

24 SEPTEMBER 1946

I N D E X
of
WITNESSES
(none)

I N D E X
of
EXHIBITS

<u>Pros.</u> <u>No.</u>	<u>Def.</u> <u>No.</u>	<u>Description</u>	<u>For</u> <u>Ident.</u>	<u>In</u> <u>Evidence</u>
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1 Tuesday, 24 September, 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.

15 For the Prosecution Section, same as before.

16 For the Defense Section, same as before with
17 the exception that NISHI, Haruhiko, is now Chief
18 Japanese Defense Counsel and Dr. HOZUMI, Shigetaka,
19 has become Associate Counsel for the Accused TOGO,
20 Shigenori.

21 - - -

22 (English to Japanese and Japanese
23 to English interpretation was made by the
24 Language Section, IMTPE.)
25

G 1 MARSHAL OF THE COURT: The International
r 2 Military Tribunal for the Far East is now in session.
e 3

n 3 THE PRESIDENT: Dr. UZAWA.
l 4

e 4 DR. UZAWA: Mr. President, with the Court's
r 5 permission, I should like to report that yesterday
g 6 Mr. NISHI, Haruhiko, became defense counsel for the
& 6 defendant, TOGO, and Dr. HOZUMI, who had hitherto
S 7 been chief counsel for the same defendant has become
p 8 associate counsel.
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10 THE PRESIDENT: Mr. McKinney.

11 MR. McKINNEY: I offer in evidence prose-
12 cution's document 4026-A, a telegram from the German
13 Ambassador in Tokyo, for the purpose of showing
14 Germany's interest in a change of the Japanese Cabi-
15 net.

16 MR. TAVENNER: 4026-B.

17 MR. McKINNEY: It is B.

18 THE PRESIDENT: Admitted on the usual terms.

19 CLERK OF THE COURT: Your document 4026-A
20 and also your document 4027-A, which were respectively
21 marked exhibit 515 and exhibit 516, were offered and
22 received into evidence yesterday afternoon.

23 MR. McKINNEY: I present, then, 4026-B from
24 that excerpt.

25 THE PRESIDENT: Prosecution's document

1 4026-B is admitted on the usual terms.

2 CLERK OF THE COURT: Prosecution's document
3 4026-B will receive exhibit No. 517.

4 (Whereupon, prosecution's exhibit
5 No. 517 was received in evidence.)

6 MR. McKINNEY: I would now like to read
7 into evidence certain excerpts from this document,
8 beginning with the heading or caption and two other
9 excerpts.

10 THE PRESIDENT: That expression, "read into
11 the evidence," may be misleading to the defense.

12 MR. McKINNEY: Well, I desire to read --

13 THE PRESIDENT: I think I had better explain
14 this, after a consultation I had with my colleague
15 from India this morning. What you refer to as "the
16 record here" is really only a transcript of the short-
17 hand notes of the proceedings in this court. That is
18 itself only a part of the record. The record com-
19 prises the documents as well as the transcript. So,
20 when you read evidence from a document, it appears
21 twice in the record: it appears in the document it-
22 self, and it appears in the transcript.

23 The Court may consider the whole of the
24 evidence in a document although only a part is read.
25 If there is evidence in a document which is not read

1 by the prosecution but which is detrimental to the
2 defense, the Court may act on it. The defense must
3 then be prepared to meet anything in a document which
4 is tendered in evidence although it is not read into
5 the transcript by the prosecution.

6 That may make matters clear to Mr. Smith,
7 among others.

8 Yes, Mr. McKinney.

9 MR. McKINLEY: (Reading)

10 "Berlin, May 1940

11 "German Embassy, Tokyo

12 "Telegram in Code

13 "(Secret Cipher Process)

14 "For Ambassador Ott in answer to telegram
15 No. 450. The following is to be immediately estab-
16 lished concerning the declaration of the Japanese
17 Foreign Minister ARITA:

18 "3). Meanwhile the Japanese Ambassador
19 in Berlin had been in the Foreign Office and has
20 explained that he was called upon by his Government
21 to have a conversation in the Foreign Office on the
22 question of the Netherlands Indies; and in the course
23 of the conversation, which he described as unofficial,
24 he expressed to the State Secretary that his Government
25 would welcome a German declaration on the question."

1 Last paragraph, next.

2 "I ask you to give these explanations
3 verbally to the Japanese Foreign Minister. A de-
4 tailed public announcement is out of place, but
5 with respect to the recent inquiries in the press
6 conference, there is no objection to the Japanese
7 arriving at the certainty that Germany had declared
8 her disinterestedness in the Netherlands Indies
9 question."

10 Signed "Ribbentrop"
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1 MR. McKINNEY (Continuing): I next offer
2 prosecution's document 4026-C. It is offered in
3 evidence, and it is a telegram from the German Am-
4 bassador in Tokyo.

5 THE PRESIDENT: Admitted on the usual terms.

6 CLERK OF THE COURT: Prosecution's document
7 No. 4026-C will receive exhibit No. 518.

8 (Whereupon, prosecution's exhibit
9 No. 518 was received in evidence.)

10 MR. McKINNEY (Reading):

11 "TOKYO: 22 May 1940,

12 "Received: 22 May 1940,

13 "No. 474 of 22.5

14 "Re telegram No. 412 (held by Reich For-
15 eign Minister) of 20 May.

16 "Today I have informed the Japanese For-
17 eign Minister of the operative effect of the latest
18 German victories, and in passing, made the previous-
19 ly written explanations contained in the telegram
20 release, concerning the German attitude to the Neth-
21 erlands Indies. The Foreign Minister requested me
22 to convey his gratitude to the Reich government for
23 this declaration. The spokesman of the Foreign Min-
24 istry issued during today's press conference, a
25 communique according to which Germany has declared

1 her disinterestedness in the Netherlands East Indies
2 problem."

3 Signed

4 "OTT"

1 MR. McKINNEY (Continuing): I next offer
2 prosecution's document 4026-D. It is tendered in
3 evidence. It is a telegram from the German Ambassador
4 in Tokyo.

5 THE PRESIDENT: Admitted on the usual terms.

6 CLERK OF THE COURT: Prosecution's document
7 No. 4026-D will receive exhibit No. 519.

8 (Whereupon, prosecution's document
9 No. 519 was received in evidence.)

10 MR. McKINNEY (Reading):

11 "Telegram (Secret Cipher Process)

12 "TOKYO: 23 May 1940.

13 "Received: 23 May 1940.

14 "No. 479 of 23.5 Supplement to Telegram
15 No. 474 of 22 May.

16 "All the press has given great publicity
17 to yesterday's communique from the spokesmen of the
18 Foreign Office on the declaration of German disin-
19 terestedness in the Netherlands East Indies question.
20 The papers emphasize consistently that the German
21 attitude is entirely different to the declarations
22 of England, France and Holland, who had given their
23 assent to the Japanese government's viewpoint on the
24 protection of the status quo in the Netherlands
25 Indies. In contrast to this, German disinterestedness

1 is considered as a sort of carte blanche for Japan.
2 Germany has thereby stated that she will also support
3 Japan in the future."

4 Signed, , German Ambassador.

5 Prosecution's document 4025-A is presented
6 for introduction. It is a report from the German
7 Ambassador in Tokyo of confidential information from
8 the Japanese Foreign Minister, relating to Japan's
9 desire for a free hand in Indo-China and the prospects
10 for replacement of the Cabinet for one closer to
11 Germany.

12 THE PRESIDENT: Admitted on the usual terms.

13 CLERK OF THE COURT: Prosecution's document
14 No. 4025-A will receive exhibit No. 520.

15 (Whereupon, prosecution's exhibit
16 No. 520 was received in evidence.)

17 MR. McKINNEY (Reading):

18 "Telegram (Secret Cipher Process)

19 "Tokyo, 19 June 1940 - Arrival 19 June 1940.

20 "To be kept in locked file.

21 "Item 1, No. 594 of June 19, Very Urgent!

22 "Secret. To: Reichs Chancellery.

23 "The head of the European Department of the
24 Japanese Foreign Ministry declared confidentially that
25 the Japanese Ambassador to Berlin had received the

1 direction today to express congratulations to the
2 Japanese government to the Reich government to the
3 German success and to point out at this opportunity
4 Japan's special interest in the future fate of French
5 Indo-China. The Ambassador is to reiterate Japan's
6 thanks for the friendly German attitude in the China
7 conflict, and at the same time stress the fact that
8 Japan believes she has rendered Germany essential
9 services in the European war by tying down American
10 forces in the Pacific Ocean. The Ambassador is in-
11 structed to suggest that the German government make
12 some friendly gesture on the subject of Indo-China in
13 appreciation of Japan's attitude. Asked what such a
14 gesture might be the confidant said the Foreign Minis-
15 try is thinking of a German declaration according to
16 which Japan would receive a free hand in Indo-China.
17 According to newspapers, the Japanese Ambassador had
18 received identical instructions.

19 "Since, as a result of the collapse of France,
20 the pressure of the **activistic** public opinion on the
21 cabinet became increasingly stronger, the Foreign
22 Minister evidently decided on this step, in order to
23 save his policy and to keep the cabinet from the
24 otherwise inevitable collapse. There is no doubt
25 about the existence of the danger that the Foreign

1 Minister would make tactical use of possible German
2 blanc authorization concerning Indo-China in his
3 attempt to bring about a compromise with America.
4 Characteristic for the basically unchanged attitude
5 of the Foreign Minister is the elsewhere reported
6 fact, that he concluded friendly agreement on (one
7 group of letters garbled) . . . at the same day with
8 France and England in Tientsin. As viewed from
9 Tokyo, a strengthening of the Japanese position of
10 power in East Asia through annexation of Indo-China
11 would, in itself, be doubtlessly in German interest.
12 In this way the chances for an early end of the China
13 conflict would be increased on the one hand, and on
14 the other hand, the differences between Japan and
15 the Anglo-Saxon powers would be intensified to such
16 an extent that the danger of an agreement would be
17 eliminated for a long time. If, therefore, a con-
18 sideration of the Japanese request should be intended,
19 a formula would have to be found which would fix
20 Japan's course definitely along the German lines.
21 This could, first of all, be achieved if Japan would
22 have to obligate herself to the immediate occupation
23 of Indo-China. In this connection, I was confi-
24 dentially told by army circles that there the idea of
25 occupying the strategically important Yan-ann railway

1 is being propagated. If the government should evade
2 a correspondingly formulated offer for leaving Indo-
3 China to them, one would have to calculate at least
4 with a severe blow to their position in case this were
5 published and probably with replacement by a cabinet
6 which would be close to us."

7 Signed, German Ambassador.

8 MR. BROOKS: Mr. President, I would like to
9 point out to the Tribunal that in the opening state-
10 ment here there was a reference to the Minister of
11 Overseas Affairs, General KOISO, as Minister of Over-
12 seas Affairs, in relation to this Indo-China matter;
13 and I think it must have been an error. Either it
14 must have been an error in reference to this matter,
15 which is apparent from this paper -- it talks of the
16 Foreign Ministry -- because the duties, as I have
17 inquired into, of Minister of Overseas Affairs have
18 nothing to do with matters of this nature. I thought
19 it would be wise to call it to the Court's attention.
20 The prosecution might be able to explain it later, or
21 it may be that there was an error regarding what the
22 duties of Minister of Overseas Affairs ~~was~~ by the German
23 Ambassador also. I am not sure. We will try to clear
24 this up further, but it has been troubling me; and,
25 since I saw this reference here in this matter to the

1 Foreign Ministry I thought possibly that was the
2 explanation.

3 THE PRESIDENT: Mr. McKinney.

4 MR. McKINNEY: The proper document will
5 show the facts when it is introduced, we take it.

6 I offer prosecution's document 4025-B in
7 evidence. It is a memorandum from Wiehl to the German
8 State Secretary regarding Indo-China.

9 THE PRESIDENT: Admitted on the usual terms.

10 CLERK OF THE COURT: Prosecution's document
11 No. 4025-B will receive exhibit No. 521.

12 (Whereupon, prosecution's exhibit
13 No. 521 was received in evidence.)

14 MR. McKINNEY (Reading):

15 "NOTE TO TELEGRAM NO. 594, OF JUNE 19
16 FROM TOKYO RE: INDO-CHINA

17 "Japan's thanks for the friendly German atti-
18 tude in the China conflict have come pretty late; the
19 sacrifices which we in fact made for Japan (stoppage of
20 sending war supplies to China and consequently sacri-
21 fice of supply of important Chinese raw material) have
22 as yet received no recognition from the Japanese, let
23 alone economic compensation. Japan's desire for a
24 friendly gesture from Germany is somewhat strange in
25 view of the attitude Japan has taken re economic rela-

1 tions with Germany during the war.

2 "If this is to be used in countering the
3 Japanese Ambassador in the forthcoming conversations,
4 the following examples can be introduced:

5 "(1) From the first, Japanese shipping has
6 completely subscribed to the French and English block-
7 ade.

8 "(2) For a long time the Japanese Govern-
9 ment had not met German wishes for transit of goods
10 through Japan and had only in the dark shown in re-
11 cent months some obligingness. Thus an assignment
12 of wolfram from Canton and an assignment of tin from
13 Columbia was sent on to Germany. Recently the Japen-
14 ese Government even offered us 100 tons each of wolf-
15 ram and tin from its own stocks to be delivered with-
16 out cost. However, there are still unfilled requests
17 -- e.g. increasing the Japanese shipping service to
18 Vladivostock which is only made the port of call
19 three times a month by one Japanese steamer. Also,
20 further shipment of tin from Columbia has not been
21 possible up till now because of the refusal of the
22 Japanese shipping company.

23 "(3) In January of this year, Japan con-
24 cluded a monopoly agreement with Manchuria for the
25 supply of soya-beans without telling us anything,

1 although we had been the biggest customers up till
2 then, e.g. 800,000 tons in 1938. After our remonstra-
3 tion, Japan has up till now only released 70,000 tons
4 to be supplied to us from Manchuria.

5 "(4) Japan still refuses to transport home
6 in small groups from America the crew of the Columbus,
7 nearly 500 men, because she regards them as combatants,
8 following the English interpretation, although in the
9 American interpretation they are styled as shipwrecked
10 survivors.

11 "(5) It is true that Japan supplied us all
12 the whale oil from the last haul of 75,000 tons.
13 However, we know from confidential sources that it
14 first offered half of this to England, and only decided
15 to supply it to us, when it had received no satisfactory
16 English offer.

17 "Hereby submitted to the State Secretary.

18 "Berlin, 20 June 1940.

19 "/s/ WIEHL."
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1 THE PRESIDENT: Who is Wiehl?

2 MR. McKINNEY: He is a member of the Economic
3 Division of the Foreign Ministry -- German Foreign
4 Ministry.

5 THE PRESIDENT: Have you any evidence of
6 that, any document?

7 MR. McKINNEY: There has none been introduced
8 to that effect as yet.

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1 I tender prosecution's document 4027B. It
2 relates to a conversation in which the Japanese /m-
3 bassador to Germany, KURUSU, renewed negotiations for
4 closer Japanese-German relations.

5 THE PRESIDENT: Admitted on the usual terms.

6 CLERK OF THE COURT: Prosecution's document
7 No. 4027B will receive exhibit No. 522.

8 (Whereupon, the document above referred
9 to was marked prosecution's exhibit No. 522 and
10 received in evidence.)

11 MR. McKINNEY: (Reading) "Memorandum.
12 L. R. Knoll.

13 "On 19 June the Japanese /mbassadore drew me
14 into a conversation regarding the future of German-
15 Japanese relations. He began by referring to the ex-
16 pected visit of the former Foreign Minister Naotake
17 SATO and seemed to want to make suggestions for the
18 subject of the conversation with Mr. SATO. The
19 Ambassador did not touch actual questions of German and
20 Japanese policy.

21 "The Ambassador stated somewhat as follows:
22 'The knowledge that Japan's welfare depends not on the
23 Western Powers, but that an approach to Germany is of
24 significance to Japan, broke through even in circles
25 which till then had been strangers to Germany. One

1 indication for this is SATO's wish to come to Germany
2 now. I am glad that he thus takes the opportunity to
3 get to know the new Germany from close by and I am sure
4 that his visit will be further material in the process
5 of winning over the circles which up to now had no
6 interest in Germany to the idea of an approach to
7 Germany. Today the building up of heavy industry is
8 regarded as the most important task in Japan. The
9 light industry is ready for the greater part; where
10 this is not the case its further development is of no
11 considerable political importance and can be put aside.
12 If, in the field of development of heavy industry, a
13 close cooperation between Japan and Germany is pos-
14 sible, which I do not doubt, Japan will gain freedom
15 of action towards the United States. The question of
16 raw material supplies from England and America I do not
17 regard as so dangerous. The raw material countries
18 are under export pressure, especially if England should
19 now blockade Europe. Therefore we need not fear the
20 boycott warnings. But if our economic circles see
21 Germany's great industrial development and realize that
22 Germany is not only not behind the United States, but
23 has overtaken her in many fields, they will, in view
24 of the unfriendly attitude of the United States, gladly
25 switch over to Germany. The improvement of Japanese-
Russian relations is, as long as the present war lasts,

1 a pre-requisite for this switching. TOGO and I are
2 feverishly working for it, and it becomes more and more
3 clear in Japan that the future of Japan lies in the
4 South, and that the enemy in the North must be made
5 a friend. Certain military circles are opposed to
6 such a turn, but there too OSHIMA will have acted for
7 their enlightenment in the meantime.

8 " After the war the German-Italian, Russian,
9 Japanese-Chinese and American blocks will remain. It
10 is important for Japan as well as for Germany that close
11 relations between Japan and Germany will then remain
12 or be established. I see the way to that in the first
13 place in the economic field mentioned before. Germany
14 should consign to the Japanese block an ample position
15 in her post war economic program.

16 "Ambassadore SATO could be told, in case the
17 conversation with him is held on this or similar lines,
18 that the contribution, which is expected of Japan, is
19 to show a more obliging attitude concerning Germany's
20 wants for raw materials in Japanese (oil sources) and
21 overseas areas. Especially the argument of the export
22 pressure on the raw material countries points against
23 the reserve in transit questions which Japan showed
24 until now. Japan should not fear boycott warnings or
25 bring forth this fear as an excuse in regard to allow-
ing transit businesses for Germany.

