

弁護文士目録第一七四號

Reg. No. 1714

(次) 高浜

スチーマー大使 評問書目

スチーマー大使 評問

一 東見下が大使との會談交渉或は會議

の際に、大島大使は、日本が戦争を開始す

とか、或は戦争に参加すとか言うことを是認

す。よ。う。な。言。質。を、何時か、よ。え。た。て

しようか。

答に、いえ、大島大使^かも、言質をよえ

たことはありません。

二

大島大使は、何の問題にならぬ事に関し

これを支持するよ。うな態度に出たことが何時か

ありましたか。又同大使の行動、談話、

意見等は、本國政府からの指圖を受け

たものであつたか。

答に、~~私~~私共の仕事に於て、會談の際

には、大島大使は本國政府からの指圖

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に よつて 話 を され たい よう な 印象 を 受 け け る こと だ。

（おは）

三

大島大使が退職中日本で、御會にいなることかあるですか。あるいはそれは社交上ですか

公式にですか。將來のことには就して大島大使は自分の計劃と述べたか。それか。又ドイツに對する軍事的の使命とか、それから兵團長としての事とか。

答、私は日本では昭和十四年に社交上大島大使に會いましたが、將來の計劃とか、政治

の事などは一つも話しません。花

昭和十四年 東京に大使がベルリンを去る時にも、將來

に關して大使の意見と云々ものは、私には

何も話しません。

四、大島大使はベルリンに居る時に大使の職

以外に公式或はその他何かの職に就する

事があるか。大島大使が自分の権職或は責任

の範囲を越えたことかあるか、貴

下の知つてゝの範囲のこと。

（2）

と云ふことは、知るべき限りさうさうはあ
りません。又知ることも大島大使が自分の
戦^戦権或は責任と起えたと云ふの~~味~~
一印象を受けられたことはありません。

⑤ ドイツでは、大使と言うものは國の元首
或は時の政府の代表者と見做されるので
すか。

と云ふ。然れ~~は~~國の元首を代表し、我々は結
果を得る為の政治的手段も、とつて行動
かゝる~~ま~~る關係の方に關心を持つのであ
りなす。

大使は國の元首を代表するものであつて、その権能に
はものに制限がなす。大使は使節の
首班であつて、その身分に相應する特權を
享受し、司法權や干渉の埒外にあり
ます。

大島大使は

⑥ ~~大使は~~、~~使節の~~知つてゐる範圍で國
交上先例となつて外交上の慣習あり

或は手續の増外に於てやれと言ふ。

~~指圖を~~ 指圖を又受けしものありしか。

又貴下は日本及大島大使との外交

上の交渉に當る儀典局長と云ふよりな役に當つてゐたのですか。

又、貴下は大島大使との交渉の際外交上の

習慣によらぬにと云ふことよ、大島大使或は

リップベトロフが、と云ふことよ、花められたことがありやうか。

と云、私は、大島大使が、外交上の習慣

によらぬにやうものにと、指圖を又

けたとは思つたことはあり

ません。又私は大島大使や日本大使館との外

交折衝儀典局長の役に當つたのはありません、然し

私はその方面のことについては、ドイツの儀典局長

のドルンバークと接触する關係に於

ては、まずその歴史を知らねば、それ故に、大島大

使は、もしリップベトロフが、と云ふことよ、私共の交

渉、中外交上の習慣によらぬにやうに

に花められたことは、と云ふことよ、未だ當てありません。

七 出見下の知るべき範囲で、日本とドイツとの共同の
仕事で、條約に定められず、或は
外ふよる先例により成立せざる協定にも
定められぬものがありますか。

答、私の知る所は、日本とドイツの間
に條約の定められず、或は先例
習慣によらずに行われた共同の仕事と言
うものはありません。

八 大島大使と貴ヤリツバントロツポとの交渉は全
部他の^{の國}外交官がドイツと間に行つた善
通の手續によつたものですか。
答、大島大使と私ヤリツバントロツポとの
交渉は、私が在る係りの他の^{の國}大使達の交渉
と何等異なる所はありません。

九 大島大使はドイツ或は日本の最大利益
として自分の職務に反して
自分の外交官としての仕事以外の事に携
わつたことかありますか。

答、いえ、私の知る限りそういうことは
ありません。

① 大島大使は日本の政党政治に關係が
あると 言うところがあるか、又

誰か總理大臣にちよか外務大臣にちよかと言
うことについて内報を受け取れたか。それも又

どうなる場合に貴方は大島大使と強固同時に
言う事を急ぐところか出来たか。

答、大島大使は日本の政党政治もつて話を
しませんがありません。又政変のある時は私と
同じようにお馬鹿なりました。時はは

新内閣首相は

外務大臣の名前を

私達の方からオオによつて
先には

大島大使が公式に通知を受け取る以前に
知ったことがありません。

②

大島大使がドイツに出張中に日本では
外務大臣が何人替りですか。内閣が
変わる毎に外交方針が変わるのか。対

独政策が異なりますか。

答、私の知る限りでは十人か十一人です。
どの内閣もドイツに關しては異つた政見を

持つて居るました。時には^{（さう）}対独政策は少ししか
変らぬいともあり、時には大々々々変じたり
ました。

問、政変があるというも、ドイツでは之に対して
不安を感じますか。

答、そうですね、我々はいつも神経を使つてゐました。
政変がドイツに如何なる影響を持つ
ものか、知りようがありません。

問、閣僚が変ると^{（さう）}連絡をすゝむ必要
がありますか。

答、あります。東洋では、大使館は^{（いつも）}新
閣僚と連絡をとらなければなりません。

問、貴下と大島大使との関係は^{（見て）}貴下
は大使が日本のある政党内に入つてゐたと言
うことがあつたのですか。大島大使は政党内

政治と全く無関係でしよか。

答、私は大島大使が日本の政党内に入ら

係があるとは思いません。大
島大使は政党政治と全く絶縁してゐた
ようでした。

①② 大島大使の公式の行動はすべて通牒
電報、訓令通りの日本政府の方針
に基いたものでした。或は大使は公式
の交渉は自分の個人の意見を加えた
ものでしたか。

答 大島大使の公式の行動はすべて政府の
方針に基いたものでした。そうとは思はれ
ませんでした。

問 大使は自分の意見と陳べたのではありませんか。
また、その地位からそう言うことが出来たの
ではありませんか。

答 大使がその意見を陳べたのは、政府
の命令を補うとか説明を加えること
云うものでした。大使は自分だけで返事
の出来ぬ ~~事~~ 質問を受けた時には

信九作 (1911年)

