing the economic
18 power.

19 "1. The policy for the mobilization of materials.

20 "2. The policy for the mobilization of capital.

21 "3. The policy for the mobilization of labor.

22 "4. The policy for the mobilization of trans-
23 portation.

24 "5. The policy for financial plans.

25 "Item III. The plan for the execution of

1 economic warfare.

2 "3 of No. 13 -- Total War Table-Top Maneuvers
3 (plan) August 23, 1941 (submitted at 0830).

4 Superintendent of Total War Table Top Maneuvers,
5 IIMURA, Minoru.

6 "Additional Situations and Problems of 9th Period
7 Maneuver of First Total War Table-Top Maneuvers."

8 I will continue reading from page 11a, No. 2:

9 "Plans for Total Warfare for Blue land.

10 "Classification I - Programme for Total Warfare
11 for the Blue land (plan).

12 "No. 1 - The object of total warfare.

13 "(1) The object of total warfare is to
14 securely establish the existence of Blue land as
15 well as to exclude the influence of all hostile
16 powers interfering with the establishment of a new
17 order in East Asia.

18 "(2) The present principal hostile countries
19 shall be A (America), B (Britain) (including E, Dutch
20 East Indies) and C (Chungkiang Regime), and the
21 secondary hostile country shall be D (The Soviet
22 Union)."

23 I will omit the next paragraph.

24 (Reading) "No. 2 - Guiding Principle for
25 Total Warfare.

1 "(1) Every effort shall be made for the
2 complete execution of the C (China) Incident ac-
3 cording to established principles; while at the same
4 time, our position for total warfare shall be com-
5 pleted and strengthened so as to be able to cope
6 immediately wars with other hostile countries.

7 "(2) Our present object in the south lies in
8 the securing of materials and positive advancement
9 shall be projected through political measures. However,
10 every possible preparation must be made with the
11 determination to resort to arms whenever the cir-
12 cumstances demand. When a war with A (America) and B
13 (Britain) becomes inevitable, we will take the
14 initiative and declare war. We will exclude their in-
15 fluences in East Asia, and at the same time endeavor
16 to make them give up their hostilities against us."

17 I will omit the next paragraph.

18 "(4) Through cooperation with X (the Axis Powers),
19 we shall strive to realize the plan for an alliance
20 treaty with her, while completing every possible
21 preparation for an initiative war against A (America)
22 and B (Britain) as a precaution against A's (America's)
23 participation in a war with X (the Axis Powers)."

24 THE PRESIDENT: Mr. Logan.

25 MR. LOGAN: Here we have a situation where a

1 witness was on the stand who knew about this document
2 that is being read. In the first place, it is theo-
3 retical and it is immaterial and irrelevant to any of
4 the issues of this case. As a matter of fact, when
5 this document was introduced by the Russian prosecutor,
6 he referred to it as a "military game," which appears
7 on page 7416 of the record. Furthermore, the affidavit
8 submitted by the witness who just left the stand, there
9 are listed all the IPS documents and neither 1622,
10 which is now being read, nor 1356A, which apparently
11 will be the next document introduced by the prosecu-
12 tion, are mentioned. On the basis of this, your Honor,
13 I have an objection to make to the further reading of
14 this document, on the ground it is immaterial and ir-
15 relevant, and, secondly, that if this Tribunal believes
16 that this document and the next document to be in-
17 troduced by the prosecution has any probative value
18 at all, that the previous witness be requested to re-
19 appear for re-examination.

20 THE PRESIDENT: Well, these maneuvers are
21 relevant to the issue of preparation for war, or even
22 to the issue of conspiracy. The prosecution has the
23 option of relying on the document alone or of for-
24 tifying it by calling a witness. Mostly they have
25 relied on the document alone. Here they wanted to

1 prove related matters not found in documents and they
2 called a witness. The Russian prosecutor did refer
3 to these maneuvers as a "game," but I took him to have
4 been speaking ironically or perhaps facetiously. This
5 witness told us that all these maneuvers were based on
6 hypotheses and they may have been. They certainly
7 were not based on actualities; the war hadn't occurred,
8 but that doesn't prevent the maneuvers from being re-
9 levant and material to the issue of preparation for
10 war or conspiracy to commit it. I can think of no
11 more relevant evidence than evidence of this type. We
12 are not bound by the answers of the witness in the
13 box. Where they are contradictory we have a choice.
14 I am sorry that there wasn't an attempt made to en-
15 lighten us in re-examination upon a certain point, but
16 that is beside the point. The objection is disallowed.

17 MR. LOGAN: Might I say something further,
18 your Honor, please?

19 THE PRESIDENT: I didn't call on the prose-
20 cution, and I don't think you should say anything.
21 It would never do for us to review our decisions im-
22 mediately they are given and that is what we are
23 invited to do.
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1 BRIGADIER QUILLIAM: May it please the Tribu-
2 nal, may I be permitted to say something with
3 reference to a matter which is within my personal
4 knowledge and not within the knowledge of Mr. English?

5 THE PRESIDENT: I think you should be,
6 Brigadier, yes.

7 BRIGADIER QUILLIAM: It has reference to
8 the list of documents contained in exhibit E of that
9 witness' affidavit.

10 As an example of the confusion that has
11 arisen, my friend, Mr. Logan, has just referred to it
12 as being a list of all the documents of this kind in
13 the possession of the IPS. He criticized the omission
14 from that list of the document which is now being
15 read. The point is this, as I can say of my own
16 knowledge. It was plainly impossible for the prose-
17 cution to introduce into evidence all the publications
18 of this Institute. Therefore, in respect of those
19 that were not going to be produced in evidence, a list
20 was compiled. We believe that to be a fairly complete
21 list of the documents held by the IPS, but a check is
22 now being made in addition. I have given an under-
23 taking to my friend, Mr. Brooks, that we will endeavor
24 to obtain from ATIS a list of any further documents
25 relating to the Total War Research Institute held by

1 that organization.

2 MR. LOGAN: If the Tribunal please, with all
3 due respect to my friend, here, I believe I stated,
4 but the record will show it, and if I didn't state it
5 what I intended to state was that the document attached
6 to the affidavit of the witness does not mention
7 document 1622 nor 1356-A. And the Brigadier has not
8 said that that statement is not correct.

9 THE PRESIDENT: Mr. English.

10 MR. ENGLISH: Paragraph 4, page 12:
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1 "(4) Through cooperation with X (the Axis
2 Powers), we shall strive to realize the plan for
3 an alliance treaty with her, while completing
4 every possible preparation for an initiative war
5 against A (America), and B (Britain) as a pre-
6 caution against A's (America's) participation in
7 a war with X (the Axis Powers).

8 "(5) Thereafter, we shall decide on our
9 different plans in accordance with the transitions
10 in the situation, thereby anticipating the achieve-
11 ment of the purposes of total warfare.

12 "The Guiding Principle of Armed Warfare

13 "1. Against C (China). By avoiding
14 the expansion of occupied areas, we shall execute
15 repeated and active armed actions against the
16 Chungking Regime to destroy her armed power. At
17 the same time, we shall take measures to deprive
18 her people of their will to fight by destroying
19 her establishment and strengthening our economic
20 blockage of her. In the presentation of war against
21 other hostile countries, the principles enumerated
22 in the preceding article shall be **strongly main-**
23 **tained** in the hope that the consequences will
24 contribute to the surrender of Chungking Government.
25

 "2. Against F (French Indo-China) and

1 T (Thailand). The spirit of joint defense with F
2 will be strengthened. When the attitude of T is
3 unfriendly towards N (Japan) and she does not comply
4 with our demands, and also when A (America) and
5 B (Britain) try to exclude our influences in T
6 (Thailand) we shall make military advances into T.

7 "3. Against E (Dutch East Indies).

8 If E's attitude towards N is to be aggravated
9 and especially if she refuses to supply us with
10 the necessary materials, we shall make military
11 advance on a favorable occasion with a resolve
12 for war with A and B. In case a war with A and
13 B is inevitable, we shall advance into E.

14 "4. Against A and B. If a war with
15 A and B becomes inevitable, in the event of, for
16 instance, A participating in the war against X,
17 or A completely cutting off all commercial re-
18 lationship with N, or danger of armed collision
19 with A and our country, or N being threatened
20 with military invasion by A, we will take the
21 initiative in starting a war and immediately
22 occupy P (Philippines), Q (Malay) and E (Dutch
23 East Indies), thereby strengthening our strategic
24 and economic situation; and at the same time, we
25 shall plan to destroy the enemy's military power

1 and to make them abandon their hostilities towards
2 us."

3 I will omit the next paragraph.

4 "The Theoretical Maneuvers for Total
5 War, No. 10.

6 "No. 98 of the 120 volumes.

7 "Appointed distributor

8 Judge Mihideiyo of the Ministry of
9 Commerce and Industry

10 "14 August 1941 "Maintenance of secrecy - only for
11 (SHOWA 16) members concerned in the maneuvers.

12 "(delivered "Disposal - to be returned on the
13 at 1430) conclusion of the maneuver.

14 "Supervisor of the Theoretical Maneuvers
15 for Total Warfare.

16 "IIMURA, Yuzuru

17 "The circumstances and subjects for the
18 Sixth Phase of Theoretical Maneuvers for Total
19 Warfare.

20 "(1) The circumstances in the middle and
21 end of November.

22 "A. The international situation.

23 "1. With the approach of the severe cold
24 of winter, the D-X (Soviet Union-Axis Powers) war
25 is gradually nearing a stalemate in the areas east

1 of the River Don, Moscow and Leningrad.

2 "2. There is not much change in the BX
3 war except that there is an indication of advance
4 towards the Suez and Gibraltar.
5

6 "3. There is also no great change in the
7 A-X war. It seems part of A's forces in the Atlantic
8 seem to have commenced a move to the Pacific. A
9 declared war against X on the 1st of November."
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- 1 "4. Although the A, B and (E) troops in the
2 East show no signs as yet of increasing
3 their strengths, they have commenced
4 speedy and large scale defense pro-
5 grams with what troops they have sta-
6 tioned in these areas, while A and B
7 are executing threatening propaganda
8 activities to divert N's movements.
9 Part of Blue land's plans seem to have
10 been intercepted by A, B and E.
- 11 "5. As the activities of N's army in the
12 area of C becomes more active, C is
13 also carrying out antagonistic propa-
14 ganda activities. There is a reliable
15 report that a military treaty has been
16 concluded among A, B and C.
- 17 "6. Although conditions in the R (Far East-
18 ern Soviet territory) district are still
19 strained, there is evidence that troops
20 in this area are decreasing. All is
21 quiet on the D-M border. D shows no
22 definite attitude either to M (Manchukuo)
23 or --"

24
25 I am sorry. It is A. I am sorry, I cannot
read it. It is not printed there.

1 "B. The conditions of the Supreme Command
2 and the Army.

3 "1. The Supreme Command of Blue land de-
4 sires to carry out the actions already
5 planned against E as early as possible.

6 "2. The preparations of the Supreme Command
7 for action against E is now under pro-
8 gress, and all preparations are expected
9 to be completed temporarily by the middle
10 of November.

11 "The Theoretical Maneuvers for Total Warfare,
12 No. 10-3

13 "No. 98 of the 120 volumes

14 "15 August 1941 (SHOWA 16)

15 "(delivered: 1200)

16 "Appointed distributor

17 Judge Saidaijo of the Ministry of
18 Commerce and Industry

19 "Maintenance of secrecy - only for members
20 concerned in the maneuvers.

21 "Disposal - to be returned on the conclusion
22 of the maneuvers.

23 "Supervisor of the Theoretical Maneuvers for
24 Total Warfare -- IIMURA, Yuzuru

25 "Supplementary situations for the sixth phase

1 of the first theoretical maneuvers for total warfare.

2 "Supplementary situations for the middle and
3 last part of November.

4 "(1) The troops of the Blue land commenced
5 to move on 15 November; and after mak-
6 ing sudden attacks, they have secured
7 effectively several important areas
8 in E. (Names of places and the war
9 situation stated orally, now and here-
10 after.) The casualties of the Blue
11 land are slight.

