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INTERNATIONAL PROSECUTION SECTION

Doc. No. 3245

10 Nov 1947

ANALYSIS OF DOCUMENTARY EVIDENCE

DESCRIPTION OF ATTACHED DOCUMENT

Title and Nature: Certified Copy of Memorandum from Prime Minister HIGASHIKUNI to GHQ, Prepared by OGATA, Taketara, Chief Sec'y to HIGASHIKUNI Cabinet

Date: 18 Sep 1945 Original () Copy (x) Language: Japanese

Has it been translated? Yes () No (x)

LOCATION OF ORIGINAL

Unknown

SOURCE OF ORIGINAL: OGATA, Taketara

PERSONS IMPLICATED: Emperor HIROHITO; Prince HIGASHIKUNI; OGATA, Taketara; Baron SHIDEHARA

CRIMES TO WHICH DOCUMENT APPLICABLE: Question of Emperor's Knowledge of Pearl Harbor Plans; U.S.-Japanese Relations

SUMMARY OF RELEVANT POINTS

Document is a certified copy of a memorandum prepared by OGATA, Taketara, Chief Sec'y to the HIGASHIKUNI Cabinet, after consultation with officials of War, Navy, and Foreign Ministries in an attempt to answer questions asked of HIGASHIKUNI at press conference of 18 Sep 1945. Document contains the answer to the question of whether or not the emperor knew of the Pearl Harbor plans.

Original letter written by Prince HIGASHIKUNI to General Diller is not on file and interrogation of Prince reveals that he did not send letter himself but that it was forwarded by his successor, Baron SHIDEHARA.

Analyst: ET GARDEN

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I was Chief Cabinet Secretary in the HIGASHIKUNI Cabinet. I testify that as Chief Cabinet Secretary, I wrote the attached document after consulting the authorities of the Foreign Ministry, the War Ministry and the Navy Ministry and that the answers given by Prime Minister HIGASHIKUNI in a press interview on September 18, 1945 are included in this document.

OGATA, Taketora

Statement of Official Procurement

I, R. H. LARSH, hereby certify that I am associated with the General Headquarters of the Supreme Commander for the Allied Powers, and that the above described document was obtained by me from the above signed official of the Japanese Government in the conduct of my official business.

Signed at Tokyo on this

6th day of November 1947

/sgd/ Richard H. Larsh

Witness: Steve S. Yamamoto
Capt., Inf.

/sgd/

Investigator, IPS
Official Capacity

SECRET OUTLINE OF THE REPLY
CONCERNING RESPONSIBILITY FOR WAR, ETC. (DRAFT)

3 October 1945

I. GENERAL RULES

The following points shall be followed and adhered strictly:

- 1) That we believe that the Empire was compelled to start the Greater East Asia War in view of the surrounding circumstances.
- 2) That the Emperor was exceedingly anxious to conclude peacefully the negotiations between JAPAN and AMERICA.
- 3) That the Emperor, in following the practice established in the application of the Constitution did not reject matters decided by the Imperial Headquarters and the Government in regards to decisions for the commencement of hostilities and the carrying out of plans for operations.
- 4) That in order to make every effort to avoid making a surprise attack while negotiations were in progress, efforts were made to communicate the notifications of the discontinuation of negotiations between JAPAN and AMERICA.

Note: That since we exercised our right of self-defense in the light of the actual circumstances of the economic pressure, etc. imposed on the Empire, we are of the opinion that the provisions of the HAGUE TREATY pertaining to the commencement of hostilities can be nullified.

- 5) That the Imperial Rescript for the declaration of war was of a domestic nature intended chiefly for the people of Japan.
- 6) That we could not deal with England and other countries separately in view of the relations existing between AMERICA and these countries at that time.

II. BY-LAWS

1. Explanations Concerning the Emperor.

(1) That he ordered the government to conclude peacefully by all means, the negotiations between JAPAN and AMERICA and did not abandon this until the final phase.

(2) That the Emperor, following the practice established in the application of the Constitution, did not reject matters decided by the

Supreme Command and the Government in regards to decisions for the commencement of hostilities and the carrying out of plans for military operations.

(3) That prior to the attack on Pearl Harbor, although the Emperor had heard of the outline of military operations in the initial stages from both the Army and Navy Chiefs of Staff, he did not receive any reports concerning the details of the operation.

