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余、林馨ハ余ケ下記資格ニ於テ、即チ日本外務省文書課長トシテ日本政
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一九四六年一昭和二十一年九月九日

東京ニ於テ署名

當該官吏署名欄

右者ノ公的資格

證

林 馨 (林)

外務省文書課長

アド・エガール一音譯一

ハ公式入手ニ関スル證明

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余、リチャード・H・ラシーニハ、余ガ聯合國最高指揮官總司令部ニ関係アルモノナルコト、並ニ上
記題名文書ハ余ガ公務上日本政府ノ上記署名官吏ヨリ入手シタルコトヲ茲ニ證明ス。
一九四六年一昭和二十一年九月九日
東京ニ於テ署名

氏名欄

右者ノ公的資格

證

リチャード・H・ラシーニ

國際檢察部調査官

エチ P. 戸田

#1603

Shinobu ANDO

A summary of the proceedings concerning the Pact between the three powers (Japan, Germany, and Italy), at the Privy Council Meeting.

(Noted by MATSUMOTO, Chief of the Treaty Bureau).

Opened at 11.20 a.m. on the 26th of September, 1940.

at Room No. 3 on the east side in the Imperial Palace.

Persons present:

On the Privy Council's side:

Chairman of the Privy Council HARA
Vice-Chairman of the Privy Council SUZUKI
(Chief of the Examination Committee)

All the Privy Councillors except KANEKO and TANAKA were present in their capacities of examination committees.

On the government's side:

Prime Minister KONOE
Foreign Minister MATSUOKA
War Minister TOJO
Minister of the Navy OIKAWA
Finance Minister KAWADA
President of the Planning Board HOSHINO

The under-mentioned persons were present in their capacities of explainers.

Director of the Bureau of Legislation MURASE
Chief of the Second Department MORIYAMA
Chief of the Treaty Bureau MATSUMOTO
Chief of the Bureau of Military Affairs NUTO
Chief of the Bureau of Naval Affairs ABE
Chief of the Bureau of Foreign Exchange HARAGUCHI
Chief of the Bureau of Banking MATSUKUMA
Chief of the Superintendent Bureau TSUJI.

Proceedings:

1. The Chief of the Examination Committee announced the opening of the meeting and made a secretary read a draft of the Treaty.
2. Prime Minister KONOE delivered an opening address, as per the annexed paper No. B.
4. A volley of questions was opened according to the seating order.

Privy Councillor KAWAI: I have completely understood the outline of the draft. I have desired the establishment of the Triple Alliance of Japan, Germany and Italy, and have expected its prompt realization since Mr. MATSUOKA was appointed Prime Minister. I am very pleased to hear that the Alliance is now being realized, because I heard some people complaining about Prime Minister MATSUOKA's policy being slack.

Prime Minister MATSUOKA's policy. According to Minister MATSUOKA's explanation, the attitude of Italy is not clarified. Please explain that point.

Prime Minister MATSUOKA: As I stated just now, this consultation begun between Japan and Germany, and Germany affirmed that Italy had agreed to the Alliance from the beginning. Yesterday the Italian Ambassador called on me and by instructions from the Italian Government, expressed that Italy entrusted Germany with full powers on the negotiations in question and would support the draft of the Pact agreed by Japan and Germany.

Privy Councillor KAWAI: I found the attached exchanged not simply referred to the relations between Japan and Germany. Is there no necessity for exchanging a note of the same kind with Italy?

Prime Minister MATSUOKA: In fact, I think it is all right for Japan to lay emphasis on Germany, considering Italy to be secondary. So that I contented myself making Germany describe that she is confident that Italy will act on the same lines as Germany and Japan whenever the German Foreign Minister wants Italy's assistance and cooperation.

Privy Councillor KAWAI: I think Paragraph III of the Pact is most important. I don't expect the outbreak of war between the U. S. and Japan but in expectation of the worst case, I am sure the War Minister has firm determination not to be defeated. Please give us explanation on that point so as to set us at ease. Moreover, we cannot be sure that Soviet would not raise a disturbance against Japan. In such case, what kind of attitude do you think Germany will take?

War Minister TOJO: I will explain this matter chiefly from the military point of view. In the worst case, the military power which is necessary for operations against the U. S., will be only a small part of the whole army, so that there is no need for anxiety about this matter. But, after all, military operations against the U. S. cannot be said to be perfect without taking those against Soviet Russia into consideration. Therefore, regulation of diplomatic relations between Japan and Soviet is the most important matter. If it is effectively completed, the military operations will become such easy, but judging from the situation of Soviet Russia, I consider that the military preparations must not be neglected on the part of Japan. As to the Sino-Japanese conflict, I am intending to settle it by applying the Pact effectively before the situation becomes serious.

