

EXHIBIT No. 3268

(6)

Oct. 11, 1937

The War Department

Views Concerning the Attitude of the Empire toward
Arbitration or Intervention by America, European
Powers or the League of Nations in the Sino-
Japanese Incident.

Decision

I. The Empire will forcibly refuse and exclude any intervention or pressure by America, or European Powers, or the League of Nations in connection with the Sino-Japanese Incident but will accept peace-recommending arbitration after it has achieved the object of its military movements against China.

II. This principle, upon being confirmed after deliberation by the three departments of the Navy, Army and Foreign Affairs, shall be sent to the necessary envoys in foreign countries with orders to act in accordance with it.

As for GERMANY and ITALY, we will inform them of this decision at an appropriate time and require them to support our assertion.

The Main Points of Our Reasons.

I. The cooperation of England and America and the meeting of the signatory powers of the Nine-Power Treaty -- all these recently increasing signs show that the powers and the League of Nations may interfere or arbitrate in the Sino-Japanese Incident.

Such interference and arbitration before we accomplish the purpose of our military movement will never make CHINA feel contrition. Moreover, we ourselves will forcibly prevent and reject them if they are not impartial peace-recommending arbitration /proposals/ even after we have accomplished the purpose of our military movement because this would be throwing away the results of all our previous efforts. But we find no reason for rejecting just, peace-recommending arbitration as it may facilitate negotiation between JAPAN and CHINA. Therefore, if such countries as GERMANY and ITALY, though they are not so powerful as ENGLAND and AMERICA, should come forward as arbitrators at the request of CHINA, we are sure it would be the better on account of their special relations with us.

II. Though this principle is generally accepted by all people, it is not yet decided upon as the national attitude. Therefore it should be negotiated among the three departments of War, Navy and Foreign Affairs and become the foundation of the diplomatic measures of the country. But we should be careful not to publish it too hastily, nor to speak of it

to the Powers, as it may give them the impression that Japan is anxious to bring the incident to a close. Nevertheless, we think it advantageous that we should give it special consideration in respect to GERMANY and ITALY.

Very Secret

Approved by the Foreign
Minister on Oct 21

In the Matter of the Course Decided upon to be Taken by the Imperial /JAPANESE/ Government Concerning Mediation or Intervention by Third Powers in Connection with the Sino-Japanese Incident.

Decision of the three Departments
of War, Navy and Foreign Affairs
on Oct. 22, 1937.

With the progress of the Sino-Japanese Incident, ENGLAND, SOVIET RUSSIA and the UNITED STATES gradually showed indications of intervening in the Incident. If we come to look at such things as the decision of the League of Nations and the invitation of the signatory powers of the Nine-Power Treaty, they are either intervention or arbitration founded on placing Japan from the first in the position of a defendant. It was natural that we should reject them from the first. With the advance of our military movement, when its purpose shall be practically attained, the NANKING Government, under the pressure of our force, will in their hearts want to sue for peace with us although they are obliged to assume outwardly a strong attitude. The goodwill offices of ENGLAND, UNITED STATES and other third parties, in such a case, will be advantageous, if their means were proper, to be used to draw CHINA /to the negotiation/. If GERMANY and ITALY, who are on friendly terms with us, should act as arbitrators at the request of CHINA, it would be excellent.

Such being the case, we want to decide beforehand upon the following principles among the three departments of War, Navy and Foreign Affairs at this time:

1. We positively refuse and exclude hasty intervention or arbitration by third parties in connection with the Sino-Japanese Incident, but we may accept impartial peace-recommending services from third parties at a time when we have nearly achieved the purpose of our military movements toward CHINA.

2. The aforesaid policy shall be sent to our appropriate envoys in foreign countries and they shall be instructed to take measures accordingly. But we should avoid publishing it too hastily or making it known to foreign governments because this is not an advisable measure as it may give them an impression that we are in a hurry to conclude the Incident because of some weakness within our Empire. We should avoid that and notify the aforesaid policy beforehand only to GERMANY

and ITALY on some proper occasion and take such measures as might induce them to act according to our wishes.

3. As to when we should recognize that the purpose of our military movements toward CHINA has nearly been accomplished, or that we had better notify the policy to GERMANY and ITALY, this will be decided as a result of consultation among the three departments of War, Navy and Foreign Affairs.