12 "(2) E has declared she will 'resist to the
13 utmost the invasion of N', and is ask-
14 ing for the aid of A and B. Although
15 B's garrison troops are withstanding
16 the attack comparatively well, they
17 are gradually being pushed back by
18 Blue land's army. Of the economic in-
19 stallations in the territories of E
20 Country, only a part of those in the
21 Maritime Province; which has been ex-
22 posed to surprise attacks by troops of
23 Blue land had been destroyed; but those
24 in the other areas are being destroyed
25 to quite an extent.

1 "(3) The articles known for sure to have
2 been seized in the E operations are
3 as follows:

4 "Vessels 80,000 tons

5 "Crude oil 210,000 kilolitres

6 "Ordinary benzine 97,000 kilolitres

7 "Heavy-oil 186,000 kilolitres

8 "(4) A and B have stigmatised the actions
9 of Blue land as an illegal aggression,
10 and they have united to declare the
11 severance of economic relations with
12 N as well as to demand the closing of
13 the N consulate in A. It seems that
14 part of A's naval forces in the Atlan-
15 tic are being rapidly transferred to
16 the Pacific. Although public opinion
17 in A is for war with N, the true inten-
18 tion of the government is not clear.

19 "(5) Though the A and B forces in East Asia
20 are showing extreme tension, they have
21 not yet taken any action of their own.

22 "(6) Blank thousand soldiers and blank thou-
23 sand tons of vessels have been newly
24 mobilized in preparation for opera-
25 tions against A.

"The Theoretical Maneuvers for Total Warfare,

No. 16

"No. 98 of the 100 volumes

"Appointed distributor -

"28 August
1941
(SHOWA 16)

"Maintenance of secrecy - only for members
concerned in the maneuvers

"Disposal - to be returned on the conclusion
of the maneuvers

"Supervisor of the theoretical maneuvers for
Total Warfare -- IIMURA, Yuzuru

"The Criticism of the First Theoretical
Maneuvers for Total Warfare.

"In concluding the first theoretical maneu-
vers for total warfare, I shall hereby state my opin-
ions regarding the important matters in the maneuvers,
and thereby contribute to future researches by parti-
cipants.

"The first term of the maneuvers.

"(1) Although I acknowledge generally the
efforts of the respective participants in their pre-
sentation of their studies in the national policy, the
tactics to be taken by our country for total warfare,
and the necessary judgment of the situations, I find
not a few instances of lack of understanding in the
fundamental nature of war and the principles of total

1 warfare, and also there is a certain immaturity in their
2 contemplation and consideration.

3 At that time, the participants lacked basic
4 knowledge, the working hours were short, and there had
5 been unavoidable circumstances, but in view of the
6 actual results of the maneuvers, I feel it necessary
7 to further continue our studies."

1 "(11) In the third period of the maneuvers
2 the diplomatic policy of the government of Blue-land
3 is to take advantage of the noticeably easier con-
4 temporary international situation to manifest the
5 elasticity of the measures for total warfare, and I
6 am aware of the necessity of doing our best to attain
7 the object of the measures by diplomatic means. For
8 instance, in our relation with A and B, I think it
9 was a failure of ours to have taken a diplomatic
10 policy aimed at evading war with them.

11 "(12) In the third period of the maneu-
12 vers, I think the judgment that the proposition of A
13 resulted from its weakness is appropriate, but I
14 cannot approve of a passive diplomacy based on the
15 propositions of A. We should possess enough spirit
16 to ignore the hostile feelings of A by taking advan-
17 tage of her weakness and presenting positive pro-
18 posal of our own. Therefore, to realize this we must
19 observe the necessity rather of further strengthen-
20 ing the relations with N and X.

21 "(14) In the fifth period of the maneuvers
22 a more careful and deeper consideration will be nec-
23 essary in the advance into E. For instance, we should
24 not concentrate merely on the period concerning the
25 completion of preparations. It will be necessary

1 to make a thorough-going investigation into our know-
2 ledge of the general trend, the limit of our present
3 aim, the mutual cooperative relations of the poli-
4 tical and military strategies just before the ad-
5 vance, the actual domestic situation and the policy
6 concerning them, etc.

7 "(15) Concerning the judgment on the abi-
8 lity to execute war against A, B and E, it was an
9 attempt at a partial outline only as it was restri-
10 cted by shortage of materials and time, but, to this
11 extent I acknowledge it to be a comparatively fair
12 work, and I especially approve of the sincere atti-
13 tude taken in the investigation.

14 "However, in reality, we must carefully
15 study the material scope and connection of military
16 and civilian needs in all phases, such as labor and
17 material, static or dynamic, as well as to plan all
18 these as an over-all geographic unity involving N,
19 M and C, and from the standpoint of time including
20 the whole length of the war. Moreover, the assess-
21 ment of the period until the commencement of all the
22 activities in the above plan is insufficient and is
23 altogether too short.

24 "(16) The cooperative activities of the
25 political and military strategies prior to the ad-

1 vance into E are gravely insufficient. After the de-
2 cision is made for the military advance, all measures
3 concerning diplomatic, psychological and economic war-
4 fare should be actively developed under a single
5 policy so as to facilitate operations. That is, to
6 put A and B off guard, to facilitate their indivi-
7 dual destruction, and to catch E napping to get a
8 chance for a sudden attack. In particular in order
9 to complete the concentration of the nation's total
10 power by keeping the plan secret and imaginary, it
11 will be necessary to develop for a plain and definite
12 object all the activities of the total power of a
13 united nation.

14 "(18) It is wrong to have treated lightly
15 the matter of declaring war on A and B under the cir-
16 cumstances in the last stage of the sixth period. It
17 will be necessary to study carefully whether there can
18 be no last measure to avoid war with A and B, and to
19 consider prudently the serious results arising from
20 the outbreak of war, although it must always be kept
21 in mind that there is advantage in taking the initi-
22 ative in declaring war on A and B when they are still
23 unprepared.

24 "(Note) In order to facilitate study, we
25 have executed this maneuver on the supposition that

1 N's participation in the war by virtue of the NX
2 treaty is not automatic.

3 "(19) However, I regret that there was no
4 decision to start a war against A and B even under the
5 circumstances detaining in the early stages of the
6 seventh period maneuvers. There has been a rapid de-
7 velopment in the situation, and the intentions of A
8 and B towards N have become clear. The general sit-
9 uation demands our finding independently a way out
10 of our impasse. Moreover, we have never before felt
11 so secure on the northern borders as we do today.
12 This must be considered a good chance to make our
13 decision for starting war against A and B.

14 "(20) The measures taken by the Government
15 of Blue land on the basis of the studies made before-
16 hand by the Second Committee about the measures to
17 be taken toward foreign countries in connection with
18 the outbreak of war, were as a whole quite suitable.

19 "However, there is still room for study in
20 regard to war aims against A and B (the pretext for
21 despatch of troops and peace terms) and representa-
22 tions to X about not concluding a separate peace.

23 "(25) In the ninth period of the maneuvers
24 when A and B influence had been generally expelled
25 from the EPQ districts and the main force of A's army

1 had been destroyed, I think it was necessary to study
2 and determine the policy for the subsequent direction
3 of the war against A and B.

4 "(26) It is good to note the improvement
5 in the way you assessed the national strength in the
6 war against D compared with that of the war against
7 A and B, but I desire to see further creative studies
8 and more ingenuity in devising emergency measures
9 to cope with the situation at a time when the national
10 existence is at stake."

11 THE PRESIDENT: This is a convenient break,
12 Mr. English.

13 We will adjourn until half past one.

14 (Whereupon, at 1200 a recess
15 was taken.)
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AFTERNOON SESSION

The Tribunal met, pursuant to recess, at 1330.

MARSHAL OF THE COURT: The International
Military Tribunal for the Far East is now resumed.

THE PRESIDENT: Captain Brooks.

MR. BROOKS: If the Tribunal please, I
would like to call attention in relation to this
exhibit 686A, that on page 11, paragraph 1, the
bottom of the page, in reference to a Cabinet Meeting
of July 10; and that on page 7418 of the proceedings
in the Russian phase, at the bottom of the page, it
is quoted from the page 11 I just referred to
previously, that the Cabinet Meeting of July 10
decided on the opening of war against D.

Now referring back to page 16 of exhibit
686A, paragraphs 2 to 10 have been omitted. They
discuss the student cabinets and functions of the
students setting up cabinets and their actions and the
criticisms of the teachers of these actions as they
were playing cabinet member in the course of this
Table-Top Maneuver:

For clear understanding of this, if the
Tribunal desires, the defense will try on its case
to bring in further evidence on these paragraphs

1 omitted to show that this was not facts that were
2 considered here, as pointed out in further omissions.

3 Paragraph 13 being omitted on page 16, is
4 a criticism of one of the bodies set up of the
5 students. Paragraph 17 on page -- Also on page 17,
6 besides paragraph 17 omitted, there are paragraphs
7 21 to 24 omitted, and the remaining paragraphs from
8 paragraph 27 to paragraph 54 are omitted with the
9 conclusion and criticism of the teacher of the students,
10 showing their need for further study; and it is a
11 very profound critique upon their discussions and
12 findings as members of these various student cabinets
13 and so forth.

14 This is all matter of evidence and is in
15 prosecution's document 686, if your Honor please, but
16 it has not been translated into English. If the
17 Tribunal feels that would be of assistance we would
18 attempt to have that translated if the document is
19 made available for that purpose. We will have to
20 have it withdrawn from the Court.

21 THE PRESIDENT: We are under no misapprehension
22 as to the meanings of the expressions in the document
23 to which you refer.

24 MR. BROOKS: Thank you.

25 THE PRESIDENT: We never have been under

1 any misapprehension about that. Now, Captain Brooks,
2 even if we were, you know you should wait until
3 you are giving evidence in the course of the defense
4 to deal so fully with a matter like that. We have
5 prevented Japanese counsels from wedging their
6 defense in in the course of the prosecution's case.

7 MR. BROOKS: If your Honor please, the
8 document is that thick (indicating) and I am on the
9 documents committee, and if it is to be translated,
10 we would have to prepare it a considerable length
11 of time. That is why I brought it up. I know my
12 statement has no value of its own.

13 THE PRESIDENT: It is not practicable to
14 hear the prosecution and the defense together. We
15 must hear them in turn.

16 Mr. English.

17 MR. ENGLISH: Will the clerk mark for
18 identification prosecution's document No. 1356,
19 entitled the "First Table-Top Total War Maneuvers."

20 CLERK OF THE COURT: Prosecution's document
21 No. 1356 will be given exhibit No. 870 for identification
22 only.

23 (Whereupon, the document above
24 referred to was marked prosecution's exhibit
25 No. 870 for identification.)

1 MR. ENGLISH: I offer in evidence prosecution's
2 document No. 1356-A, being excerpts from prosecution's
3 document No. 1356 and being a record of Table-Top
4 Maneuvers held by the Total War Research Institute
5 during the first half of August 1941.

6 THE PRESIDENT: Admitted on the usual terms.

7 CLERK OF THE COURT: Prosecution's document
8 No. 1356-A will receive exhibit No. 870-A.

9 (Whereupon, the document above
10 referred to was marked prosecution's exhibit
11 No. 870-A and was received in evidence.)
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1 MR. ENGLISH: I will commence reading from
2 the middle of page 5 to the top of page 6:

3 "General Policy of the Blue State Government
4 concerning the Third Period Problems. (Project for
5 Private Showing).

6 "1. Against A

7 "To the proposal of A, we shall neither give our
8 word clearly concerning the position of the Blue State,
9 nor expect an ultimate peaceful settlement with A,
10 but adopt a delaying policy by diplomatic negotiations,
11 repleting war preparations in the meantime.

12 "2. Against D

13 "We shall give to D the reply that the Blue
14 State will not attack D positively, as long as D
15 would faithfully observe the fulfilment of the
16 Neutral Treaty between N and D.

17 "3. Against X

18 "We shall proceed along the policy of the
19 maintenance of the status quo, and make them satis-
20 fied with the effect of the Tripartite Pact between
21 N, X_1 (Germany) and X_2 (Italy), restraining A's
22 participation in war against X.

