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INTERNATIONAL PROSECUTION SECTION

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ANALYSIS OF DOCUMENTARY EVIDENCE

DESCRIPTION OF ATTACHED DOCUMENT

Title and Nature: Lease, carbon copied sheets - "The Course of the Japanese-American Negotiations"

Date: 1 April to 30 November 1941 Original (X) Copy ( ) Language: Japanese

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

LOCATION OF ORIGINAL: Document Division

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PERSONS IMPLICATED: HOMURA Kichisaburo; KURUSU, Saburo; MATSUOKA Yosuke.

CRIMES OR PHASE TO WHICH DOCUMENT APPLICABLE: Japanese-American Negotiations.

SUMMARY OF RELEVANT POINTS:

This document is a report on the Japanese-American negotiations from the beginning to the end when it was decided that a compromise or an agreement was impossible and the Japanese Government was obliged to close the negotiations with the U.S.

The rough-outline of the course (Japanese version) is as follows:

1. American draft proposal of 16 April 1941 agreeing to mediate for Sino-Japanese peace; to recognize Japan's objective in the Tripartite Treaty as the restoration of world peace; to participate in the European War only in consideration of her peace and security; to recognize Manchukuo; to cooperate economically; etc.; was the foundation of the negotiations.
2. Japanese draft proposal of 11 May 1941, with certain revisions, was handed to Secretary of State HULL.
3. American draft proposal of June 21 reversing the draft

proposal of 16 April 1941 was handed to the Japanese Government.

4. Imperial Headquarters Liaison Conference was held frequently as the result of the American Draft Proposal of 21 June 1941.

5. American Draft Proposal of 21 June caused the collapse of the 2nd KONOYE Cabinet. Cabinet change caused the above draft proposal to remain unanswered for some time.

6. 3rd KONOYE Cabinet found French-Indo-China occupation made relations worse.

7. Japan expressed peaceful intentions and suggested the meeting of the heads of the two countries. Negotiations were reopened.

8. Japanese Draft Proposal of 25 September handed to the U.S. Negotiations based on the U.S. draft proposal of 21 June were made. There were difficulties in the problems of the Tripartite Treaty, China, and trade.

9. Secretary of State HULL handed NOMURA on 2 October a long verbal note containing the "four principles". The two nations were pitted against each other and the 3rd KONOYE Cabinet fell.

10. Japanese Draft Proposal of 7 November was handed to the U.S. HULL and ROOSEVELT were notified that this was the maximum concession.

11. On 12 November, Secretary of State HULL demanded a guarantee of peaceful intention of the Japanese Empire from NOMURA.

12. KURUSU was ordered to the U.S. on 5 November to assist NOMURA in the conferences from 17 November.

13. On 18 November, Secretary of State HULL said that the peaceful policy of the U.S. was inconsistent with the menace of "Hitlerism" and the adjustment of relations with Japan would be very difficult as long as she joins hands with Germany.

14. Japanese Government delivered the Draft Proposal of 20 November.

15. U.S. Draft Proposal of 27 November was handed to the Japanese Government.

16. The Japanese Government was obliged to close the negotiations because there was no room for compromise.

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(AN: In this report no mention is made as to how the negotiations were closed. Some of the reasons for this closure are rather silly. It said, "China under CHIANG Kai-Shek tends to rely upon Britain and America; accordingly, our holy intention in the China Incident will be upset fundamentally;" "Britain and America are only interested in maintaining their status quo"; etc. The main reason is that the American proposal meant the collapse of the Japanese dreams for the establishment of a New Order in East Asia for themselves.)

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Kiku Senem

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The Circumstances of the Negotiations  
between  
Japan and America

The draft of U. S. Government on April 16

I. The negotiations had <sup>been</sup> opened from springtime and America proposed her unofficial draft as the foundation of the negotiations at the middle of April. (on 16th of April.)

1) International and national idea that Japan and America entertain

Being founded on peculiar tradition of Japan and America, moral principle should be maintained.

2) The Attitude of Governments of the two countries towards the European War

Japan will act based on the object of the Tripartite Treaty and United States will act on the consideration of her peace and security.