1 "A promise of delivery for the expansion of
2 Heavy industry after the war would today when Japan
3 believes in Germany's victory, very probably lead to
4 considerable giving-in in the bean (Manchukuo) and
5 transit questions.

6 "Berlin, 20 June 1940.

7 (Signed) "KNOLL."

8 We will show that Knoll was a member of the
9 German Foreign Ministry.

10 THE PRESIDENT: You had better explain Wiehl's
11 position too, and the position of all the others who
12 wrote memoranda or otherwise signed communications.

13 MR. McKINNEY: Yes, sir. We will do that
14 with Wiehl and Knoll.

15 THE PRESIDENT: Mr. McManus.

16 MR. McMANUS: Mr. President, I know that
17 several weeks ago former ambassador from Germany was
18 present here in Tokyo, Mr. Ott. In fact, I personally
19 met him. I would like to ascertain at this time
20 whether or not the prosecution intends to call Mr. Ott
21 as a witness. If not, I don't think it should be en-
22 cumbant upon the defense to call him, seeing that these
23 documents signed by him are being introduced by the
24 prosecution. I think we should have an opportunity
25 of cross-examining Mr. Ott concerning some of the

1 statements made in these documents, so I, therefore,
2 request the Court that if the prosecution is not intend-
3 ing to call him as a witness, that the Court direct
4 that he be placed on the stand, if available, for such
5 cross-examination purposes.

6 THE PRESIDENT: Well, if the Court, after
7 full consideration of the material attributed to Ott,
8 come to the conclusion he ought to be called for cross-
9 examination, they probably will direct that he be called,
10 but I haven't had an opportunity of consulting the
11 Members about that point, Mr. McManus. But they will
12 all have it well in mind now. This is evidence not
13 volunteered by Ott but documents taken from the Japanese
14 Foreign Office, or other Japanese sources, and that may
15 make a difference. I should say the German Foreign
16 office.

17 Mr. McKinney.

18 MR. MCKINNEY: I present prosecution document
19 4025C for introduction. It is a telegram from the
20 German Ambassadors in Tokyo and concerns Japanese efforts,
21 through the accused MUTO and KOISO, to obtain Germany's
22 views concerning military aggression in Indo-China.

23 THE PRESIDENT: Admitted on the usual terms.

24 CLERK OF THE COURT: Prosecution's document
25 No. 4025C will be given exhibit No. 523.

(Whereupon, the document above referred

1 to was marked prosecution's exhibit No. 523 and
2 received in evidence.)

3 MR. McKINNEY: (Reading)

4 "Telegram (Secret Cipher Process). To be
5 kept in locked file.

6 "Tokyo 24 June 1940.

7 "Arrival 25 June 1940.

8 "No. 614 of 24 June.

9 "I.) The head of the Central Division of the
10 War Ministry, General MUTO has informed the Military
11 Attache that the Japanese Army would welcome it, if
12 Germany were prepared, if need be, to act as mediator
13 in the already extended conciliatory talks between
14 Japan and Chiang Kai-shek, in order to conclude the
15 China conflict in a way acceptable to Japan. The
16 General declared further that Japan is very much inter-
17 ested in Indo-China also for this reason. The Military
18 Attache promised to forward this, and broached the
19 question of Russia's attitude to such a development.
20 The General replied that the Japanese Army considered
21 conciliation with Russia to be necessary. General MUTO's
22 inquiry is to be taken as the official proposal of the
23 Army, according to Japanese custom.

24 "II.) The Minister of Overseas Affairs, Gen-
25 eral KOISO, asked me in a conversation to which he had
invited me, what Germany's attitude would be to the

1 military activity of Japan in Indo-China and in parts
2 of the Netherlands Indies. I pointed to the well-
3 known declaration of the Reich Government, according
4 to which Germany is not interested in the question
5 of the Netherlands Indies and added that we would pro-
6 bably raise no objections to Japanese action in Indo-
7 China, provided that Japan obliges herself to tie down
8 America in the Pacific area, perhaps by a promise to
9 attack the Philippines and Hawaii in the event of
10 Americas entry into the war against Germany. The
11 Minister of Overseas Affairs replied that he would be
12 pleased to pursue this idea further. Regarding a pos-
13 sible Japanese Non-Aggression Pact with Russia, the
14 Minister thought that for this Russia would probably
15 ask for certain territorial concessions in a northwestern
16 province of China and Outer-Mongolia, which could be
17 discussed. The Minister admitted that an agreement
18 with Russia and the realization of Japanese colonial
19 wishes in Indo-China and in the Netherlands Indies would
20 not only gradually make Japan economically independent
21 of America, but would offer to the expected KONOYE
22 Government a promising starting point for an agreement
23 with Chiang Kai-shek. I have the impression that the
24 ambitious Minister of Overseas Affairs wanted to qual-
25 ify himself for the next cabinet by putting out these
feelers.

1 "III.) Also Ambassador SHIRATORI, who is
2 ever more frequently named as the coming Foreign
3 Minister, advocated a Non-Aggression Pact with Russia
4 in an interview yesterday with the YOMIURI.

5 "IV.) Today's resignation of Prince KONOYE
6 as President of the Privy Council indicates continuing
7 internal political developments with the aim of forma-
8 tion of the new Government and a new unity party under
9 KONOYE. Since leading personalities of the KONOYE
10 circle are obviously trying to make contact with me,
11 I ask for authorization to discuss with them confi-
12 dentially the ideas of MUTO and KOISO, in order to
13 establish what power is standing behind them and what
14 possibilities result therefrom. My impression up to
15 now that the possibility of the formation of a Pacific
16 bloc of Japan, Chiang Kai-shek China and Russia in
17 association with Germany, which ties down America in
18 the Pacific sphere and could cripple her freedom of
19 action vis-a-vis Europe is becoming prominent.

20 (Signed) "OTT."

21 The Tribunal's attention is directed to the
22 fact that the Chief Interpreter of the German Foreign
23 Office made a record of certain conversations between
24 German and Japanese representatives, which conversations
25 are contained in documents to be presented in evidence.
Where this is the situation, Dr. Paul O. Schmidt

1 the Chief Interpreter, has furnished an affidavit
2 which is attached to the document concerned and copies
3 have been processed and served on the accused or
4 their counsel.
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1 Mr. McKINNEY: I now offer in evidence
2 prosecution's document 1397, to which is attached
3 a Schmidt affidavit. The document is a memorandum
4 of a conversation with German Foreign Minister Ribben-
5 trop, in which the Japanese Ambassador SATO renewed
6 Japanese efforts for closer Japanese-German relations.

7 THE PRESIDENT: Admitted on the usual terms.

8 CLERK OF THE COURT: Prosecution's document
9 No. 1379 will receive exhibit No. 524.

10 (Whereupon, the document above referred
11 to was marked prosecution's exhibit No. 524 and
12 was received in evidence.

13 Mr. McKINNEY: (Reading)

14 "MEMORANDUM On the conversation between the
15 Foreign Minister of the Reich and the Japanese Am-
16 bassador, SATA, in the presence of Ambassador KURUSU
17 and Consul General STAMMER, 8 July 1940.

18 "After a word of thanks for the hospitality
19 shown by the German Government and congratulations on
20 the victory of Germany over France, Ambassador SATO
21 declared that just as in Europe the new order would
22 now be brought about by Germany, Japan on her part
23 had been exerting herself for three years to estab-
24 lish a new order in the Far East and in the South
25 Seas. In these parallel efforts a very close

1 cooperation between Germany and Japan seems to have
2 been in operation. For three years Japan had been
3 holding the attention of the English, the French,
4 and the American Governments and thereby in a certain
5 sense rendered Germany's task in the establishment
6 of the new order in Europe easier. In this manner
7 the Governments of both countries could mutually
8 support each other.

9 "As far as Soviet Russia was concerned,
10 Japan was under the existing circumstances obliged to
11 seek to maintain good neighborly relations with Russia,
12 just as Germany was also obliged to maintain good re-
13 lations with Russia. In this respect also Japan and
14 Germany could cooperate.

15 "About America, Ambassador SATO stated that
16 Japan has drawn the attention of that country to
17 herself since the beginning of the Chinese war and that
18 she tied up the American fleet in the Pacific Ocean.
19 It is Japan's opinion that America must not over-
20 step her zone consisting of North and South America
21 and must not intervene in European or Far Eastern
22 matters. The pursuit of this principle is also in
23 the mutual interest of both countries. Ambassador
24 SATO closed his remarks by stressing anew the common
25 interests of Germany and Japan and the necessity of

1 their cooperation. This cooperation must also
2 encompass economic matters.

3 "In regard to China, Ambassador SATO added
4 that Japan is at present putting forth strong en-
5 deavors to finish the Chinese war, which has lasted
6 now for three years, in order to gain free hands. In
7 this connection he pointed out that public opinion
8 in Japan has become extraordinarily nervous in res-
9 pect to Indo-China and the Dutch East Indies.

10 "The REICH FOREIGN MINISTER noted with
11 satisfaction Japan's wish to cooperate with Germany
12 in all fields. He believed that German-Japanese co-
13 operation in itself represented nothing new. He
14 himself had been one of those who years ago had fur-
15 thered this cooperation with KURUSU's predecessor,
16 General OSHIMA, and it had already borne fruit for
17 both parties. Germany had made noteworthy use of it
18 in her right for equal rights, whilst Japan had
19 doubtless drawn considerable advantages throughout
20 the whole period of her struggle for China down to
21 the present day from the existence of a strong
22 Germany. Without the existence of a re-strengthened
23 Germany, Japan could not have been able to penetrate
24 as deeply into English and other spheres of interest
25 in East Asia as it has actually happened. The

1 natural interest of both powers in cooperation
2 arises from these facts.

3 "Plans for a very close cooperation between
4 Japan, Germany and Italy had already been taken into
5 consideration some time before. They miscarried
6 because - as appeared again from the latest speeches
7 of Japanese statesmen - Japan was not interested in
8 European concerns.

9 "As a result of Germany's victory over France,
10 a great revision in all factors of foreign policy
11 would follow. He personally believed that in the
12 future, further possibilities for friendly cooperation
13 with Japan would exist in the framework of the New
14 Order in Europe now taking shape. At the present
15 moment he would say nothing of the details of the form
16 which this cooperation was to take, as he was ac-
17 quainted with the German intentions but not with
18 Japan's political aims. He therefore asked SATO for
19 a further explanation of the principles of the
20 political line which Japan proposed to pursue. He
21 would be especially interested to hear from the
22 Japanese side what was their thought of cooperation
23 with Germany, whether only in the economic sphere or
24 in which other way.

25 "Ambassador SATO replied that it was

1 comprehensible that for outsiders the Japanese Policy
2 had been difficult to understand. For nine years,
3 that is, since the outbreak of the Manchurian con-
4 flict, Japan had been trying to orient her policy in a
5 set direction, but had time and again subsequently
6 been forced to moderate this new orientation some-
7 what. In regard to the new order in the Far East,
8 for Japan it is above all a question of permitting a
9 new China to arise with which it could have friendly
10 relations. The solidarity between this new China
11 and Japan would guarantee peace in the Far East. In
12 order to achieve this aim, Japan had for several
13 years been fighting obstinately against the so-called
14 regime from Washington which finds expression in the
15 treaties of 1921, especially in the Nine Power Pact.
16 This Washington regime did not give China and Japan
17 but the Anglo-Saxons the predominance in the Far
18 East. Japan did not, however, by any means wish to
19 eliminate the foreigners from the Far East. Quite the
20 contrary. It also wishes to concede an appropriate
21 place to economic cooperation with Germany in China.

22 "In its relations with America Japan must
23 of course be very careful.

24 "To the question of the FOREIGN MINISTER
25 OF THE REICH as to what in reality then was the basic

1 reason for the difficulties between Japan and
2 America, SATO answered that this cause lay in the
3 struggle of Japan against the system of the Nine
4 Power Treaty. In this Japan was not fighting against
5 the fundamental principles of this treaty.
6 Politically, it was quite prepared to respect the in-
7 dependence of China. Economically it was likewise
8 in agreement with the so-called principle of the Open
9 Door. It did, however, wish to exchange roles and
10 itself be the host while the other nations would be
11 only guests in East Asia."

12 "Berlin, 9 July 1940. Signed SCHMIDT."

13 MR. McKINNEY: I will now read the affidavit
14 mentioned on the introduction.

15 THE PRESIDENT: Is there any real need for
16 this? The defense are not asking for it, are they?

17 MR. McKINNEY: Sir?

18 THE PRESIDENT: Is there any real need for
19 this? I can understand the general affidavit read
20 the other day.

21 MR. McKINNEY: All right, sir, unless the
22 Court wants it in the record -- written in the record --
23 why, I will not read it.

24 MR. CUNNINGHAM: If the Tribunal please,
25 since the affidavit will not be read, I merely wish

1 to emphasize that the statement of SCHMIDT was by
2 notes rather than transcribed notes. He merely made
3 a memorandum of the conversation and then reported it
4 at length later on, and that is emphasized in his
5 affidavit.

6 THE PRESIDENT: Well, if the prosecution
7 accepts Mr. Cunningham's statement, we have now a
8 note on the record, or in the transcript, of the
9 position, and it will not be necessary to read the
10 affidavit. The Members may refer to the affidavit
11 themselves if they see fit.

12 MR. MCKINNEY: All right, sir.
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1 MR. McKINNEY: Prosecution documents 1590 D
2 and 1590 B are tendered in evidence; the former is a
3 message from Foreign Minister ARITA to Ambassador
4 SATO in which concern was expressed regarding Germany's
5 ambition in the South Seas, and the latter is Ambassa-
6 dor SATO's reply.

7 THE PRESIDENT: Admitted on the usual terms.

8 CLERK OF THE COURT: Prosecution's document
9 1590 D will receive exhibit No. 525, and document No.
10 1590 B will receive exhibit No. 526.

11 (Whereupon, the documents above re-
12 ferred to were marked prosecution's exhibits
13 No. 525 and No. 526, and were received in
14 evidence.)

15 MR. McKINNEY: Exhibit 25 we will read
16 first, 525 it is.

17 "General Telegram No. 23144. To Special Envoy
18 SATO. c/o Ambassador KURUSU, Berlin, Germany. From
19 Foreign Minister ARITA.

20 "Matter concerning Japanese -German Concert
21 No. 445 (Urgent, Secret Code)

22 "Referring to your cablegram No. 870

23 "(1) Your conversation with the Foreign Min-
24 ister Ribbentrop seems to have brought out clearly the
25 spirit of German victory. You have informed me that

1 Ribbentrop showed you a 'non-committal' attitude con-
2 cerning Dutch East Indies and French Indo-China. Per-
3 haps, he had no concern with these problems. But did
4 you not disconcert his aim to pursue something from
5 Japan by utilizing Japan - for example, Japan's par-
6 ticipation in European war?

7 "You stated that he predicted the world would
8 be divided into four Economic Blocks in the future.
9 But, did you not receive the impression that Germany
10 would not recognize the superiority of a certain sta-
11 bilizing power in each Block indirectly, but has begun
12 to hope for domination by Germany of the French and
13 Dutch colonies in East Asia also?

14 "(2) While Ribbentrop expressed his optim-
15 istic opinion on the subject of Japanese-American
16 relation, you spoke of the tendency of deterioration
17 of Japanese-American relation and you hinted that, if
18 war should come to exist between the two countries it
19 would cause Germany an unfavorable reflection upon her
20 European policy. Did you intend to call his attention
21 by saying so, in the sense that the war with the U.S.A.
22 would inevitably cause Japan to march on to the South
23 Seas and thus bring out difficulties in accomplishing
24 German object? Or, did you intend to warn him that
25 the war with U.S.A. would have an unfavorable effect

1 on the German war situation in Europe as a result of
2 Japan's consumption of national strength and weaken the
3 pressure on the USSR? Furthermore, did you go so far
4 as to say in your conversation with Ribbentrop that the
5 Japanese-American war, if it occurred, would develop
6 into a German-American war? Please reply immediately."

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Exhibit 526:

1 "Berlin, July 15, 1940. To Foreign Minister
2 ARITA. From Ambassador KURUSU. No. 901 (Secret Code).
3 Referring to your telegram No. 445. Ambassador SATO
4 answered.

5
6 "(1) It may not necessarily be that Germany
7 does not embrace at all a hidden intention to utilize
8 as tactics her noncommittal attitude to the Japan's
9 demand in relation to Dutch Indies, etc., but, judging
10 from the RIBBENTROP's attitude, at least, I did not
11 find such an air to request Japan's participation in
12 the war making a good use of it as a bait. I felt,
13 rather, that Germany did not attach importance to
14 Japan's national power at present, excepting her naval
15 power. I cannot, also, say so far that Germany has
16 already fostered an ambition on the southern colonies.
17 Comparing with the days I sent telegram No. 527, today
18 when Germany won the great victory in European continent,
19 it must not be passed over that pretty large change
20 arose in thought of Germany.

21 "(2) What I said concerning the problem
22 towards America was not intended to restrain Germany's
23 ambition on the South Seas, nor intended to mean what
24 was related to the consummation of the Japanese
25 national power and decrease of Japan's pressure on the

1 USSR. As seen in my telegram No. 870 and its supplemen-
2 tary one, I made RIBBENTROP pay attention, suggesting
3 the possible development of the U. S.-Japanese war to
4 the U. S.-German war. I talked him those, a little in
5 a threatening way, supposing the participation of the
6 U. S. in the war against Germany might be the great
7 pain to her while she was engaging in the operations to
8 Britain devotedly and she was endeavoring to avoid the
9 long war. I guessed what he felt then was just this
10 very weak point. However, I avoided to utter such a
11 direct narration as to say it would develop to Japanese-
12 American war, but used the expression as seen in my
13 telegram."

14 THE PRESIDENT: You used the expression
15 "... consummation of the Japanese national power."
16 Consumption is clearly wrong.

17 MR. McKINNEY: Yes, sir, it is in the English.

18 THE PRESIDENT: What is right? Consumption
19 or consummation?

20 MR. TAVENNER: The correct word is consumption.

21 THE PRESIDENT: Mr. Tavenner.

22 MR. TAVENNER: I now desire to introduce in
23 evidence prosecution document 1308, for the purpose of
24 showing the existence of a strong Japanese demand for
25 conclusion of a military alliance between Japan, Germany,

1 and Italy as a means of realizing the Japanese Empire's
2 plan of expansion in East Asia and the South Seas.