政府に事報して説明をうけ解釋をうけ
と求めてゐる。さう言うことは度々あ
りである。

問、外務大臣と大使との意見見が相異し
たる場合はどうする。外交手続
には誰の意見見で話を決定する。か。

答、外務大臣と大使との意見見の相異
のある場合は外交上の手続では
外務大臣の意見見が決
定をよめることは明らかであります。

① 大使と云うものは、どの範圍まで、國の元
首を代表する。見做されようか。國
際法上又國家間の習慣上、免除及
特權はどの範圍に於て認められようか。
ドイツではどうですか。

答、特に大使は國の元首が個人的代表
するものと見做されます。大使は公式の場
合には特別の榮譽をうけます。又、國際

法及國家の慣習に從て免除及
特權を認められる事。

この言ふ大使の特權は大使個人に關係
のありもので、他の大使館員には及ぶ條あり
りません。

開戦の際に於て
連合國の大使に対する場合、ドイツに於て
は堅く守られるたのですか。この處(四重)
はつして説明して下さい。

是る原則は開戦の際に於て連合
國の大使に對して、ドイツに於ては(いつし)堅く守
られます。外務省から特別命令が

此役人が各大使の世話に當るよりに命
せられたと記憶致します。特別列車

が仕立てられ護衛隊がつけられて大使
館員全部を集結所に送り、そこに

たつてゐるものと。普通は集結所は第一

後のホーンビークにてある大使館員も
は各國にあるドイツ大使館員が揃
うまで待機します。そして大使及大使

館員の交接が行はれその責任は

はドイツ國境まではドイツ側でとります。
一併をあげれば

ドイツと支那を慶政府と外交關係

が絶たれたおそれ大使及大使館員

は、その宿舎にそのまゝ残して倉庫、カッ

リン等の配給に可なりは特曲と云ふこと

をまゝに、これは大使が今も駐劄し

ておた國の中にある限りは慣例上定

むをております。さうして國をなれと特殊

の外國人と見なされようあります。例えは

昭和十四年九月ワルソー包圍の際、在領以前に

於てさえ、外交團が退去出来ず

~~甲~~が爲に、二十四時までの停戦が

特別に認められようあります。

(一四)

大島大使は、直隸省攻勢に先立ち

日米交渉に就き、通報を受けしる

貴方の知るところの新聞は

まじらぬ。大島大使は通報の無きこと

に對し政府に非抗議を以てし

ことありまじらぬ。大島大使はすつと

通報を受けしるまじらぬか、又ある交渉に

けりしそ通報を受けしるのみならずか。

答。それははに知りません、私はそつて

はまじらぬと信じてます、譯は、大使は政府

からの通報かどうもよくないと言ふこと

を私に何回も話されたことがあり、それに

つゞき、不満を述べしるまじらぬかです。

どうも、大使はつゞき政府が重要と思ふ

ことかけにつゞき、通報を受けしるものと

物に思われまじらぬ。

起訴狀^(訴因)第五に基づく訊問及び答

一問 貴方と大島大使との交渉會談協議中に大島は本國政府^(先づ)の指圖を受けず公式又は非公式に日獨關係に觸れる議論又は問題も自分の方から持ち出しましたが。

答 私の知っている限り、そういう事はありません。

三問 日本の組織機構及政府手續とは別個の日本政府内の或團體が 答 承した 運動

政策又は計畫の發起人として大島が音頭をとつたり或は主役を演じましたか。

答 大島に會つた時に大島が大使としての資格即ち日本政府の代表者としての資格以外で語つたとの印象は私に全然受けませんでした。

三問 後に日本政府の外交政策となつた日本の計畫又は政府の政策を^{大島が}吹き込みにしましたか。

答 いえ、大島は常に日本政府の指圖通りに語つていました。^{日本}政府は^は獨逸に對する方針を^{數回}変更しました。

(四) (一)

問 貴方が大島と交渉のあつた期間中に
外交関係の通常機関とは別個の黨派団体
又は組織の討議を大島は援助したり又は
何等かの方法で助長しましたか。

答 そういう印象は全然受けませんでした。

(五) 問

大島は
日本政府が提議した政策又は討議綱領を
何等かの形で起草しましたか。 それと
大島は

大島の交渉は全部東京から出た事柄に

基づいておりましたか、
或はベルリンの政府機関を通じて
おりましたか。

答 大島の交渉は常々東京から来る命令が又は

ベルリン政府の希冀に基づいておりました。

問 外交機関を通じて、日本政府が 答 否本もせず

助長もせず、
促進もしなかつた討議、政策又は

協定の執行に 大島は関与しましたか。

答 否んことを聞いたことはありません。

(三)