23 "4. Against F and T

24 "Against F, we shall proceed with the Total War
25 policy previously decided upon. Against T, we shall

1 endeavor to enforce the political and military
2 coalition, and take positive steps in order to con-
3 clude a military alliance (Secret, if necessary).

4 "5. Against E

5 "We shall continue economic negotiations so that
6 the relation between N and E will not grow worse than
7 at present."

8 I will turn to page 7.

9 "Measures of Foreign Minister to meet the sit-
10 uation at the beginning and middle of August. In
11 conformity with the General Policy decided upon in the
12 Five Minister's Meeting on blank of August, I aim, as
13 an imminent question at preventing the relation be-
14 tween N, A and B from getting worse than they are at
15 present and at the completion of the Blue State's
16 intention of advancing southward into T and F, and
17 I will adopt the following steps:

18 "Against A

19 "I will get the Ambassador in A to open negot-
20 iations with the A Government concerning the proposal
21 of August 10 from A and get him to sound out A's
22 real intention and possibilities of her granting con-
23 cessions without speaking our mind concerning our
24 situation and without expecting a final peaceful
25 settlement. And I will prevent the relations between

1 N and A from getting worse than they are. In the
2 meantime, replete our war preparations and go on
3 impressing A with our firm resolution to fulfill our
4 duties of the N, X₁, and X₂ Alliance, and to endeavor
5 to restrain A's participation in war against X₁.
6 (Further details will be stated in the accompanying
7 document in the telegraphic instructions to the
8 Ambassador in A).

9 "Against F

10 "We shall superintend F's attitude so that she
11 will not disturb our actions in the stationing of
12 troops, establishment of military equipments, etc.,
13 in accordance with the Joint Defense Agreement. When
14 necessary, we shall adopt coercive measures.

15 "Against T

16 "Though aiming at the enforcement of an economic,
17 military and political coalition with T, and ultimately
18 the conclusion of a military alliance, we shall endeavor
19 for the time being to obtain staple commodities, and
20 to conclude an agreement needed for the financial and
21 monetary coalition between N and T. Should this be
22 difficult, we shall endeavor to push the negotiations
23 concerning the agreement, by resorting to oppressive
24 measures such as military pressure, repatriation of
25 residents, etc. In case we cannot find any other

1 measures except the use of armed force which will
2 cause military conflict with A and B we shall wait
3 until the completion of war preparations, avoiding
4 unnecessary instigation.

5 "Concerning the political and military coalition
6 with T, we shall sound the intention of T's authorities,
7 and endeavor to promote the coalition. But if we
8 find it difficult to attain this object without re-
9 sorting to pressure, we shall wait until the comple-
10 tion of war preparations.

11 "Against E

12 "By continuing economic negotiations with E,
13 authorities through the resident organs, we shall
14 endeavor to prevent the relation between N and E from
15 getting worse and to reduce the influence of the
16 freezing of funds. If E's attitude is uncompromising
17 and it becomes difficult to accomplish this, we shall
18 wait until the completion of war preparations, avoid-
19 ing unnecessary stimulation. Moreover, we will
20 supplementarily propose to A and B the necessity of
21 supplying N with E's goods and get them to advise E
22 to mitigate her attitude."

23 I will continue reading from the bottom of
24 page 9 and the top of page 10.

25 "Foreign Policy (to be presented to the

1 Cabinet Meeting).

2 "I. Policy

3 "1. Keeping its intention secret, the
4 Blue State will carry out a surprise advance against
5 E in the middle of November.

6 "II. Measures.

7 "2. We will continue diplomatic negotiations
8 with E as long as possible until the disembarkation
9 is executed, without issuing an ultimatum.

10 "3. We will first land our advance troops,
11 then the main forces by surprise, on E on X day
12 attempting, if possible, on this occasion to conquer
13 E at one stroke.

14 "4. In case A and B take up the gauntlet
15 after our military advance into E we will lose no
16 time in advancing, overcoming these obstacles;
17 but in case they open hostilities against us before
18 the event takes place, we will begin an attack on P
19 and Q first of all, and later seize the opportunity
20 and advance against E.

21 "5. We will take no measures against A and
22 B for the time being, and with the landing on E,
23 propose the following items:

24 "(1) That N's advance into E is indispensable
25 for the self-existence of the Blue State and peace

1 in the Pacific.

2 "(2) That we are prepared for a challenge from
3 A and B at any time but we are ready to supply them
4 with the necessary materials if they understand our
5 real intention.

6 "6. Against X we will request without
7 delay that as we shall advance into E first of all to
8 assist X against A and B; X shall not change her
9 military operations against D into a defense attitude
10 throughout and shall carry out positively her war of
11 economy and thoughts against D and moreover shall
12 wage war positively against A and B."

13 I will continue reading page 11:

14 "Opinions to be presented to the Cabinet
15 Meeting Foreign Policy Based on Supplementary Circum-
16 stances.

17 "I. Decision

18 "1. The Blue State shall decide to initiate
19 war against A and B and every possible measure should
20 be taken to see that the internal and external situa-
21 tions at the time of the outbreak of war be extremely
22 favorable.

23 "2. The date of the opening of war shall
24 probably be after the middle of December.

25 "II. Measures

1 "1. Against E

2 "Besides waging a war of arms, we shall
3 develop a strong war of thought and expect E's com-
4 plete surrender in a short time. Further, we shall
5 endeavor to send back ships and materials taking into
6 consideration the temporary isolation of our troops
7 which have advanced into E after the outbreak of the
8 war against A and B, and to send beforehand the re-
9 quired munitions.

10 "4. Against A and B

11 "We shall endeavor to keep our intention of
12 opening a war secret by means of a compromising and
13 concessive diplomatic policy and endeavor to seize
14 an advantageous situation at the outbreak of the war.

15 "5. Against X

16 "We will inform X that the time of our
17 opening a war against A and B is at hand, and present
18 our demand indicated in the items of SOKIEN, Total War
19 Table-Top Maneuvers No. 9, Part 4.

20 "6. Against D

21 "We will open negotiations on request.
22 Though we will adopt a delaying policy, we shall
23 maintain the premeditated plan of granting Items 1,
24 2, and 4."

25 I offer in evidence--

1 MR. LOGAN: If the Tribunal please--

2 THE PRESIDENT: Mr. Logan.

3 MR. LOGAN: When the last witness, Mr. HORIBA,
4 was on the stand he testified generally with respect
5 to the various documents mentioned in his affidavit.
6 In view of the fact that the prosecution has now read
7 from documents, exhibits 686-A and 870-A, and that
8 there might be certain inferences drawn from those
9 documents, and the defense have had no opportunity
10 to cross-examine this particular witness specifically
11 on these documents, we ask that he be recalled and we
12 be permitted to reopen our cross-examination of this
13 witness. We further believe it would be of assistance
14 to the Tribunal in understanding these documents if
15 the witness were recalled.

16 THE PRESIDENT: I think I can safely assure
17 the parties that the Tribunal does not need the further
18 assistance of that witness. It is for the prosecution
19 to say whether they want this particular document
20 fortified by the evidence of that witness.

21 MR. ENGLISH: We do not intend to call the
22 witness, your Honor.

23 THE PRESIDENT: We do not think it is in the
24 interests of justice to call the witness again. The
25 application is refused.

1 MR. ENGLISH: I offer in evidence prosecu-
2 tion's document No. 2228 entitled "The Records of
3 the Progress of Theoretical Maneuvers for Total War
4 No. 1." This document sets forth the results of
5 Table-Top Maneuvers from the third period, August,
6 1941, to the ninth period, October, 1942. The reports
7 were prepared by the following agencies of the Insti-
8 tute: The Cabinet, Foreign Ministry, the War Ministry,
9 Minister of State, Minister of Commerce and Industry,
10 the Planning Board, the Overseas Affairs Ministry,
11 Ministry of Finance, the Manchurian Affairs Board,
12 the Asia Development Board, the Information Board,
13 the Home Ministry, the Finance Ministry, the Railway
14 Ministry, the Ministry of Agriculture and Forestry,
15 Ministry of Commerce, Justice Ministry, Ministry of
16 Education, the Naval Minister, Metropolitan Police
17 Board, and the Welfare Ministry. Will the Clerk assign
18 an exhibit number?

19 CLERK OF THE COURT: Prosecution's document
20 No. 2228 will receive exhibit No. 871 for identifica-
21 tion.

22 MR. ENGLISH: This document is tendered in
23 evidence.

24 THE PRESIDENT: Admitted on the usual terms.

25 (Whereupon, the document above

1 referred to was marked prosecution's exhibit
2 No. 871 and was received in evidence.)

3 MR. BROOKS: If the Tribunal please, I
4 wanted to make an objection to its admission. Am I
5 too late? May I be heard?

6 THE PRESIDENT: Yes, I didn't see you at
7 the lectern when I admitted it, but apparently you
8 were there; I was not looking.

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1 MR. BROOKS: The first ground of objection
2 to this document, if your Honor please, is that it
3 has in the defense' mind no probative value since
4 it is a table-top discussion based upon hypothetical
5 cases and facts assumed, and the actions described
6 as the Prime Minister, the Ambassadors and so forth
7 in there, from the prosecution's own evidence in there
8 as shown, are those of students posing as Prime
9 Ministers and such in certain hypothetical situations
10 and that, I think, is irrelevant and immaterial to
11 any charge of the Indictment against these accused
12 since none of them were students and since none of
13 them have been connected --

14 THE PRESIDENT: You are taking the same
15 objection that you took to earlier documents of
16 apparently the same character and for the same reasons.
17 There is no need to repeat those reasons. We fully
18 appreciate them.

19 MR. BROOKS: What I wanted to request of
20 the Court was that the prosecution be required to
21 make a brief showing of what probative value or what
22 connection this has with the Indictment or any charges
23 in there they are attempting to prove in this case
24 before it is admitted.

25 THE PRESIDENT: No onus rests on them to do

1 any such thing, as we will not take the responsibility
2 of creating a new onus. The objection is overruled.

3 MR. ENGLISH: Do I understand that the
4 document was offered in evidence?

5 CLERK OF THE COURT: Prosecution's document
6 No. 2228 was given exhibit No. 871 and admitted
7 according to order of the Court.

8 MR. ENGLISH: I will commence reading page 1.

9 (Reading):

10 "RECORDS OF THE PROGRESS OF THEORETICAL MANOEUVERS FOR
11 TOTAL WAR No. 1

12 "(Secret)

13 "/To be perused by

14 Director of the Institute

15 The Secretary

16 The Staff/

17 "THE THIRD PERIOD (August, Showa 16 /1941/)

18 "I. The measures taken by the Government of 'Blue
19 Country' during the period were as follows:-

20 "1. Decided by the Cabinet.

21 "(1) To take measures for delaying A's con-
22 ciliatory proposal to N.

23 "(2) To reply to D's request to the new
24 Cabinet of Blue Country for manifesta-
25 tion of its attitude towards D by saying

ticket system, etc.).

"(11) To set up a revised capital mobilization plan with an ¥800,000,000 reduction in administrative expenses.

"II. The following measures were reported in the Cabinet council:-

"(1) Telegraphic instructions were sent to the Ambassador to A to sound A's true intentions and the possibility of a concession - Foreign Minister.

"(2) Measures to increase shipping and crews and plans for marine transportation - Communications Minister.

"(3) Measures to cope with the shortage of 300,000 labourers. - Welfare Minister.

"(4) Various measures regarding the freezing of funds and measures for industrial funds - Finance Minister.

"(5) Measures for overland transportation:
(Passenger and freight - through Korea and Manchukuo) - Railway Minister.

"The Fourth Period (September, Showa 16 /1941/)

"Measures taken during this period were as follows:

"I. Decided by the Cabinet:

"(1) To reply that we shall not deviate from

1 our policy of abiding by the Treaty of
2 Alliance in answer to X's request that N
3 should immediately participate in the war
4 against A.

5 "(2) To establish our position gradually regard-
6 ing T.