3 THE PRESIDENT: Admitted on the usual terms.

4 CLERK OF THE COURT: Prosecution's document
5 No. 1308 will receive exhibit No. 527.

6 ("Whereupon, the document above
7 referred to was marked prosecution's exhibit
8 No. 527, and was received in evidence.)

9 MR. TAVENNER: (Reading) "Minutes of the Joint
10 Conference of War, Navy, and Foreign Ministries on
11 Strengthening of Harmony Between Japan, Germany and Italy.

12 "12 July 1940. Those present: War Ministry,
13 Lt. Col. TAKAYAMA; Navy Ministry, Commander SHIBA;
14 Naval General Staff, Captain ONO; Foreign Ministry,
15 Section Chief ANDO, Section Chief ISHIZAWA, Secretary
16 TOKUNAGA.

17 "ANDO: The Foreign Office gave instructions
18 to Ambassador SATO some time ago to confer with German
19 authorities upon strengthening the coalition between
20 the two countries, and Mr. SATO was able to exchange
21 views with Foreign Minister RIBBENTROP. At that con-
22 ference, RIBBENTROP said that he could not understand
23 in the least what Japan was after. Therefore, it is
24 deemed necessary to draw and present to him a more con-
25 crete and further penetrated draft and thereby intensify

1 the coalition between Japan and Germany. The draft
2 distributed among you is only a tentative plan made by
3 our Foreign Office, but I want you to discuss it and let
4 me hear your opinions.

5 "(Upon request of Lieutenant Colonel TAKAYAMA,
6 he explains the substance of the draft.)

7 "ANDO: This draft has been drawn with the aim
8 of intensifying the coalition of Japan and Germany upon
9 supposition that Germany will conquer England, have the
10 hegemony of Europe and Africa, and establish New Order
11 there. Regarding our Soviet policy, which is an impor-
12 tant problem to us, we want to check Soviet through the
13 influence of Japanese-German coalition. There is a pro-
14 bability of the formation of a U. S.-Soviet coalition,
15 but we hope to check this likewise by Japanese-German
16 coalition. As to the limit of Japanese-German coalition,
17 it is deemed wise for us to avoid to participate in the
18 European War, as is shown in the draft and in view of our
19 present domestic and economic conditions as well as our
20 relations with Soviet and the United States. (We have
21 asked the opinions of the Army and the Navy on this sub-
22 ject, and they both have expressed approval.) Our plan
23 is to join hands with Germany to the fullest extent but
24 within the scope of being driven into the war.
25

"TAKAYAMA: Is this plan merely to have the

1 three ministries come to an agreement and to submit their
2 opinions to the higher authorities for discussion?"

3 THE PRESIDENT: We will recess now for fifteen
4 minutes.

5 (Whereupon, at 1045, a recess was taken
6 until 1100, after which the proceedings were
7 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. Tavenner.

4 MR. TAVENNER: (Reading)

5 "ANDO: As this matter needs to be carried out
6 promptly, I want to submit it to the higher authorities
7 and have them put into practice as our national policy
8 as soon as the three ministries arrive at an agree-
9 ment.

10 "(The Army and the Navy gave consent to his
11 proposal, and ANDO goes into explanation of the sub-
12 stance.)

13 "ANDO: A plan has been proposed some time
14 ago to the effect that Japan should have Germany rec-
15 ognize its free hand concerning French Indo-China,
16 Dutch East Indies and other South Sea Islands. But
17 as the meaning of free hand is somewhat vague, if it
18 is expressed more definitely, it will be as drafted.
19 I should like to hear your opinion on this point. The
20 object of this draft is to have Germany understand
21 that Japan has no territorial ambition over these
22 spheres, but Japan wants to firmly establish not only
23 the freedom of economic activities but also political
24 leadership. In order to have this approved by Germany,
25 it will be necessary to choose a form easy for Ger-

1 many to approve.

2 "TAKAYAMA: You say you want to make Ger-
3 many recognize Japan's political leadership in the
4 South Seas, but, what relation does it have with
5 Japan's political leadership in China and Manchuria?

6 "ANDO: As I regard our political leadership
7 in China and Manchuria as a matter of course, I did
8 not enumerate it here.

9 "ANDO: Concerning British, French and Dutch
10 territories, we will discuss the details later.

11 "ANDO: Concerning German support to the
12 settlement of the Chinese Incident, our attitude
13 should be absolutely independent. For instance, con-
14 cerning such matters as German mediation of the Chi-
15 nese Incident which has recently almost come into
16 question, we should have Germany mediate from a
17 point of view that as a part of the general problem
18 of Japan-German coalition, the quick settlement of
19 the Incident and the solidifying of Japan's position
20 will become a favorable factor to Germany. We should
21 avoid assuming a supplicatory attitude. It is also
22 necessary to study concretely the recognition of
23 the new regime and the prohibition of exports to
24 CHIANG.

25 "ANDO: The question of trade with Europe

1 and Africa and on other economic matters has been
2 raised, because, if Germany should resort to a
3 closed economy in case of forming a block economy in
4 Europe and Africa, Japan would fall into difficulties.
5 To meet this problem we hope to maintain trade be-
6 tween the East Asia and South Seas economic sphere
7 of Japan and the new economic sphere of Germany, and
8 to make clear whether or not other economic relations
9 should exist, as well as the difference /of Japan
10 and Germany's position in the two spheres/.

11 "ANDO: The most important problem among
12 Japan's promises to Germany will be the restraint of
13 British activities in East Asia as much as possible
14 in order to facilitate Germany's conquest of England
15 (refer to Article (2)), and on this point I should
16 like to request the Army and the Navy to study what
17 practical measures exist. As far as I am concerned,
18 oppression of British political rights and interests
19 in East Asia or a secret assistance to the native
20 independence movements in India and Burma, in accor-
21 dance with the changes in the situation, may serve
22 as restraining measures.

23 "ANDO: Point 3 specifies compensation for
24 Germany's recognition of our political predominance
25 in the South Sea Islands. Germany craves for Wolf-

1 ram rubber, and tin from China and the South Seas,
2 and we will supply Germany with them. We will also
3 give favorable consideration to Germany's economic
4 activities (including investment and enterprises)
5 in China and the South Seas. (a) and (b) will keep
6 an even balance.

7 "ONO: After the conclusion of the war
8 there may be occasions when Germany might carry out
9 active economic operations towards the Dutch East
10 Indies, French Indo-China, and China, and especially
11 after Germany makes France and the Netherlands some-
12 what like subject states, it is probable that she
13 will dispatch active members of the Nazi Party to
14 French Indo-China and the Dutch East Indies and keep
15 these two colonies under her political leadership
16 even if she would not go so far as to make them her
17 own territories. Therefore, Japan's policy toward
18 French Indo-China and the Dutch East Indies must
19 be hastened in order to prevent such movement /on
20 the part of Germany/ and she must also endeavour to
21 sever French Indo-China and the Dutch East Indies
22 from European influence as soon as possible.

23 "ANDO: As to our Soviet policy referred
24 to in (2), it is equally favorable to both Japan
25 and Germany to maintain peace with the Soviet Union

1 at present. However, we cannot forecast to what
2 direction Germany will turn its relations with Soviet
3 after cessation of the European War. It will be nee-
4 essary for us to make some sort of arrangement with
5 Germany beforehand as Japan and Germany will be in
6 the same position in their relations with Soviet.
7 However, the relation between Germany and Soviet at
8 the present moment is delicate, and there probably
9 may be something which Germany cannot tell us unre-
10 servedly. For this reason, the latter part of arti-
11 cle (2) may be dropped according to circumstances.

12 "TAKAYAMA: Germany would not like to see
13 Soviet penetrate into Rumania. Should Germany re-
14 quest us to check Soviet in the East, what measures
15 could be considered?

16 "Concerning the above measures, discussions
17 followed. Then, the subject was turned to Japan's
18 U. S. policy, Article (3) of Chapter II.

19 "TAKAYAMA: Does this mean that Japan will
20 not try to reach any particular understanding with
21 the United States after all? For example, if such
22 an agreement as to guaranteed the peace of the Pacific
23 should be reached, and if the United States should,
24 as a consequence, no longer sense menace in the Pac-
25 ific, it may interfere with European affairs, which

1 Germany will no doubt detest.

2 "ANDO: No! Even if such an agreement should
3 be reached, the agreement will be made in a manner
4 that the United States will confine itself to the
5 American continents and it will not interfere with
6 the affairs of the South Seas and other parts of the
7 world. Recently, Hitler propounded that the United
8 States should mind its own business of the American
9 continents and should not interfere with the affairs
10 of other continents, and RIEBENTROP, in his conver-
11 sation with our Ambassador SATO, did not seem to
12 hope for the impairment of Japanese-American relation
13 to restrain the United States. Apparently, Germany's
14 wish is to maintain a peaceful relation with the
15 United States at present and in the future, as long
16 as the latter does not take an offensive attitude.
17 Consequently, Germany is not likely to hope for the
18 impairment of Japanese-American relation.

19 "TAKAYAMA: Will not Germany demand us to
20 take some measures in order to prevent the United
21 States from participating in the war on Britain's
22 side?
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1 "ANDO: Such anxiety was felt in the
2 early stage of the present War, but we have prac-
3 tically no such uneasiness now, for Germany does
4 not anticipate the United States' participation
5 in the war any longer.

6 "ISHIZAWA: There is one thing that we
7 should keep in our mind in respect of our relation
8 with the United States. After two to three years
9 from now, the U.S. Navy will become a far greater
10 power. Japan and Germany must necessarily check
11 it together.

12 "ANDO: Both Japan and Germany should
13 not positively be antagonistic to the United
14 States, but should restrain it peaceably.

15 "ISHIZAWA: Judging from each assertion
16 made by Japan and the United States, there is a
17 considerable difference in opinions between the
18 two, and it will require unusual efforts to adjust
19 it. On the other hand, upon the establishment of
20 the New Order in Europe, the United States will
21 find it difficult to interfere in European affairs,
22 and as a consequence, it will intervene in Far
23 Eastern affairs, with the Philippines and Hawaii
24 as its naval bases. Should a peaceful order be
25 established between Japan and the United States,

1 the latter may insist upon pretty severe conditions
2 to be accepted by Japan. And if we try to make
3 Germany restrain the United States, we may turn out
4 to be a liability to Germany.

5 "ANDO: However, should the United States
6 put pressure upon Japan, Japan's power of restrain-
7 ing Soviet may be weakened, and Germany would not
8 like it. So Japan's relations with the United
9 States and Soviet and that of Germany will event-
10 ually become the same.

11 "TAKAYAMA: Germany has considerably ad-
12 vanced into South America since pre-war time, and
13 won't it be as absolutely necessary for Germany to
14 advance to South America after the war as well?
15 If so, the United States would not approve of this
16 movement and don't you think a conflict will
17 arise between Germany and the United States?

18 "Discussions followed.

19 "SHIBA: According to Helfrich who re-
20 cently visited Japan, it was said that, contrary
21 to Japan's erroneous assumption, German's indus-
22 trial power which had expanded during and before
23 the war would undertake great economic activities
24 in order to extend the market for German industrial
25 products in post-war time. It is certain that

1 Germany will penetrate economically into China and
2 the South Seas also.

3 "ANDO: Concerning article (4) of Chapter
4 II, as it was decided, we cannot accept a request
5 to join the war, even if Germany should make such a
6 request to us.

7 "ANDO: Concerning Chapter III, which is
8 the coalition between Japan and Italy, Italy has
9 hitherto reiterated that it would support Japan in
10 her East Asiatic policy. It would be also import-
11 ant that we maintain a friendly relation with Italy
12 to restrain Germany which would pride itself upon
13 its victory. I think it will be an adequate meas-
14 ure to present our coalition proposal to Italy at
15 the same time we do to Germany.

16 "The Army and Navy approved his suggestion.

17 "Then someone asked, One of the most im-
18 portant matters for Japan in connection with Italy
19 is Italy's relation with Soviet. But, is Italy
20 willing to maintain peace with Soviet?

21 "TAKAYAMA: As long as the present Europ-
22 ean War is in progress, Germany and Ital's policy
23 toward Soviet will be more or less the same.

24 "After there were some arguments about
25 the formality of the agreement, it was decided that

1 the agreement be written in the form of a diplo-
2 matic note, unless the other government is anxious
3 to have it written in the form of a regular pact,
4 as it would take a long time to enter into a form-
5 al pact, anyhow. (However, in a case as 'the recog-
6 nition of Japan's position in French Indo-China and
7 Dutch East Indies.' it was resolved that the form-
8 ality of an agreement may be issued.) To sum up,
9 they agreed to carry out the matter quickly. Further-
10 more, it was unanimously approved that the detail of
11 concrete problems involved in each article be care-
12 fully studied."

13 "Plan for Strengthening the Harmony
14 Between Japan, Germany and Italy.

15 "(Drafted July 12th 1940)

16 "I. The object of strengthening the
17 harmony.

18 "The object is to facilitate, vis-a-vis
19 the present international upheaval, the attainment
20 of our Imperial aim by quickly embodying an intimate
21 cooperative relation between our Empire which is
22 striving to establish a new order in East Asia in-
23 cluding the South Seas, and Germany and Italy which
24 are fighting for a new order in Europe, and to
25 strengthen our future international position in

1 the face of the world situation after the European
2 War.

3 "II. Japanese-German coalition.

4 "Principle -- To maintain an intimate
5 connection with each other and to have a concrete
6 political understanding as regards the mutual assis-
7 tance in diplomatic and economic affairs.

8 "Points

9 "(1), (a) Germany promises Japan:

10 "(i) not to interfere with the autonomy
11 or independence of French Indo-China, the Dutch
12 East Indies and other races of the South Seas areas,
13 to recognize that the above areas are within the
14 sphere of Japan's influence, and to approve and sup-
15 port Japan's political leadership and cooperation in
16 those areas;

17 "(ii) to give proper support for the dis-
18 position of the China Incident;

19 "(iii) to give favorable consideration to
20 Japan's trade and other economic relations with Eur-
21 ope and Africa.

22 "(b) Japan promises Germany:

23 "(i) to support German policy in Europe
24 and Africa and approve the New Order in Europe un-
25 der the German leadership;

1 "(ii) to take steps as far as possible to
2 check Britain in East Asia in order to facilitate her
3 surrender;

4 "(iii) to supply Germany with essential
5 materials from China and the South Seas and to give
6 favorable consideration to the economic activity of
7 Germany in China and in the South Seas.

8 "(2) Japan and Germany shall cooperate in
9 maintaining peace with the Soviet Union. If by any
10 chance one of the two parties should enter war with
11 the Soviet Union, the other party must not assist
12 the latter, and moreover, the two countries shall
13 confer on what action to take either in the above
14 case or in the event one party should be threatened
15 by the Soviet Union.

16 "(3) Japan and Germany shall cooperate in
17 order that the United States shall not interfere with
18 affairs outside the American continent, and if the
19 United States should put political or economic pres-
20 sure either upon Japan or Germany, both Germany and
21 Japan shall adopt such a policy as to check the
22 U.S., never supporting her.

23 "(4) Japan shall not accept, at the pres-
24 ent stage, Germany's request to join the war, even if
25 Germany should insist upon the duty on our part.

1 "(5) Though it would be good to have Am-
2 bassador KURUSU negotiate with Foreign Minister
3 DIEBENTROP, if that is impossible, negotiations
4 shall be conducted at Tokyo.

5 "III. Japanese-Italian coalition.

6 "In parallel with the Japanese-German
7 negotiations, the negotiations with Italy shall be
8 commenced at Rome, and the substance of the former
9 will apply correspondingly to the latter in general.
10 Italian policy in Europe and Africa shall be suppor-
11 ted and the new order around the Mediterranean Sea
12 approved, other matters being the same as with
13 Germany."

1 If I may interpose at this stage of the
2 reading of the article, there were apparently several
3 plans presented. That may explain why apparently
4 some items seem so similar. (Reading)

5 "Plan for Strengthening the Harmony
6 Between Japan, Germany and Italy.

7 "I. The object of strengthening the harmony.

8 "The object is to facilitate, vis-a-vis the
9 present international upheaval, the attainment of our
10 Imperial aim by quickly embodying an intimate coopera-
11 tive relation between our Empire which is striving to
12 establish a new order in East Asia including the South
13 Seas, and Germany and Italy which are fighting for a
14 new order in Europe, and to strengthen our future
15 international position in face of the world situation
16 after the European War.

17 "II. Japanese-German coalition

18 "Principle -- With the common aim of establish-
19 ing a New World Order, Japan and Germany shall main-
20 tain close liaison with one another and shall in
21 parallel engage in the establishment of the new order
22 respectively in East Asia including the South Seas, and
23 in Europe and Africa, and shall have a concrete politi-
24 cal understanding as regards the diplomatic and econom-
25 ic cooperation necessary for the above.

1 "Points" --

2 THE PRESIDENT: Mr. Tavenner, would it not
3 be sufficient to point out the differences in the
4 drafts? However, you are near the finish now; per-
5 haps you better continue.

6 MR. TAVENNER: I may say there is just a
7 little difference in a number of these paragraphs.
8 It would be very difficult to point out the diff-
9 erence without reading the entire paragraph. The
10 last paragraph however is the same.

11 THE PRESIDENT: Are the differences so
12 important that we should have all three set out
13 in full in the transcript?

14 MR. TAVENNER: (Reading Continued)

15 "Points:

16 "(1), (a) Germany promises Japan:

17 "(1) to recognize that French Indo-China,
18 Dutch East Indies and other South Seas areas are,
19 politically and economically within the sphere of
20 Japan's influence and that they shall be able of
21 their own free will to enjoy autonomy or independence
22 in the future, to recognize accordingly that Japan's
23 approval must be necessary for the alteration of
24 their political status quo, and to support the
25 economic development of Japan in those areas, not

1 preventing the implantation of her political power;

2 "ii) to assure Japan of the indiscrimi-
3 nate treatment of her trade with Europe and Africa
4 under the German influence, and to give favorable
5 consideration to her other economic relations;

6 "iii) to have harmony in economy and tech-
7 nique between Japan and Germany.

8 "(b) Japan promises Germany:

9 "i) to support the German policy in Europe
10 and Africa, and to approve the German-directed New
11 Order in Europe;

12 "ii) to assure Germany the supply of
13 essential materials in China and the South Seas;

14 "iii) to recognize indiscriminate treat-
15 ment of trade in China and the South Seas, and to
16 give favorable consideration to German economic
17 activities.