この問題に

問、貴方が閣僚のあり 数年間を通じて、日本の獨逸に
対する外交方針に けつきりした一貫性がありましたか。

答、日本に対する獨逸の方針に 変りはありませんでしたが、
獨逸に 閣僚の限り日本の方針は 数回に亘って
変更を見ました。 政府の考えは、 近衛、廣田

(昭和十五年夏) 平沼、有田、(昭和十四年一月) 近衛、松岡
(昭和十五年七月) ではその点に 閣して甚^たく 違^つていました。

問、大島が大使として在任中、外交問題も擔當した
九人の外務大臣の中の一人と 他の八人よりも密接な
関係があつたと思はれますか。 會談又は交渉も

貴方は大島と行った ことがありますか。

答、いえ、或る外務大臣と 特に親しくしてゐると

大島が いろいろの ことを聞つたことは 全然ありません。

非常に長い間、^{日本に}いながら ために、多分大島は

外務大臣も 個人的には 知らなかつたでしょう。

問、日獨伊協定の目的は、全世界を 軍事的に、
政治的、経済的に 支配して、各國が 各自の圈内に

特別の支配権を持つことであつたと告訴されて
います。三國間の 國交の 眞意を
貴方^{から} 説明して下さるませんか。

答、日獨伊の三國が國交 を通じて世界を

支配しようとしたという説は馬鹿やっています。

私が日獨伊協定の交渉に携げられた頃

恐るべき政治的孤立を避けて、防衛同盟を結ぶ

ことよつて戦争を防ぎ且つは^{一般}國際政局

を強化しようとするのが、昭和十三年、昭和十四年に

於ける一般の考へでありました。昭和十五年には

獨逸は已に戦争をしようとしたが、合衆國を

参戦させたいよつて、戦争の拡大を避けて

平和の基礎を築きつと考へていました。

私は世界征服の計画については全然 下書し

仰ぐの方面からも^{一言も}聞かされたことはありません。

辯護文書 第一七四号

(翻譯 小野)

スターマー大使に対する訊問並に返答

この段階に關する檢察側の冒頭陳述に基づく
日獨伊共同謀議

① 一九四〇年九月 三國同盟締結以前に 松岡以外の

日本の政治家が貴方^下及びオットー大使との交渉に
どの程度参加しましたか。

答 松岡だけが参加して、他の日本の政治家は参加していませんでした。

② 松岡との交渉中、^{貴方と}松岡は三國同盟の内容、文面及

意圖に關して他の日本の政治家と協議相談する
ため、會議又は會談を中断したことがありますか。

答 いえ、交渉中松岡は他人に電話をかけたこと
さえもありませんでした。

③ 檢察側は第七頁 第二項(細別)に於て、こ

述べています。日支紛争及日獨關係に關する
獨逸の東~~中~~政策の決意をみれば、後が

當時の獨逸外相 フォン・リッペントロップは全世界を
日標にした日獨軍事同盟を提議した。

この陳述は本當ですか。若し本當でなかつたらう
説明して下さい。

答、私の知る限りでは、リッペントロップは日本との

政治的關係を強化する考のもとに、日本との

新協定を提議しました。私は交渉が始まつた

後に、着任して、防衛同盟の準備にとりかゝる

よう指圖を受けました。全世界を目標にした

日獨軍事同盟^{の計画}については、私はリッペントロップ又は

他の如何なる方面からか、ひとことも聞^{の噂}いたことはあり
ません。

④ 被告大島及白鳥は、三國同盟^{の計画}に

ムツリニーをひき入れるために、ローマに海軍進

軍と陳述にありますが、この陳述は本當

ですか。若し本當でなかつたら、どの程交

リッペントロップとヒットラーは、この問題に關して

協議相談したか説明して下さい。

答、私の知る所る範囲では大島及白鳥が三國同盟の計画に
ムツリニールをひき入れるためにローマに派遣されたとい
うのは本忠田ではありません。獨逸政府は
かかる目的のため外国の大使^臣を使ふことも出来ません
としたし又使つしおかつたでしょう。

尚、ムツリニールが原則的に同意した一九三八年九月の
ニューニツヒ會議^註中、ヒットラー及リッペントロフは
ムツリニールと己に三國同盟^{云々}の^{云々}を話した
事實を私は明かに知っております。
これはことは間違ひなく私は思ひます。

(五) 流産に歸した三國協定に関してベルリン及ローマに
派遣された伊藤委員會の使命について貴方は
何^子か^を知^られ^たか。
相談を受けましたか。

答、不口、相談を受けませんでした。

(六) ナアノ伯の日記には、白鳥及大島は伊藤委員會
の^{命令}に従^うことを拒絶したと書かれてあります。

ナアノ日記に載る事柄の正確さと問する
貴方の経験は如何ですか。

(九) 若し本當であらうたら、合衆國を宥めようとする獨逸の指導者の態度も説明して下さい。

答、私には知りません。私は個人的にはこの方面とは全然一関係がありませんでした。 ゲッペルスか

個人的にフランクリン、D. ルースベルトも攻撃しようとしたが、ヒットラーはリッペントロップと相談の上外國の元首を個人的に攻撃するのを一切嚴禁したことを、私は唯憶えているだけでした。

(九) 日獨同盟交渉が一九四〇年六月十九日來栖によつて再開されたと告訴されています。この陳述を毎實際の状況に照し合せて説明して下さい。

答、來栖は獨逸政府に、東京の新政府は以前より

緊密な^{独との} 提携を望んでいる旨を告げたにすぎません。

彼は交渉を始めたのはありません。そうしておけば

私も東京に派遣する必要はなかつたと

思います。何と云へば、事態は非常に渾沌と

して、ベルリンから^は 雲を掴むようなものでした。

私の知っている限りでは、東京に於ける交渉中、彼は

自國政府からほんの僅かしか^{事情を知りぬく} 通知を受けただけ過ぎません。

一〇、(五)

一九四〇年七月十八日 佐藤大使及^い來栖は貴^下及^いリッペントロップとの^{會談}來栖において日獨關係に關して協議したと告訴されています。この協議の性質と^{範圍}とを説明して下さい。

答、^{會談}來栖は行いませんでした。儀禮的訪問で普通の談話を行つたに過ぎません、その際私は双方とも未解決の政治問題に言及するのを^避けようとしようとしたとの印象を受けました。私は、當時歐洲を旅行していた河合日本公使が列席してソレの事を憶えています。

