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INTERNATIONAL PROSECUTION SECTION

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11 June 1948

ANALYSIS OF DOCUMENTARY EVIDENCE

DESCRIPTION OF ATTACHED DOCUMENT

Title and Nature: Foreign Office Papers concerning China Incident

Date: Jan 1938 Original (x) Copy ( ) Language: Japanese

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

LOCATION OF ORIGINAL

IPS Document Division

SOURCE OF ORIGINAL: Foreign Office

PERSONS IMPLICATED: None

CRIMES TO WHICH DOCUMENT APPLICABLE: China Aggression

SUMMARY OF RELEVANT POINTS

Includes

(1) Statement of 16 January 1938 to the effect that "the Imperial Government is now inclined not to regard the Nationalist Government as the party whom we have to deal with henceforth, and anticipating the establishment and growth of a new regime of China qualified to maintain a real collaboration with the Empire, we intend to work with it to bring about rapprochement between the two nations..."

(2) Fundamental Policy for Managing the Chinese Incident (Decision of the Council in the presence of the Emperor on 11 January 1938) including details of conditions for Japan-China peace negotiations.

Analyst: J HOYT

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IMT 631

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TOKYO ASAHI - SHIMBUN, 11 Jan 1938

Grave our Chinese policy.

Historical Council in the Imperial presence will be held today. After the cabinet meeting, the premier petitioned the Imperial sanction for the council.

Since our Chinese policy was formally decided in the special cabinet meeting on the 10th, Premier KONOE proceeded to the palace at 4:24 p.m. of the same day and was received in audience; he reported the decision of the cabinet and after replying to the Imperial inquiry, petitioned the Imperial sanction for the council in the Imperial presence.

The historical council in the Imperial presence, therefore, is to be held 2:00 p.m., 11th, in the palace in the presence of Emperor with chief officers of the Imperial Headquarters, and the President of the Privy Council will be present to deliberate on establishing the Imperial government's firm Chinese policy.

Those present in the council are:

Government:

Premier KONOE  
Foreign Minister, HIROTA  
War Minister, SUGIYAMA —  
Navy Minister, YONAI  
Home Minister, SUETSUETSUGU *≠ Sugamoto*  
Finance Minister, KAYA. — *Sugamoto*

Headquarters:

H.I.H. KANENUNMIYA Chief of Staff  
H.I.M. FUSHIMINOMIYA, Naval Chief of Staff  
Vice Chief of Staff, TADA  
Vice Naval Chief of Staff, KOGA.

*Re declaration  
of war -  
today permit*

IMT 631

16th Jan., 1938, TOKYO ASAHI SHIMBUN

Cooperation with the Chinese New Rising Government

Ignoring the National Government

The Imperial government issue statement today to the world.

1938年1月16日  
連日會議  
A

The important joint council between the general staff and the government was opened again on 3:00 p.m. on the 15th continuing from the forenoon meeting. Both Highnesses were present. The concrete methods in performing the firm policy towards China as decided in the cabinet meeting on the 14th between Premier KONOYE, five cabinet members and two vice chiefs of staff and the draft of statement to be made public were decided upon after careful consideration and at 4:40 p.m. the meeting took a recess again. At 7:30 p.m. it opened again and after final consultations it closed at 7:40 p.m.

The government, therefore, held a special cabinet meeting at 8:00 p.m. at Premier's official residence after reporting on the progress of the joint council, final decision of the statement was made and at 8:10 p.m., it was adjourned. The important statement was to be made at noon on the 16th by the cabinet. The outline of the statement is as follows:

1. The Imperial government has endured until today waiting for the Chinese to reconsider. But the Chinese have shown no trace of reconsideration, and are manifesting false show of power to antagonize Japan. Therefore the Imperial government will no longer deal with Chinese National Government, but will advance with the policy of punishing it.
2. At the same time, the Imperial government expects the Chinese new government to establish the lasting peace of East Asia and cooperate with it.
3. We, however, respect the rights and interests of the third power.
4. Since the situations have come to this, the people should face the long war and be prepared to realize the national unity.

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**Fundamental Policy for Managing Chinese Incident**

(Decision of the Council in the presence of Emperor on January 11, 1938.)

The Empire's unchangeable national policy consists in organization of axis of peace in Orient, in concert with Manchukuo and China, through which foundation the Empire contributes to the world's peace.

According to this national policy, as to the management of the Chinese Incident, it is rendered the ultimate purpose to clear up all of disputes in the past between Japan and China, to reconstruct national relation of both countries from the higher point of view and to effect the true aim of entire conciliation, respecting sovereignty and territory of each other. First, we give security necessary for suppression of relapse of the Incident and, at the same time, we set firmly the following subjects between both countries:

- (1) Japan, Manchukuo and China abolish policy, education, commerce or all other measures which destroy the mutual friendly relations, as well as actions which will lead us to the said harmful results.
- (2) Japan, Manchukuo and China expect realization of concert in culture and anti-communism policy in co-operation with each other.
- (3) Japan, Manchukuo and China, in the scope of industry, economy, etc., promise cooperation and reciprocity according to the principle of "balancing merits and demerits together and ministering to each other's wants."