18 "(2) Japan and Germany shall cooperate
19 in maintaining peace with the Soviet Union. If by
20 any chance one of the parties should enter war with
21 the Soviet Union, the other party must not assist
22 the latter, and moreover, the two countries shall
23 confer on what action to take either in the above
24 case or in the event one party should be threatened
25 by the Soviet Union.

1 "(3) Japan and Germany shall cooperate
2 to keep the United States from interfering with
3 affairs outside the American continent, and if
4 the United States should put political or economic
5 pressure either upon Japan or Germany, both Germany
6 and Japan must not adopt such a policy as would
7 support the United States. Again, both Japan and
8 Germany shall make common cause with each other
9 against the U. S. in their Central and South American
10 policy.

11 "(4) To contrive the fall of British
12 influence by the partition of her colonies.

13 "In order to facilitate Britain's surren-
14 der Japan shall check her as far as possible in East
15 Asia by such measures as the withdrawal of British
16 forces, demand for the disarmament of Hongkong
17 (Singapore), demand for the cession of British
18 territories in the South Seas, independence of India,
19 Burma and others, capture of British ships. For this
20 end, Germany shall give adequate political support
21 for disposition of the China Incident.

22 "(5) Japan shall not accept, at the present
23 stage, Germany's request to join the war, even if Ger-
24 many should insist upon the duty on our part.

25 "(6) Though it would be good to have Am-

1 bassador KURUSU negotiate with Foreign Minister
2 RIBBENTROP, if that is impossible, negotiations
3 shall be conducted at Tokyo."

4 The next item, III, is identical with III
5 in the preceeding plan, so I will not read it.

6 THE PRESIDENT: Doctor KIYOSE.

7 DR. KIYOSE: In the beginning of page two,
8 of the exhibit just read, exhibit 527, the third line
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1 reads, "but within the scope of being driven into the war"
2 My American associate counsel has pointed out that
3 this should read, "within the scope of not being
4 driven into the war," as that is the meaning of the
5 original Japanese text. May this matter be referred
6 to the language arbiter?

7 THE PRESIDENT: We refer it accordingly.

8 DR. KIYOSE: And another defense counsel
9 has pointed out that these plans were made up at
10 the time of the YONAI Cabinet and were not actually
11 adopted by the Second KONOYE Cabinet.

12 THE PRESIDENT: That is a matter for evidence.

13 Mr. Tavenner.

14 MR. TAVENNER: In further regard to that
15 document, I offer the second part of the conference
16 in evidence, which will be set forth in prosecution
17 document 1392.

18 THE PRESIDENT: Admitted on the usual terms.

19 CLERK OF THE COURT: Prosecution's document
20 No. 1392 will receive exhibit No. 528.

21 (Whereupon, prosecution's exhibit No.
22 528 was received in evidence.)

23 MR. TAVENNER: This document bears the date
24 of July 16, 1940 and consists of the minutes of the
25 adjourned conference unifying the opinions of the

1 Army, Navy and Foreign Ministry on these plans.

2 (Reading):

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1 "MINUTES OF JOINT CONFERENCE OF ARMY,
2 NAVY, AND FOREIGN OFFICE AUTHORITIES
3 OF INTENSIFICATION OF COALITION AMONG
4 JAPAN, GERMANY AND ITALY.

5 "At the Foreign Office
6 on the 16th July 1940.

7 "Attendances:

8 "ANTO - Chief of a Section, the Foreign Office

9 "ISHIZAWA - Chief of a Section, the Foreign Office
10 (Withdrew before adjournment)

11 "TAJIRI - Chief of a Section, the Foreign Office

12 "TOKUNAGA, Secretary, the Foreign Office

13 "TAKAYAMA, Lt. Colonel, the War Ministry

14 "TANEMURA, Major, the General Staff Office

15 "SHIBA, Commander, the Naval Ministry.

16 "ANTO (Foreign Office) utters: For today,
17 I request Army and Navy to give us their opinions
18 concerning the plan (proposal) relating to the
19 intensification of coalition among Japan, Germany
20 and Italy which I gave you on the occasion of the
21 previous conference. Please start with Army.

22 "TAKAYAMA (War Ministry): I agree upon this
23 plan as a whole and will give you our opinion in
24 detail: as to the meaning of the word MANYO /T.N.
25 South Seas/ contained in the phrase 'the construction

1 of a new order in the FarEast including the South
2 Seas,' mentioned in clause 1, I would like to have it
3 mean as Japan's intention to include the territory
4 extending from Burma and the eastern part of India
5 on the west to Australia and New Zealand on the east,
6 but since there should be a South Seas of first sense
7 and also of the second sense, the South Seas to be
8 expressed as Japan's attitude for the present should
9 be a narrower South Seas excluding Australia, New
10 Zealand and Burma. Nevertheless, I think we should
11 consider as Japan's attitude the NANYO of the wider
12 sense.

13 "ANTO (Foreign Office): As Japan's ideal,
14 Australia, New Zealand and Burma, of course, should
15 be included, but as a concrete question we should
16 adopt the South Seas of the first sense for the time
17 being. In regard to this point, I am wholly in
18 agreement with Lt. Col. TAKAYAMA.

19 "SHIBA (Naval Ministry): I agree to that.

20 "TAKAYAMA (War Ministry): Next, in regard
21 to the outline of clause (2), I wonder if it isn't
22 necessary to discuss the point that is to become the
23 basis of the outline, that is the fundamental point,
24 before the outline is decided with Germany.

25 "ANTO (Foreign Office): Since the fundamental

1 point is that since both countries are on a common
2 footing -- that is, the establishment of a new order
3 in Europe and Africa by Germany as her sphere of
4 livelihood and the establishment of a new order in
5 East Asia, including the South Seas, by Japan as her
6 sphere of livelihood, does it mean that both countries
7 should recognize and respect each other's sphere and
8 assist and cooperate in the establishment of the new
9 order within the respective sphere?

10 "TAKAYAMA (War Ministry): Yes.

11 "ANTO (Foreign Ministry): I have no objection
12 to the opinion of Lt. Colonel TAKAYAMA in regard to
13 settling the fundamental point with Germany.

14 "TAKAYAMA (War Ministry): That is, in regard
15 to discussing this matter with Germany, the outline
16 and details should be entered into only after the
17 fundamental point has been discussed first.

18 "ANTO (Foreign Ministry): I agree with you.

19 "Navy agrees)

20 "TAKAYAMA (War Ministry): Next, let us go
21 into the contents of the outline. In clause 1, there
22 is a phrase 'not to interfere with the self-government
23 and independence of the various races,' but I believe
24 it is not necessary to make Germany express this.

25 "ANTO (Foreign Office): It is there for the
purpose of showing that Germany has no intention of

1 acquiring these territories.

2 "TAKAYAMA (War Ministry): I don't think it
3 is necessary to make her say it distinctly. I wonder
4 if it would not be sufficient if we make her recognize
5 the fact that French Indo-China and Dutch Indies are
6 within the sphere of livelihood of Japan*and Japan's
7 political leadership in these areas. After all, it
8 will be 'recognize the fact that the South Seas area
9 is within the sphere of livelihood of Japan.'

10 "TAKAYAMA (War Ministry): Next, the question
11 is about the meaning of political leadership. The
12 strongest meaning of this is occupation, but we are
13 not thinking of occupation at present. Anyway, it
14 is necessary that the whole country conspire and
15 unite on the point of political leadership and make
16 Germany recognize as strong a political leadership as
17 possible.

18 "ANTO (Foreign Office): I think here lies
19 one of the most difficult points in regard to the
20 question of intensification of this problem. As seen
21 hazily by the cable from Ambassador SATO, isn't it
22 the intention of Germany to grasp the political
23 leadership for herself and give Japan only the
24 economic interest in regard to French Indo-China and
25 Netherlands East Indies. In other words, it appears

1 as if Germany will not recognize Japan's right of
2 political leadership.

3 "TAKAYAMA (War Ministry): I feel that way
4 myself, and it is necessary to force Germany to
5 recognize as strong a leadership as possible of
6 French Indo-China and the Dutch Indies.

7 "ANTO (Foreign Office): I think this point
8 will be the first thing argued when the talk on the
9 question of intensification of this matter is taken
10 up, but according to the cable from Consul-General
11 YAMAJI, the other day, Germany reportedly is willing
12 to offer Japan the eastern part of the Dutch Indies.
13 In another sense, it means that Germany is taking
14 Java, Sumatra, etc.

15 "TAKAYAMA (War Ministry): As to what
16 attitude Germany will take towards Japan in future
17 concerning the Dutch Indies and French Indo-China
18 depends largely upon the attitude she will take
19 towards Soviet Russia after the war. Since Germany
20 has no intention to dispose of Russia immediately
21 after the war, she might leave French Indo-China and
22 the Dutch Indies to Japan easier than expected. But
23 if she were to start with the construction of a new
24 order in Europe, the question of French Indo-China
25 and Dutch Indies will become considerably trouble-

1 some. And as for Japan, she should, for the time
2 being, consider that Germany has the intention of
3 politically taking over French Indo-China and the
4 Dutch Indies and should be prepared for it. For
5 that, a considerably firm determination is necessary.

6 "ANTO (Foreign Office): I agree with you.
7 We should object strongly to Germany's intention to
8 assume political leadership in Dutch Indies, etc.

9 "ISHIZAWA (Foreign Ministry): I agree
10 completely.

11 "TANEMURA (General Staff Office): I think
12 the question of French Indo-China and Dutch East
13 Indies depends entirely upon naval power and Germany,
14 who has no naval power, will not be able to oppose
15 Japan within the sphere of Japanese naval influence
16 no matter how stoutly she may resist. Consequently,
17 the question lies solely in Japan's determination.

18 "ANTO (Foreign Office): I think you are
19 right, but Germany, in such an event, might try to
20 utilize Russia and check Japan from the north. This,
21 too, is a point to be taken into consideration.

22 "TANEMURA (General Staff Office): I don't
23 think that even Soviet Russia would be a tool of
24 Germany and carelessly meddle into this with the
25 hope of securing the northern section of Manchuria.

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2 being, consider that Germany has the intention of
3 politically taking over French Indo-China and the
4 Dutch Indies and should be prepared for it. For
5 that, a considerably firm determination is necessary.

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19 right, but Germany, in such an event, might try to
20 utilize Russia and check Japan from the north. This,
21 too, is a point to be taken into consideration.

22 "TANEMURA (General Staff Office): I don't
23 think that even Soviet Russia would be a tool of
24 Germany and carelessly meddle into this with the
25 hope of securing the northern section of Manchuria.

1 Soviet Russia would probably seek for the Near East
2 and India.

3 "TAKAYAMA (War Ministry): How about setting
4 aside (B) 'to assume a means of checking to expedite
5 the surrender of England' as a separate clause,
6 together with foregoing clause 'to give appropriate
7 support for the disposition of the China incident'?
8 This is because it is a current problem or a matter
9 to be concluded in a short period rather than one
10 that will regulate the future relation between Japan
11 and Germany.

12 "ANTO (Foreign Office): As this was con-
13 sidered as a recompensation for Germany in return for
14 recognition of the New Order in East Asia including
15 the South Seas and for her support in the disposition
16 of the Incident, there is no reason for any objection
17 against making it a separate clause.

18 "TAKAYAMA (War Ministry): It is stated that
19 a restraining measure will be taken against England,
20 but I wonder if there is any really effective restrain-
21 ing measure?

22 "SHIBA (Naval Ministry): It's very difficult
23 as a concrete plan.

24 "TAKAYAMA (War Ministry): Then, is it not
25 necessary to change the working of this clause?

1 "TAJIRI (Foreign Office): The newspapers
2 can be utilized.

3 "TAKAYAMA (War Ministry): The checking of
4 England by Japan and Germany's support for the dis-
5 position of the incident can be regarded as balancing
6 each other, and in regard to the recognition of the
7 new regime to be considered in connection with the
8 disposition of the incident, the balance can be
9 obtained by the recognition of Poland and so forth,
10 but in regard to obtaining her cooperation in the
11 economic construction of China, I wonder if the
12 check against England can't be regarded as its
13 balance?

14 "ANTO (Foreign Office): As compensation for
15 her cooperation in the economic construction, the
16 supplying of wolfram and other things, which Germany
17 wants, and her participation in the enterprise to
18 some extent can be considered.

19 "TAKAYAMA (War Ministry): I think we should
20 refrain from allowing her to participate in the enter-
21 prises in China as much as possible.

22 "TANEMURA (General Staff Office): In case
23 of the worst, we should show our generosity of allow-
24 ing her to participate in as much as half of the
25 enterprises.

"TAKAYAMA (War Ministry): We do that, I

1 want that to be restricted to the minimum.

2 "TAJIRI (Foreign Office): As for Germany's
3 political support in connection with the disposition
4 of the incident, it probably is her peace mediation
5 for the time being. In regard to the economic prob-
6 lem, it is cooperation in economy and technique, and
7 as compensation, we can give Germany's heavy indus-
8 tries markets in China and the South Seas.

9 "TAKAYAMA (War Ministry): There is a
10 necessity to consider Italy together with Germany.

11 "TAJIRI (Foreign Ministry): As compensation,
12 Germany has been conducting coastal trade since the
13 outbreak of the incident, and I believe it better to
14 recognize such things as this coastal trade and
15 industrial technical assistance. I wonder if it
16 isn't necessary for Japan to learn economic tech-
17 nique from Germany.

18 "ANTO (Foreign Office): It's necessary.
19 America's heavy industry is rich in materials. In
20 other words, it is a heavy industry of the rich -
21 and Germany's is that of the poor. As for Japan, it
22 is necessary for her to learn Germany's poor man's
23 heavy industry.

24 "TANEMURA (General Staff Office): For Japan,
25 it is extremely important for her to develop the heavy

1 industry in Manchuria. Consequently, if we can't
2 expect to take in anything from America, we must
3 think of taking in these from Germany. If Germany's
4 technique flows into Soviet Russia after the war, it
5 will be a grave problem for Japan. We should consider
6 introducing Germany's technique into Manchuria and
7 China after the war.

8 "ANTO (Foreign Office): Returning our
9 discussion to the beginning, does it mean, after
10 all, that there is no concrete plan for checking
11 England?

12 "TAJIRI (Foreign Office): England can be
13 checked to a certain extent by utilizing the newspapers.

14 "ANTO (Foreign Office): The instigation of
15 an independent movement in India and Burma secretly
16 according to the change of international situation
17 can be regarded as an effective check against England.

18 "TANEMURA (General Staff Office): I think
19 it would be an extremely effective check against
20 England to take a strong attitude in regards to
21 problems against England in connection with the
22 China incident; for instance, taking a strong atti-
23 tude in regard to problems pertaining to Hongkong,
24 Shanghai and Tientsen.

25 "TAJIRI (Foreign Office): Depending on the

1 occasion, it may be a splendid idea to demand for
2 the disarmament of Hongkong.

3 "ANTO (Foreign Office): After all, it
4 means firstly to exclude the political rights and
5 interest of England from China and secondly, to
6 instigate the independence of Burma and India.

7 "TAKAYAMA (War Ministry): These should
8 be executed to the extent of not resorting to arms.

9 "ANTO (Foreign Office): As for the Navy,
10 couldn't she make use of vessels of unknown nation-
11 ality?

12 "SHIBA (Naval Ministry): That could be done.

13 "SHIBA (Naval Ministry): Is there no measures
14 to take a step further and strike England rather than
15 to check her?

16 "TAJIRI (Foreign Office): That can be done
17 when Chiang Kai-shek surrenders, but, for the time
18 being, we had better not do it.

19 "SHIBA (Naval Ministry): Doesn't it mean
20 that we had better participate in the war upon the
21 disposition of the incident?

22 "TAKAYAMA (War Ministry): For the time
23 being, it is best to proceed according to the present
24 degree.

25 "SHIBA (Naval Ministry): If we discuss this

1 question of checking England with Germany, Germany
2 might start ask us to occupy Singapore.

3 "TAJIRI (Foreign Office): We can tell her
4 that we will do that when the incident is settled.

5 "TANEMURA (General Staff Office): It would
6 be all right if we claim that the attack on Singapore
7 is to be carried out on our own accord.

8 "TAKAYAMA (War Ministry): After all, it
9 would be better to negotiate with Germany with the
10 attitude that Japan will have no responsibility
11 in regard to the question of taking part in the war,
12 but may engage in a war with England independently."

13 There is omitted -- unless it has been put
14 in in ink -- a statement "all agreed" after the para-
15 graph which I just read.

16 THE PRESIDENT: It appears in ink in our
17 copies.

18 MR. TAVENNER: (Reading continued)

19 "TAKAYAMA (War Ministry): As to the relations
20 with Soviet Russia mentioned in clause 2, it is to keep
21 peace for the time being and eventually to guide Soviet
22 Russia in such a way as to conform to the common stand-
23 point of Japan and Germany. Depending on the occasion,
24 the turning of Soviet Russia's spearhead toward Burma
25 and India can be considered.

1 "TAKAYAMA (War Ministry): Regarding our
2 relations with America, it is possible as a future
3 problem that Japan and Germany may take a joint action
4 in South America against America and that whether
5 Japan should sustain Germany in her economical policy
6 toward South America may become a problem. Hence, I
7 wonder if it wouldn't be better for Japan to consider
8 now the possibility of taking joint action with Germany
9 against America after the establishment of the new
10 order in East Asia a few years hence?

11 "ANTO (Foreign Office): In regard to the
12 question of America, there is a necessity of giving
13 it greater consideration. Germany, at present, is
14 quite optimistic about America and concerning the
15 post-war administration, 'Schaht' is thinking of
16 getting American loan, while other Nazis are thinking
17 of depending on the 'barter' system. After all, as
18 to what attitude Germany will take against America,
19 we cannot tell until after Germany has defeated
20 England. At present, Germany's attitude is 'America
21 should not interfere in European problems.' From the
22 Japanese-German discussions, we can't tell anything
23 more than what has been indicated in the plan at present.

24 "TAKAYAMA (War Ministry): That's right, but
25 as for Japan's mental attitude, it is necessary that

1 she take into consideration those matters heretofore
2 discussed. In this respect, it is proper to have in
3 mind Japanese-German cooperation in the economic
4 expansion into South America."