Minister of the Navy OIKAWA: The existing Japanese fleet has already prepared for war, so that I am sure the Japanese Navy will not be defeated by the U. S. but if the war extends over a long period of time, it is necessary to make complete preparations on the part of Japan as the naval expansion plan of the U. S. is realized. We Naval authorities are intending to adopt a prudential policy on this point.

Privy Councillor KAWAI: I have been greatly concerned about materials in war time. How long can we expect the materials to hold out in a long war?

President of the Planning Board HOSHINO: As I explained yesterday, (the President explained the details of his material mobilization plan at the ordinary meeting of the Privy Council the previous day), Japan has even prepared for self-sufficiency of all kinds of materials and has been making preparations for it these several years. But our imports of 1,100,000,000 Yen out of 1,300,000,000 Yen depends upon England and America, so that it is necessary to adopt a prudential policy providing for application of the Paragraph III of the Pact in case of their economic pressure. As for iron, its production is being expected to amount to 5,200,000 tons this year and even in the worst case, it will be possible to produce 4,000,000 tons. Iron consumed for military preparations and war equipments amounts to 1,500,000 tons and the rest is being assigned for expansion of producing capacity, official and non-official uses. Even in case of the stoppage of importation of scrap iron and iron material, we will not be in difficulties if we restrict the expansion of producing capacity and limit official and non-official uses. We are not so sure of other materials excluding iron, but as we are now trying hard to collect them throughout the whole world, there will be nothing to worry about. Petroleum is a matter of vital importance for us. We are now depending upon the U. S. for a large quantity of petroleum. Especially the greater part of gasoline for aircrafts is being imported from the U. S. so that we must plan to increase its production and at the same time to secure it from other countries. At present, we have a considerable stock of gasoline, but if the war against the U. S. extends over a long period of time, we must secure petroleum from the Dutch East Indies and Northern Saghalien as quickly as possible, because we cannot self-support it in Japan, Manchukuo and China like iron or other metals. This point came into question at the recent meeting of Japan and Germany. While in the Dutch East Indies, I would like you to understand that we are now negotiating peacefully with the Dutch East Indies to secure petroleum.

Privy Councillor KAWAI: Yesterday I heard the military and naval authorities have a considerable stock of petroleum. I would like to have the Ministers of War and the Navy explain about it.

Minister of the Navy OIKAWA: We Naval authorities have preparations for a tolerably long war. Moreover, we are now making a study of artificial oil.

War Minister TOJO: We military authorities have also prepared ourselves for materials of military use so as to hold out for a considerable period. But if the war extends over a long period of time, we must reconsider about gasoline for aircrafts and motorized forces.

The meeting was adjourned.

Reopened at 1.10 p. m.

Privy Councillor ISHII. When one of the contracting parties is attacked, does the other have a duty to join the war at once according to Paragraph III? Is there any agreement about this matter?

Foreign Minister MATSUOKA: It is prescribed in the exchanged note that "whether or not a Contracting Party or Parties has or have been attacked openly or covertly as stipulated in Paragraph III of the Pact shall be determined upon consultation among the three Contracting Parties". This clause has been put in the text of the Pact at my request in order to clarify the point of which you asked and in case such an attack has been determined by consultation to be an attack, the other Contracting Parties must spontaneously fight in cooperation with the attacked Party or Parties. But in such a case the measures of mutual assistance to be adopted by the Contracting Parties should be studied and recommended by the Joint Commissions, subject to approval of the respective governments.

Privy Councillor ISHII. I agree with the Foreign Minister on his explanation because the text of the Pact does not provide that the Contracting Parties shall participate in the war "at once". Furthermore, while I thought that "the Joint Special Commission" in Paragraph IV of the Pact is a Joint Military and Naval Special Commission organized in an ordinary Treaty of Alliance, it seems that economic problems are also deliberated at the Special Commission. I would like to have you explain this point.

Foreign Minister MATSUOKA: The matter in question had been planned to be provided in the attached Secret Protocol. According to this plan, one Joint Military and Naval Commission in Tokyo, and another in Berlin or Rome were expected to be organized, together with a Joint Economic Commission. The Secret Protocol, however, has been decided not to be published so that we are intending to decide this matter upon deliberation between both countries after this treaty is concluded. Since the Commission to which economic problems shall be submitted is necessary, perhaps it will be realized.

Privy Councillor ISHII: In the text of this Pact, there is no clause concerning "non-single-peace" which is seen in almost all treaties of alliance. Is there any special intention about it?

Foreign Minister MATSUOKA: During negotiations that point didn't come into question. As a matter of fact, I have had no objection to prescribe that point in the text of the Pact if they desire, but I thought it would be better not to prescribe it so far as they didn't refer to the matter. Because firstly, I thought that so far as this Pact aimed at preventing war, it would be rather better not to have such provisions based on expectation of war, and secondly, I thought that if a war broke out it would be all right to decide that point at the beginning of the war. So that I didn't insist on prescribing the matter.