一一、

この會談中、どの程及^い、佛蘭西及^い和蘭の東亞植民地が議題に上りましたか。

答、記憶しません。

一二、

太平洋諸島に於ける獨逸の^{関心}權益に^關して、日本の政治家はどの程及^いに懸念^{を表現しましたか。}を表現しましたか。

答、一一の問と同じです。

一三 松岡、任命ハ、独逸ニ対スル日本ノ外交政策ニドノ程度

ノ効果ヲ齎シマシタカ。

答 總理大臣 近衛 外務大臣 松岡、ノシタケタ印象ヨリ、新内閣ヨリ 我々ハ

同内閣ガ 加逸 一層 接 接觸ヲ保ツ 様ニナルベキナルト、

閣中ヲ持半キルトシテ ニテ、ツリケレタ、 印象ヲ受ケ、 余ガ 日本ニ到リ看

シタ時、政府ハ 既ニ 独逸 及ビ 伊太利ト、同盟ノ準備 条約

ヲシテキタ事ヲ 登見シマシタ。

一四 貴下ガ リフベントロフト大島ト、同、連絡 員 機デアツタ同中、

日本政府ノ 如キル人々 外交政策ヲ 就キ 決定シ シタカトイフ 事ニ

関シテノ 独逸 内テノ 印象ハ 如何デアリマシタカ。

答 我々ハ 推カ一人ノ大立物 為政者 誰モ 日本ノ 外交政策ヲ 決定シテキタ様

未⁺ 印象ヲ 受ケアセシメシタ。 我々ニトツテハ、 種々ノ 政治家 為政者ハ

單ニ 種々ノ グループ 又ハ 教 ニ グループノ 代表者ヲ 選バ

ソノカニハアルモノハ
又暗 合衆国及心

英国ニ対シテ 友誼的デアウツリトシテ
ト云フニ過ギコヤンデーシク

⑤ 貴下ガ 三國同盟ノ交渉ノ爲ニ 東京ニ 到着セタリテ 當時

貴下ハ 日本及心 合衆国ガ 太平洋ニ 於テ 交戦スル 様ニナル

クラウトイフ事ヲ 才考ヘニナリマシタリ。(一九頁)

答 否。私ハ 合衆国ノ 戦争ニ 参加 防止 度イト思フヲ 居リマシタリ。

⑥ 檢察側ハ、二千万ノドイツ兵ノ アメリカ人ハ 合衆国ニ

於テ 有カナ 地位ヲ 占メタル 考ヘラレテナルト云フ事ヲ 述ハテ

居リマス。 コレニ 對シ、 貴下ガ 松岡ニ 云ハレタ 事ヲ 述ヘテ

トサイマセンカ。

答 松岡ガ 私ニ 獨乙^系ノ アメリカ人ノ 勢力ニ 就イテ 固シク 時

ニ 私ハ 彼ニ 私トシテハ、 彼ノ 大勢ノ アメリカ人ヨリモ 紹等ノ

方が、 良イ アメリカ市民ヲト、 信スル 旨ヲ 語リ、 シカゴニ 於テ

コノ 種類ノ 私ノ 経験ヲ 却セマシタリ。

(一七)

貴下ハ 三國同盟ノ時期ニ就クテ
ソノ成立ノ期候ニ
條項

東京ニ於テ 近衛首相又ハ他ノ閣僚ト
討議サレマシタカ。

答 否。近衛首相トモ 余ノ會フタ他ノ閣僚トモ
シマセン

デシテ。唯 調印後、公式晝餐又ハ晚餐ノ席上

ソノ問題ガ 批評サレマシタ。

(一八)

東京ヨリ^{テナク}ベルリンニ於テ
同盟調印^{條約ガ}吹キ^{サシタ}テ^テ齊^ナキ^ナシ

練流ヲ 説明シテ下サイ。

答 曾エテ居リマセン。^在東京駐在^ハ独乙大使館ハ
交渉^ハ米^何日^終了^ナリ

^前エ 独乙及ヒ 伊不利ハ
ベルリンニ於テ 同盟ガ 調印セル

事ヲ 望ンデナル者ノ 海外電報ヲ 受取ッテ居マス。

(一九)

コノ問題ニ 關スル 松岡ノ 考ヘヲ 説明シテ下サイ。

答 最初ハ 彼モ 幾分 不本意^{様子}アリマシタガ
直クニ 同意

シマシタ。私ハ リフベントロフガ
ソノ 理合ハセ、^{意味}有^キナ

彼ヲ 九月ニテ 夜 ベルリンニ 招待ヲシタ
ダト 信ジマス。

①

* * * * *

②

ソ聯ノ三国同盟 参加ハ可能ナルト考ヘラレテマシタ
カ。説明シテトサイ。

答

直接カウシテ事ヲ打午用ケラシタ事ハアリマシタカ
私ハ申シテ事ヲモヤモヤトシカ 独乙及日日本ハソ聯加多ニ参加
スル事ヲ望ミテマシタト信ジマス。 兎ニ角 兩政府共ニソ聯
ヲ好ラセルナラバ性ヲ非中ニ 避ケテマシテマシタ。

