

Doc. 1917

(5)

INTERNATIONAL PROSECUTION SECTION

Doc. No. 1917

17 June 1946

ANALYSIS OF DOCUMENTARY EVIDENCE

DESCRIPTION OF ATTACHED DOCUMENT

Title and Nature: Manchurian Incident - Reparations
for Damages to Foreign Nationals

Date: 1932-1934 Original Copy Language:

Has it been translated? Yes No

Has it been photostated? Yes No

LOCATION OF ORIGINAL

Document Division

SOURCE OF ORIGINAL: Foreign Ministry

PERSONS IMPLICATED: Foreign Minister UCHIDA

CRIMES TO WHICH DOCUMENT APPLICABLE: SHANGHAI Incident;
Japanese troops behavior

SUMMARY OF RELEVANT POINTS

This binder contains official correspondence between diplomats of foreign countries and the Foreign Ministry and Japanese Consular officials in CHINA, relative to the claims for, and settlement of, indemnities arising from the SHANGHAI Incident. Included are the list of claimants and a copy of the American Journal of International Law for July, 1932, which latter treats of the "competence of courts in regard to foreign states".

File also includes many protests from various governments (in English) on atrocious behavior Japanese troops. (pp. 50-67)

Two items on above subject are following:

Note from English Consul General in SHANGHAI to Japanese Consul General, dated February 13, 1932.

"I called upon the General in command of the

Doc. No. 1917
Page 1

Doc. No. 1917 - Page 2 - SUMMARY Cont'd

Japanese forces and complained of the undisciplined conduct of his men in such wanton damage, and informed him that British interests are concerned. The General expressed regret for it and accepted responsibility for all damage caused to the Workshops, and I now beg to inform you of this for the purpose of record." (p. 68)

Foreign Minister UCHIDA, Aoya stated on
3 July 1933

"The self-defensive measures which Japanese forces took in the vicinity of SHANGHAI constituted, and were carried out as, an integral part of the common measures of defence concerted by the Powers interested in the Foreign Settlement and Concession situated in SHANGHAI. Therefore, the Japanese Government are under no obligation whatever to pay any indemnity for the damage sustained in SHANGHAI and elsewhere by persons belonging to any third country."

"In the case of an extreme few calling for special consideration, the Japanese Government are prepared to bestow, ex gratia and as an exceptional measure, such an amount of money as they may consider suitable." (p. 303)

INTERNATIONAL PROSECUTION SECTION

Doc. No. *1117*

Date 15 April 1946

ANALYSIS OF DOCUMENTARY EVIDENCE

DESCRIPTION OF ATTACHED DOCUMENT

Title and Nature: **Manchurian Incident---Reparations For Damages to Foreign Nationals.**

Date: 1932 - 1934 Original Copy Language:

Has it been translated? Yes No **Partially.**
Has it been photostated? Yes No

LOCATION OF ORIGINAL (also WITNESS if applicable)

Document Division

SOURCE OF ORIGINAL: **Foreign Ministry.**

PERSONS IMPLICATED:

Foreign Ministry UCHIDA

CRIMES TO WHICH DOCUMENT APPLICABLE:

*SHANGHAI Incident;
Japanese troops' behavior.*

SUMMARY OF RELEVANT POINTS (with page references):

This binder contains official correspondence between diplomats of foreign countries and the Foreign Ministry and Japanese Consular officials in CHINA, relative to the claims for, and settlement of, indemnities arising from the SHANGHAI Incident. Included are the list of claimants and a copy of the American Journal of International Law for July, 1932, which latter treats of the "competence of courts in regard to foreign states".

File also includes many protests from various governments (in English) on atrocious behavior Japanese troops (pp 50-67)

Analyst: 2d Lt. Person. - W. F. Wagner

Doc. No.

Two items on above subject are following:

(Typist please insert "A" and "B" from following pp 50 pages in that order.)

1917

no. 1

Translator IHARA, Masanori

Proj. No. 134

S. A. No. 15039

Sack No. 3

Item No. 2A

Our Reference No. 14

Title MANCHURIAN INCIDENT — REPARATIONS FOR DAMAGES

"REPARATIONS TO FOREIGNERS," ¹⁹³²⁻¹⁹³⁴ ~~1934-1935~~

In this document are collected many records regarding claims for damage sustained by persons belonging to third countries as the result of the SHANGHAI incident of 1932; namely, notes from foreign ambassadors to Japanese foreign minister, notes from foreign consul generals in SHANGHAI to Japanese Consul General in SHANGHAI, reports from Japanese Consul General to the Foreign Minister, notes from Japanese Foreign Minister to foreign ambassadors and consuls in TOKYO, etc.

^{"B"}
~~In his note~~ Foreign Minister UCHIDA, Koya stated on 3 July '33

"The self-defensive measures which Japanese forces took in the vicinity of SHANGHAI constituted, and were carried out as, an integral part of the common measures of defence concerted by the Powers interested in the Foreign Settlement and Concession situated in

1917

no. 2

SHANGHAI. Therefore, the Japanese Government are under no obligation whatever to pay any indemnity for the damage sustained in SHANGHAI and elsewhere by persons belonging to any third-country."

"In the case of an extreme few calling for special consideration, the Japanese Government are prepared to bestow, *ex gratia* and as an exceptional measure, such an amount of money as they may consider suitable." (p. 303)

~~Subject~~ "A"

Note from English Consul General in SHANGHAI to Japanese Consul General, dated February 13th, 1932.

"I called upon the General in command of the Japanese forces and complained of the undisciplined conduct of his men in such wanton damage, and informed him that British interests are concerned.

The General expressed regret for ~~that~~ ^{it and} accepted responsibility for all damage caused to the Workshops, and I now beg to inform you of this for the purpose of record." (p. 68)