7 "(3) To continue our usual policy regarding A
8 and D.

9 "(4) To obtain as much materials from A, B, E
10 and L as the situation permits.

11 "(5) To maintain strict control against the in-
12 ternal spread of false rumors, and to give
13 the people a more thorough knowledge of the
14 present situation.

15 "(6) To place small-type transportation and
16 freight trucks under government control as
17 a measure for small scale transportation in
18 special areas.

19 "(7) To set up a Shipping Board and to place
20 all private shipping under government
21 control.

22 "(8) To adjust and reorganize the medium and
23 small-scale tradesmen and manufacturers,
24 and thereby prevent the confusion arising
25 from the reduction of the volume of civilian

1 goods, as well as to redistribute labour
2 to lines urgently needed in the emergency.

3 "(9) To enact an Imperial ordinance for fixing
4 official prices of shares.

5 "II. Matters reported at the Cabinet Meeting:-

6 "(1) Measures for securing a propagandizing com-
7 munication network for coping with wartime
8 emergencies.

9 "(2) Measures concerning the leakage of secrets.

10 "(3) Measures in the educational field for es-
11 tablishing a thought guidance system, ex-
12 alting the morale of educators, and perfecting
13 the labour mobilization system of students.

14 "(4) Food policy.

15 "(i) Importation of 10,000,000 koku
16 /Translator's Note. 49,629,000
17 bushels/ of foreign rice.

18 "(ii) Enforcement of a composite ration-
19 ticket system.

20 "(iii) Establishment of a self-sufficient
21 food supply bloc.

22 "(5) Measures for dealing with the unsatisfactory
23 importation of Korean rice.

24 "(6) Plan for promoting the subscription of Govern-
25 ment bonds and for maintaining their mar-

ket prices.

"(7) Counter-measures for the unemployment of medium and small-scale tradesmen and manufacturers in the overseas.

"(8) Civilian aviation policy.

"(9) Plan for the distribution of ocean vessels.

TOP SECRET

"The Fifth Period (October, Shows 16 /1941/)

"1. It was decided that E shall be occupied by force, and immediate all-out preparations for war shall be launched in anticipation of a war against A, B and E; and that the Supreme Command shall be consulted at once, and be informed that we hope to apply force three months hence. Various measures were discussed and decided upon, regarding the Cabinet Council's decisions on the 15th October for the invasion of E.

"2. Emergency air defense measures to meet the international situation were decided upon and an estimation was made as to how far X would cooperate with N in the event of Blue land participating in the war against A, etc.

"3. The Government's answer to the request lately submitted to the Government by the Supreme Command asking for the Government's concrete views re-

1 garding our precise capacity for waging war a-
2 gainst A, B and C, was discussed and decided.

3 "4. A second committee consisting of the vice minis-
4 ters of the various ministries concerned was
5 established, for the preparation and preliminary
6 study of measures necessary for starting hostili-
7 ties against A and B.

8 "5. Reports were received from the various Ministers
9 about matters under their jurisdiction, the most
10 important questions brought up being as follows:-

11 "(1) Food measures to cope with the decrease of
12 rice and other cereals.

1 "(2) Stock market measures to cope with
2 the depreciation of shares.

3 "(3) Measures for the disposal of savings
4 in local banks.

5 "(4) Measures for the cessation of trade
6 with A, L, E, and B.

7 "(5) Measures for psychological warfare to
8 conceal our intentions of invading E.

9 "The Sixth Period (November, Showa 16 /1941/)

10 "1. It was decided to reply that the Gov-
11 ernment is in complete agreement with the Supreme
12 Command in their request for maximum speed in the ex-
13 ecution of the actions pre-arranged against E and to
14 that end will hold a joint conference where it hopes
15 for Cabinet decisions.

16 "2. Decision was reached on the questions
17 to be discussed in the said liaison conference, of
18 which the most important were: (1) Date and time of
19 the armed invasion, (2) Purpose and form of the ex-
20 pedition, (3) and diplomatic policies at the time.

21 "3. In view of the situation during the
22 middle and latter parts of Novemeber, it was decided
23 that, while making up our mind to open forestalling
24 hostilities against A and B at a good opportunity
25 as soon as preparations are completed, diplomatic

1 negotiations shall be continued peacefully with them.

2 "4. The Government decided on a petition
3 to the Emperor to convoke an extraordinary session
4 of the Imperial Diet immediately after the invasion
5 of E, and on the bills to be introduced into the Diet,
6 the more important of which are as follows:

7 I will continue at the bottom of page 6.

8 "The Seventh Period (December, Showa 16
9 /1941/)

10 "Cabinet decisions were mainly as follows:-

11 "(1) To make increased efforts in prepara-
12 tions for war against A and B, and endeavour to achieve
13 speedy results from our invasion of E.

14 "(The above decision was introduced for con-
15 sideration in the joint council with the Supreme Com-
16 mand, and it was decided to wage war on A due to
17 considerations of strategy. This decision received
18 Imperial sanction.)
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1 "(2) To file a strong protest against the
2 unlawful sinking of our warships by A.

3 "(3) To file a protest against A's dec-
4 laration of a neutral sea zone in the Far East.

5 "(4) To file a protest against A's oppres-
6 sion of the Japanese nationals in A.

7 "(5) To inform third powers that we have
8 started hostilities against E.

9 "(6) To sign a secret anti-war pact with D.

10 "(7) To make it our policy to keep the L
11 countries neutral.

12 "(8) To take, upon declaration of war on
13 A and B, the direct measures reported by the Second
14 Committee.

15 "(9) The following food measures were
16 decided: -

17 "(1) Basic consumption of rice and cereals:-
18 1.9 'go' per day.

19 "(2) To expedite the import of foreign rice
20 and rice from outside Japan.

21 "(10) To place the whole country under
22 martial law.

23 "(11) To make sure of our plans for railway
24 transportation at the time war is declared.

25 "(12) Diet Measures.

1 "(1) To carry out a general election.

2 "(2) Measures to shorten the period of
3 adjournment.

4 "(2) Plans for psychological warfare at
5 the beginning of the war, and other important meas-
6 ures were reported in the Cabinet Council.

7 "The Eighth Period (January-March, Showa
8 17 /1942/)

9 "1. It was arranged, following consul-
10 tation with the Supreme Command, to sound T as to
11 the possibilities of utilizing her for military
12 purposes, short of turning her into an actual
13 battlefield.

14 "2. Transportation of war supplies
15 from A to D by D's ships will not be interfered
16 with, but trade between L and D through neutral
17 ships will be discouraged as much as possible by
18 the establishment of danger zones and by application
19 of the principle of non-stop voyages for wartime
20 contraband."

21 I will continue reading from page 9,
22 "The Ninth Period."
23
24
25

1 "The Ninth Period (April-October, 1942)

2 "The matters decided upon by the Cabinet
3 council during the period were mainly as follows:-

4 "1. To enter a strong protest with D for
5 having supplied A with bases and at the same time to
6 suspend forthwith the facilities given D and make
7 preparations for war against D.

8 "2. To reply to X's request for hostilities
9 by us against D by saying that X must be satisfied for
10 the present with the blockade we now intend to carry
11 out, and to request X in return to engage energetic-
12 ally in the destruction of A's shipping. (These were
13 the measures to be taken during April and May.)

14 "3. To vanquish all the difficulties of the
15 present situation and carry out the Manchurian emigra-
16 tion policy, as already planned.

17 "4. Things being what they were in July, the
18 Cabinet did not reach agreement on whether or not we
19 should open hostilities against D, due to the strong
20 convictions voiced that the military supplies required
21 by the Supreme Command (Revision of the commodity mo-
22 bilization plan by 100% expansion) beyond the nation's
23 capacity.

24 "5. Conference was held regarding the pro-
25 posed plan for strengthening the Cabinet, but no con-

1 clusion was reached.

2 "6. Offensive measures for economic warfare
3 against A and B were reported by the Finance Minister.

4 "Records of the Progress of Diplomatic War-
5 fare In the Theoretical Maneuvers for Total War No. 1

6 "August 23, 1941

7 "Akira CHIBA, Foreign Minister

8 "The General Outline of the Progress

9 "Akira CHIBA, Foreign Minister

10 "The Third Period (August 1941)

11 "In conformity with the decisions of the con-
12 ference held in the Imperial presence on 10 August, our
13 diplomatic policies during this period were aimed chief-
14 ly at preparations for our advance into the Southern
15 Regions while at the same time maintaining the status
16 quo between N and X and avoiding conflict with A and D
17 by the following line of action:-

18 "(1) We avoided making any definite reply
19 to A's suggestion of 10 August to neutralize the alli-
20 ance between N and X in view of the fact that ultimately
21 the national policies of N and A were irreconcilable
22 and we did our best to delay a clash with A by follow-
23 ing a neutral policy."
24
25

1 THE PRESIDENT: You are not reading the
2 letters correctly, Mr. English, but I take it they
3 are going into the transcript correctly.

4 MR. ENGLISH: Oh, I'm sorry. I will correct
5 that part.

6 (Whereupon, counsel for the prose-
7 cution reread the last paragraph.)

8 MR. ENGLISH (Reading): "(2) We endeavoured
9 to promote friendly relations with D by settling trade
10 and fishing problems with her. We invoked the treaty
11 of neutrality existing between N and D and thus en-
12 deavoured to check A-D collaboration aimed against N.

13 "(3) We sounded T on her inclination to
14 cooperate politically and militarily with N and also
15 endeavoured to strengthen economic cooperation with
16 T. Finding T faced with numerous internal political
17 difficulties, we concentrated the greater part of our
18 efforts on the latter objective and obtained consider-
19 able success during this period as well as the next.

20 "(4) We endeavoured to obtain as much
21 materials as possible from E, A, B and L, but without
22 much success due to various obstacles during the next
23 and subsequent periods."

24 I will continue at page 11: "The Fifth
25 Period."

"The Fifth Period (October)

"X at last opened hostilities against A.

A interned N's ships; B, E and L followed suit. Economic negotiations with E came to a stop. On the 15th at a Cabinet Council, it was decided that we would march into E at a favourable opportunity on or after 1 December. Accordingly, our diplomacy during this period was as follows:-

"(1) X again requested us to open war on A at once, to which we answered that our resolution to abide by the treaty was unchanged and that we would soon be invading E. We notified X of the assistance we expected from her in case N pushed southward or declared war against A.

"(2) We avoided provoking A and confined ourselves to a protest against A's internment of our ships, without resorting to retaliatory measures. We also lodged similar protests against the internment of our ships by B and L.

"(3) We warned E against the internment of our ships and the seizure of our goods. The Government still entertained some hopes of peaceful settlement in spite of the decision of the Cabinet Council on the 15th, and decided to reopen economic negotiations but could not reach an agreement with

1 the Supreme Command Headquarters as to the methods
2 by which the negotiations should be carried on. The
3 Government, therefore, had no alternative but to
4 notify its envoy in E. (The Foreign Minister pro-
5 posed sending an ultimatum just before we resorted
6 to armed force, but the Supreme Command Headquarters
7 objected to this arguing the necessity of concealing
8 our intentions.)

9 "The Sixth Period (November)

10 "In response to A's declaration of war on
11 X and strengthening of its position against N in the
12 early part of this period, it was decided to carry
13 out our plans at an earlier date and start opera-
14 tions against E on the 15th of this month.

15 "(1) We immediately lodged with E our
16 minimum economic requirements and opened negotiations,
17 but E refused our requests. On the 15th we started
18 operations against E.

19 "(2) Just before the invasion of the 15th,
20 we asked X for assistance from the rear by intensi-
21 fying her operations against D.

22 "(3) Immediately following our invasion
23 on the 15th, we notified A and B of the objective of
24 our advance and of the necessity of our taking counter-
25 measures if we were interfered with. A and B declared

1 a severance of economic relations with N and de-
2 manded the withdrawal of our consulate personnel.
3 They also detailed their forces in preparation
4 against us. So the War, Navy and Foreign Ministers
5 urged the Government to take the initiative in start-
6 ing hostilities against A and B, but the Government
7 could not yet bring itself to this decision."