5 THE PRESIDENT: This is a convenient break.
6 We will adjourn until half-past one.

7 (Whereupon, at 1200 a recess was taken.)
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1 AFTERNOON SESSION

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3 The Tribunal met, pursuant to recess, at 1330.4 MARSHAL OF THE COURT: The International
5 Military Tribunal for the Far East is now resumed.

6 THE PRESIDENT: Mr. Tavenner.

7 MR. TAVENNER (Reading continued):

8 "TAJIRI (Foreign Office): I think Germany
9 is looking down upon American economy as a money
10 economy in considering her future economic debouch-
11 ment into South America. At any rate, it is
12 necessary at least to sound out what Germany is
13 thinking of in regard to America and Soviet Russia
14 for the future. For Germany, America's support
15 of Soviet Russia is a great threat.16 "TANEMURA (General Staff Office): From
17 my opinion, a dispute between Germany and America
18 may materialize before long. There is the possibility
19 of a dispute being caused by America's defense
20 against Germany's debouchment into South America.
21 As South America is a very good market for Japan
22 also, I think we should plan to undertake debouch-
23 ment into South America in cooperation with Germany.24 "ANTO (Foreign Office): After all, these
25 matters are contained in the policy restricting

1 America to only within the American continent.
2 Although it is necessary to hold, as our mental
3 attitude, the points stated by Lt. Colonel TAKAYAMA,
4 won't the original draft be about enough for the
5 time being as points to be written on paper?

6 "TAKAYAMA (War Ministry): As to the
7 question of our obligation to participate in the
8 war stated in clause 4, Japan as already discussed
9 shall not be bound, but we should keep in mind
10 that we might have to wage war against England
11 independently.

12 "TAKAYAMA (War Ministry): In conclusion,
13 I agree to the original draft in regard to cooperation
14 with Italy.

15 "TAJIRI (Foreign Ministry): What about
16 drawing up a simpler plan separately with Italy?

17 "ANTO (Foreign Office): We had better
18 to treat Italy in the same way as and at the same
19 time with Germany.

20 "TAKAYAMA (War Ministry): As to Germany
21 and Italy, we must recognize that there is a dif-
22 ference between them of economic and political
23 power heretofore possessed in China.

24 "TAKAYAMA (War Ministry): Regarding
25 the question of Soviet Russia, won't it be necessary

1 to change our proposal to Italy?

2 "ANTO (Foreign Office): From the latest
3 report of Mr. Chuichi Ohashi, Italy is considering
4 the use of Mohammedans to advance into the Iran and
5 Indian area. Should Soviet Russia advance into
6 Iran, Italy herself would have a considerable
7 interest in regard to the question of Soviet Russia.
8 At any rate, Germany and Italy, though different
9 in degrees, are in a common position in regard
10 to the question of Soviet Russia. Therefore we
11 could make a similar proposal to both Germany and
12 Italy.

13 "ANTO (Foreign Office): Nextly, I like
14 to hear the opinion of Navy side.

15 "SHIBA (Naval Ministry): We agree to
16 what Lt. Colonel TAKAYAMA has already stated. In
17 strengthening the cooperation between Japan and
18 Germany, we should make the recognition of the
19 respective spheres of new order and the cooperation
20 between Japan and Germany the framework of the plan
21 and never to show that Japan wants things. Besides,
22 in strengthening our coalition, I wonder if it isn't
23 necessary to push the discussion further in regard
24 to the American and Soviet Russian problems. There
25 is no real difference between Japan and America.

1 Present oppositions between Japan and America are
2 most economical and for the most part emotional.
3 Besides, in regard to the Soviet relationship,
4 it is necessary that Japan and Germany guide it
5 profitably. Only it is a question as to whether
6 these points should be exposed in the text of the
7 treaty.

8 "TAKAYAMA (War Ministry): The problem
9 of America and Soviet Russia should not be exposed,
10 but should be dealt with in a secret clause.

11 "TAKAYAMA (War Ministry): What kind of
12 steps are you going to take to realize this original
13 draft (plan)?

14 "ANTO (Foreign Office): Perhaps this
15 will be discussed between Japan and Germany and
16 the main points exchanged through official documents.

17 "ANTO (Foreign Ministry): Now the opinion
18 among us officials concerned has been unified. It
19 is essential that no time be lost in its execution.

20 "(All agreed.)

21 "TAKAYAMA (War Ministry): I think I could
22 settle with Army along the line discussed heretofore.

23 "SHIBA (Navel Ministry): It's same with Navy.

24 "TAKAYAMA (War Ministry): If the discussion
25 is to be held in Germany, it may be necessary to go

1 and explain our intention, as it is impossible to
2 express it thoroughly by telegram.

3 "(All agreed)"
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1 THE PRESIDENT: Mr. McKinney.

2 MR. McKINNEY: I tender in evidence prose-
3 cution's document 1008, 4028-A and 4028-B. The first
4 is Foreign Minister ARITA's radio speech relating to
5 the so called "New Order in East Asia."

6 The latter two documents set forth the
7 circumstances under which the speech was made.

8 THE PRESIDENT: Admitted on the usual terms.

9 CLERK OF THE COURT: Prosecution's document
10 No. 1008 will receive exhibit No. 529; and document
11 4028-A, exhibit No. 530; and document 4028-B, exhibit
12 No. 531.

13 (Whereupon, prosecution's exhibits
14 Nos. 529, 530 and 531 were received in evidence.)

15 MR. McKINNEY (Reading):

16 "Japan's ideal since the foundation of the
17 Empire has been that all nations should be enabled to
18 find their proper places in the world. Our foreign
19 policy has also been based upon this ideal, for which
20 we have not hesitated at times even to fight by stak-
21 ing our national existence.

22 "What the entire mankind longs for is the firm
23 establishment of world peace. But it goes without say-
24 ing that peace can never endure unless it is a peace
25 in which all nations enjoy their proper places. Un-

1 fortunately, however, the establishment of world peace
2 in this sense is difficult of speedy realization at
3 the present stage of human progress. In order to rea-
4 lize such a great ideal, therefore, it seems to be a
5 most natural step that peoples who are closely related
6 with each other geographically, racially, culturally
7 and economically should first form a sphere of their
8 own co-existence and co-prosperity and establish peace
9 and order within that sphere, and at the same time
10 secure a relationship of common existence and pros-
11 perity with other spheres. The cause of strifes man-
12 kind has hitherto experienced lies generally in the
13 failure to give due consideration to the necessity
14 of some such natural and constructive world order and
15 to remedy the irrationalities and injustices of old.
16 The war in Europe brings home the truth of this with
17 special emphasis. Therefore, in order to establish
18 international peace on a permanent foundation every
19 effort must be exerted for the rectification of the
20 blunders that have been committed in this regard.

21 "It is in this spirit that Japan is now en-
22 gaged in the task of establishing a new order in East
23 Asia. It is extremely regrettable, therefore, that
24 there should be those who not only fail to understand
25 Japan's great undertaking based upon this fundamental

1 principle, but on the contrary, obstruct the establish-
2 ment of peace in East Asia by supporting the regime
3 of Chiang Kai-shek. We have urged them to reconsider
4 such an attitude in the past, and now we intend fur-
5 ther to urge their serious reflection. We are deter-
6 mined to leave no stone unturned in order to eradicate
7 all activities for assisting Chiang Kai-shek.

8 "Sometimes there are those who would dis-
9 approve a change of the status quo by force of arms
10 regardless of the reasons therefor. It is for the
11 purpose of bringing about a just and permanent peace
12 that Japan has been fighting in China for the past
13 three years. Her employment of armed force is an act
14 looking beyond the immediate present. The sword she
15 has drawn is nothing other than a 'life-giving sword'
16 that destroys evil and makes justice manifest.

17 "The countries of East Asia and the regions
18 of the South Seas are geographically, historically,
19 racially and economically very closely related to
20 each other. They are destined to cooperate and mini-
21 ster to one another's needs for their common well-
22 being and prosperity, and to promote the peace and
23 progress in their regions. The uniting of all these
24 regions under a single sphere on the basis of common
25 existence and the insuring thereby the stability of

1 that sphere is, I think, a natural conclusion.

2 "The idea to establish first a righteous
3 peace in each of the various regions and then esta-
4 blish collectively a just peace for the whole world
5 has long existed also in Europe and America. This
6 system presupposes the existence of a stabilizing
7 force in each region, with which as a center the
8 peoples within that region are to secure their co-
9 existence and co-prosperity as well as the stability
10 of their sphere. It also presupposes that these
11 groups will respect one another's individual char-
12 acteristic, political, cultural and economic, and they
13 will cooperate and fulfill one another's needs for
14 their common good.

15 "When the present European war broke out, the
16 Japanese Government at once declared their policy of
17 non-involvement and made it clear that this country
18 did not intend to intervene in Europe and at the same
19 time did not want to see the war spread into East
20 Asia. Quite naturally Japan expects that the Western
21 Powers will do nothing that will exert any undesirable
22 influence upon the stability of East Asia.

23 "Japan, while she is carrying on vigorously
24 her task of constructing a new order in East Asia,
25 is paying a serious attention to developments in the

1 European war and to its repercussions in the various
2 quarters of East Asia, including the South Seas region.
3 I desire to declare that the destiny of these regions
4 --any development therein, and any disposal thereof--
5 is a matter for grave concern to Japan in view of her
6 mission and responsibility as the stabilizing force
7 in East Asia."

1 MR. McKINNEY (Reading continued):

2 "Telegram (Secret Cipher Process)

3 "Tokyo, 1 July 1940 1.30

4 "Arrived: 1 July 1940 10.20 hours

5 "No. 642 of 1.7

6 "Refer D.N.B. Tokyo 482 ff re: Foreign
7 Minister ARITA's radio speech on Japan's attitude
8 in the international situation.

9 "The originally intended attempt of the
10 Foreign Minister to gain contact with internal
11 political development by announcing a more active
12 foreign political fixing of aims and thereby, to
13 strengthen the cabinet's position: this is being
14 wrecked by protests from the opposition led by the
15 army, which forced the original text to be substantially
16 mutilated. This explains the lack of concrete ideas,
17 a fact which a section of the press too, has pointed
18 out.

19 "The growing influence of the army also results
20 from the stronger military attitude toward Hong Kong
21 and Indo-China. Internal political developments show
22 characteristic signs of initial oppression and indicate
23 an early change of cabinet.

24 OTT"
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1 MR. McKINNEY (Reading continued):

2 "Telegram (Secret Cipher Process)

3 "Tokyo - 3 July 1940 1310 hours

4 "Arrived " " " 2305 hours

5 "No. 648 of 3 July

6 "In answer to telegram of 2-7-40 (No. 542),
7 according to a leading article in the 'ASAHI' clearly
8 inspired by the Press Chief of the Foreign Ministry,
9 the Foreign Minister intended to stress in his radio
10 speech that the present government has never deviated
11 from the Axis policy, and has always had full sympathy
12 for the German demand for a New Order in Europe, so
13 much the more since Japan herself is striving for a
14 New Order in Asia. The government is determined to
15 consolidate Axis friendship. The army protested
16 against this attitude on the grounds that in reality
17 the above policy of sympathy for the Axis is not com-
18 patible with the policies hitherto pursued by the cab-
19 inet and because the army wanted to avoid the YONAI-
20 ARITA cabinet using a sudden stress on friendship with
21 the Axis as a chess move to take the wind out of the
22 sails of the opposition, which is close to us and to
23 save its own existence.

24 "The action of the Press Chief of the
25 Foreign Ministry, who disclosed the original text of

1 ARITA's speech to 'ASAHI' and announced the Army's
2 protest publicly in a press conference, caused great
3 indignation in army circles.

4 "As I have learned confidentially, the
5 Press Chief was arrested and grilled by the military
6 police on account of this indiscretion.

7 OTT"

8 I present prosecution's document 1632-X
9 for introduction into evidence. It consists of
10 excerpts from KIDO's diary showing the downfall of
11 the YONAI-ARITA cabinet, the means by which it was
12 accomplished, and the reasons therefore.

13 THE PRESIDENT: Admitted on the usual terms.

14 CLERK OF THE COURT: Prosecution's document
15 No. 1632-X will receive exhibit No. 532.

16 (Whereupon, prosecution's exhibit
17 No. 532 was received in evidence.)

18 MR. McKINNEY (Reading):

19 "Translation of the Diary of Marquis KIDO

20 "1940

21 "5 July. Telephone calls at 7:30 AM, from
22 both the Director of the Police Bureau and the Chief
23 of the Metropolitan Police. The gist of the story is
24 as follows:

25 "Since secret information was obtained relative

1 to the carrying out from 7:00 AM this morning of a
2 direct action, which had for sometime been planned
3 by the MAEDA faction, arrests were begun from 5:30
4 AM at several rendezvous places in the city. Their
5 proposed objectives were Premier YONAI, Mr. MACHIDA,
6 Count MAKINO, Baron HARADA, Baron ICHIKI, Mr. IKEDA,
7 Admiral OKADA, Mr. YUASA and Household Minister
8 MATSUDAIRA. Besides nine pistols, two hand grenades,
9 thirty swords and thirty beer bottles of benzine,
10 many copies of a prospectus, stating why they were
11 aroused to act, were confiscated.

12 "Was received in audience at 11:40. I
13 reported on the MALDA affair and answered various
14 questions put by the Throne. I also stated to His
15 Majesty that their actions were to blame but as to
16 their motives, the administrators must reflect
17 seriously upon them. Withdrew from the Palace at
18 12:15.

19 "After that, exchanged frank opinions with
20 Prince KONOYE in my room --"

21 THE PRESIDENT: Mr. McKinney, we cannot
22 follow you. You are not telling us what place you
23 are proceeding from.

24 MR. McKINNEY: Yes, this starts at page top
25 2.

1 (Reading):

2 "After that, exchanged frank opinions with
3 Prince KONOYE in my room regarding the prospect of
4 the campaign to strengthen the new political struc-
5 ture and the measures to be taken in case of a cabinet
6 change. We talked from 7:40 to 8:20 and parted.

7 "At 8:30 PM, Kozo OTA visited me and brought
8 a message --"

9 THE PRESIDENT: Do let us find out from what
10 part of the page you are reading and from what page.

11 MR. McKINNEY: It is the last paragraph
12 on July 7.

13 THE PRESIDENT: You are not reading merely
14 to get stuff into the transcript but to inform the
15 Court.

16 MR. McKINNEY: (Reading):

17 "7 July (Sunday) Fine.

18 "At 8:30 PM, Kozo OTA visited me and brought
19 a message from Baron HIRANUMA to the effect that he
20 thought that at this time when rumors of a political
21 change are rife there is no other person so suitable
22 for appointment as Prince KONOYE.

23 "8 July. -- beginning with the second sentence,
24 that is, the middle of page 2:

25 "Vice-War Minister ANAMI called and expressed

1 himself as follows:

2 "Now when a political change may be unavoi-
3 dable within the next four or five days, and the mili-
4 tary have been perfecting preparations to meet the
5 abrupt changes in the latest world situation, the
6 character of the YONAI cabinet is not at all suitable
7 for making negotiations with Germany and Italy and it
8 might even cause a fatal delay. The conclusion is
9 that a cabinet change is inevitable in order to face
10 this grave situation. The army unanimously will
11 support Prince KONOYE's candidacy. Upon meeting
12 Prince KONOYE after his return to Tokyo, the War
13 Minister will take the opportunity to submit an
14 important proposal to Premier YONAI.

15 "Upon my mentioning that the selection of
16 a Foreign Minister would be most difficult, he re-
17 plied that the Army would leave such a question
18 entirely to Prince KONOYE."

19 Right at the top of the next page is the
20 next section to be read.

21 "In the Army General Staff Office in recent
22 days, the officers forming the central core presented
23 their opinions to the leading staff members from the
24 viewpoints of both political and military policies, as
25 they anticipate that the personnel of the present

1 government will never be able to sufficiently cope
2 with the latest world situation. As a result, it is
3 understood that the Chief of the Army General Staff,
4 Prince KANIN, told the War Minister about the matter,
5 and the War Minister has been much concerned about
6 what measures to take. Such being the case, the
7 expression of resolute determination by the War Minis-
8 ter may well depend upon the behavior of the Cabinet
9 itself. And so on"

10 MR. LOGAN: If the Tribunal please, I think
11 the transcript should show that the last paragraph
12 which was read was a statement made by the Chief
13 Aide-de-Camp.

14 THE PRESIDENT: It appears in the last
15 sentence.

16 MR. McKINNEY: Yes, that is correct, on page 1.

17 THE PRESIDENT: It appears in the last sentence
18 on page 1 that the Chief Aide-de-Camp made that state-
19 ment -- the last sentence on page 2.

20 MR. McKINNEY: Next, July 16, the second
21 sentence about the middle of page 3:

22 "Chief Cabinet Secretary ISHIWATA telephoned
23 this morning as follows:

24 "War Minister HATA met Premier YONAI after
25 9:00 A. M. this morning and submitted his resignation.

1 When told by the Premier to produce a successor, he
2 replied that an answer may be expected by evening and
3 left. As the Army cannot be expected to produce a
4 successor, the Premier, after calling an extraordinary
5 Cabinet meeting today, will probably have to go to
6 the HAYAMA Imperial villa to submit a mass resigna-
7 tion.

8 "Thereupon, I immediately requested the
9 Grand Chamberlain, Chief Aide-de-Camp and HIROHATA
10 the Lord Steward to Her Majesty the Empress to
11 assemble in my room. I told them of the foregoing
12 matter and we consulted about the Emperor's return
13 trip and other matters. We made a provisional plan
14 but decided to wait for the arrival of the Imperial
15 Household Minister from Tokyo before making the final
16 decision.

17 "Upon the Emperor's return from the sea, was
18 received in audience at 12:10 and reported to the
19 Throne about the above matters.

20 "Was again received in audience at 1:45,
21 fully explained the procedure of selecting the leader
22 of the incoming cabinet, which had previously been
23 studied and decided upon and got his approval. The
24 summary is as follows:
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1 "1. The Emperor requested the Lord Privy
2 Seal to ask the President of the Privy Council and the
3 former premiers about the selection of the head of
4 the incoming cabinet and to report their answer
5 after consultation with the Elder Statesman.