③

日本駐在独乙大使ハ一九四一年一月三十日ニ
大使館附陸軍武官トニ二日間、
調査ヲ 結果 独乙政府ニ 報告シ、ソノ中デ

日本ノシンガポール攻撃 成功、見込ハ有シテアルト 推断スル
ト云フ事ヲ陳述サ
コノ行初ハベルリンニ於テ 命ヲ入ルニヨリ
カヲノ命ヲ入ルニヨリ

又ハオット大使ノ 提議ニヨルモノデシタカ、
提議ニヨルモノト信ジマス。

答 余ハコノ行初ハオット大使ノ 提議ニヨルモノト信ジマス。

河政ナラバ 若シモ、ベルリンガ 斯カル 調査ヲ依頼シタナラバ

ソノ電報ハ、独乙外務省、慣例ニ從フテ、例ハハ、一九四一年

電報不^レニ九号

トモウ風ニ

呼ハレシセシハナクカセシ。

九月二十七日附独乙番号第一九号中第一九号ニ如クニ

年明サレホカリマセン。

二三 一九四一年 松岡外務大臣独乙到着、際、彼ハ号下ニ

彼ガリソベントロフト討議シタイト望ニデナク、主要国際問題

ニ就テ報告シマシタカ。

答 否。

二四 貴下ハ、彼、使命ノ目的ヲ 何時^カモ知^ラサレマシタカ、
知^ラサレマシタカ。

答 私ハ、彼ガベルリンヲ去^リテ後、向モナク、彼ハソ聯

ト、不可侵條約締結ガ希望デアッタ事ヲ南キマシタ。

二五 貴下、知^ラテ居^ラレル 限りニ於テ、大島大使ハ、訪問前

カ、^{訪問}最中ニ、彼ノ ^{旅行}兼、目的ヲ就^キ、報^告シマシタカ、
知^ラサレ

答 存^シマセン。大島ハ、私ニハ、話シマセンデシタカラ。

二六 貴下ハ、曾^シテ、^(日本)シソガオール改^正、^{得策性}ニ関^ステノ

大島大使ト リソベントロフトノ 会^談、知^ラテ居^ラレマシタカ。

答 日本ノシンガポール攻撃手ニ言及シタリソベントロワプト

大島のトノ合^{談ニ}私ハ^{一度モ}居合ハセ^ルマセンデシタ。

(ニセ) サウイフ^談合^{行ハレ}談ガ^様取^{デシタ}来^リシタ^リ。説明シテ下サイ。

答 私ハソレハ信ジマセン。トイフワケハ私カ大島ヲ知ワテキル

限リテハ^高彼ハ^高非常ニ^高慎重デアワツカラテス。

(ニハ) ヘルリンニ於テ 松岡カ^{意見及表現ハ}彼ガシンガポール攻撃

並ニ^{経済}軍事提携ヲ論議シタ時、^終政府ノ^{代表}後援

フルト^モトイフヨリモ寧ろ^モ純然タル非公式ノシカモ^モ個人的ナ^{意見}事見

デアワツ事ハ了解サレテ居マシタカ。

答 私ハヘルリンデハ 松岡ノ意見ハ純然タル非公式ナ而モ

個人的意見デアワツ事ヲ了解シテキタト信ジマス。何故

ナラバ 我々ハ 日本デハ 内閣ガ度々変リ、而モ 松岡

ガ彼自身サウイフ印象ヲ与ヘ度イト思ワテキタ^{如ク}強^ク有力ナ人間

トイフモノハ 日本ノ^{天皇}帝^皇ヲ義政体ノ下デハ不可能デア^ル

エトヲ知^テキ^タカ^ラデア^リマス。

三九 一九四一年五月二十四日 東京駐在独乙大使館附武官ハ、

独乙外務^交情報局ニ宛テテ、日本ハ、合衆国カ 戦争ニ

参加^{参加}シテ場合ニハ 條約義務ヲ承認スル旨ヲ報告^{シテ}

ト云フ事ガ ^{陳述} 述^レテ申マス (三〇夏) コノ陳述ハ

事實ニ基クテ申マス。

答 存^心マセン。 サウイフ事ハ 南イタ事カアリマセン。

三〇 三國同盟ガ一九四一年九月ニセリニ 締結^時サレタ

松岡ハ 復旧ニ答ヘテ、 ~~抑~~ 戦争^術術^場場^合合ニ ^{オケル}不

単独媾和^{協定ヲ行フタメ、交渉カ行ハ}ニ代^リテ 三國同盟ニ 協定^カカ^行ラウト 声明^{シテ}

ト云フ事ガ 告訴^{サレテ}申マス。 貴下ハソノ當時 發^シラレシ

斯カル声明ヲ 知^ラテ居^ラレマス。

答 松岡ト 不^レ單独媾和條項^ニ 就^テテ 語^ラタ事ハ

覺^エテ居^リマセン。

三一 貴下ガ 独乙ヲ 去^ラレ^ル ^時 ^迄ニ、 政府^ノ 當^高高^者者^ハ 日米間ノ

交渉ノ状況ヲ知ラサレテ居リマシタカ、コノ状況ヲ説明シテ

下サイ。

答 一九四一年 秋カマタ 独乙ニ于テ時 一九四一年、始メヨリ、

独乙政府、當る者ハ
周保独乙將校達ハ

十月 私が独乙ヲ^{去ル}事案トシテ、日米交渉ノ状況、確實ナ

報告

同案が得ラレナイト云フノデ 非常ニ 神経過敏ニテワラホマシタ

我々ハ 侵略ノ事案ナシ^情報告又ハ、獨ヲ 間接的ニ南イテホマシタ

テシタ。

三三

一九四二年一月十八日 日本、独乙及ヒ伊太利、軍隊ハ

一九四〇年九月二十七日、三国同盟、精神ヲ^{ヲ遵守シテ}軍事協定ヲ

締結シ、^{合同}三国同盟ヲ^{作戦}調整日^{計畫}準備シテホマシタ事

が述ベラレテホマス。 斯ル事態ガ三国同盟成立當時

企圖サレマシタカ、

答 三国同盟、調印ノ時ニハ、カウイフ、行動又ハ事態ハ企圖

サレマセンデシタ。

Ref Doc # 1714

INTERROGATORIES OF AMBASSADOR STAHMER
Ambassador

QUESTIONS FOR STAHMER

7/2/45

1. At any time during your conversations, negotiations or conferences with Ambassador OSHIMA did he at any time commit himself as favorable to Japanese commencing or participation in any war?

Answer - No, he did not commit himself in that way.

2. At any time did Ambassador OSHIMA take a partisan stand on any matters under consideration or were his acts, conversations and opinions governed by his instructions from his government?

Answer - When we talked together as far as our work was concerned, I always had the impression that he spoke according to instructions from his government.

3. Did ~~OSHIMA~~ you see him in Japan during his retirement? Socially, officially? Did he discuss his plans for the future? Military mission to Germany? Corps Commander, etc?

Answer - In Japan I saw him in 1940 only socially, but he never discussed his plans for the future nor any politics. When he left Berlin in 1939, he told me also nothing about his ideas for the future.

4. Did OSHIMA occupy any position officially or otherwise except that of Ambassador ~~or~~ while he was in Germany? Did he ever go beyond his authority or responsibility at any time, to your knowledge?

Answer - No, as far as I know, nor got I ever the impression that he went beyond his authority or responsibility.

5. In Germany is the ambassador considered the representative of the head of the State or of the government in power?

Answer - Head of the state, we were not so much interested in the political processes by which results were obtained, but with the relationship resulting through the action taken. Ambassadors represent the head of the State. Ministers represent the government, their authority is more limited. The ambassador is the head of the mission and enjoys all the privileges of his rank and immunities from jurisdiction and interference.