8 I will continue on page 13, "The Seventh
9 Period."

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1 "The Seventh Period (December)

2 "It was while our operations against E
3 were progressing favourably that A on the 1st un-
4 lawfully declared a neutral zone in the seas off
5 P, thus impeding our operations, and on the 5th
6 unlawfully sank our transports. We again urged
7 the Government to make a decision and with the
8 understanding of the Government we took the follow-
9 ing actions:

10 "(1) We lodged a strong protest with
11 A against her unlawful actions. Then on the 10th
12 the Cabinet Council decided to start hostilities
13 against A. On the 20th, we began attacking the
14 strategic point of P. A and B declared war on us.

15 "(2) We took the necessary steps both
16 internally and for third countries regarding A and
17 B's declaration of war.

18 "(3) We proposed to X the issuing of a
19 joint declaration on the objectives of the war,
20 to which X agreed; and we issued it. And at the
21 same time N and X concluded a non-single-peace
22 treaty.

23 "(4) In response to E's declaration of
24 war at the beginning of this month, we started
25 hostilities against her.

1 "(5) At the beginning of this month, we
2 requested D to sign a secret anti-war pact. This
3 was signed at the end of the month.

4 "The Eighth Period (January-March, 1942)

5 "(1) A request was made by the Supreme
6 Command Headquarters regarding cooperation with T.
7 Accordingly, as the result of a joint conference
8 with the Supreme Command Headquarters, the Govern-
9 ment decided to sound T on her intentions.

10 "In February we were in the middle of this
11 when B invaded T, which gave us the opportunity for
12 concluding a joint-defense agreement between N and T.
13 N and T were to jointly oppose A and B and N was
14 offered facilities for her troops to pass through T.

15 "(2) There was some suspicion that D was
16 connected with A, so we warned D in order to check
17 her. On the other hand, in respect to D's request
18 for a guarantee in obtaining goods from A, we decided
19 to accord to D facilities for her vessels to pass
20 through the below-mentioned danger zones and en-
21 deavoured to observe the secret treaty. In March
22 D asked our assistance in obtaining goods from C,
23 F, T, P and Q, but we refused for operational reasons.

24 "(3) There were signs of an increase in
25 trade between A and D by means of L's ships; our

1 navy declared a danger zone in our neighboring
2 seas and took measures to make it physically im-
3 possible for neutral ships to get through. All
4 of the L countries, except A, B and C, demanded the
5 withdrawal of our diplomats and we retaliated by
6 severing relations with them.

7 "The Ninth Period (April-July, 1942)

8 "(1) A's attack upon us by aircraft and
9 submarines increasingly deepened our suspicions
10 of an understanding between A and D, so we sus-
11 pended sometime in May the facilities for D's
12 ships to pass through the danger zone and lodged
13 a strong protest with D for violating the secret
14 anti-war treaty.

15 "(2) To X's request that we start
16 hostilities against D, we asked her to be satisfied
17 with our intensified operations against A and B
18 and the pressure we were exerting upon D.

19 "(3) As it became certain in July that
20 A was making use of R, the Foreign Minister urged
21 the Government to take a strong attitude towards
22 D. The Government, however, reached no decision on
23 counter measures. Our diplomatic measures were to
24 be considered as soon as the Government's decision
25 was made."

1 THE PRESIDENT: Is it necessary to read so
2 much to put your points clearly?

3 You will not hear me unless you wear those
4 headphones.

5 MR. ENGLISH: I will endeavour to eliminate
6 some of the material I had intended to read, your
7 Honor.

8 (Reading): "THE RECORD OF THEORETICAL
9 MANEUVERS FOR TOTAL WAR No. 1. (Confidential Docu-
10 ments) By: Pseudo War Ministry. Date: August 1941.

11 "Record of Maneuvers.

12 "By Minister SHIRAI Masatatsu (the War Ministry)

13 "Vice Minister OKAMURA Shun (the War Ministry)

14 "The Third period of maneuvers (August)

15 "1. Measures against A:

16 "Against A's proposal of August 10th, the
17 Minister firmly insisted at the Five Ministers' Con-
18 ference, that 'we should not agree to it, but should
19 push ahead independently with the preparations for
20 advance into E.' But in view of the demand from the
21 Supreme Command Headquarters that 'they desire to secure
22 materials from A, L, etc., as much as possible,' the
23 Conference adopted a temporizing policy for the
24 negotiations with A."
25

I will continue reading, page 16, "The Fourth

1 Period."

2 "The fourth period of maneuvers (September)

3 "1. External measures.

4 "In view of the international situation, we
5 presented to the Cabinet Council our considered opin-
6 ion that, 'Blue Country should continue to expedite
7 her preparations for southward advance, while securing
8 her position on the side of X.' As this opinion was
9 generally in accord with the proposal made by the
10 Foreign Minister, we further expressed our desire to
11 know the real intentions of X's peace offensive against
12 B."

13 I will continue reading from page 17, "The
14 Fifth Period."

15 "The fifth period of maneuvers (October)

16 "1. External measures.

17 "In view of the international situation, the
18 Minister firmly insisted in the Cabinet Council, that
19 'Blue Country' must promptly complete all her prep-
20 arations against A and B, and carry through her economic
21 demands against E by intensified pressure . He also
22 urged emphatically that it was time for 'Blue Country'
23 to adopt concrete measures for advancing into E
24 (anticipated to take place about one month later).
25 However, since some thought a date some three months

1 later would be more appropriate, no decision was
2 reached even by midnight. The Cabinet went to the
3 Liaison Conference armed with both proposals, where
4 they decided on a measure for planning for armed
5 advance into E by grasping a good opportunity any
6 time after 1 December."

7 I will continue reading from page 18,
8 "The Sixth Period."

9 "The sixth period of maneuvers (November).

10 "1. External measures.

11 "In this period, it became clear that the
12 Supreme Command Headquarters 'scarcely expected the
13 acceptance of our demands by E prior to our armed ad-
14 vance into E and hoped the date of the advance would be
15 speeded up.'

16 "Thus, the question of whether or not to
17 adopt a step tantamount to an ultimatum, and the
18 question of the convocation of the Diet which had
19 been pending since the last period, were settled."
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1 I continue reading on page 19.

2 "The seventh period of maneuvers (December).

3 "1. External measures.

4 "After explaining that the war against E
5 was progressing, that the war against A was inevitable,
6 and that both internal and external conditions of
7 'Blue Country' were supremely favorable for the im-
8 mediate opening of hostilities against A, we strongly
9 urged that 'Blue Country' should suddenly open hostili-
10 ties against A in the middle part of December and first
11 of all swiftly capture P. But as some again proposed
12 a more cautious attitude towards A, the Council was
13 completely divided in opinion. As time was pressing,
14 the Cabinet adopted the Premier's arguments for cir-
15 cumspection, but at the Liaison Conference which it
16 attended, thanks to the strong demands of the Supreme
17 Command Headquarters, it decided to start war against
18 A (B)."

19 I will read from page 20.
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1 "The eighth period of maneuvers. (January-
2 March) 1. External measures.

3 "At the demand of the Supreme Command Head-
4 quaters regarding T, we proposed in the Cabinet
5 Council an immediate occupation of T. But most of
6 the Ministers opposed the proposal, emphasizing the
7 disadvantages to us if the war extended to T, and as
8 it was felt that the demands of the Supreme Command
9 Headquarters were not backed up by conditions of
10 sufficient urgency, the Cabinet Council decided first
11 of all to sound T's real intentions."

12 I will read from the middle of page 21, the
13 ninth period, just the first paragraph, April to
14 October.

15 "External measures. In view of the fact
16 that the damage caused by A's air forces and sub-
17 marines, whose base was certainly R, was steadily
18 increasing, the Minister maintained in the Cabinet
19 Council that 'Blue Country' while continuing its
20 hostilities against A and B, should step up its
21 preparations for war against D and adopt a strong
22 minded attitude in ensuring the fulfilment of the
23 secret agreement, in particular, we should promptly
24 put an end to imports by D's ships, and at the same
25

1 time notify D that, if we secure positive proof
2 that D is permitting A to use its bases, we will
3 attack these bases. The Council agreed in general
4 to the proposal, but it was decided about the notifi-
5 cation that, at a time when a decisive battle against
6 A was imminent, we should avoid provoking D by what
7 we could not put into practice."

8 I will continue reading from page 30.

9 "The Record of Maneuvers of the Planning Board.
10 Submitted by: The President of the Planning Board.
11 Date Submitted: August 23.

12 "The Record of Maneuvers of the Planning
13 Board.

14 "The Third period (from the beginning to the
15 end of August, 1941)

16 "I. After a complete re-examination of the
17 plan for economic warfare which had been decided in
18 the above-mentioned maneuvers, we re-drafted the
19 mobilization plans for raw materials, capital, labour,
20 and traffic. These were submitted to and adopted by
21 the Cabinet.

22 "II. To meet the request of the Supreme
23 Command Headquarters, the above-mentioned commodity
24 mobilization plan, which had already been decided in
25

1 the Cabinet Council, was amended to prepare for the war
2 against A, B and E. Following its adoption in the
3 Cabinet Council, this plan was submitted as the Govern-
4 ment's plan to the Liaison Conference of the Govern-
5 ment and the Supreme Headquarters. With the exception
6 of a part concerning steel products, which was amended,
7 the draft was approved as it stood when submitted."

8 I will continue reading page 31.

9 "The fourth period. (From the beginning to
10 the end of September)

11 "As we had been requested by the Supreme
12 Command Headquarters to state our opinion concerning
13 the ability of 'Blue Country' to prosecute war in the
14 event of hostilities with A, B and E under the present
15 situation, we submitted to the Cabinet meeting our
16 judgment on our national strength in respect to
17 national morale, shipping, materials, captial, labour,
18 etc. The Cabinet Meeting adopted this judgment.

19
20 "2. The matters which were discussed with
21 the Government offices concerned were as follows:"

22 I will continue reading from page 32, the
23 Fifth period.

24 "The Fifth period (from the beginning to the
25 end of October)

1 "1. Since it was necessary to reinforce war
2 preparations in view of the increasing drift toward
3 war with A, B and E, the commodity mobilization plan
4 was re-examined. Especially in regard to supplying
5 power, examination was made from the following stand-
6 points:

7 "(a) The cessation of imports from A, B,
8 E and L.

9 "(b) The drop in coastal transportation
10 capacity as the result of the requisitioning of
11 ships.

12 "(c) The drop in efficiency of labour and
13 internal transportation capacity.

14 "(d) Increased production, collection/of
15 resources/, savings, and also the supplying
16 power of M, C, F and T to Japan.

17 "At the same time we examined military and
18 civilian requirements by periods in order to ensure
19 propriety of planning, and reported our findings to
20 the Cabinet Meeting.

21 "2. It was decided at the Cabinet Meeting
22 that thereafter the commodity mobilization plan should
23 be drafted every three months."
24

25 I will continue reading page 35, Fifth period.

1 "The fifth period (October 1941)

2 "In connection with the problem of runs on
3 banks, we explained the overseas financial situations
4 individually.

5 "In response to the demands of the Supreme
6 Command Headquarters of Blue Country to consolidate
7 the whole nation's strength, we proposed the enforce-
8 ment of a military conscription system in KOREA and
9 the adoption of a special volunteer system in
10 FORMOSA. This was approved. The enforcement of the
11 military conscription system in KOREA was passed and
12 fixed in the regular session of the Diet, which con-
13 vened in December of the same year."

14 I will continue reading page 49.

15 "(Confidential Document)

16 "THE RECORD OF THE PROGRESS OF MANEUVERS

17 The First Committee.

18 "1. At 9 a.m. August 8 (by Real Calendar).

19 "The first consultation meeting of the First
20 Committee was opened.

21 "Bills.

22 "(1) The basic policy for the management
23 of the various areas of the Southern Region.

24 "(2) Allotment of the business of the com-
25 mittee.

1 "2. The following decisions resulted from this
2 meeting:

3 "(1) The policy for the management of the
4 various areas of the Southern Region (Future manage-
5 ment).

