

Exhibit 2916

9

OPINION OF THE FOREIGN MINISTER CONCERNING THE
JAPANESE-AMERICAN NEGOTIATIONS

(13 October 1941)

In view of the attitude of the United States and the development of the previous negotiations, there is no prospect for the success of the Japanese-American negotiations so long as we insist on our proposals of 6 and 25 September. However, if the Government on the one hand allows me to continue negotiations in accordance with the following new revised proposal, and on the other cautiously and properly handles the situation through appropriate measures both internal and external, I will do all that I can to achieve diplomatic success without substantially affecting various policies centering around the problem of stationing of troops and without impairing the achievement of the China Affair.

It is my conviction that the establishment of the New Order in East Asia, which is the foundation of our national policy, should by all means be pursued through peaceful measures--that is, to begin with the adjustment of Japanese-American relations, to solve the China Affair, to establish the East Asia Co-prosperity Sphere, and to realize the stability of the Pacific; that this is the most appropriate and effective measure for achieving our purpose; and that we should consider resort to a solution by force, in the present circumstances both within and outside the country, only if we are forced to do so for the sake of our self-defense.

1. There is no prospect of the success of the Japanese-American negotiations on the basis of our previous proposals.

It is observed from the assertions made and the attitude maintained by the United States in the past that she entertains doubt and apprehension of the ability of the Japanese Government to effect internal control and of its intention to pursue its external policy through peaceful means. This is why she attaches importance, among the problems included in the concrete proposals, to the question of stationing and withdrawal of troops in China and French Indo-China, and requests clarification of the intention of the Japanese Government with respect to this question. It is observed that the United States will not agree to conclude the negotiations unless and until she obtains assurance that the policy of Japan on this question conforms to the four principles which the United States affirms, and that they will be put into practice. Consequently, there is no prospect for the success of the negotiations unless such doubt and apprehension of the United States are cleared away, and proposals at once more clear and closer to the American assertions are put forward regarding the stationing of troops and other problems.

2. There is a possibility of the success of the negotiations if the following concrete proposals be adopted with respect to the problem of stationing of troops and various policies centering around it, as well as with respect to the trend both within and outside the country, and if the execution thereof is secured.

(1) To cease further reinforcement of French Indo-China and to refrain from any action which will cause suspicion that Japan entertains territorial aspirations in that area or that she is intending further advance by force therefrom into neighboring areas.

(2) The contentions of the United States regarding the question of stationing of troops in China and withdrawal therefrom are, that (a) the question of withdrawal is confused by that of stationing, and the period of withdrawal is not clearly shown; that (b) to include provisions concerning stationing of troops in the peace conditions is contradictory to the concept of withdrawal of troops and of peace settlement, and that she cannot approve it as it is sharply in conflict with the four principles; and that (c) she does not approve of indefinite stationing of troops whatever the reasons may be. In view of the above, understanding is sought from the United States in accordance with the following form and provisions, and question of stationing of troops to be excluded from the peace conditions and carried in secret protocol or record.

Provisions:

"The Japanese troops dispatched to China in connection with the China Affair will be withdrawn in accordance with agreement to be entered into between Japan and China and following restoration of peace between them, and the withdrawal will be completed within two years at the latest.

"In accordance with the agreement to be entered into between Japan and China upon restoration of peace between them, Japanese troops will be stationed for a period of five years in a part of North China and Mengchiang, as well as Hainan Island, for the purpose of maintaining order after restoration of peace and of cooperation with China for her reconstruction. At the end of that period it may be extended further in consideration of the actual situation on the spot and in accordance with consultation between Japan and China."

(3) The following provisions are to be offered with respect to the question of stationing of troops in French Indo-China and withdrawal therefrom, as it is observed that the United States is suspicious that Japan entertains territorial aspirations toward French Indo-China and intends to make it a base for further advance by force into neighboring areas.

"The Japanese Government respects the territorial integrity of French Indo-China. The Japanese troops which have been dispatched thereto will be withdrawn upon the termination of the situation which necessitates joint defense, and the withdrawal will not be delayed until the conclusion of the China Affair.

"In line with the foregoing provision, the Japanese Government is ready to consider, upon the conclusion of a Japanese-American arrangement, revision of the provisions in the agreement between Japan and French Indo-China concerning stationing of troops."

(4) Actions within Japan should be under strict control so that there will be no incidents contradictory to the Government policy or prejudicial to the Japanese-American negotiations.

3. Our national policy should by all means be pursued through peaceful means, and we should not resort to solution by force, in view of present circumstances both within and without the country.

Def. Doc. No. 1891

To resort to force on our own initiative in pursuing our national policy at this time is not only contradictory to the fundamental principle of our diplomacy, but does not contribute to the achievement of our objectives, in view of the domestic situation in Japan, the present state of the China Affair, and the prospect of the outcome of the European war. For effectuation of the policy we have pursued in Manchuria, China and French Indo-China, it is absolutely necessary in the establishment of the Co-prosperity Sphere to utilize peaceful means, that is to concentrate our efforts on the adjustment of Japanese-American relations. The fundamental principle of our diplomacy as well as our own duty is, in my conviction, to relegate solution by force strictly to the sphere of self-defense.

C E R T I F I C A T E

I, Hayashi Kaoru, Chief of the Archives Section of the Japanese Foreign Ministry, hereby certify that the document hereto attached in Japanese, consisting of 5 pages and entitled "Opinion of the Foreign Minister concerning the Japanese-American Negotiations (13 October 1941)", is an exact and true copy of an official document of the Japanese Foreign Ministry.

Certified at Tokyo,
on this 7 July 1947.

Hayashi Kaoru

Witness: Urabe Katsuma

Translation Certificate

I, Nishi Haruhiko, of the Defense, hereby certify that I am conversant with the English and Japanese languages, and that the foregoing is, to the best of my knowledge and belief, a correct translation of the original document.

Nishi Haruhiko

Tokyo
7 July 1947