(4) That he understood that when the above plan of operations was to be carried out, diplomatic measure would be taken towards the American Government before resorting to arms. (However, that he did not have exact legal knowledge as to whether the above notification had to be a notification of the declaration of war as provided in the HAGUE TREATY concerning the commencement of hostilities or again, whether it would be sufficient to notify AMERICA of the discontinuation of negotiations between JAPAN and AMERICA.)

(5) That he signed the Imperial Rescript declaring war at 11:30 a.m., December 8, 1941. (However, that the above Imperial Rescript had only significance within the country since its main purpose was to inform the people that the commencement of hostilities was unavoidable.)

2. Concerning the Prime Minister.

(1) That he believed that in view of the actual circumstances of the economic pressure imposed upon the Empire at that time by AMERICA, BRITAIN, etc. the Greater East Asia War was unavoidable from the standpoint of self-defense.

(2) That the decision for the commencement of hostilities was agreed upon in the Liaison Conference between the Imperial Headquarters and the Government composed of the Chief of the Army General Staff, the Chief of the Naval General Staff, the Prime Minister, the War Minister, the Navy Minister, the Foreign Minister, (the Finance Minister and others participated according to the subjects) and also agreed upon in the Cabinet meeting.

(3) That the outline of operations had been reported to the Emperor by both the Army and Navy and the Prime Minister was well aware of this. (As the matter was a military secret, other government members of the Liaison Conference were kept entirely ignorant of it)

(4) That the notification of political moves and strategy were chiefly carried out by the Prime Minister, and that the Prime Minister took charge of reporting matters concerning the above to the Emperor.

3. Matters Concerning Both the Army and Navy Chiefs of Staff.

(1) That they participated in the decision for the commencement of hostilities as members of the Liaison Conference between the Imperial Headquarters and the Government.

(2) That they reported only the outline of operations for the initial stages to the Emperor. (That the report to the Emperor was to the extent that "HAWAII" was also included in the above outline.)

Notes for (2):

That the outline of the plans for military operations shall be treated as containing merely the bare framework and not including details.

4. Matters Concerning the War and Navy Ministers.

(1) That they participated in the decision to commence hostilities as members of the Liaison Conference between the Imperial Headquarters and the Government.

(2) That they had heard explanations of the contents of the plan for the initial stages of military operations from their respective chiefs of staff. (They were aware that HAWAII was also included in the area of attack.)

Notes for (2):

That in regards to the contents of the plan for military operation, they were aware of not only the outline, but also of the contents entering into considerable details pertaining to military operations for various areas.

5. Matters Concerning the Minister of Foreign Affairs.

(1) That although he exerted his utmost efforts to achieve the peaceful settlement of the Japanese-American negotiations in obedience to the Emperor's wishes, it had finally ended in failure.

(2) That he participated in the decision for the commencement of hostilities as a member of the Liaison Conference between the Imperial Headquarters and the Government.

(3) That he had received no information concerning the plan for military operations and furthermore, since political moves and strategy were unified and reported to the Emperor by the Prime Minister, the Foreign Minister did not have anything to do with this matter.

(4) That in spite of the claims made by the Supreme Command that without a surprise attack during the negotiations with AMERICA, victory would be impossible, he maintained that it was improper to launch an attack before the conclusion of the negotiations and made arrangements to communicate in advance to AMERICA, notification of the discontinuation of the Japanese-American Negotiations.

Notes for (4):

(a) That due to the unexpected length of time required for deciphering and organizing the above telegraphic notification at the Japanese Embassy in AMERICA, the notification to the American Government was delayed.

(b) That in view of the objective situation existing immediately before the opening of hostilities, the situation was such that it could not be calculated when the right of self-defense would be exercised after notification of the discontinuation of the Japanese-American negotiations is sent to America and it was under such a situation when no information was obtained of the plans of operations, that the attack on Pearl Harbor was made, and that as a consequence, we could not actually transmit notice of the declaration of war as prescribed in the HAGUE TREATY concerning the commencement of hostilities.

(5) That in regards to relations with BRITAIN, the situation was such that in view of the Anglo-American relations existing at that time, it was expected that the final notice to America and the exercise of military forces would be transmitted immediately from the American Government to the British Government and to others.