6. Did OSHIMA ever at any time receive instructions as far as you know, which obliged him to do anything beyond diplomatic protocol or procedure established in international relations? Were you more or less protocol chief for diplomatic relations with Japan & Oshima? Were you ever asked by OSHIMA or Ribbentrop to go beyond diplomatic practice in any of your negotiations with OSHIMA?

Answer - I never got the impression that Oshima received instructions which obliged him to do anything beyond diplomatic protocol. I was not protocol chief for diplomatic relations with Oshima and the Japanese Embassy, but I worked in that line closely together with the Germany chief of Protocol Baron Dornberg. Neither OSHIMA nor Ribbentrop ever asked me to go beyond diplomatic practice in any of our negotiations.

7. Were there any collaboration between Germany and Japan as far as you know that was not provided for by treaty and regulated by some agreement entered into thru the established diplomatic channels?

Answer - There was no collaboration between Germany and Japan, as far as I know, that was not provided for by treaty and went not through the established channels.

8. Were all of OSHIMA's dealings with you and with Ribbentrop usual procedure adopted by other diplomats in their relations with Germany?

Answer - OSHIMA's dealings with me and with Ribbentrop were not different at all from the dealings of other ambassadors with whom I had to work.

9. Did OSHIMA ever interest himself in matters outside of his diplomatic tasks and duties which were contrary to the best interest of either Germany or Japan and those required of his office?

Answer - No, not so far as I know (~~Emphasize~~)

10. Did OSHIMA ever manifest any interest in party politics of Japan or have advance information on who was to be Prime Minister of Foreign Minister? Did you know as quickly as he in most cases?

Answer - ~~No~~, he never talked about Japanese party politics, and he was as surprised as we were when the governments changed. Sometimes we heard through radio sooner the names of the new Prime or Foreign Minister ~~than~~ he heard it officially.

11. How many different Foreign Ministers were there in Japan during his tour of duty in Germany? Did all of the various cabinets express different foreign policies, or vary the policy towards Germany?

Answer - As far as I know 10 or 11.

All of the various cabinets had different political ideas as far as Germany was concerned. Sometimes their policy towards Germany varied slightly, sometimes very much.

Q. Was there not always some anxiety in Germany when a change came about?

Answer - Yes, we were always nervous and never knew beforehand what a change of cabinet meant for us.

Q. ~~Was there not always~~ Were new contacts always necessary when a change in Cabinet took place?

Answer - Yes, in Tokyo the embassy always had to try to keep up contact with the changing ministers.

Q. - From your relationship with OSHIMA could you say that he was affiliated with any certain political party in Japan? Was he quite divorced from party politics?

Answer - I never got the impression that OSHIMA was interested in Japanese party politics. He seemed quite divorced from party politics.

12. Were all of the official acts of OSHIMA based upon the policy of the Japanese government as expressed in messages, telegrams and commissions? Or did he impose his personal views in his official negotiations?

Answer - All the official acts of OSHIMA were based upon the policy of his government, I never got any other impression.

Q. - Did he represent his views and would his position permit it?

A. - When he represented his views, he did it either to assist or to explain the instructions of his government. When he was asked questions, which he felt he could not answer on his own behalf, he told us he would cable to his government and ask for explanation or definition. That happened several times.

Q. - What would happen in the event of a conflict of views between the Foreign Minister and the Ambassador? Whose word is more final in diplomatic procedure?

A. - In the event of a conflict of views between the Foreign Minister and the Ambassador, obviously the Foreign Minister's word is final in diplomatic procedure.

13. To what extent is an ambassador regarded as the representative of the head of the state and granted immunity and special privileges under International Law and customs among Nations? Germany?

Answer - An ambassador is especially treated as the personal representative of the head of the State. When he appears officially he enjoys special honours, and he is granted immunity and special privileges according to International Law and customs among nations. All these ambassadorial privileges are connected with his person, not with any other official of his embassy.

Q. - Were these principles adhered to rigidly in Germany as respects ambassadors of the allied nations at outbreak of war? Please explain procedure.

A. - These principles were always rigidly adhered to in Germany as respects ambassadors of the allied nations at outbreak of war. I remember that special officials of the foreign office were ordered to take care of the different ambassadors. Special trains and guards had to transport all members to a resort, normally first-class hotel, where they could wait till the German Embassy members in the respective countries were ready. Then the ambassadors and embassy members were exchanged, under German responsibility till the German borders. When diplomatic relations were severed as for instance between Chungking-China and Germany, the ambassador and his staff could nevertheless stay in their houses, and they enjoyed special privileges in the rationing of food, gasoline and so on. This is customary as long as he stays in the country where he was formerly accredited; when he leaves this country, he is estimated as foreigner of distinction. During the siege of Warsaw in September, 1939, i.e. even before the occupation, a special amistice of 24 hours was granted to the city only to give the diplomatic corps possibility to leave.

14. Was OSHIMA informed of the American-Japanese negotiations prior to Pearl Harbor? Had he ever protested to his government as far as you know on account of lack of information? Was he kept informed usually or only as to certain negotiations?

Answer - I do not know, but I do not believe it, because he told me several times that he was badly informed from his government, and he complained about it. I got the impression that he was usually only informed as far as his government believed it to be necessary.

QUESTIONS AND ANSWERS

BASED UPON COUNT 5 OF THE INDICTMENT

- Q. At any time during your negotiations, conversations or conferences with Ambassador Oshima did he initiate discussions or any questions officially or unofficially dealing with Japan-German relations without first obtaining instructions from his Government?
- A. Not as far as I know.
2. Did he take a lead or role as organizer of any movement, policy or program which was sponsored by any group in the Japanese Government, as distinguished from the organized machinery and governmental process of Japan?
- A. I never got the impression, when I saw him, that he talked otherwise as in his capacity as ambassador, that means as representative of his government.
3. Did he instigate any program or governmental policy of Japan which later became the foreign policy of his government?
- A. No, he always talked according to the instruction of his government, which several times changed its policy concerning Germany.
4. Did he assist or in any way further the program of any faction, group or organization as distinguished from the ordinary channels of diplomatic intercourse during the period of your relations with him?
- A. I never got that impression.
5. Did he formulate in any manner any policy or plank of any program which was proposed by the Japanese government or were all of his negotiations based upon matters which originated in Tokyo, or through the governmental machinery in Berlin?
- A. His negotiations were always based upon orders coming from Tokyo or wishes from the government in Berlin.