In accordance with this policy, the Empire expects to carry into effect appropriately the following subjects, through closely connected enforcement of military and political tactics:

- (1) If the existing Chinese Central Government reflect upon itself and reconsider and seek peace in all sincerity, we get into negotiation with it, being based on annexed (A) conditions of peace negotiation between Japan and China.

If the Empire recognize the China's prosecution of the peace conditions in future, it will not only cancel the annexed (B), the warrant items of the conditions, but also cooperate faithfully in China's restoration and development.

(2) In case when the Chinese Central Government does not request peace, the Empire will not anticipate the solution of the Incident taking the government as the other party, thereafter, but will help establishment of a new Chinese regime and make an arrangement of the national relation of both countries with this regime and will cooperate in construction of revived new China. As for the present Chinese Central Government, the Empire plans its collapse or maneuvers so as to make it enter the influence of the new Central Regime.

(3) In management of the Incident, in order to prepare the shift of the international circumstances, and to expect the accomplishment of the said policy, we accelerate rapid cultivation and complete equipment of total national power, especially, national defense power and, also, we try to maintain and improve the friendly relations with the third party countries.

(4) We respect the rights and interests of the third party countries and we expect to occupy the superior situation in economical development in China through only open competition.

(5) We lead the people's opinion so as to have them learn thoroughly the significance of the fundamental policy for managing Chinese Incident.

It's the same as to enlightenment of other nationals.

Attached Paper A.

The details of the Japan-China peace negotiation conditions.

1. China recognizes Manchukuo officially.
2. China abandons the anti-Japanese and anti-Manchurian policies.
3. Establishment of non-fortified zones in North China and Inner Mongolia.
4. Under Chinese sovereignty a suitable mechanism to realize the mutual co-existence and co-prosperity of Japan, Manchukuo, and China shall be established in North China and a wide range of rights shall be given it, and especially Japan, Manchukuo and China economical collaboration shall be worked into action.
5. Establishment of anti-communistic autonomous government in Inner Mongolia with its international position shall be same as the present Outer Mongolia.
6. China shall establish anti-communistic policy and cooperate with the performance of the same policies by Japan and Manchukuo.
7. Establishment of non-fortified zones in the occupied districts in the Central China and in reference to the great Shanghai city district, Japan and China cooperate in maintenance of peace and security and undertake to develop economically.
8. Japan, Manchukuo and China, three countries shall conclude necessary agreements in reference to the development of resources, customs duties, imports and exports, aero-navigations, transportation and communications.
9. China shall make necessary reparations to the Imperial government.

An Appendix.

- (1) Japanese army shall be stationed for a necessary period for security purpose in certain specified districts in North China, Inner Mongolia and Middle China.
- (2) After the conclusion of agreements between China and Japan in reference to aforesaid items, the agreement of truce shall begin. When the Chinese government executes aforesaid agreements with sincerity and truly cooperates with our ideals of Japan and China concert action and mutual help, the Imperial government will not only dissolve the security items of above agreements, but will be ready to cooperate with the reconstruction of China, its national development and its popular desire.

Attached Paper B.

(1) The security items in the "Attached Paper A" are as follows.

1. The non-fortified zones in the item "3."
2. In negotiating the item "4" the special interests to be established for the purpose of security and the organs necessary to keep them.
3. The non-fortified zones in the item "7."
4. In the Appendix (1) and accompanying military equipment, the interests in reference to management and expansion of principle transportations.

(2) The agreements in reference to peace to be abandoned.

1. The UMEZU-HO YING-CHIN Agreement.  
TANGKU Truce Agreement.  
DOHIHARA-CHIN TE-CHUN Agreement.  
SHANGHAI Truce Agreement.
2. Abolition of special interests (such as extra territorial rights, concessions, rights of occupations, etc.) which have long been held heretofore are to be considered at the same time with the abandonment of security matters.



(January 16, 1938

Statement of the Imperial Government

It has so far been the intention of the Imperial Government since the capture of Nanking to give the Nationalist Government of China a last chance for reflection. The Nationalist Government, however, does not seem to understand the true idea of our Empire, whereupon they are still trying to continue resistance, giving no thought to the dire distress of its people and to the peace of the whole area of East Asia. In view thereof, the Imperial Government is now inclined not to regard the Nationalist Government as the party whom we have to deal with henceforth, and anticipating the establishment and growth of a new regime of China qualified to maintain a real collaboration with our Empire, we intend to work with it to bring about a rapprochement between the two nations, and to collaborate with it in the direction of establishing a new reborn China. Needless to say the policy of our Empire to respect the territorial integrity and the sovereignty of China, and the interests of the powers in China remains perfectly unchanged. The responsibility which our Empire shoulders for the peace of East Asia is ever more gaining its gravity. Our government earnestly hope that our people will strive with still a greater vigor in pursuance of this grave task.