余ハ東久逢内閣ノ内閣書記官長ナリキ
別紙文書ハ余カ内閣書記官長トシテ外務陸軍
海軍ノ各事務ト協議ノ上^作製セルモノニシテ一九四五
年九月十八日東久逢總理大臣カ新聞記者ト
會見セル際與ヘルニ回答ハ此文書中ニ言コル所
ルコト確實ナリ

緒方竹虎

F. Ogata

極秘

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3245

戰爭責任等ニ關スル應答要領(案) 昭和二〇・一〇・三

第一、一般通則

- 左ノ諸點ニ準據シ之ヲ堅持スルコト
- (1) 大東亞戰爭ハ帝國ガ四圍ノ情勢ニ鑑ミ已ムヲ得ザルニ出デタルモノト信ジ居ルコト
 - (2) 天皇陛下ニ於カセラレテハ飽ク迄對米交渉ヲ平和裡ニ妥結セシメラレシコトヲ御軫念アラセラレタルコト
 - (3) 天皇陛下ニ於カセラレテハ開戰ノ決定、作戰計畫ノ遂行等ニ關シテハ憲法運用上確定セラレ居ル慣例ニ從ハセラレ大本營、政府ノ決定シタル事項ヲ却下遊バサレザリシコト
 - (4) 日米交渉繼續中ニ奇襲ヲ加フルコト極力避ケンガ爲日米交渉打切りノ通告ノ通達方努力セルコト
- 註 當時帝國ニ加ヘラレタル經濟的壓迫等ノ實情ニ照シ我方ハ自衛權ヲ發動シタルモノニシテ開戰ニ關スル海牙條約ノ規定ハ

外務省

阻却セラレ得ルモノナリトノ見解ナリシコト

(5) 宣戦ノ大詔ハ主トシテ國民ヲ對象トスル對内的ノモノナルコト

(6) 英國其他ニ關シテハ當時ノ米國ノ英國其他ノ諸國トノ關係ニ鑑ミ
之ヲ分離シ取扱フコトヲ得ザリシコト

外務省

第二、細則

一 陛下ニ關スル説明

- (1) 飽夕迄日米交渉ノ圓滿妥結方ヲ政府ニ御命令アラセラレ最後ノ段階ニ至ル迄之ヲ御斷念アラセラレザリシコト
- (2) 開戦ノ決定、作戰計畫ノ遂行等ニ付テハ統帥部、政府ノ決定シタルモノヲ憲法運用上ノ慣例ニ從ハセラレ之ヲ却下遊バサレザリシモノナルコト
- (3) 眞珠灣攻撃以前ニ於テ陸海軍兩幕僚長ヨリ初期作戰ノ大綱ニ付キテハ聽キ及バレタルモ實施細目ニ關シテハ報告ヲ受ケ居ラレザリシコト
- (4) 右作戰計畫ヲ實施ニ移スニ際シテハ武力行使ニ入ルニ先チ米國政府ニ對シ外交上ノ措置ヲ講ズルモノト了解遊バサレ居リシコト（但シ右通告ガ開戦ニ關スル海牙條約ノ規定スル宣戰布告ノ通達タルヲ要スルヤ將又日米交渉打切りノ對米通告ニ

テ充分ナリシヤニ關シテハ嚴格ニ法律的ニ御承知相成リ居
ラレザリシモノナルコト

(5) 宣戰ノ詔書ハ昭和十六年（一九四一年）十二月八日午前十一
時三十分御署名相成ラレタルコト（但シ右詔書ハ國民ニ開戰
ガ已ムヲ得ザルニ出デタルモノナルコトヲ御垂示相成ラレン
ガ爲ノモノニシテ主トシテ國內的意義ヲ有スルモノナルコト）
ニ内閣總理大臣ニ關スル件

(1) 大東亞戰爭ハ當時帝國ニ加ヘラレタル米英等ノ經濟的壓迫等
ノ實情ニ照シ自衛上已ムヲ得ザルニ出デタルモノナリト信
ジタルコト

(2) 開戰ノ決定ニ關シテハ參謀總長、軍令部總長、内閣總理大臣、
陸軍大臣、海軍大臣、外務大臣等（問題ニ依リテハ大藏大臣
等参加）ヲ以テ構成スル大本營政府連絡會議ニヨリ議定セラ
レタルコト及ビ開戰ニ於テ議定セラレタルコト