6 "(a) Netherlands Indies:

7 "Java and Sumatra shall be combined into
8 one independent state and the other re-
9 maining areas shall be annexed to it.

10 "(b) Malaya:

11 "For the time being, the whole of it shall
12 be united into one, though the subject
13 requires further study.

14 "(c) The Philippines:

15 "The entire region shall be made independent.

16 "(d) French Indo-China.

17 "While strengthening the existing situation,
18 we must promote the infiltration of our
19 country's power.

20 "(e) Thailand:

21 "While respecting her independence, we must
22 promote the infiltration of our country's
23 power."
24
25

1 I will continue reading page 91.

2 "To: The Government of Blue Country.

3 "From: The Minister of Education.

4 "Measures adopted by the Education Ministry
5 in the 1st Theoretical Total War Manoeuvres.

6 "Period 3 (middle and latter part of
7 August, 1941).

8 "A national spiritual mobilization was car-
9 ried out in collaboration with the Imperial Rule
10 Assistance Association. In particular nation-wide
11 organizations like schools, cultural organizations,
12 etc., were utilized to emphasize the need of putting
13 the national spirit on a basis of preparation for war,
14 to promote the spirit of public service, to encourage
15 savings; to drive home the significance of travel
16 restrictions; to start a movement for a new wartime
17 mode of living; and to get students to give their
18 services for labour. (Details were as contained in
19 the reports of the Imperial Rule Assistance Association.)"

20 I will continue reading page 97, Sixth
21 Period, No. 3.

22 "On 15 November 100,000 tons of ships and
23 200,000 tons of oil tankers were requisitioned in
24 preparation for the war against A.

25 "Seventh Period Manoeuvres: (12 to 31 December,

1 period when war against A and B was started).

2 "1. Repletion of armaments and war prepara-
3 tions were continued."

4 I offer in evidence prosecution's document
5 No. 627, which is a group of charts and telegrams,
6 for the purpose of showing the quantities of munitions,
7 ammunitions, machinery, fuel, oil, grease for motor
8 cars and parts for repairing munitions that were to
9 be delivered to various seaports in Japan and dis-
10 tributed on the 10th, 12th, 13th, and 15th of Novem-
11 ber, 1941, to the 55th, 56th and 16th Divisions; and
12 that in October 1941 notification was dispatched to
13 various governmental agencies to keep secret the
14 general plan for "Operation 'Ah'" that was to be put
15 in effect in French Indo-China.

16 I will read page 2 of the--

17 THE PRESIDENT: Admitted on the usual terms.

18 CLERK OF THE COURT: Prosecution's document
19 No. 627 will receive exhibit No. 872.

20 (Whereupon, the document above
21 referred to was marked prosecution's exhibit
22 No. 872, and was received in evidence.)

23 MR. ENGLISH: I will read page 2 and Chart
24 No. 1 and from the top part of Chart No. 2.

25 Page 2:

~~"Army - China - Confidential.~~

1 "Instruction from the adjutant to the Vice-
2 Director of the Army Ordnance Headquarters.

3 "By order I inform you that you are directed to
4 have the prepared arms, stated in the 'Army-China-
5 Confidential No. 3898, dated November 7,' delivered
6 to all troops at each place in accordance with the
7 attached table.

8 "P.S. Its expenditure is to be paid out of
9 the extraordinary military budget account.

10 "Army - China - Confidential No. 4004,
11 November 11, Showa 16 /1941/.

12 "Army - China - Confidential No. 10578
13 received by the War Ministry.

14 "Top Secret. Army Department in Imperial
15 Headquarters. (Army)

16 "No. 409. Part 3.

17 "The notification to keep in secrecy the
18 identification of the officers dispatched to French
19 Indo-China.

20 "15 October 1941.

21 "The Chief Secretary of General Affairs of
22 the Army Staff of Imperial Headquarters. Tadaichi
23 Wakamatsu (Signature).
24

25 "To the Adjutant of the Army Ministry.

Nawoichi Kawahara.

"The notification.

"To keep in secrecy the general plan for 'Operation Ah', I request your deep consideration to keep in secrecy at present, by wearing civilian clothes, etc., the identification of the officers and the essential members of the staff of the Army Ministry who are to be dispatched to French Indo-China.

"This notification to be sent to the following offices, i.e., Army Ministry; Aviation Section of Army Ministry; Sea Transportation Headquarters of Army Ministry.

"Chart No. 1. Supplement sheets of the distribution of munitions kept by the Secretariat.

"The 16th Division

"The 55th Division

"The 56th Division

"Army Ordnance Headquarters.

"Classifications of the distribution of munitions. Date of the distribution. Name of troops to be distributed. Remarks .

"'Jin' -- 'Bo'. 12th Nov. The 55th Division. The 56th Division.

"'Hei,' 'Ho,' 'He'. 13th Nov. The 16th Division.

1 "'Tei'. 15th Nov. The 55th Division.

2 "'Hei'. 15th Nov. The 16th Division."

3 I will read only the top part of this Chart

4 2.

5 THE PRESIDENT: It is now a quarter to
6 3:00. We will recess for fifteen minutes.

7 (Whereupon, at 1445, a recess was
8 taken until 1500, after which the pro-
9 ceedings were resumed as follows:)

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1 MARSHAL OF THE COURT: The International
2 Military Tribunal for the Far East is now resumed.

3 THE PRESIDENT: Captain Brooks.

4 MR. BROOKS: I would like to have the record
5 show, if the Tribunal please, that exhibit 872 is the
6 start of an official document rather than hypothetical
7 discussions of the Table-Top maneuvers. I think it is
8 only fair that it be called to the attention of any-
9 one examining the record.

10 THE PRESIDENT: The certificate shows that
11 it came from the War Ministry.

12 MR. ENGLISH: May I say, your Honor, that
13 document 627 is not a Total War Research document?
14 That phase of this case is finished.

15 THE PRESIDENT: We are getting concerned
16 with the amount of material you are reading into the
17 transcript.

18 MR. ENGLISH: I will not read the chart on
19 page 2 of the excerpt, but merely direct the Court's
20 attention to it.

21 THE PRESIDENT: If there are any features
22 of these documents you might stress them without
23 reading the whole document.

24 MR. ENGLISH: I might read, your Honor, the
25 top of the document. (Reading)

1 "Kept by the Secretariat, the 16th Division,
2 the 55th Division, the 56th Division. Secret.
3 Separate Paper No. 1. The table of articles and
4 quantities of munitions and ammunitions to be dis-
5 tributed in Japan proper."

6 I now offer in evidence prosecution's
7 document No. 630A, a secret telegram from Nanking,
8 dated 14 November 1941 from the Chief of the Third
9 Air Group at Nanking to the Vice Minister of War and
10 to the Vice Chief of General Staff, regarding troop
11 movements, for the purpose of showing that the chief
12 of the aerial group and his staff officers would leave
13 Nanking on the 15 November 1941 to establish a command
14 post at Saigon in Southern Indo China on and after
15 16 November 1941.

16 Will the clerk please assign this document
17 an exhibit number?

18 CLERK OF THE COURT: Prosecution's document
19 No. 630A will receive exhibit No. 873.

20 (Whereupon, the document above re-
21 ferred to was marked prosecution's exhibit
22 No. 873.)

23 MR. ENGLISH: (Reading) "Telegram. Secret.
24 Despatched from Nanking, 14th Nov. 1941. Despatched
25 at 1128. Received at 1330. Addressed to the

1 Vice-Minister of War, Vice-Chief of the General Staff.

2 Despatched by the Chief of the Third Air Group.

3 Telegram -- The Third Air Group Tel. #2704.

4 "1. The Chief of the Aerial Group will leave
5 NANKING early tomorrow morning -- the 15th -- with the
6 staff officers required for the south part of Indo-
7 China and will establish a command post in Saigon on
8 and after the 16th.

9 "2. The Chief of the Staff and the staff
10 officers required shall remain in NANKING to carry
11 out the concentration of aerial forces and measures
12 with regard to shipping and transport."

13 THE PRESIDENT: That document has been ad-
14 mitted on the usual terms.

15 CLERK OF THE COURT: Prosecution's document
16 No. 630A was given exhibit No. 873 and admitted ac-
17 cording to order of Court.

18 (Whereupon, the said document, pro-
19 secution's exhibit No. 873 was received in
20 evidence.)

21 MR. ENGLISH: Will the clerk mark for
22 identification prosecution's document No. 628, HA
23 Corps monthly report, dated November, 1941?

24 CLERK OF THE COURT: Is that next document
25 628 or 654A?

1 MR. ENGLISH: The next document is 654A.

2 CLERK OF THE COURT: Yes. Prosecution's
3 document No. 654A will be marked exhibit No. 874 for
4 identification.

5 MR. ENGLISH: There is a correction. This
6 document is document No. 628 and not 654A.

7 CLERK OF THE COURT: Prosecution's document
8 No. 628 will receive exhibit No. 874 in place of ex-
9 hibit as before announced, for identification.

10 (Whereupon, prosecution's document No.
11 628 was marked prosecution's exhibit No. 874 for
12 identification.)

13 MR. ENGLISH: I offer in evidence prosecu-
14 tion's document No. 628A, an excerpt from prosecu-
15 tion's document No. 628, for the purpose of showing
16 that the Japanese Army made military preparations for
17 the capture of Hong Kong.

18 THE PRESIDENT: Admitted on the usual terms.

19 CLERK OF THE COURT: Prosecution's document
20 No. 628A will receive exhibit No. 874-A.

21 (Whereupon, the document above re-
22 ferred to was marked prosecution's exhibit No.
23 874-A and received in evidence.)

24 MR. ENGLISH: I will read pages 1, 2, and
25

1 one-half of page 3. (Reading)

2 "Top Military Secret. Title: Monthly Wartime
3 Report (KO) No. 4 of the HA Corps. Date: Nov. 1941.
4 Headquarters of the HA Corps. Content:

5 "I. General Condition of the Corps.

6 "II. Preparation for the Attack on Hongkong.

7 "III. Operations and Garrison Duty.

8 "IV. The State of Public Peace.

9 "V. The Investigation of Topographical Data.

10 "VI. The State of Traffic and Communications.

11 "VII. Outline of the Rear Conditions.

12 "VIII. The Condition of the Army of the New
13 Regime.

14 "I. General Condition of the Corps.

15 "1. The Corps is preparing whole heartedly
16 for military operations against Hongkong, and also
17 intensifying the blockade against the enemy.

18 "1. Preparations to attack Hongkong are
19 progressing smoothly, and are expected to be com-
20 pleted early in December.

21 "2. Fortifications under construction for the
22 defense of CANTON and its surrounding strategic
23 points were completed during the latter part of
24 November.

25 "3. The 18th Division, the 21st Heavy Field

1 Artillery Battalion, the 4th and 15th Independent
2 Engineer Regiments, the 8th and 11th Epidemic Pre-
3 vention and Water-Supplying Sections, and the 10th
4 River Crossing Materials Company left the command of
5 the Corps at their respective positions at 00.00,
6 15th inst.

7 "4. The 45th Air Regiment, the main force of
8 the 10th Independent Air Unit, a part of the 18th
9 Independent Squadron, and the direct cooperation unit
10 of the 44th Air Regiment were assigned to the corps
11 at end of this month.

12 "5. As the IMAI Branch Unit in HAINAN had re-
13 turned to their original units the MATSUO Branch Unit
14 (consisting mainly of 1 Infantry Battalion) was or-
15 ganized and despatched to above place from Shantou.

16 "6. The units of the SANO Corps in CHUNGMEN
17 districts were relieved of guard duty in the middle
18 of this month by the newly organized BANJOME Branch
19 Unit (consisting mainly of 2 Infantry Battalions).

20 "II. Preparation for the attack on Hongkong.

21 "Upon receiving unofficial instructions to
22 attack Hongkong, the corps wholeheartedly prepared
23 and began concentrated movements of the units to
24 attack at the end of this month.

