



RESTRICTIONS ON EXPORTS TO JAPAN

The "moral embargoes" of 1938 and 1939, referred to previously, brought about the cessation of the export to Japan of airplanes, aeronautic equipment, and certain other materials. As the rearmament program in the United States gained momentum and required more and more available strategic materials, this Government gradually adopted measures, legislative and administrative, which resulted in a steady decline of export to Japan of such materials. The Export Control Act of July 2, 1940 authorized the President, in the interest of national defense, to prohibit or curtail the export of basic war materials. Under that act, licenses were refused for the export to Japan of aviation gasoline and most types of machine tools, beginning in August 1940. After it was announced in September that the export of iron and steel scrap would be prohibited, Japanese Ambassador Heringuechi protested to Secretary Hull on October 8, 1940 that this might be considered an "unfriendly act". The Secretary told the Ambassador that it was really "amazing" for the Japanese Government, which had been violating in the most aggravating manner American rights and interests throughout most of China, to question the fullest right of this Government to impose such an embargo. To go further and call it an "unfriendly act", the Secretary said, was still more amazing in the light of Japan's conduct in disregarding all law, treaty obligations, and other rights and privileges and the safety of Americans, while proceeding to an ever-increasing extent to seize territory by force. The Ambassador replied that he very much regretted the differences between Japan and the United States and that strife between them would be extremely tragic for both. Secretary Hull agreed that such an occurrence would be exceedingly unfortunate but added that this Government had been extremely patient. The Secretary went on to say that we stood for law and order and treaty observance and justice, along with genuine friendliness between

the two countries; that it was clear now, however, that those dominating the external policy of Japan were, "as we have believed for some years, bent on the conquest by force of all worthwhile territory in the Pacific Ocean area without limit as to extent in the south and in southern continental areas of that part of the world". Furthermore, we and all other nations were expected by Japan, to sit perfectly quiet and be cheerful and agreeable, but static, while most of Asia was "Manchurianized", which would render practically impossible all reasonable or satisfactory relations so far as other nations were concerned, and would result ultimately in correspondingly lower levels of existence for the people of most of Asia.

The Secretary said that it was unheard of for a country engaged in aggression and seizure of another country, contrary to all law and treaty provisions, to turn to a third nation and seriously insist that the latter would be guilty of an unfriendly act if it did not cheerfully provide some of the necessary implements of war to aid the aggressor nation in carrying out its policy of invasion. The Secretary made clear to the Ambassador this Government's view that Germany and Japan were undertaking to subject both of their respective areas of the world and to place them on an international order and a social basis resembling that of eight centuries ago.

Despite the Japanese protest, a total embargo on the export of iron and steel scrap to destinations other than countries of the Western Hemisphere and Great Britain went into effect on October 16, 1940.

The effect of United States policy in regard to exports to Japan was that by the winter of 1940-41 shipment had ceased of many strategic commodities including arms, ammunition, and implements of war, aviation gasoline and many other petroleum products, machine tools, scrap iron, pig iron, iron and steel manufactures, copper, lead, zinc, aluminum, and a variety of other commodities important to war effort.

not used

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辯護側文書四〇一（四二）

對日輸出制限

議にも述べた一九三八年（昭和十三年）並に一九三九年（昭和十四年）の「道義的通商禁止」は飛行機、航空用器具、其他或種資材日本向輸出中止を採來した。合衆國に於て再軍備計畫は調子づいて來て益々用ゐ得らるゝ限りの軍事資材を要するに至つたので、米國政府は法的且行政的對策を採るに至つた、その結果上記資材の日本向け輸出は著しく減退を來した。一九四〇年（昭和十五年）七月二日の輸出制限法は國防の爲めに基礎的或争用資材の輸出を禁止又は削減する制限を大統領に賦與した。本法により航空用ガソリン並に大部分の機械器具の日本向輸出免許狀は一九四〇年（昭和十五年）八月より延否せられた。九月、總並に屑屑の輸出は禁止せらるゝ旨發表せられてから猶ノ内日本大使は一九四〇年（昭和十五年）十月八日、これは「非友好的行爲」である様に思はれるといつてハル國務



つた。更に我國其他各國は總て亞細亞の大部分が「滿洲化」される間全然靜かに座視し唱采し且つ贊成し而もあつとして居るものと日本は期待して居た、然し滿洲化といふものは諸外國に關する限り合理的な且つ満足な關係を總て事實上持續することは不可能で終局に於てそれに相當して亞細亞大部分の住民の生存水準は低下せらるる結果を招來すると語つた

長官は繰返して、あらゆる法律や條約上の規定に反して他國の侵略と奪取に従事する一國が第三國に向ひその侵略國が優略政策を遂行するのを援助する爲め或る戰爭に必要な器具を欣然として供給しなかつたからさて之を非友誼的行爲を犯すものとして嚴しく主張するが如きは未だ聞いたことがないといつた。そして長官は獨逸と日本とは夫々の地域を征服し其處に八世紀前のものに似た國際秩序と社會主義を置かんと企圖してゐるこの本政府の見解を大槓に明らかにした

日本の抗議に拘らず西半球諸國及英領以外を仕向地とする鐵と屑鋼の全輸出禁止は一九四〇年（昭和十五年）十月十六日實施された

長官に抗議した。長官は斯る通商禁止を爲す本政府の至上密に異議を執
むことはそれこそ殆ど全支那に亘りアメリカの利益を最も侵略的な方法
で以て侵害しつつあつた。日本政府に「非友好行爲」と呼ぶことは一方に於
ると大使に語つた。更に進んで「非友好行爲」と呼ぶことは一方に於
て断へず益々武力に依つて領土の獲得を圖りつつあらゆる法律、條約
上の義務、其他の權利並に米國人の特權と安全を無視する日本の行
動に照して更に更に驚くべしことである。長官は語つた。大使は日
本合衆國間の見解の相違を深く遺憾とする旨並に兩國間の紛争は兩者
に極めて悲劇なるべき旨を答へた。ハル長官はさる事態の發生は甚だ
不幸なるべき點に同感の意を表したが本政府は非常に忍耐して居ると
附言した。長官は語を續けて我等は兩國間の眞の友好關係と共に法律
秩序、條約尊重、正義を守るものであるが今や日本の對外政策を支配
するものは「汝々此地に在る者が過去数年間信に來つた如く、太平洋
地域中價值ある領土はその範圍を地域の南方並に南方大陸地區に限定
を設けず總て武力を以て征服せんと決心して居る」ことは明らかにな

つた。更に我國其他各國は總て亞細亞の大部分が「滿洲化」される間全然靜かに座視し唱采し且つ贊成し而もちつとして居るものと日本は期待して居た、然し滿洲化といふものは諸外國に關する限り合理的な且つ満足な關係を總て事實上持續することは不可能で終局に於てそれに相當して亞細亞大部分の住民の生存水準は低下せらるる結果を招來すると語つた

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對日輸出に關する合衆國政策の效果は一九四〇年（昭和十五年）から一九四一年（昭和十六年）にかけての冬までに武器、彈藥、軍事裝具、空用ガソリン、其他多數の石油製品、機械器具、屑鐵、銑鐵、鐵鋼製品、銅、鉛、亜鉛、アルミナム、其他戰爭に大切な種々な物品を含む船積がばつたり止まつたことであつた

米國合衆國國務省刊行「平和と戰爭」九三頁及九四頁より抜萃す