3) Relations between Governments of the two countries towards the China Incident

(2)

The President of United States will demand Chiang Kai-shek to negotiate with Japan on condition that her government accept the following items;

- a) Independence of China
- b) Withdrawal of Japanese Troops from China
- c) Non-annexation
- d) Non-reparation
- e) To open the door
- f) Collaborate with Chang Kai-shek
- g) Not to send a great number of emigration from Japan
- h) To accept items concerning the recognition of Manchukuo.

Following the above mentioned items, Japan will begin to negotiate directly with China at the purport of good-neighbour's friendship, anti-comintern and economical co-operation.

- 4) Naval and Air Forces and Merchant Marines in the Pacific Ocean

The arrangement and movement of Naval and Air forces should be done without menacing each other etc.

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5)

Commercial and financial collaboration between the two countries

The Commercial Treaty should be concluded between the two countries and necessary materials should be exchanged.

6) Economical activities of the two countries in the Southwestern Pacific Ocean

Japan will make it her intention to take peaceful activities promising not to use force and for its indemnity, America will co-operate with Japan to get materials of oil, and rubber etc.

7) The policy of the two countries concerning the political stabilization in the Pacific Ocean

The two countries prescribed as follows:

a) The transfer of territory in the district of the Far East and south-western Pacific Ocean to the various European powers should not be admitted.

b) To guarantee <sup>jointly</sup> the Independence of the Philippines.

(4)

c) Not to discriminate against Japanese emigration for the United States and in the district of south-western Pacific Ocean.

The draft of Japanese Government on May 11

To the above mentioned proposal of United States Government, the answer of Japanese Government was done radically.

The draft of U.S. Government on June 21

The amended bill of May 11 was handed to Secretary of State, HULL and U.S. Government proposed again her ~~unofficial~~ draft which differed <sup>not only</sup> fundamentally from that of ~~dated~~ May 11 but reversed itself as compared with that of ~~dated~~ April 16.

Having received the draft of June 21, Japanese Government held the liaison conference of the Imperial Headquarters frequently and added amendment to that on July 14 after the examination, but there was no chance to hand it to U.S. Government as there was the ministerial change.



(5)  
Namely, the 2nd KONOE Cabinet received the draft from U.S. Government on April 16, and sent the counter-proposal of Japanese Government on May 12. (Having received the draft of U.S. Government dated June 21, we met with the ministerial change about the middle of July, the draft being remained unanswered.)

II. The negotiations between Japan and America came to a standstill as the 2nd KONOE Cabinet collapsed and the relations between Japan and America grew worse as the Japanese troops advanced into French Indo-China after the 3rd KONOE Cabinet was formed.

The Japanese Government tried to do its best for finding a way out of the situation and, at last, Premier KONOE dispatched a message to President Roosevelt expressing peaceful intention of the Japanese Government and hoped to have a meeting by the heads of the two countries. With dispatching of the message, the negotiations was opened again but we did not agree with each other.

~~The draft of Japanese Government on September 25~~  
On September 25, we made up a draft and proposed it to U.S. Government. There were five modifications in this draft.

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After that, the negotiations between the two countries was discussed based on the plan of U.S. dated on June 21 and that of Japanese Government dated on September 25. And the difficulties existed chiefly in the problem of Tripartite Treaty, China and commercial trade problem.

#### The Proposal of U.S. Government on October 2

However, Secretary of State, HULL handed a long Verbal Note to Ambassador NOMURA. It adhered closely to the four items as follows:

- 1) to preserve the territorial integrity of the all states
- 2) non-interference to the internal problems of foreign countries
- 3) equal opportunity of commerce
- 4) to maintain status quo of the Pacific Ocean except by peaceful means.

The two countries were pitted against each other, and the 3rd KUNO Cabinet resigned in a body while the negotiations was at a standstill having met with difficulties.

(7)

III The draft of the Japanese Government on November 7.

After the TOJO Cabinet was established, they decided on the policy of the negotiations and took a conciliatory attitude as possible concerning indiscriminate principle of commerce, Tripartite Treaty and withdrawal <sup>of Japanese</sup> troops from China (and French Indo-China) and amended our draft. This amended bill was proposed to Secretary of State, HULL, hoping that the negotiations would compromise with the maximum concession on November 7.