- (3) 作戰ノ大綱ハ兩幕僚長ヨリ奏上セラレ居リ内閣總理大臣ハ之ヲ知悉シ居リタルコト(他ノ連絡會議構成員ニハ軍事機密ナルヲ以テ全然之ヲ示シ居ラレザリシモノナリ)
- (4) 政戰兩略ノ統合ハ主トシテ内閣總理大臣ニ依リテ行ハレ右ニ關スル奏上モ專ラ内閣總理大臣之ニ當リタルコト

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陸海軍兩幕僚長ニ關スル件

(1) 開戦ノ決定ニハ大本營政府連絡會議ノ構成員トシテ關與セハ

コト

(2) 初期作戰ノ大綱ノミヲ 陛下ニ奏上シタルコト

(右大綱中ニハ「ハワイ」モ含まレ居ル旨ヲ奏上シタル程度ナルコト)

(2) ノ註

作戰計畫ノ大綱ハ眞ニ骨子ノミニ止メ細部ニ亘ラサリシコトトシテ處理スルコト

陸海軍兩大臣ニ關スル件

(1) 開戦ノ決定ニハ大本營政府連絡會議ノ構成員トシテ關與セル

コト

(2) 初期作戰計畫ノ内容ニ關シテハ夫々兩軍幕僚長ヨリ説明ヲ請キ及ヒアルコト(攻撃地トシテ「ハワイ」モ含まレ居ルコトハ承知シ居タルモノナリ)

外務省

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(2)ノ註

作戰計畫ノ内容ハ單ニ大綱ニ止マラス各方面ノ作戰ニ關シテ
モ相當程度ノ内容ニ觸レ承知シ居タルコト

五 外務大臣ニ關スル件

(1) 日^米交渉ノ圓滿妥結方 陛下ノ御思召ヲ体シ極力之カ達成ニ
努メタルモ遂ニ不成功ニ終リタルコト

(2) 開戦ノ決定ニ關シテハ大本營政府連絡會議ノ構成員トシテ關
與シタルコト

(3) 作戰ノ計畫ニ關シテハ全然通報ヲ受ケ居ラサリシノミナラス
政戦兩略ノ統合及右ニ關スル奏上ハ内閣總理大臣之ニ當リ外
務大臣ハ之ニ與ラサリシコト

(4) 對米交渉中ニ奇襲ヲ加フルニ非ラスンハ到底勝算ナシトノ統
帥部ノ要請アリシモ少クトモ交渉終結セサル裡ニ攻撃ヲ加フ
ルコトハ不可ナルコトヲ主張シ日米交渉打切りノ對米通告ノ
事前通達方手配シタルコト

(4) 註

(イ) 右通告電報カ在米日本大使館ニ於テ解讀及整備迄ニ意外ノ長時間ヲ要シ米國政府ヘノ通達遅レタルコト

(ロ) 開戦直前ニ於ケル客觀的情勢ニ鑑ミ日米交渉打切ノ對米通告ノ通達後ハ何時自衛權ノ發動ヲ見ルヤモ測ラレサル狀態ニ在リシ處何等作戰計畫ニ關スル通報ヲ得サル裡ニ眞珠灣等ノ攻撃ヲ見タル實情ニシテ從テ開戦ニ關スル海牙條約ノ規定スル宣戰布告ノ通達ハ之ヲ事實上ナシ得サリシコト

(5) 對英關係等ニ付テハ當時ノ米英關係等ニ鑑ミ最後ノ對米通告及武力發動カ即時米國政府ヨリ英國政府等ニ轉達セラルヘキ狀態ニ在リタルコトト豫期シ居リタルコト

公式入手ニ關スル證明

余、R. H. ラーシュハ、余が聯合國最高指揮官總司令部ニ關係アルモノナルコト、茲ニ上記題名ノ文書ハ余が公務上、日本政府^宛上記署名官吏ヨリ入手シタルモノナルコトヲ茲ニ證明ス。

千九百四十六年^七 / 昭和二十二年 / 十一月 八 日

東京

ニ於テ署名

氏名

Richard H. Larsh

右ノ者ノ公的資格 Investigator, IPS

證

Steve A. Yamamoto, Capt. Jap.

Interpellation of the clarity of the
National Policy.

~~2 Feb~~