6 "The Emperor will at the same time order
7 the Grand Chamberlain to make arrangements to assem-
8 ble the said personages in the Palace.

9 "2. The Lord Privy Seal will arrange the
10 council of these personages in the Palace and he
11 himself will participate in it.

12 "3. Further, the Lord Privy Seal himself
13 will call on the Elder Statesman or will have the
14 Chief Secretary do so to consult about the matter
15 and report the result to the Throne.

16 "The following information has been re-
17 ceived from the Chief Aide-de-Camp: He received a
18 phone call from Vice-Minister ANAMI of the War Minis-
19 try, according to whom the state of affairs leading
20 to the Minister's resignation, is as follows:
21 Several days ago a memorandum containing the army's
22 opinion on the present situation was submitted to
23 the Premier, who summoned the War Minister this
24 morning, and telling him that the army's idea was
25 different from that of the present cabinet, asked him

1 bluntly to resign in case of inconvenience. There-
2 upon the War Minister at once submitted his resigna-
3 tion. As the Premier further asked him to recommend
4 his successor, the Three Chief Officers' Meeting was
5 held from 2:30 P.M. but because of the foregoing
6 situation it was extremely difficult to make any re-
7 commendation."

8 Now skipping one paragraph and continuing:

9 "Premier YONAI came to Hayama from Tokyo at
10 6:40 P.M. and explained the details of the resigna-
11 tion en bloc. It was about as I have set it down. As
12 a result of the conference of the three chiefs it was
13 said that although the selection of a successor was
14 not being refused, it was difficult to choose one and
15 no forecast was possible.

16 "Premier YONAI in announcing to the Cabinet
17 his decision in favor of a resignation en bloc did
18 not as was usual in the past call each minister
19 separately to his room and talk to him. Instead he
20 assembled all the members in the cabinet meeting room
21 and stating first that this was not a cabinet meeting,
22 expressed his decision. At this, War Minister HATA
23 scowled, but straightway stood up and made a speech.
24 That is the story.

25 "At this time I communicated to the Premier

1 His Majesty's opinion which I had previously learned
2 and the Premier was deeply moved.

3 "After supper the Premier was received in
4 audience by the Emperor and tendered the resignation.

5 "I was received in audience at 7:40 P.M. and
6 was requested to choose a successor. To this I re-
7 plied that in response to the order I would request
8 a council of the Senior Statesmen tomorrow in the
9 Palace to discuss the matter.

10 "In the course of my audience with the Em-
11 peror, the Emperor told me the circumstances sur-
12 rounding his summoning of War Minister HATA at the
13 time when the Imperial order for cabinet formation
14 was given to Admiral YONAI.

15 "The Emperor said that he had not shown him
16 any special favor, although there was a gross mis-
17 understanding about the matter. He had been told
18 that KONOYE also was of the opinion that it would be
19 well to question HATA and that YUASA, too, thought
20 that questioning would be all right. He had called
21 HATA and had asked him whether the Army was willing
22 to cooperate with YONAI, to whom he, the Emperor,
23 had given the Imperial order. As HATA had replied
24 that the Army would cooperate, the Emperor had said
25 that that was fine and had not given any orders."

1 "17 July, Wednesday" -- next page. (Reading)

2 "Mrs. Keiko SOMA called. After a short talk
3 with her I went to the office at 10. Before 1 o'clock,
4 in response to the invitation telegram from Grand
5 Chamberlain MOMOTAKE, President HARA of the Privy
6 Council and six former Premiers, WAKATSUKI, OKADA,
7 HIROTA, HAYASHI, KONOYE and HIRANUMA, assembled in
8 the West Ante-Chamber of the Palace, and from 1
9 o'clock a meeting was held in the West No. 2 Room to
10 select the head of the incoming cabinet following the
11 presentation of resignation by Premier YONAI.

12 "The meeting was opened with a speech by
13 Assistant Grand Chamberlain KANROJI, who acting in
14 place of the Grand Chamberlain conveyed His Majesty's
15 opinions and thoughts.

16 "Then I stated to them that I had been told
17 by the Emperor to consult the Elder Statesman about
18 the matter to report the result to the throne; that
19 the meeting had been called today to enable a frank
20 exchange of views on the subject; that the meeting,
21 because of the nature of the matter to be discussed,
22 could not be called a conference, and consequently
23 the decision would not be put to such a formality as
24 voting; and that their informal talk and free and
25 frank exchange of views were requested so as not to

1 leave anything undone regarding the selection of the
2 succeeding premier.

3 "HARA--All I know about the reason for the
4 resignation of the YONAI Cabinet is from the news-
5 papers. If you know the truth I would like to hear
6 about it.

7 "Lord Privy Seal--I don't know the details
8 but the gist of what I learned of the situation from
9 Premier YONAI yesterday at HAYAMA is as follows: The
10 Army thinks that the present cabinet is not adequate
11 to carry out a policy which will suit the present
12 ever-changing world situation and which will not be
13 regretted later. It seems to show also a tendency to
14 favor a political reapproachment with Germany and
15 Italy. It also feels that even in domestic affairs
16 the government, being separated from the people, will
17 be unable to obtain satisfactory results in a number
18 of policies, and that unless the political structure
19 is strengthened, the government will be unable to
20 cope with the present emergency. In a word since the
21 War Minister's opinion is different from that of the
22 present cabinet, he cannot fulfill his duty as the
23 leader of the Army. Hence he has come to the point
24 of resigning.

25 "WAKATSUKI: I feel that there is no one fit

1 for the Premier's post at this time except Prince
2 KONOYE. I hope Prince KONOYE will take the field.

3 "HARA: It would be fine if Prince KONOYE
4 took the field.

5 "HIRANUMA, HAYASHI, OKADA: We quite agree
6 with Baron WAKATSUKI's opinion.

7 "Prince KONOYE: In view of the circumstances
8 leading to the general resignation of the YONAI cabi-
9 net, the one to take charge of the present situation
10 should be well versed in military affairs with a full
11 understanding of them. As I do not have such ability,
12 and have made no preparations for it, I would like to
13 see someone more fit for the post selected.

14 "Lord Keeper of the Privy Seal: I have
15 heard that the views of the military leaders are
16 overwhelmingly in favor of Prince KONOYE's taking the
17 field. Besides, there are points in the present
18 actions of the army which may be understood as having
19 been based on the assumption that Prince KONOYE would
20 rise. I do not think that there is any other person
21 fit for the post. I earnestly hope that Prince
22 KONOYE will come forward.

23 "HIRANUMA: It is a bad example that the
24 cabinet should fall on account of the War Minister's
25 resignation, and it is regrettable that we have often

1 had such examples. It should be that a successor
2 would be found and the cabinet be able to continue.
3 However, because in practice the custom has come
4 about of having the three chiefs make the recommenda-
5 tion, such situations as today's arise. It is rea-
6 sonable that Prince KONOYE is concerned over this
7 point, and I feel sorry for him having to take the
8 field at this time. However, since we cannot find
9 anyone else fit for the post, there is nothing for
10 it but to earnestly ask Prince KONOYE to come for-
11 ward. Moreover, since we are in this difficult
12 position it is needless to say that every quarter
13 not to speak of ourselves should endeavor to make it
14 easy for the Prince to manage his task.

15 "HIROTA: It seems the China Incident cannot
16 be easily settled if the cabinet is as weak as it has
17 been, and there is no other way but to continue the
18 present state of affairs. Judged from this view
19 point, it would also be a good thing to have a suitable
20 military man capable of working closely with the
21 Army and Navy. However, there is no such man. Be-
22 sides, since the military themselves wish it there
23 is no problem about asking Prince KONOYE to take the
24 field. Lately we have had all kinds of rumors. The
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1 Lord Privy Seal must have made quite an investigation
2 of them.

3 "Lord Privy Seal: As I have said before,
4 according to the information we have received, various
5 rumors are prevailing, but generally speaking, there
6 is a strong hope that Prince KONOYE will take the
7 field. Also at this time when the end of the China
8 Incident is gradually approaching, I feel that a large
9 section of the public is of the opinion that there
10 is no suitable person other than Prince KONOYE to
11 form a strong cabinet.

12 "Lord Privy Seal: I can easily see that
13 you generally agree upon Prince KONOYE. After con-
14 sulting the Elder Statesman, KIDO will report the
15 reply to the throne.

16 "Things took place as I have noted and the
17 meeting was closed at 1:30 p.m. I sent Chief Sec-
18 retary MATSUKAIRA to OKITSU by the 3:00 p.m. train to
19 see Prince SAIONJI. Their Majesties returned from
20 HAYAMA at 5:10 p.m. At 6:36 Chief Secretary MATSUDAIRA
21 telephoned me from Prince SAIONJI's villa at OKITSU
22 that as the old prince was not only sick at that time
23 but also knew little of the political situation, he
24 could not take the responsibility of replying to the
25 throne. So I answered that I understood. I was

1 received in audience by His Majesty at 7:00 p.m. I
2 informed Him of the result of the meeting and of
3 Prince SAIONJI's reply. Although Prince SAIONJI's
4 reply to the throne was inevitable because of ad-
5 vanced age, His Majesty in order to show his respect
6 wishes to ask the Elder statesman hereafter also.
7 However, as I felt sorry to see the GENRO pressed
8 for a reply, I asked the Emperor to call Prince
9 KONOYE leaving that matter as it was. His Majesty
10 gladly accepted my request. Accordingly the Emperor
11 had the Grand Chamberlain summon Prince KONOYE by
12 telephone. Again I was received in audience by His
13 Majesty. I reported the details of this afternoon's
14 meeting. At that time the Emperor spoke as follows:

15 "When War Minister HATA came to HAYAMA to-
16 day to report to the throne on personnel, he told me
17 what the opinion of the army is. Generally it was
18 the same as that which KIDO had heard from HONAI yes-
19 terday. I told him that this business was very re-
20 grettable, but I felt it was one consolation that we
21 could see where the responsibility lay, although
22 there had been up till now many uncertain attitudes.
23 HATA, who was once Chief Aide-de-Camp and who knows
24 how busy I am at such times, was extremely sorry and
25 had tears in his eyes."

1 "I retired from the Imperial presence at
2 7:40 p.m. On that occasion the Emperor asked me
3 whether he might give KONOYE some advice, it being of
4 a simple matter, which KIDO also had once mentioned.
5 That is, that KONOYE should be prudent especially
6 in the choice of Foreign and Finance Ministers at this
7 time when the situation at home and abroad is grave.

8 "Of course I replied that it would be a good
9 idea to do so.

10 "Prince KONOYE came to the Imperial Palace
11 at eight. After having talked with me for a short
12 time, he went into the Imperial presence and received
13 the Imperial command. I am told that on that oc-
14 casion the Emperor gave him the foregoing advice. He,
15 after having retired from the Imperial presence,
16 again talked with me. He told me that he would go
17 to the Peers' Club after that on that day and would
18 invite the War and Navy Ministers. He intends to ask
19 the War Minister to select a person who can cooperate
20 with the Navy and the Navy Minister, to choose a
21 person who can cooperate with the Army. He will
22 wait till the selection is made and on the next day
23 or the day following will have the Foreign Minister
24 join them for a full discussion of national defense,
25 diplomacy, cooperation between Army and Navy and the

1 relation between the Supreme Command and the Govern-
2 ment. And only after they come to an agreement in
3 their views will he begin selecting the other Cabinet
4 Ministers. He said that he wished to have KOREMATSU
5 as his secretary and asked me to use my influence for
6 that purpose. He left at 8:40.

7 "I was summoned by His Majesty and received
8 in audience at 8:45. I reported on Prince KONOYE's
9 policy in regard to the formation of the cabinet.
10 The Emperor seemed to be satisfied with it. I re-
11 tired from the Imperial presence at 9:10. I reached
12 home at 9:30. I received a treatment from Doctor
13 WATANABE."
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1 MR. McKINNEY: Prosecution document 4028C
2 is offered in evidence. It is a telegram from the
3 German Ambassador in Tokyo for the German General
4 Staff.

5 THE PRESIDENT: Admitted on the usual terms.

6 CLERK OF THE COURT: Prosecution's document
7 No. 4028C will receive exhibit No. 533.

8 (Whereupon, the document above referred
9 to was marked prosecution's exhibit No. 533 and
10 received in evidence.)

11 MR. McKINNEY: (Reading)

12 "Telegram (Secret Cipher Process)

13 "Tokyo 17 July 1940

14 "Arrival 17 July 1940.

15 "For General Staff, Army Attache Division.

16 "No. 697 of 17.7.

17 "1) In accordance with the Cabinet change,
18 forced by the Army, a speedy Japanese transition to a
19 more active anti-English policy is to be expected. I have
20 strictly confidential information from Japanese General
21 Staff that siege batteries have been already mobilized
22 for attack on Hongkong in the case that it might be
23 necessary.

24 "2) To 340-46gk there: Senior Attache Admiral
25 Wennecker. Execution is fraught with difficulties as

1 question of military questions such as military policy
2 and war economy in Japan, were heretofore predominantly
3 the business of the army.

4 "3) Japanese Army asked through a mediator,
5 if it can count in the future on delivery of captured
6 arms, possibly in settlement for Japanese delivery of
7 raw materials. Reference to Foreign Office W2548g of
8 May 15th according to which discussion by Wehrmacht
9 Attache's on delivery of implements of war is forbidden.

10 "4) Re: inquiry 9563/40g of June 6.

11 "Japanese army ready to deliver; request
12 information re amount. As Nitro-Glycerine and T.N.T.
13 are dangerous to transport as finished products, request
14 information re raw material needs.

15 "5) Can a visa for Inf/Captain TANAKA for
16 a two-year stay as a student in Germany be obtained?
17 Supplement to Tel. N. 645, July 2nd.

18 "MAZKI. OTT."

19 I offer in evidence prosecution's document
20 1632Y to show the military activity of the General
21 Staff at this period.

22 THE PRESIDENT: Admitted on the usual terms.

23 CLERK OF THE COURT: Prosecution's document
24 No. 1632Y will receive exhibit No. 534.

25 ((Whereupon, the document above referred

1 to was marked prosecution's exhibit No. 534 and
2 received in evidence.)

3 MR. McKINNEY: (Reading)

4 "Entry from Marquis KIDO's Diary, 14 July 1940.

5 "14 July Sunday Cloudy.

6 "Went to the Imperial Villa at 2 p.m. in
7 response to the Emperor's request and was received in
8 audience at 2:15. Was asked by the Emperor whether
9 an order (which had been secretly reported by the
10 Prince, the Chief of the General Staff, for heavy
11 artillery mobilization for the purposes of the South
12 China campaign) had been fully cleared with the Govern-
13 ment. I replied that I would ask the Chief Aide-de-
14 Camp to inquire of the War Minister regarding the
15 liaison on this matter, and if the liaison had not been
16 sufficient, I myself would ask the Premier.

17 "Left the Emperor then and at once got in
18 touch with the Chief Aide-de-Camp on that matter.

19 "Learned from the Aide-de-Camp that he had
20 heard as follows from the War Minister: At the Four
21 Ministers' Conference on the 12th (which the Finance
22 Minister was specially invited to attend) the results
23 of a careful study were that since in any case any
24 preparations at all would require a month and a half,
25 they had agreed to push preparations. It was decided
at a cabinet meeting that a further cabinet decision

1 would be required if actual operations were undertaken.
2 After inquiring by phone as to Foreign Minister ARITA's
3 opinion and receiving the same sort of answer as that
4 from the War Minister, I reported in person to the
5 Emperor to the above effect at four o'clock, and the
6 Emperor was pleased to hear my reply.

7 "At that time the Emperor said one thing and
8 another about the change in the government. He said
9 that he still today had faith in the YONAI Cabinet,
10 and that though a change of Cabinet was inevitable
11 in view of domestic and foreign conditions, he wished
12 to have his feelings conveyed to YONAI. I said that
13 I would arrange to have the Emperor's feelings con-
veyed to YONAI at the proper time."

14 Prosecution's documents 4028D, 4028E, 4028F
15 and 4029C, relating to the membership of the new
16 cabinet and the strengthening of Japanese-German
17 relations are offered in evidence.

18 THE PRESIDENT: Admitted on the usual terms.

19 CLERK OF THE COURT: Prosecution's document
20 4028D will receive exhibit No. 535. Document No. 4028E
21 will receive exhibit No. 537. 4028F will receive
22 exhibit No. 538.

23 Correction: Prosecution's document No. 4028D
24 will receive exhibit No. 534.

25 Correction again: Prosecution's document

1 No. 4028D will receive Exhibit No. 535. Document
2 No. 4028E will receive exhibit No. 536. 4028F will
3 receive exhibit No. 537.

4 (Whereupon, the documents above referred
5 to were marked prosecution's exhibits Nos. 535,
6 536, and 537, respectively, and received in
7 evidence.)

8 THE PRESIDENT: Go ahead with the reading
9 of 535.

10 MR. McKINNEY: Document No. 4028D. (Reading)

11 "Telegram. (Secret Cipher Process)

12 "Tokyo 18 July 1940

13 "Arrived 18 July 1940

14 "No. 699 of 18.7. Very urgent:

15 "Appendix to telegram of 17th No. 696.

16 "MATSUOKA just told me through Admiral GODO
17 confidentially that he accepted position of Foreign
18 Minister and asks for friendly cooperation.

19 "OTT."

20 Document 4028E. "Telegram (Secret Cipher
21 Process).

22 "Tokyo: 20 July 1940."

23 THE PRESIDENT: We haven't received those yet.
24 Read 536 so far as material. Leave out those.

25 MR. McKINNEY: All right, sir. (Reading)

1 "Prince KONOYE is building his government
2 in sections. Up till now, in addition to the appoint-
3 ment of MATSUOKA as Foreign Minister, it is certain
4 that Lieutenant General TOJO has been called as War
5 Minister and Admiral YOSHIDA retained as Navy Minister.
6 Yesterday there was long discussion between them and
7 KONOYE re the fundamentals of future foreign and
8 domestic policies, where, according to a press announce-
9 ment, KONOYE obtained agreement. Details not yet
10 known. MATSUOKA's appointment was generally approved
11 by the press, as a new orientation of Japanese for-
12 eign policy is expected from him with certainty.
13 OSHIMA and SHIRATORI. . . (1 group garbled) expressed
14 themselves in a similar vein at press interviews.

15 "OTT."