On November 10, Ambassador NOMURA had an interview with President Roosevelt and explained that Japanese Empire had made a maximum concession as she was hoping the world peace as soon as possible.

On November 12, Secretary of State, HULL demanded the guarantee of peaceful intention of Japanese Empire from Ambassador NOMURA.

Ambassador KURUSU was ordered to U. S. by the government, on November 5, to make Ambassador NOMURA assist and the former joined the conferences after 7th of November. Ambassador KURUSU stated that, in view of critical situation, it would be necessary to have urgent compromise of the negotiations.

(8)

On 18th of November, Secretary of State, HULL emphasized the menace of "Hitlerism" and peaceful policy of U. S. was inconsistent with it. Accordingly, he emphasized that the adjustment of relations between Japan and America would be very difficult as long as Japan joins hands with Germany.

The draft of Japanese Government on November 20

- 1.) Japanese and U. S. Governments should keep promise not to advance on <sup>the</sup> south-eastern Asia and the district of the southern Pacific Ocean except French Indo-China.
- 2.) Governments of the two countries should cooperate each other to get necessary materials in the Dutch Indies.
- 3.) The commercial relations between the two countries should be reverted to the situation that assets had not been frozen and U. S. Government should promise to supply necessary oil for Japan.
- 4.) The U. S. Government should not impede the effort for peace between Japan and China.

(9)

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Japanese Government will promise that she will withdraw the Japanese troops from French Indo-China when the peaceful relations between Japan and China are completed and just peace in the district of the Pacific Ocean are established.

The above mentioned proposal was submitted to Secretary of State, HULL from Ambassador NOMURA but the former did not explain any definite opinion for that. On 21st, Ambassador KURUSU had a private talk with Secretary of State, HULL.

The draft of U.S. Government on November 27

- 1) Japanese and U.S. Governments should make an effort to conclude non-aggression pact with England, Russia and Thailand.
- 2) Governments of the two countries respect the sovereignty of territories <sup>in French Indo-China</sup> among those of Japan, America, England, China, Netherland and Thailand and an agreement should be concluded for measure in case that the sovereignty of territories would be menaced.

(16)

- 3) Japan should withdraw all troops from China and French Indo-China.
- 4) Governments of the two countries do not support any other political power except Chungking Government.
- 5) Governments of the two countries should abolish extraterritorial rights in China.
- 6) Governments of the two countries should negotiate with each other concerning the conclusion of the Commercial Treaty.
- 7) Governments of the two countries should abolish the frozen order.
- 8) Stabilization of dollar-yen exchange rate.
- 9) Governments of the two countries should not make any promise which is against to the object of this agreement with the third powers.

(11)

(10) Above mentioned items should be suggested to the third powers.

There is all the difference in the world between the above mentioned proposal and ours.

In short, U.S. Government is holding fast to the first assertion - that might be called the original draft - and it does not want to make no concessions. American policy towards Japan seems consistently to disturb Japanese national policy and the establishment of new orders in the East Asia, and wants to be the supreme ruler in the Greater East Asia. If we accept their proposal of the 27th, the situation will be lowered than when the Manchurian Incident broke out, namely -

1) China ruled under Chiang Kai-shek shows a tendency to rely upon Britain and America, accordingly our holy intention of finishing China Incident will be upset fundamentally.

2) Britain and America will come to rule over the district of Greater East Asia as a leader and great enterprise of establishment of new orders in Greater East Asia will be broken down halfway.

(12)

- 3) pressure and exploitation of Britain and America towards various races in Greater East Asia will strengthen in a new form.
- 4) Tripartite Treaty will become worthless and Japanese Empire will lose her trust overseas.
- 5) If they joint with U.S.S.R. and restrict Japan, it will be not only the menace of our northern districts but also the cause of extending of the European War to the East Asia.
- 6) Other items are only for egainstical policy of maintaining the situation of Britain and America. Our effort for bringging about the world peace will come to naught.

In the circumstances, there leaves no room for compromise. Even if America sets herself for a apostle of peace, she is not sympathy with Japan regarding to the zeal and effort for peace. So, at last, Japanese Government is obliged to close the negotiations with U.S.