- Q. Did he take any part in the execution of any program, policy or agreement which was not sponsored, promoted and urged by his own government through diplomatic channels?
- A. I never heard of it.
- Q. Was there any definite continuity in the foreign policy of Japan towards Germany over the period of years of your association with this problem?
- A. Though the German foreign policy towards Japan was unchanged, the Japanese policy as far as Germany was concerned changed several times; the ideas of the Government Konoe - Hirota (Summer 1938), Hiranuma - Arita (January 1939), and Konoe - Matsuoka (July 1940) in that line was extremely different.
- Q. Did you ever have any conversations or negotiations with Ambassador Oshima which would indicate to you that he bore any closer relationship to one of the nine foreign ministers of Japan than to the other eight, who were in charge of foreign affairs during his tour of duty as Ambassador?
- A. No, I have never heard him express greater friendship towards any foreign minister particularly; having been absent such a long time from Japan, probably he did not even know them personally.
- Q. It is charged that the object of the German-Japanese-Italian agreements were to secure the military, naval, political and economical domination of the whole world, each having specific domination in its own sphere. Would you please give your explanation of the underlying purpose of the international relations between the three nations.
- A. ~~It~~ The claim that the three nations Germany-Japan-Italy sought to dominate the world through their international relations is absurd. When I was occupied with the negotiations of the German-Japanese-Italian agreement, it was the general idea in 1938 and 1939 to avoid threatening political isolation and to prevent war through forming a defensive alliance, thereby strengthening the international political situation in general. In 1940, after Germany was already at war, the idea was to avoid the farther outspreading of the war by preventing the United States from entering the war, and to establish a platform for peace. Never have I heard from any side any word about a plan of dominating the world.

ambassador
QUESTIONS & ANSWERS *for Stahmer*

COLLABORATION - JAPAN, GERMANY AND ITALY BASED
UPON OPENING STATEMENT OF THE PROSECUTION ON
THIS PHASE.

1. To what extent did any Japanese statesmen, other than Matsuoka, participate in the negotiations with you and Ambassador Ott prior to the conclusion of the Tri-Partite Pact in September 1940?
 - A. Only Matsuoka participated, no other Japanese statesman.
2. During your negotiations with Matsuoka did he at any time interrupt conferences or conversations to confer and consult with other Japanese statesmen concerning the content, wording or intent of the Tri-Partite Pact?
 - A. No, during our negotiations Matsuoka did not even telephone with other people.
3. The Prosecution has stated on page 7, sub-division 2: "Shortly after the reorientation of German policy with respect to Sino-Japanese conflict, and German-Japanese relations, von Ribbentrop, then German Foreign Minister, proposed German-Japanese military alliance aimed at the entire world". Is this statement true? If not, explain.
 - A. As far as I know, Ribbentrop proposed a new agreement with Japan, with the idea of strengthening political relations with this country. I came in shortly after the negotiations began, and I was instructed to work in the preparations of a defensive alliance. Never have I heard from Ribbentrop or any other side even a hint of a proposed German-Japanese military alliance aimed at the entire world.
4. It is stated that the accused Oshima and Shiratori were sent to Rome for the purpose of inducing Mussolini to enter in the proposed Tri-Partite Pact? Is this statement true? If not, explain to what extent Ribbentrop and Hitler had previously negotiated and conferred with Mussolini concerning this matter.
 - A. It is not true, according to my knowledge, that Oshima and Shiratori were sent to Rome to induce Mussolini to enter in the proposed Tri-Partite Pact. The German Government could and would never use Foreign ambassadors for such a purpose. Besides, as I know definitely, Hitler and Ribbentrop had already talked with Mussolini about the idea of a Tri-Partite Pact during the Munich Conference in September 1938, where Mussolini agreed principally.
5. Were you advised as to the mission of the Ito Commission which was sent to Berlin and Rome relating to the abortive Tri-Partite agreement.
 - A. No.

6. In Count Ciano's Diary it is related that Shiratori and Oshima refused to follow the instructions delivered by the Ito Commission.
What has been your experience concerning the accuracy of the items set out in the Ciano diary?

A. I have only read an abridged version of Ciano's diary, but I do not take it as a historical document. He asserts, for instance, that he was against the Italians attacking Greece, but at that time I heard from the Italian Embassy that Ciano assisted this plan very much and was proud of it; only after the Italian defeat in Albania he changed his opinion.

7. It is charged that the ambassador^S asserted that they would resign in the event the pact of alliance was not concluded without reservation.
Were you aware of any such condition?

A. I did not hear of this assertion, if it is true, the Japanese Government must know it. I think I would have known of it, surely, if it were true. The only mention I have ever heard of such a thing was from the one source.

What was that?

8. It is charged that Germany endeavored to excite Japan's feeling against America by influencing the press and leading personalities.
Please state if this is true, if not, please explain the attitude of the German leaders towards appeasement of the United States.

A. I do not know, and I was personally never connected with this line. I only remember that Goebbels wanted to attack F.D.R. personally, but that Hitler, after a conference with Ribbentrop, strictly forbade any personal attack of the person of a foreign chief of state.

9. It is charged that negotiations for Japanese-German alliance were renewed by Kurusu on the 19 June 1940.
Please explain this statement in the light of the actual circumstances.

A. Kurusu only told the German Government that the new government in Tokyo wanted a closer contact; he did not begin negotiations otherwise it would not have been necessary to send me to Tokyo, because the situation was too obscure to be analyzed from Berlin. As far as I know, he was during the negotiations in Tokyo only very scantily informed by his own government.

10. It is charged that on 8 July 1940 Ambassador Sato and Kurusu in conference with you and Ribbentrop conferred concerning the relations between Japan and Germany.
Please explain the nature and extent of this discussion.