16 THE PRESIDENT: That is the telegram that
17 was sent and received on the 20th of July.

18 MR. McKINNEY: 4028F. (Reading)

19 "The Counsellor of the Japanese Embassy told
20 me today that during the as yet unfinished creation
21 of the New Japanese cabinet, there was an unusual pro-
22 cedure, viz., that before the completion of the
23 cabinet, 4 of its members -- Prime Minister KONOYE,
24 Foreign Minister MATSUOKA, War Minister TOJO together
25 with, member of the previous cabinet, Navy Minister
YOSHIDA, came together and drew up an authoritative
foreign policy program for the future cabinet. These

1 4 men have the decisive positions in the cabinet.
2 Among other things, their foreign policy program
3 contained a rapprochement with the Axis powers.

4 "WOERMANN."

5 THE PRESIDENT: That is dated the 22nd of
6 July, 1940. Berlin. It doesn't appear what it is.
7 It looks like a memorandum.
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1 MR. LOGAN: If the Tribunal please, perhaps
2 the prosecution could enlighten the defense as to who
3 Woermann is.

4 THE PRESIDENT: Who is he, Woermann?

5 MR. McKINNEY: He is a member of the German
6 Foreign Ministry.

7 MR. CUNNINGHAM: Tokyo or Berlin?

8 MR. McKINNEY: I don't know where he is now.

9 MR. CUNNINGHAM: I mean, where was he at the
10 time?

11 MR. McKINNEY: Berlin.

12 Document 4029-C:

13 "Telegram (Secret Cipher Process). Tokyo,
14 2 August 1940.

15 "A member of the Manchurian State Council and
16 former Manchurian Vice Foreign Minister, OHASHI, has
17 been appointed Vice Foreign Minister. He is known in
18 Berlin because of his visit in 1937."

19 THE PRESIDENT: That is not admitted in evi-
20 dence and we haven't copies of it. The prosecution is
21 becoming slightly disorganized.

22 We have exhibit 537. It has been read. It
23 is this document dated Berlin, 22 July 1940, signed
24 by Woermann. Now we have placed before us a document
25 No. 4029-C. It is a telegram from Ott, opening with a

1 reference to a member of the Manchurian State Council,
2 OHASHI, and with a further reference to Ambassador
3 SHIRATORI. We take that to be tendered, and it is
4 admitted on the usual terms.

5 MR. McKINNEY: Yes, sir.

6 CLERK OF THE COURT: Prosecution's document
7 No. 4029-C will receive exhibit No. 538.

8 (Whereupon, the document above
9 referred to was marked prosecution's exhibit
10 No. 538, and was received in evidence.)

11 MR. McKINNEY: (Reading) "A member of the
12 Manchurian State Council and former Manchurian Vice
13 Foreign Minister, OHASHI, has been appointed Vice
14 Foreign Minister. He is known in Berlin because of his
15 visit in 1937. OHASHI stepped forward repeatedly as a
16 convinced adherent to the German course of Japanese
17 Foreign Policy. His appointment signifies the further
18 strengthening of the influence of the Manchurian group
19 in the new government.

20 "Ambassador SHIRATORI informed confidentially
21 that he had declined the post of Vice Foreign Minister.
22 It is to be considered that he will now be appointed
23 permanent advisor to the Foreign Minister. He believes
24 he can exercise a far-reaching influence in this
25 capacity. OTT."

1 THE PRESIDENT: Mr. Tavenner.

2 MR. TAVENNER: I desire to introduce in evi-
3 dence prosecution document 1632-Z. It is an entry from
4 Marquis KIDO's Diary of 18 July 1940.

5 THE PRESIDENT: Is there some reason for not
6 having these in chronological order? Exhibit 538 is
7 dated 2 August 1940.

8 MR. TAVENNER: There is no reason.

9 THE PRESIDENT: This entry from Marquis KIDO's
10 Diary dated 18 July 1940 is admitted on the usual terms.

11 CLERK OF THE COURT: Prosecution's document
12 No. 1632-Z will receive exhibit No. 539.

13 (Whereupon, the document above re-
14 ferred to was marked prosecution's exhibit
15 No. 539, and was received in evidence.)

16 MR. TAVENNER: I will begin to read begin-
17 ning with the fourth paragraph, near the center of the
18 page. I believe it is the sixth paragraph.

19 "I was again received in audience this after-
20 noon from 2:25 to 2:50. The Emperor stated that the
21 War Minister had just secretly recommended TOJO for
22 War Minister and Tomoyuki YAMASHITA for Inspector-
23 General of the Air Force but that he thought the pro-
24 cedure was wrong, for Prince KONOYE was still in the
25 midst of forming a cabinet and had not yet accepted

1 TOJO for the post, and, as he thought that the action
2 was rather over hasty, he had asked the War Minister
3 whether he did not think the action as being out of
4 order.

5 "Being impressed with the reasonableness of
6 the Emperor's opinion after I had left the palace and
7 on the occasion of my talk with the Chief Aide-de-Camp,
8 after expressing my idea, I told him that I hoped for
9 liaison by the War Minister in order that the present
10 instance might not set a precedent."

11 The Tribunal's attention is directed to those
12 of the accused who, according to their personnel records
13 now in evidence, were called to major positions in the
14 Japanese Government at the time of the change in the
15 cabinet, or within a few months thereafter. They are
16 as follows.

17 THE PRESIDENT: Well, do you want to repeat
18 them all unless they include the accused?

19 MR. TAVENNER: No, sir, only those of the
20 accused.

21 MR. LOGAN: If the Tribunal please, at the
22 commencement of this phase, counsel mentioned all these
23 names, and he has repeated them at least once, and I
24 believe twice, since then during the phase. Now, I
25 cannot see the purpose of doing this continuously during

1 this particular phase of the case. It seems to me that
2 it is rendering undue influence with reference to these
3 particular men at these particular times. He has
4 already stated it. Let it stand at that.

5 THE PRESIDENT: Well, it is an advantage to
6 have our minds readily and correctly informed at vital
7 stages. There is no undue influence in that. It
8 probably would be an advantage to have the names of
9 the accused who were in that cabinet repeated here.

10 MR. TAVENNER: If it please the Tribunal,
11 there is no overlapping of the recital of positions.
12 The previous recital that I made had not included this
13 particular period.

14 THE PRESIDENT: Well, proceed, Mr. Tavenner.

15 MR. TAVENNER: "DOHIHARA, Kenji, appointed
16 Supreme War Councillor, 28 September 1940.

17 "HATA, Shunroku, appointed Military Councillor,
18 22 July 1940.

19 "HIRANUMA, Kiichiro, appointed Minister without
20 portfolio, 6 December 1940, and appointed Home Minister
21 on 21 December 1940.

22 "HOSHINO, Naoki, appointed President of the
23 Planning Board and Minister of State without portfolio,
24 22 July 1940.

25 "KIDO, Koichi, continued to hold the position

1 of Lord Keeper of the Privy Seal, to which he was
2 appointed on 1 June 1940.

3 "MUTO, Akira, appointed Councillor of the
4 South Seas Bureau of the Overseas Affairs Ministry,
5 on 26 December 1940."

6 THE PRESIDENT: We will recess now for fif-
7 teen minutes.

8 (Whereupon, at 1445, a recess was
9 taken until 1500, after which the proceedings
10 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. Tavenner.

4 MR. TAVENNER: OKA, Takasumi, appointed Chief
5 of Bureau of Naval Affairs, the Naval Ministry, and
6 also a member of the Board of Admirals on 15 October
7 1940; appointed Councillor to the Bureau of General
8 Affairs on 7 November 1940; appointed Secretary of the
9 National General Mobilization Council on 8 November
10 1940; appointed Councillor to the Cabinet Planning
11 Board on 21 November 1940; appointed Councillor of
12 the Bureau of Southern Colonization, the Overseas
13 Affairs Ministry, on 26 December 1940.

14 OSHIMA, Hiroshi, re-appointed the Envoy
15 Extraordinary and Ambassador Plenipotentiary in
16 Germany on 20 December 1940.

17 SHIRATORI, Toshio, appointed as Diplomatic
18 Councillor in the Foreign Office on 28 August 1940.

19 TOGO, Shigenori, continued in his position
20 as Ambassador to the Union of Soviet Socialist Re-
21 publics.

22 I offer for identification only prosecution's
23 document 2137 from which I desire to introduce in
24 evidence two separate and distinct documents, one of
25 which is the Cabinet decision of 26 July 1940, and the

1 other of which is the decisions made by the Four
2 Ministers Conference on 4 September 1940 and the
3 Liaison Conference of 19 September 1940. These two
4 separate documents are identified as prosecution's
5 document 2137-D.

6 THE PRESIDENT: Admitted on the usual terms.

7 CLERK OF THE COURT: Prosecution's document
8 No. 2137 will receive for identification only exhibit
9 No. 540.

10 (Whereupon, the document above mentioned
11 was marked prosecution's exhibit No. 540 for
12 identification.)

13 CLERK OF THE COURT: Prosecution's document
14 No. 2137-D will receive exhibit No. 541.

15 (Whereupon, the document above mentioned
16 was marked prosecution's exhibit No. 541 and
17 received in evidence.)

18 MR. TAVENNER: (Reading):

19 "Outline of the Basic National Policy

20 "The world is now on the threshold of a
21 stupendous historic change. New political, economic
22 and cultural orders are in the process of creation
23 on the basis of the growth and development of several
24 groups of nations. Japan is also faced by a great
25 ordeal unparalleled in history. At this juncture,

1 if we are to carry out a national policy truly in
2 consonance with the lofty ideal on which our nation
3 is founded, it is of the most urgent necessity to
4 effect a fundamental renovation of the government
5 administration along all lines, and to march forward
6 toward the completion of a national defence structure,
7 by surmounting all difficulties. The general principles
8 of the basic national policy have been therefore
9 formulated as follows:

10 "1. Basic Policy.

11 "The fundamental aim of Japan's national
12 policy lies in the establishment of world peace
13 in accordance with the lofty ideal of Hakko Ichiu
14 on which the Empire is founded. First of all,
15 it is directed toward the construction of a new
16 order of Greater East Asia built upon a firm
17 solidarity of Japan, Manchoukuo and China with
18 this Empire as the center. We will therefore
19 speedily secure for herself an unshakable national
20 structure such as conforms to the new world situation
21 and march forward toward the realization of the
22 national policy by mobilizing the total strength
23 of the nation.

24 "2. National Defense and Foreign Policy.

25 "In the light of the new external and

1 internal circumstances of the Empire, we will so
2 amplify armaments as to ensure the execution of
3 national policy on the basis of a state structure
4 for national defense through manifestation of the
5 nation's total strength.

6 "The fundamental aim of Japan's foreign
7 policy at present lies in the construction of a
8 new order of Greater East Asia. Attention will
9 be focussed upon a successful settlement of the
10 China Affair, while, by taking a longrange view
11 of the great world change, constructive and elastic
12 measures will be adopted in order to advance the
13 national fortunes of the Empire.

14 "3. Renovation of the Internal Structure.

15 "The urgent task concerning the country's
16 internal administration is to renovate all branches
17 of the government in accordance with the fundamental
18 principle of the national polity, and to lay down a
19 firm foundation for a national defense state structure.
20 For this purpose, we will aim at the realization of
21 the following items:

22 "1. In parallel with the renovation of
23 the educational system in full accord with the
24 fundamental principle of the national polity, we
25 will establish national morality which attaches

1 the first importance to the idea of service to the
2 state by rejecting all thoughts of selfishness and
3 material gains. And we will aim at the encourage-
4 ment of scientific spirit.

5 "ii. We will strive for a coordinated
6 unity of government by setting up a new national
7 political structure.

8 "(a) Organizing the nation anew on the
9 basis of cooperation between government and people,
10 and of service to the state, every man according
11 to his occupation.

12 "(b) Reform of the Diet system so as to
13 conform to the new national political structure.

14 "(c) Creation of a new government
15 service system through fundamental renovation
16 of the administrative methods with a view to
17 effecting unity and expedition.

18 "iii. Establishment of the foundation
19 for a national defense economy on the basis of
20 autonomous construction of the economies of Japan,
21 Manchoukuo and China, with this Empire as the center.

22 "(e) Establishment of Japan's economic
23 self-sufficiency policy, making Japan, Manchoukuo
24 and China as a single unit, and embracing the whole
25 of Greater East Asia.

1 "(b) Execution of a planned economy
2 through cooperation of government and people;
3 especially perfection of a unified control system
4 over production, distribution and consumption of
5 vital commodities.

6 "(c) Establishment of a financial plan
7 aimed at the development of coordinated economic
8 powers; also, strengthening of financial control.

9 "(d) Renovation of the trade policy
10 in line with the new world situation.

11 "(e) Establishment of the measures
12 for self-supply of the nation's daily necessities,
13 especially staple food stuffs.

14 "(f) An epochal expansion of important
15 industries, especially heavy, chemical and machine
16 industries.

17 "(g) An epochal development of science,
18 and rationalization of production.

19 "(h) Improvement and replenishment of
20 transportation and communication facilities in
21 line with the new world situation.

22 "(i) Establishment of a land development
23 plan aimed at the development of the coordinated
24 national strength of Japan, Manchoukuo and China.

25 "4. Establishment of the permanent

1 policies for the enhancement of the mental qualities
2 and physical powers of the people which constitutes
3 the motive force for the execution of national policy,
4 and for the increase of population; and especially
5 fundamental policies for the stabilization and
6 development of agriculture and agricultural com-
7 munities.

8 "5. A decisive measure will be taken
9 to rectify the inequality of sacrifices on the
10 part of the people, attendant upon the execution
11 of the national policy. Welfare measures will be
12 fully carried out, and the living conditions of the
13 people renovated, so as to ensure a living standard
14 truly befitting a stout-hearted and strong-bodied
15 people capable to survive ten years of trials and
16 hardships and surmount the national crisis."
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1 MR. TAVENNER: I offer in evidence prosecution's
2 document 4029-A, 4029-B, 4029 and 1590-C, all four
3 relate to conferences in which Ambassador KURUSU and
4 Foreign Minister MATSUOKA pressed the subject of a
5 renewal of negotiations for closer Japanese-German
6 relations and declared the intention of Japan to
7 construct the so-called "New Order of Greater Asia."

8 THE PRESIDENT: Admitted on the usual terms.

9 MR. TAVENNER: The proper designation should
10 be 1590-A & C.

11 CLERK OF THE COURT: Prosecution's document
12 No. 4029-A will receive exhibit No. 542; document
13 No. 4029-B will receive exhibit No. 543; document
14 No. 4029 will receive exhibit No. 544; and document
15 No. 1590-A & C will receive exhibit No. 545.

16 (Whereupon, the documents above
17 mentioned were marked prosecution's exhibit
18 Nos. 542, 543, 544, 545, and received in
19 evidence.)

20 THE PRESIDENT: Mr. Logan.

21 MR. LOGAN: If the Tribunal please, with
22 respect to document 2137-D, prosecution's exhibit
23 541, I think it is important that the certificate
24 attached thereto be called to the Tribunal's attention.
25 Apparently that document was prepared by the Japanese

1 MR. TAVENNER: I offer in evidence prosecution's
2 document 4029-A, 4029-B, 4029 and 1590-C, all four
3 relate to conferences in which Ambassador KURUSU and
4 Foreign Minister MATSUOKA pressed the subject of a
5 renewal of negotiations for closer Japanese-German
6 relations and declared the intention of Japan to
7 construct the so-called "New Order of Greater Asia."

8 THE PRESIDENT: Admitted on the usual terms.

9 MR. TAVENNER: The proper designation should
10 be 1590-A & C.

11 CLERK OF THE COURT: Prosecution's document
12 No. 4029-A will receive exhibit No. 542; document
13 No. 4029-B will receive exhibit No. 543; document
14 No. 4029 will receive exhibit No. 544; and document
15 No. 1590-A & C will receive exhibit No. 545.

16 ("hereupon, the documents above
17 mentioned were marked prosecution's exhibit
18 Nos. 542, 543, 544, 545, and received in
19 evidence.)

20 THE PRESIDENT: Mr. Logan.

21 MR. LOGAN: If the Tribunal please, with
22 respect to document 2137-D, prosecution's exhibit
23 541, I think it is important that the certificate
24 attached thereto be called to the Tribunal's attention.
25 Apparently that document was prepared by the Japanese

1 Foreign Office during the period from March to June
2 1946, as shown by the certificate attached.

3 MR. TAVENNER: I will read prosecution's
4 document 4029-A in evidence as exhibit 542.

5 THE PRESIDENT: Yes.

6 MR. TAVENNER: (Reading)

7 "Telegraph, Berlin, 1 August 1940.

8 "The Japanese Ambassador, with whom I car-
9 ried out current business today, in the end brought the
10 talk to the role that the new Japanese cabinet would
11 have to play in big politics. KURUSU declared from
12 the beginning that he had not yet received any in-
13 structions from his new government; he was of the
14 belief that they should not wait too long for the
15 definition of the general lines of the new Japanese
16 foreign policy. For his, KURUSU's, own work, two
17 methods could be considered: either he is to wait
18 until his government gives him instructions, or he
19 is to take up a position in accordance with the out-
20 look here so as to advise his government, before it
21 firmly fixes its position. In both cases a talk with
22 us is necessary whether it be with the Foreign Minister
23 of the Reich or with me.

24 "The Ambassador did not go into details but
25 gave some of his own observations which might corres-

1 pond to his personal view of the situation. He be-
2 lieved that Japanese politics must now be orientated
3 by taking a long view. Apparently KURUSU is not think-
4 ing of a speedy end to the war and reckons at any rate
5 on a state of tension which has to be estimated to
6 last for years in which the relations of Japan with
7 Russia and the USA are naturally most important. The
8 Ambassador told me that he is conscious of the fact
9 that the Foreign Minister of the Reich had suggested
10 repeatedly to Japan agreement with Russia. Such an
11 action as well as the Japanese attitude towards USA
12 should be harmonized with the German and also Italian
13 intentions. The Ambassador reminded of the fact that
14 the Reichs Foreign Minister, on the occasion of the
15 visit of Minister SATO, had pictured the German-Japan-
16 ese friendship and cooperation as being very important.