25 "1. Gathering of Information. Gathering of

1 information was started from the middle of Showa
2 15 /1940/. In August of this year, the focus of the
3 gathering of information was directed toward Hongkong
4 and endeavored to grasp all aspects of Hongkong by
5 air reconnaissance, reading air photographs, car-
6 rying out investigations in actual places, and
7 utilizing all types of intelligence, moreover, the
8 units to execute the attack were ordered to gather
9 the information.

10 "2. Training. The SANO Corps, as well as being
11 appointed to guard /duty/ since the end of Showa 15
12 /1940/ commenced training for the attack /on Hong-
13 kong/, and especially executed training of the staff
14 in attacks, building of fortifications, attacking for-
15 tifications of a special type, and the usage of mat-
16 erials in August of this year, and field training to
17 about a 1000 officers and men who are to be the main
18 body of units attacking five positions. Furthermore,
19 in the beginning of October, when the KOMODA Corps
20 were relieved of guarding the guard area excluding the
21 intermediate district, units were concentrated and
22 executed regular training.

23 "Since the KITAJIMA branch unit was stationed
24 near the British-Chinese frontier, the branch unit
25 devoted themselves to training for the attack on

1 Hongkong.

2 "3. The Repair of the Transportation Road in
3 the Rear.

4 "Since the end of September repairs of the
5 motor-road between HUMEN and PAOAN, which is the main
6 transportation road in the rear, were commenced and
7 completed on the 8th Oct. as prearranged.

8 "4. Commencement of /Troop/ Movements. In
9 the last part of this month SANO Corps units stationed
10 in CHUNGMEI were concentrated in FUSHAN and units
11 under direct army command in the CANTON area have
12 commenced movements gradually to the HUMEN, TUNGKUN,
13 and SHEKLUNG areas, secretly by the CANTON-SAMSHUI
14 and CANTON KOWLOON lines.

15 "5. Thus, the Corps has ordered, on the 30th
16 inst., preparations for the attack on Hongkong and
17 endeavoring to keep the plan secret are awaiting the
18 opportunity to open hostilities."
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1 I offer in evidence prosecution's document
2 No. 654A, a top secret telegram dated November 22, 1941,
3 from O. TSUKADA, General Chief of Staff of the Southern
4 Army to KIMURA, H., Assistant Minister of War, for the
5 purpose of showing that the headquarters of the Southern
6 Army was to secretly move from Tokyo on the 25th of
7 November, 1941, to Taihoku, Formosa, where it remained
8 until about December 5th and that staff officers were
9 stationed at Saigon, French Indo-China. Will the Clerk
10 please give the document an exhibit number.

11 CLERK OF THE COURT: Prosecution's document
12 No. 654A will receive exhibit No. 875.

13 THE PRESIDENT: Admitted on the usual terms.

14 CLERK OF THE COURT: Prosecution's document
15 No. 654A, given exhibit No. 875, was admitted accord-
16 ing to order of the Court.

17 (Whereupon, the document above referred
18 to was marked prosecution's exhibit No. 875
19 and received in evidence.)

20 MR. ENGLISH: I will read the telegram:

21 "Top Secret telegram from O. TSUKADA, Chief
22 of Staff of Southern Army to KIMURA, H., Assistant
23 Minister of War.

24 "November 22, 1941 Top Secret.

25 "'Forward movement of Southern Army.'

1 "Addressed to Assistant Minister of War,
2 H. KIMURA.

3 "From General Chief of Staff Osamu Tsukada.

4 "The Headquarters of the Southern Army will
5 advance as follows. Special secrecy is requested.

6 "November 25 to leave Tokyo.

7 "November 26, embark from Ujina by Suwa-Marui.

8 "November 29, landing at Keelung.

9 "After that the Headquarters will be located
10 at Taihoku until about December 5. The staff officers
11 will be about 5 and others will be stationed at Saigon."

12 Will the clerk mark for identification prose-
13 cution's document No. 1412, entitled "Military Admin-
14 istration Measures to be taken in the event of Japan's
15 Participation in War."

16 CLERK OF THE COURT: Prosecution's document
17 No. 1412 will be given exhibit No. 876 for identification.

18 (Whereupon, the document above referred
19 to was marked prosecution's exhibit No. 876 for
20 identification only.)

21 MR. ENGLISH: I offer in evidence prosecution's
22 document No. 1412A for the purpose of showing that as
23 part of Japan's general preparations for war precedents
24 of military administrative measures were prepared for
25 use in areas to be occupied by her forces. Only the

1 outside cover and the table of contents are tendered
2 for the reason that prosecution's document No. 1448
3 sets forth in detail the measures that were to be taken
4 in areas to be occupied.

5 THE PRESIDENT: Admitted on the usual terms.

6 CLERK OF THE COURT: Prosecution's document
7 No. 1412 will be given exhibit No. 876A.

8 (Whereupon, the document above referred
9 to was marked prosecution's exhibit No. 876A
10 and received in evidence.)

11 MR. ENGLISH: I will read the excerpt:

12 "'Military Administrative Measures to be Taken
13 in the Event of Japan's Participation in War' --
14 12 November 1941.

15 "Secret

16 "In dealing with this copy, especial care must
17 be taken in regards to outsiders.

18 "12 November 1941.

19 "Concerning measures to be taken in the
20 event of Japan's participation in war. (Supplement
21 No. 1)

22 "(Precedents of military administration in
23 occupied areas.)

24 "The Second Department of the Treaty Bureau.

25 "Contents

1 "(1) The Sino-Japanese War Page 1.

2 "(2) The Russo-Japanese War Page 15.

3 "(A) Manchuria and Kwantung
4 leased Territory Page 15

5 "(B) Saghalien Page 41

6 "(3) The First World War (Chiaochou Bay)
7 Page 45.

8 "(4) The Siberian Expedition Page 52."

9 I offer in evidence prosecution's document
10 1448 entitled "Details of the Execution of Administra-
11 tion in the Southern Occupied Territories" and being
12 decisions by the Liaison Conference between the
13 Imperial Headquarters and the Government of Japan of
14 November 20th regarding the general policy and the
15 details thereof for the military administration to be
16 put into effect in areas to be occupied.

17 THE PRESIDENT: Admitted on the usual terms.

18 CLERK OF THE COURT : Prosecution's document
19 No. 1448 will receive exhibit No. 877.

20 (Whereupon, the document above referred
21 to was marked prosecution's exhibit No. 877 and
22 received in evidence.)

23 MR. ENGLISH: I will read the document;
24 page 1:
25

 "No. 38 of forty volumes.

"National Top Secret.

"Details of the Execution of Administration
in the Southern Occupied Territories.

"Decisions by the liaison conference between
the Imperial Headquarters and the Government of Japan
on November 20.

"1. General Policy.

"For occupied areas a military administration
is to be temporarily enforced for the purpose of re-
storing public peace and order, for the immediate ac-
quisition of resources vital for our national defense,
and for maintaining the self-sufficiency of our oper-
ational forces.

"The final reversion of the territories we
have occupied and their future disposal are to be
decided later.

"2. Details.

"1. In the execution of military adminis-
tration, such administration organs as still exist will
be made as much use of as possible and all obtaining
social and racial customs will be respected.

"2. As far as operations allow, our
Occupation Forces will take measures to obtain all
resources vital for our national defense and to ex-
pedite their development.

1 "Resources vital for our national defense which
2 are developed or obtained in the occupied areas will
3 form an integral part of the Materials-Mobilization
4 Plan of the Central Executive and everything needed by
5 our operational forces for local self-sufficiency will,
6 as a rule, be assigned to them locally in accordance
7 with the Executive's distribution plans.

8 "3. The transportation of resources to Japan
9 will be assisted in every way possible by the Navy
10 and Army alike, who will do their best to make full
11 use of the ships they have requisitioned.

12 "4. The Occupation Forces will keep control
13 of railways, shipping, harbours, aviation, communica-
14 tions and the post.

15 "5. The Occupation Forces will control trade
16 and exchange and in particular will prevent any leakage
17 to the enemy of resources of special importance, such
18 as petroleum oil, rubber, tin, tungsten, quinine, etc.

19 "6. Existing local currencies will, as a rule,
20 be utilized and circulated as far as possible, but in
21 unavoidable cases military notes of foreign denomina-
22 tion will be used.

23 "7. Natives will have to reconcile them-
24 selves to such pressure as is unavoidably involved
25 for them in our acquisition of resources vital for our

1 national defense and the local self-sufficiency of our
2 Occupation Forces. Demands for their pacification will
3 not be tolerated if they militate against these objec-
4 tives.

5 "1. American, British and Dutch nationals
6 will be directed to cooperate with our military admin-
7 istration. For the recalcitrant, deportation or other
8 appropriate measures will be devised. The existing
9 rights and interests of the Axis Powers will be
10 respected but any future extension of them will be
11 restricted as far as possible.

12 "Chinese emigrants will be made to renounce
13 allegiance to the Chiang Government and to sympathize
14 and cooperate with our measures.

15 "Native inhabitants will be directed so as to
16 promote their feelings of dependence on the Imperial
17 Army. We must avoid giving rise to any premature
18 independence movement.

19 "9. Japanese will be strictly examined as to
20 their fitness before they can make their first trip
21 into enemy land after the start of operations;
22 preferential consideration will be given to the return
23 journeys of those who were once resident in these
24 areas, but who have returned to Japan."

25 THE PRESIDENT: "Enemy land" is also "the

1 occupied territory" in our copies.

2 MR. ENGLISH: Instead of "enemy land" the
3 "occupied territory after the start of operations;
4 preferential consideration will be given to the return
5 journeys of those who were once resident in these areas,
6 but who have returned to Japan.

7 "10. The following measures are to be taken
8 in connection with the execution of military adminis-
9 tration:

10 "(a) All important matters concerning our
11 local military administration shall be decided by means
12 of liaison conferences between the Imperial Head-
13 quarters and the Government. Local troops will be
14 notified of decisions of the Central Executive by
15 the Navy and Army respectively.

16 "(b) Schemes and regulations for the acqui-
17 sition and development of resources will for the present
18 be made by the Central Executive organization, under
19 the leadership of the Planning Board. The latter's
20 decisions shall be carried out in accordance with (a).

21 "(c) In the case of French Indo-China and
22 Thailand, our pre-arranged policies will be adhered
23 to and no military administration will be enforced.
24 Measures will be decided later in the event of any
25 sudden change in their status.

1 "Notes: 1. The military administration
2 machinery will be gradually amalgamated, readjusted or
3 taken over by the new organization which the Govern-
4 ment will set up, depending on the progress of the
5 Imperial policies toward the Occupied Territories."

6 THE PRESIDENT: Is there anything to show the
7 year of that document?

8 DR. KIYOSE: This document does not have the
9 date of the year on it. Does the prosecutor have any
10 material which would identify the date of this docu-
11 ment?

12 THE PRESIDENT: Well, in the certificate it
13 is assumed to be 1941.

14 MR. ENGLISH: I might also point out, your
15 Honor, at page 2, paragraph 9, the words "after the
16 start of operations" would date the instrument.

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1 MR. LOGAN: If the Tribunal please, that
2 might be 1942.

3 THE PRESIDENT: I quite agree, Mr. Logan.

4 MR. ENGLISH: The important point is, your
5 Honor, that these measures were drawn up prior to
6 the outbreak of operations in southern occupied
7 territories.

8 I offer in evidence prosecution's document
9 No. 1441, entitled "Measures to be Taken towards
10 Foreign Countries relative to the Outline for the
11 Execution of National Policies, which was decided
12 at the Council in the Presence of the Emperor held
13 on November 5," for the purpose of showing that a
14 liaison conference decided on November 13, 1941, to
15 disclose to Germany and Italy, Japan's intention to
16 start war against the United States of America and
17 Britain as soon as her war preparations were ready,
18 and that Japan notified Germany and Italy that the
19 participation by them in the war against the United
20 States and Japan was part of Japan's war preparations.

21 The document is also offered to show Japan's
22 policy towards Thailand as decided by the liaison
23 conference regarding the passage and stationing of
24 troops, the construction of military establishments,
25 the billeting and feeding of Japanese troops, and

1 loans to defray necessary military expenditures.