A. That was no conference, but only a courtesy call with a normal conversation, where I got the impression that both sides wanted to avoid any remark concerning unsolved political questions. I remember that the Japanese Minister Kawai, who travelled at that time in Europe was present.

11. To what extent the French and Dutch East Asia colonies came in for discussion during this conversation?
- A. I have no recollections.
12. To what extent had the Japanese statesmen manifested their fears concerning the interest of Germany in the Pacific Isles?
- A. Same as question number 11.
13. To what extent did the appointment of Matsuoka effect the Japanese Foreign policy towards Germany?
- A. From the new cabinet with Konoye as Prime Minister and Matsuoka as Foreign Minister we got the impression that this cabinet was interested to come to a closer contact with Germany. When I arrived in Japan I found that the government had already made preparations for a pact with Germany and Italy.
14. In Germany what was the impression as to what officials of the Japanese government determined upon the Foreign Policy of Japan during all of the time while you were Liaison between Ribbentrop and Oshima?
- A. We did not have the impression that any single statesmen determined upon the Japanese foreign policy. For us the different statesmen were only exponents of different groups or a combination of groups, sometimes more friendly towards Germany, sometimes more towards the United States and England.
15. At the time when you arrived in Tokyo for the negotiations of the Tri-Partite Pact did you consider that Japan and the United States would become engaged in war in the Pacific (p. 19)
- A. No, I wanted to prevent the entrance of the United States into the war.
16. The prosecution has stated that the 20 million of German descent Americans were considered to hold an influential position in the United States. Would you please state what you told Matsuoka concerning this?
- A. When Matsuoka asked me about the influence of the German descent Americans, I told him that I believed they were better American citizens than many other Americans, and informed him of my experiences in that line in Chicago.
17. Did you discuss the terms of the Tri-Partite Pact with Prince Konoye or any other cabinet member before or after its completion in Tokyo?
- A. No, neither with Prince Konoye nor any other cabinet member whom I saw. Only after the signature, during official lunches or dinners was the matter commented upon.

18. Please explain the circumstances which brought about the signing of the Pact in Berlin rather than in Tokyo.
- A. I do not remember; the German Embassy in Tokyo got a cable some days before the negotiations were finished that Germany and Italy wanted to have the pact signed in Berlin.
19. Please explain Matsuoka's idea concerning this matter.
- A. At first he seemed a little reluctant, but very soon he agreed; I believe that, as a sort of compensation, Ribbentrop invited him on the evening of the 27 September to come to Berlin.
20. It is charged that letters were secretly exchanged providing for consultation among the signatories for the purpose of determining whether action or a chain of actions would constitute an attack within the meaning of the pact. Was it all ambiguous at this point and did it require an explanation?
21. Was the Soviet Union considered a potential participant in the Tri Partite Pact? Explain.
- A. Though I was never told so, I believe both Germany and Japan wanted the Soviet Union to participate later. At any rate, both governments were very anxious to avoid any possibility to offend the Soviet Union.
22. It is stated that "The German Ambassador to Japan made a report on the 31 January 1941 to his government of a two day research with the attaches of the armed forces in which it was concluded that the chances of success of an attack by Japan against Singapore were favorable". Was this action authorized in Berlin or taken upon the initiative of Ambassador Ott?
- A. I believe that this action was taken upon the initiative of Ambassador Ott, because if Berlin had asked for such a research the telegram concerned must be referred to after the custom of the German Foreign Office, as for instance in the telegram Nr. 129 from the 27th September, 1941. German Number 119.
23. Upon the arrival of Foreign Minister Matsuoka in Germany in 1941 did he advise you of the principle international question which he desired to discuss with Ribbentrop?
- A. No.
24. Did you at any time learn of the purpose of his mission?
- A. I only heard shortly after he had left Berlin that he wanted to make a non-aggression pact with the Soviet Union.

25. As far as you know was Ambassador Oshima advised beforehand or during the visit of the object of his tour?
- A. I do not know, because Oshima did not tell me.
26. Were you ever aware of any conversations between Ambassador Oshima and von Ribbentrop concerning the advisability of an Japanese attack on Singapore?
- A. I was never present at a meeting between Ribbentrop and Oshima where a Japanese attack on Singapore was mentioned.
27. Is it likely that such a conversation took place? Explain
- A. I do not believe it, for as far as I know Oshima, he was always very cautious.
28. Was it understood in Berlin that Matsuoka's opinions and expressions were purely unofficial and personal views, rather than backed by his Government, when he discussed Singapore and joint economic and military cooperation?
- A. I believe that Berlin understood Matsuoka's opinion as purely unofficial and personal views, because we knew that the governments changed very often in Japan and that a strong man, as what Matsuoka wished to impress himself, was not possible under the Imperial Regime in Japan.
29. It is stated (p 30) that "On the 24 May 1941 a report was made by German Military Attache in Tokyo to German Foreign Intelligence Office that Japan acknowledged her treaty obligations in the event United States entered the war." Is this statement based on facts?
- A. I do not know. I never heard of it.
30. It is charged that "When the Tri-Partite Pact was concluded 27 September 1940, Matsuoka in reply to a question stated that an agreement would be negotiated between the three powers for a new separate peace pact in the event of hostilities". Are you aware of any such statement being uttered at that time?
- A. I do not remember to have talked with Matsuoka about a "no separate peace clause".
31. Up until the time you left Germany were the officials of the government informed of the state of negotiations between Japan and the United States? Please explain this situation.
- A. When I was still in Germany in 1941, the German officials concerned were very nervous, because they never got a clear answer of the state of negotiations between Japan and the United States, during early 1941 until October when I left. We only heard indirectly and thru unreliable information or rumors.
32. It is stated that on the 18 January 1942 the armed forces of Japan, Germany and Italy concluded military agreement "In the spirit of the Tri-Partite Pact 27 September 1940", and provided for operational coordination among them. Was any such situation contemplated at the completion of the Tri-Partite Pact?
- A. At the time of the signature of the Tri-Partite Pact no such action or situation was contemplated.