17 "Nevertheless, he, KURUSU, did not know
18 exactly how this cooperation is pictured by us in de-
19 tail, especially if and at what time we wish to see
20 the Japanese weight thrown on the scale of the present
21 conflict. If, for instance, Japan would push, on her
22 part, towards a war and enter into the war against
23 America, while, on the other hand, Germany believed
24 the end of the war near, expecting a quick victory,
25 Japan would, probably, be acting contrary to German

1 wishes. If, however, Japan would not intervene now,
2 the factor Japan, and, especially her fleet, in the
3 triangle Berlin-Rome-Tokyo would by all means have
4 great potentialities in the future.

5 "I had the feeling that KURUSU expects of
6 the new course in Tokyo a tendency towards inter-
7 vention in the war but wished to hear from me, that
8 this /intervention/ would not be quite timely accord-
9 ing to German opinion.

10 "The Ambassador would certainly be grateful
11 if he could obtain a hint in the near future - either
12 through the Reichs Foreign Minister personally or
13 through me - as to which advice he should give his
14 government. He is clear about the fact that this
15 advice must fully lie within the framework of the
16 German-Japanese policy of friendship. He may not be
17 quite certain, however, whether we still regard the
18 Japanese-Russian rapprochement as equally important
19 as hitherto and whether the new Japanese cabinet
20 should follow its anti-Anglo-Saxon course with an
21 accelerated or, possibly, at first with a moderate
22 speed.

23 "Fundamentally, I just accepted the state-
24 ments of the Ambassador and did not anticipate a
25 reply, to be given to them. I opposed his opinion

1 that the war may still last a very long time and
2 may be followed by a still longer period of tension.

3 "To

4 The Reichs Foreign Minister

5 "Signed WEISAECKER."
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1 MR. TAVENNER: I will now read prosecution's
2 document 4029-B in evidence as exhibit 543.

3 (Reading): "By Teletype, Berlin., 2 August
4 1940.

5 "In addition to the memorandum concerning my
6 talk yesterday with the Japanese Ambassador, I would
7 like to add the following: KURUSU's words expressed
8 his hope that Japan may belong to the New Order
9 after the war and that Japan not be forgotten in the
10 new apportionment of the world.

11 "Hereby submitted to the German Foreign
12 Minister. (Signed) WEIZACKER."

13 I will now read in evidence prosecution's
14 document 4029 in evidence as exhibit 544. I will
15 begin reading at the third paragraph.

16 THE PRESIDENT: Who wrote this? Weizsacker?

17 MR. TAVENNER: The third paragraph begins with
18 the words "the specific point".

19 MR. LOGAN: If the Tribunal please, the
20 defense objects to this document. It does not appear
21 to whom it was sent or from whom it was sent.

22 MR. TAVENNER: If it please the Tribunal, it
23 is an enemy captured document found with other enemy
24 captured documents, and it is directed to the state --
25 the Reich Foreign Minister.

1 THE PRESIDENT: It comes within the Charter
2 although it does not bear a signature. That only
3 goes to weight, but coming from that source and being
4 about the subject matter, it may have considerable
5 weight.

6 MR. LOGAN: If the Tribunal please, we don't
7 see how it would be possible for the defense to meet
8 a situation like this not knowing who sent the com-
9 munication. How can we make an investigation into
10 it?

11 THE PRESIDENT: Well, the prosecution should
12 tell us who wrote this if they know, or can find out,
13 but their failure to do either will not render the
14 document inadmissible nor deprive it of weight.

15 How is it that exhibit 545 bears an earlier
16 date than exhibit 544?

17 MR. TAVENNER: The reference to the first
18 paragraph of document 544 shows that it relates to
19 a conference that took place on the first day of
20 August which is the same date as the exhibit to which
21 your Honor just referred. The document in question,
22 although not bearing a signature, shows the Foreign
23 Office file number of the German Government and the
24 context of it shows plainly the matter to which it is
25 addressed.

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1 MR. TAVENNER: (Reading)

2 "The specific point, however, with which
3 KURUSU concerned himself for the longest period of
4 time at his present visit today, was not Japan's re-
5 lationship to Russia, America, or England, but the
6 new order in the so-called Great East Asia sphere,
7 which Japan is aiming at. Ambassador OTT also touches
8 this subject in his telegraphic report, but KURUSU
9 repeated MATSUOKA's statements in greater detail, in
10 the following way: Japan wants to organize the East
11 Asia sphere, including the South Seas, on a broad
12 basis. MATSUOKA mentioned to OTT that Japan wants
13 to create in this area a situation in which there
14 would be no conquest, no oppression, and no exploita-
15 tion. Everybody should come to his rights there.
16 Japan for her part would adhere to these three basic
17 principles, but would then expect that no European
18 or American country would violate these principles.
19 The matter concerns itself with ideals, which if
20 correctly understood, lie in the common interest.
21 KURUSU named Japan, Manchukuo, and China as the core
22 of the Great East Axis sphere, for which he used the
23 term East Asia 'Axis'.

24 "KURUSU went on to say that, though Minister
25 SATO had received the impression of an unchanged

1 friendly German attitude toward Japan here, he was
2 not quite clear on the ways and means of enlarging
3 upon this friendship, and now would be the time to
4 learn the German conception of these Japanese plans
5 for the East Asia sphere.

6 "The Ambassador went so far to say that
7 MATSUOKA and KONOYE, in order to adjust their for-
8 eign general policy and the corresponding cabinet
9 talks in Tokyo would first have to clearly see how
10 we stand regarding the above. KURUSU did not refer
11 to the desinteressement on these overseas problems,
12 which we expressed to the Japanese in May of this
13 year, but it was clear - and he obviously spoke under
14 orders from Tokyo - what he was aiming at.

15 "According to the description by KURUSU,
16 OTT did not allow himself any more than I today to be
17 drawn into this field of discussion.

18 "At the end, KURUSU expressed the hope, to
19 be able to discuss these far-reaching problems soon
20 with the Reich Foreign Minister.

21 "Herewith to the Reich Foreign Minister."

22 I will now read prosecution document No.
23 1590 A and C, in evidence as exhibit No. 545:

24 "AN OUTLINE OF THE CONVERSATION
25 BETWEEN FOREIGN MINISTER MATSUOKA AND

1 GERMAN AMBASSADOR OTT

2 "Foreign Minister MATSUOKA invited German
3 Ambassador OTT and they had a conversation between
4 5 and 6:40 PM on August 1, 1940, the gist of which
5 is as follows:

6 "MATSUOKA: 'I informed you the other day
7 that no talking would be necessary between Japan
8 and Germany, nor you and me. My feeling, however,
9 is just as you know, and as I mentioned it the other
10 day, I am neither pro-German nor pro-British, but
11 so to speak, pro-Japanese. So that I dare to oppose
12 the fact of leaving our destiny to any foreign
13 country or foreigner. But I think that Fuehrer
14 HITLER and Foreign Minister of the Reich must know
15 the fact as well as Your Excellency knows it, that
16 I am one of the proposers and originators of the
17 Japanese-German Anti-Comintern pact. Later, when
18 the problem of the Japanese-German Military Alliance
19 occurred, you saw my attitude and I think it is un-
20 necessary to explain neither my feeling nor my stand-
21 point for Germany and Italy repeatedly. As you may
22 find out easily, both the government and the people
23 have inclined to strengthen the power of the Axis,
24 but it is not decided yet in the cabinet council. I
25 cannot persuade Premier KONOYE and other members of
the cabinet, unless I know at least the outline of
Germany's intention or attitude to the thought I

1 embrace before it will be carried out. In other
2 words, I am very anxious to know what the German
3 attitude is on my point of view, or I am sorry to
4 say that I can hardly carry it out.'

5 "OTT: 'It may be natural but I want to know
6 what Japan is going to do. Without knowing it con-
7 cretely, I think Berlin cannot answer you.'

8 "MATSUOKA: 'I hate, as you know, to use
9 diplomatic or suggestive terms and I may express my
10 thought freely. Japan is intending to establish a
11 new order of Greater East Asia, as made already public
12 by the Japanese Government, in a circle of Japan,
13 Manchoukuo and China including the South Seas, and
14 wishes the liberation and freedom of all nations and
15 races in the sphere, and thus is planning to increase
16 their mutual and common profit aiming at co-prosperity.
17 Speaking in the other way, I oppose subjugation and
18 exploitation. I object to them even if made by Japan.
19 Of course, some Japanese may be planning to subjugate
20 and exploit these regions, but they are taught to do
21 so by some Europeans and Americans, and so, they are
22 those influenced by America and Europe. I oppose
23 absolutely these means whether they might be done by
24 Japanese or European and American powers. I have
25 determined to resist and dispute if Japan would dare

1 to commit such deeds. There are fairly many Japanese
2 who have the same opinion as mine, that is, to wish
3 all the people to get mutual and common advantages and
4 to attain mutual prosperity. Japan does not refuse
5 to have these regions entered by Europeans and Amer-
6 icans, nor will expel them from the sphere. I believe
7 this very principle will bring immediately a large
8 profit to Americans and Europeans too. You may have
9 some doubt in what I said, surveying the present
10 China Incident superficially, but if enough time is
11 given, Japan will realize surely this idea as well
12 in China.

13 "Now, as I believe, Japan can manage by
14 herself in what concerns China, and I didn't question
15 Germany about it. But I would like to know what
16 attitude Germany will assume towards the aforecited
17 Japanese ideal or course on the South Seas? What will
18 Germany want to gain in the South Seas? And what does
19 Germany want and what can it do as regards Russo-
20 Japanese relations? As for the American-Japanese
21 relations, I always think the future world civiliza-
22 tion will belong to the Pacific civilization in which,
23 I believe, both Japan and America will play great
24 roles, and so the relation between both countries is
25 an important matter affecting a serious influence on
tomorrow's human beings. I wish to know what Germany

1 wishes to do toward what she can do and what she
2 requests of America or Japan from this overall view-
3 point. But, excepting this for the present, as it
4 is a too large and too distant a problem I want to
5 know what Germany wishes to do towards America and
6 what she can do for the sake of Japan in the present
7 situation in the relation between Japan and America
8 which you well know.'

9 "OTT: 'It is quite natural of your opinion,
10 but I want to know, first of all, of your meaning
11 of the bounds of the South Seas.'

12 "MATSUOKA: 'In my personal opinion, I
13 include as far as Siam for the present in the
14 sphere, but it may be extended by and by in the
15 future according to any change of circumstances.

16 "OTT: 'This is my personal opinion too.
17 As to the South Seas, Germany has three big view-
18 points. Germany is now in the war against Great
19 Britain, but there is a possibility of developing
20 into a war against whole British Empire (war of des-
21 troying the British Empire) in the future. The
22 South Seas, for Germany, must be seen from this point
23 of view. This is (1) Germany must consider what
24 should be done for her, with the South Seas, when
25 the war develops to such conditions, (2) just what

1 things and how much should be necessary to be required,
2 (3) after all, the problem depends upon the German
3 attitude of how to settle and how to keep her with
4 Japan and the South Seas. Looking from such a broad
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1 standpoint at the war against Britain, the China
2 Incident is simply an incident, isn't it? And I
3 think, too, apart from this worldwide confusion and
4 movement, the China Incident cannot be solved. Don't
5 you think so?'

6 "MATSUOKA: 'I think I can agree with the
7 last part of your personal opinions, and once sent a
8 discourse of that fact to a magazine. At present, as
9 you know, most of our people regard the China Incident
10 as one of the most urgent matters to be settled. I,
11 as Foreign Minister, cannot help considering the
12 opinion of our people. The China Incident forms a
13 part of the world-wide confusion indeed. However, it
14 is the grave question for Japan to dispose of.'

15 "OTT: 'How does Japan intend to settle
16 China?'

17 "MATSUOKA: 'To knock CHIANG KAI-SHEK down
18 completely is intended.'

19 "(The Ambassador seemed a little startled.)

20 "OTT: 'It must be a means; but are there not
21 any possibilities of consulting with CHIANG? I think
22 it is a wise means to consult with him.'

23 "MATSUOKA: 'I do not entirely refuse to
24 confer with CHIANG, but there is no other means than
25 to knock him down because of the Japanese characteristic

1 viewpoint. I think, at present, he has to be sub-
2 jugated thoroughly. Of course, means of arms is not
3 the only one. At any rate, however, I believe that
4 Japan, by her power alone, is able to settle the
5 China Incident.'

1 I offer in evidence three documents for the
2 purpose of showing strong action on the part of the
3 Japanese government officials in promoting Japanese-
4 German coalition and in making preparations for the
5 execution of their plans for expansion. The first
6 is prosecution document 4028-G.

7 THE PRESIDENT: The last document, the docu-
8 ment mentioned, 4028-G, is admitted on the usual terms.

9 CLERK OF THE COURT: Prosecution's document
10 No. 4028-G will receive exhibit No. 546.

11 (Whereupon, prosecution's exhibit
12 No. 546 was received in evidence.)

13 MR. TAVENNER: (Reading)

14 "TOKYO: 31 July 1940.

15 "According to reliable information, the
16 Japanese action against the British Spy Service,
17 organized all over the land, was carried out at the
18 demand of the new War Minister, Tojo. The War Minister
19 is hereby pursuing two aims.

20 "1. Acute aggravation of Anglo-Japanese
21 relations, to drive them as much as possible to a
22 breaking point and to hasten the action against British
23 possessions in East Asia desired by the Army.

24 "2. A blow against the influential pro-British
25 groups-viz court and economic circles - which, impressed

1 by the energetic action, will be dissuaded from
2 further pro-British activity. OTT."

3 The second is prosecution document 4029-E.
4 It is a telegram from the German ambassador in Tokyo
5 to the German Foreign Minister.

6 THE PRESIDENT: Admitted on the usual terms.

7 CLERK OF THE COURT: Prosecution's document
8 No. 4029-E will receive exhibit No. 547.

9 (Whereupon, prosecution's exhibit
10 No. 547 was received in evidence.)

11 MR. TAVENNER: The three Japanese demands
12 referred to in this telegram, as well as those shown
13 in the next phase of this case, are related to demands
14 of the French government for allowance of Japanese
15 forces to be sent for operations against China, to
16 pass through the Tonkin province and to recognize
17 the use of airfields in that province by the Japanese,
18 and to furnish facilities for transporting arms and
19 ammunition.

20 THE PRESIDENT: Admitted on the usual terms.

21 CLERK OF THE COURT: Prosecution's document --
22 That has been admitted, has it not?

23 THE PRESIDENT: 547, yes.

24 What is the purpose of separating this from the
25 other matter you just described?

1 MR. TAVENNER: All three of these telegrams
2 relate to the same subject matter. This is the third
3 of the group.

4 THE PRESIDENT: This is a reference to the
5 three Japanese demands. Why not tender the document
6 showing those, if you have one, now?

7 MR. TAVENNER: I have a document, 985, which
8 shows the three demands. The letter containing it
9 is one of a group of letters in a document to be pre-
10 sented in the next phase of the case -- a rather
11 extensive document. I do not object, of course, to
12 present it here, if the Tribunal sees fit.

13 THE PRESIDENT: Your explanation is sufficient
14 for the time being.

15 MR. TAVENNER: (Reading)

16 "Telegram

17 "23 August 1940" --

18 "Will you strike that.

19 "Telegram

20 "Tokyo, 15 August 1940

21 "URGENT!

22 "The Foreign Minister sent just now the head
23 of the European Dept. to instruct me about the following:

24 "The French Ambassador had today changed the
25 previously announced basic acceptance of the three

1 Japanese demands regarding Indo-China to the attitude
2 that France wanted first a Japanese guarantee for
3 renouncement of all territorial claims and only then
4 would she decide about the considerations of the
5 Japanese demands. The Foreign Minister had urgently
6 demanded the French Ambassador to advise his government
7 to maintain their previously announced basic agree-
8 ment. The question of territorial guarantee could
9 be adjusted based on the demanded declaration by the
10 Foreign Minister. The Foreign Minister requests the
11 German government to support the Japanese demands by
12 influencing the French government. (1 group garbled)
13 Ministry Director promised, but it was pointed out that
14 with reference to legalistic statements in Telegram No.
15 654 dated from August 12 that our influence on French
16 policy is limited.

17 "(Signed) OTT."

18 I now offer in evidence prosecution document
19 4029-F.
20

21 THE PRESIDENT: Admitted on the usual terms.

22 CLERK OF THE COURT: Prosecution's document
23 No. 4029-F will receive exhibit No. 548.

24 (Whereupon, prosecution's exhibit
25 No. 548 was received in evidence.)

MR. TAVENNER: (Reading)

"Telegram

"Tokyo 23 August 1940

"1. The Government announces an extensive revirement of the Foreign Service. Recalled are the Ambassador of the U.S., Ambassadors of France, Turkey, Brazil and also nineteen ministers, among them representatives in Hungary, Spain, Finland, Bulgaria, Rumania, Argentina, Egypt, Canada, besides them five embassy councillors among them the councillors from England and Russia and finally eleven Consul Generals, among them the Consuls from New York, Chicago, San Francisco, London, Hamburg, and Prague. The Foreign Minister declared to the press, that this action had become necessary in order to secure the new foreign policy introduced by him and to bring the Japanese Foreign Service into coordination with the new Japanese conditions. For this reason it is also necessary to replace most of the division heads of the Foreign Ministry with new personalities. Publication of these changes will soon take place. The whole press of today is governed by this radical and, in Japanese history, unique revirement, which is called a 'coup d'Etat' in several papers. The drastic action of the government evidently intends in the first place to render harmless the exponents of pro-Anglo-Saxon courses. This is also

1 strongly underlined by the press. Only a few of the
2 recalled officials will be used in other posts.

3 "2. With the aim of further preparation of
4 suitable actions for the adjustment of State affairs
5 on an authoritarian model, the government had formed
6 a commission of 24 leading personalities. Ambassador
7 SHIRATORI was appointed the representative for foreign
8 political matters in the commission. The commission
9 consists mostly of followers of the reform movement and
10 of the policy of cooperation with the Axis powers
11 which is constantly demanded by this movement.

12 "3. Both the diplomatic adjustment and the
13 composition of the commission, show again the efforts
14 of the government to follow a new course.

15 "OTT."

16 I will now read from prosecution document
17 2137-D, in evidence as 541. Beginning on page 7: --

18 THE PRESIDENT: That is a lengthy document,
19 Mr. Tavenner, so we will adjourn now until half past
20 nine tomorrow morning.

21 (Whereupon, at 1556 an adjournment
22 was taken until Wednesday, 25 September 1946
23 at 0930).

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