2 THE PRESIDENT: Admitted on the usual terms.

3 CLERK OF THE COURT: Prosecution's document
4 No. 1441 will be given exhibit No. 878.

5 (Whereupon, the document above
6 referred to was marked prosecution's exhibit
7 No. 878, and was received in evidence.)
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MR. ENGLISH: (Reading)

"Measures to be taken towards Foreign Countries relative to the Outline for the execution of National Policies, which was decided at the council in the presence of the Emperor held on November 5.

"Liaison Conference Decision

"November 13th, 1941.

"Policy Towards Germany and Italy.

"When the present negotiations with the United States of America break down and a war with her becomes unavoidable (presumed to be after November 25th), the Japanese Government shall notify Germany (and Italy), without delay, of our intention to start war against the United States of America and Britain as soon as our war preparations are ready, and shall open necessary negotiations with them in connection with the following matters, telling them that these are a part of our war preparations:

"1. Participation of Germany (and Italy) in the war against the United States of America.

"2. No separate peace."

I will turn to page 2.

"Policy towards Thailand.

"1. Just before commencing the advance into

1 /Thailand/, the following demands shall be made and
2 their immediate compliance obtained:

3 "Our troops shall advance /into Thailand/,
4 as prearranged, even if our demands are rejected by
5 Thailand. However, efforts shall be made to localize
6 as much as possible military collision between Japan
7 and Thailand.

8 "(a) Right of passage of Japanese troops through
9 her territory and the grant of various facilities in-
10 cidental thereto.

11 "(b) Immediate enforcement of measures to avoid
12 possible collisions between the troops of Japan and
13 Thailand, owing to the passage of Japanese troops.

14 "(c) Conclusion of a joint defense agreement,
15 if Thailand desires it.

16 "Note: No special change in our attitude towards
17 Thailand shall be made before the commence-
18 ment of the negotiations. In particular,
19 great care shall be taken to conceal our
20 plan of opening war.

21 "2. After the penetration of our troops, we
22 shall immediately open negotiations with the Govern-
23 ment of Thailand for concrete arrangements on the
24 following matters:

25 "(a) Matters concerning the passage and station-

1 ing of Japanese troops.

2 "(b) Provision, construction and enlargement of
3 military establishments.

4 "(c) Provision of necessary traffic and communi-
5 cation facilities as well as factory facilities.

6 "(d) Matters concerning billeting and susten-
7 ance for the Japanese troops passing through or
8 stationed in Thailand.

9 "(e) Loans to defray necessary military expen-
10 dituro.

11 "Remarks: In the negotiations on Items 1 and 2, we
12 shall definitely promise to respect her
13 sovereignty and territorial integrity in
14 conformity with the Outline of Policies
15 towards French Indo-China and Thailand,
16 which was decided at the Liaison Confer-
17 ence of Imperial Headquarters and the
18 Government held on February 1st, 1941.

19 "Moreover, depending on the attitude of
20 Thailand, we shall try to turn the ne-
21 gotiations to our advantage by suggesting
22 that we will in future consider the cession
23 of a part of Burma or Malay to Thailand."
24

25

1 THE PRESIDENT: Captain Brooks.

2 MR. BROOKS: If the Court please, I think
3 that in fairness, page 4 of this document, paragraphs
4 3 and 4, as to the time this plan was to be carried
5 out, should be called to the Court's attention.

6 I don't know whether it would be permissible
7 to have that read into the record or not at this time.

8 MR. ENGLISH: We will read into the record
9 page 4, paragraph 3. First of all, we shall read the
10 note immediately preceding paragraph 3:

11 "Though the International Settlements and
12 the Legation Quarter in Peking shall be brought under
13 our actual control after driving out the enemy's mili-
14 tary forces, these areas shall not be completely
15 taken over since they also include interests of coun-
16 tries friendly to us.

17 "3. The above-mentioned plans shall be car-
18 ried out only after the declaration of war against
19 the United States of America and Britain, lest our
20 intentions be revealed.

21 "4. Our right of belligerency against the
22 Chungking Regime shall not be obtained by a declara-
23 tion or other formalities, but the actual effect of
24 belligerency will be obtained by a declaration of war
25 against the United States of America and Britain."

1 THE PRESIDENT: That appears to apply only
2 against China. It comes under the heading "Policy
3 towards China."

4 MR. ENGLISH: That is correct, your Honor.

5 Reference is made to Court exhibit No. 809,
6 page 7987 of the record, being a research report
7 entitled "Japan's Decision to Fight," No. 131, dated
8 December 1, 1945, prepared by Allied Translators and
9 Interpreters Section and published for the information
10 of all concerned by command of General MacArthur.

11 I will now read, if the Tribunal please,
12 additional parts of this document to prove the Japanese
13 preparations for the war for Greater East Asia far
14 ante-date the actual outbreak of hostilities on
15 7 December 1941, and that the Japanese Government had
16 positively committed itself to the waging of war
17 against the United States, Great Britain and the
18 Netherlands by the end of October 1941.

19 I will commence reading from page 1.

20 MR. BRANNON: We were inquiring, Mr. Presi-
21 dent, if this document, 1628, is already in evidence,
22 or whether it has just been tendered.

23 THE PRESIDENT: Didn't Mr. English call it
24 exhibit 809?
25

MR. ENGLISH: Your Honor, I checked the

1 Clerk's record and found that it was admitted in
2 evidence, and that 809 is the exhibit number being
3 admitted in evidence.

4 MR. FURNESS: If the Court please, I remember
5 when that was introduced, and I objected because the
6 date was not shown on the excerpt we had. When it was
7 introduced we had no complete copy; and I suppose it
8 is still subject, therefore, to attack on the usual
9 terms.

10 MR. BRANNON: I am Brannon, counsel for
11 the accused NAGANO.

12 THE PRESIDENT: Mr. Brannon.

13 MR. BRANNON: Mr. President, if document 1628
14 has already been admitted, I feel that there is no
15 objection that I can now make to its admission.

16 THE PRESIDENT: A document was admitted under
17 the circumstances indicated by Major Furness. I cannot
18 say which document. If it was this, we will hear what
19 you have to say against its reception in evidence
20 finally. The transcript should indicate the conditions
21 under which it was received.

22 MR. BRANNON: At least, Mr. President, I am
23 certain we had no copy of this before this phase of
24 the case.

25 THE PRESIDENT: The Rule 6(1)b, or 6b(1),

1 has not been complied with; is that so?

2 MR. BRANNON: To my personal knowledge it has
3 not been.

4 MR. ENGLISH: Your Honor, in order to clear
5 up any misunderstanding, I now offer to put in evidence
6 prosecution's document 1628.

7 THE PRESIDENT: That gets us no further, if
8 the rule has not been complied with.

9 MR. ENGLISH: Your Honor, we are offering the
10 entire document.

11 THE PRESIDENT: What about the translations?

12 MR. BRANNON: We have it before us now,
13 Mr. President. It has been duly served on us for
14 this phase.

15 THE PRESIDENT: If you have the translation,
16 well, the document should be admitted, unless you
17 have some further ground.

18 MR. BRANNON: May we at this time, Mr. Presi-
19 dent, interpose our objection to this document? Thank
20 you.

21 This document 1628 is more than just a docu-
22 ment. I know it is difficult to ask this Court to
23 rule out evidence and at the same time to keep the
24 Court from looking at it.
25

THE PRESIDENT: A judge may do so, but not

1 a jury.

2 MR. BRANNON: That is exactly what I mean.

3 However, I feel that there is some evidence
4 which should not properly be placed before the Court
5 for consideration at all, and I will state my reasons.

6 With reference to this document, on the first
7 page it may be observed that it is made, reported, by
8 ATIS, which is known as the Allied Translator and
9 Interpreter Section. Those of us who may read the
10 record of this proceeding in the years to come
11 unfamiliar with military terms would not know what
12 ATIS was or whether it was an organization qualified
13 as an expert. To my knowledge, the prosecution has
14 done nothing to so qualify this organization, which
15 is nothing more than one of the many sections under
16 SCAP.

17 THE PRESIDENT: It comes within the express
18 provisions of Article 13 of the Charter, doesn't it?
19 It is 13c(2), "Report by an Investigator."

20 MR. BRANNON: This is more than a report by
21 an investigator, Mr. President. It is a report
22 probably by hundreds of investigators.

23 THE PRESIDENT: The singular imports the
24 plural in those circumstances.

25 MR. BRANNON: It would mean that we would

1 have no chance to cross-examine or otherwise inves-
2 tigate a report of this kind.

3 THE PRESIDENT: Your difficulties in coping
4 with it, of course, do not restrict its admissibility.

5 MR. BRANNON: I do not believe the Charter
6 contemplated that an investigator would make an
7 expert report, Mr. President.

8 THE PRESIDENT: That could never be ATIS'
9 crime, the distinction between expert and non-expert
10 reports. The language is comprehensive. It refers
11 to reports of investigators.

12 MR. BRANNON: Which brings me to my next
13 point, that this document, when I say it was more than
14 a document, is a conglomeration of different sources.

15 THE PRESIDENT: That is almost a necessary
16 characteristic of an investigator's report.

17 Well, we appreciate your difficulties, Mr.
18 Brannon, but they do not render this document inad-
19 missible.

20 MR. BRANNON: Mr. President, if the prosecution
21 are allowed to proceed with a document of this kind,
22 it would be perfectly possible to present the entire
23 case in a brief form containing evidence in the nature
24 of diaries, testimony, expert witnesses and conclu-
25 sions.

1 THE PRESIDENT: The Court will determine all
2 issues.

3 MR. BRANNON: I do not wish to impose upon
4 the Tribunal's time, but I merely wish to make my
5 point. It gives the prosecution a double chance to
6 sum up. This little document is a beautiful summation--

7 THE PRESIDENT: I have not read it. I do not
8 know.

9 MR. BRANNON: --of facts which neither have
10 been offered in evidence or proved.

11 Since, Mr. President, it was prepared after
12 the period of this Indictment, I believe that the
13 prosecution should be forced to present the individual
14 evidence contained in this document, rather than the
15 mass of evidence put together with the conclusions
16 of their investigators.

17 I would like to add, if the Tribunal please,
18 that in a certain appendix in this book the prosecution
19 offers evidence as to the Pearl Harbor attack. They
20 get their information from a questionnaire submitted
21 to three or four ex-Japanese naval officers.

22 THE PRESIDENT: They are admissions from
23 enemy sources.

24 MR. BRANNON: Yes, but after the hostilities
25 have ended and from pure memory of the Japanese

1 officers. These officers are alive today in Tokyo.
2 I have talked to them myself. I submit that it would
3 be much better if we were able to have these men
4 called into the courtroom to testify, or at least to
5 testify by sworn affidavit rather than by an inves-
6 tigator's report.

7 That is all, Mr. President.

8 Mr. Logan, of the Rules Committee.

9 THE PRESIDENT: Mr. Logan.

10 MR. LOGAN: If the Tribunal please, I would
11 like to add an observation which I think might be
12 pertinent. As has been stated, this document is
13 issued under the General Headquarters, Supreme Com-
14 mander for the Allied Powers. It seems ironical that
15 a document which would come up for review in this
16 record should be issued by the Supreme Commander's
17 office and be permitted to be admitted in evidence
18 in this case.

19 THE PRESIDENT: You mean a review of a sen-
20 tence or sentences by the Supreme Commander.

21 MR. LOGAN: I appreciate it is a review of
22 the sentences, your Honor, but in order to determine
23 whether there should be any mitigation the entire
24 evidence will be considered, as I understand it.

25 THE PRESIDENT: We have decided, Mr. Logan,

1 to look into the document before coming to any deci-
2 sion. We will ask that the document be distributed
3 among the judges.

4 MR. LOGAN: May we have opportunity to argue
5 further tomorrow morning before the Court arrives
6 at its decision?

7 THE PRESIDENT: Well, I take it you still
8 have further argument to offer?

9 MR. LOGAN: Yes.

10 THE PRESIDENT: We will adjourn now until
11 half past nine tomorrow morning.

12 (Whereupon, at 1600, an adjournment
13 was taken until Thursday, 31 October 1946, at
14 0930.)
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