Privy Councillor ISHII: To be sure. The "new order in Europe" is mentioned in Paragraph I of the Pact. Japan's duty would not be ascertained unless the exact meaning of the "new order in Europe" is given. Is there any agreement about it?

Foreign Minister MATSUOKA: Your question is reasonable, but I think the meaning of the "new order in Europe" is exhaustively explained in the preamble. The preamble was drafted by Japan and of which Germany has not requested any alteration of the wording.

Privy Councillor ARIMA: I am entirely of the same opinion with the Government on the point of desiring to prevent a war by applying this Pact, but if the war between the U. S. and Japan is doomed to be inevitable, now is the time. I am, however, greatly concerned about the shortage of petroleum. The Minister of the Navy has expressed that the Navy had kept a considerable stock of petroleum, but if a war breaks out between the U. S. and Japan we cannot think that it will come to an end in a year or two. Especially if a war of the present time, a large quantity of petroleum will be consumed. I am anxious if the artificial oil really will tide us over the crisis. I, repeatedly, request an explanation about this point to the Minister of the Navy.

Minister of the Navy OIKAWA: As to the artificial oil, we have just taken up its study and cannot expect to tide over the crisis with it. So that there is no other way but to secure petroleum from the Dutch East Indies or Northern Borneo by peaceful negotiations. If the negotiations are successfully concluded, we shall have a bright future. I think, therefore, the maintenance of friendship between Japan and Soviet is very important on that point. On the other hand, we naval authorities must plan to cut consumption of oil.

Privy Councillor ARIMA: Is high octane petroleum enough?

Minister of the Navy OIKAWA: In recent time, we naval authorities have established a special laboratory where we are manufacturing high octane petroleum by our own means and at the same time, we have a considerable stock of high octane petroleum.

Privy Councillor KUBOTA: Judging from the literal sense of Paragraph III of the Pact, "a Power or Powers not at present involved in either the European war or the Sino-Japanese conflict" is understood to include Soviet. What connections has Germany with Soviet? Is there any understanding between Germany and Soviet?

Foreign Minister MATSUOKA: Paragraph V of the Pact has been inserted in order to avoid that doubt. When I asked STAHMER if Germany had arrived at some understanding with Soviet, he denied it, but I suppose STAHMER has made arrangements with Soviet at Moscow on his way to Japan. The following fact testifies to the circumstances: While STAHMER left Berlin on the 23rd of August, Foreign Minister Ribbentrop had an interview with Ambassador KURUSU on the same day, but he did not tell him about STAHMER's departure. On the other hand, STAHMER told Ambassador TOGO in their interview on the 24th instant that German authorities were intending to conclude a political Pact with Japan. So that, I think, STAHMER had made some arrangements with Soviet during that time.

Privy Councillor KUBOTA: I have heard of rapprochement between Soviet and the U. S. There is a fear of hastening the rapprochement of both countries by this Pact. What do you think of it?

Foreign Minister MATSUOKA: We Foreign Office authorities have endeavored to prove the actual state of the rapprochement with scrupulous care, but we have not yet received any positive proof. I think, so far, nothing definite has been decided upon. Furthermore, STAHMER has enthusiastically insisted the possibility of maintaining a friendship between Japan and Soviet and offered Germany's assistance for this purpose, as stated in the exchanged note.

Privy Councillor ISHIZUKA: I have no objection to the text of the Pact. Judging from the actual circumstances of the past, however, I cannot give a lot of confidence to the relations between Germany and Japan. At that time when the Anti-Comintern Pact and the Cultural Pact (BUNKA KYOTSI) were concluded, some insisted it would be wrong to act absolutely in concert with Germany, if not on special items. I hope the government will satisfactorily conclude the Pact, taking this point into consideration.

Privy Councillor SHINIZU: Who are the signatories of this Pact?

Foreign Minister MATSUOKA: They are RIBBENTROP, CIANO, and Ambassador KURIHARA.

Privy Councillor SHIMIZU: This Pact shall be enforced the moment it is signed. Won't it be against the constitution?

Foreign Minister MATSUOKA: There are many precedents of such a pact. It is referred to the Privy Council for deliberation and sanctioned before the Pact is signed, so that there is no fear of being against the constitution.

Privy Councillor SHIMIZU: I have heard that several German engineers are still in CHUNGKING. Is that true?

War Minister TOJO: We have received such information, but the real state is not yet disclosed.

Privy Councillor SHIMIZU: According to the Pact, it is mentioned that Japan should compensate Germany for our mandatory territory in the South Sea. What do you mean by that?

Foreign Minister MATSUOKA: On that point, Germany has insisted on taking a formality that she has transferred the territory to Japan by an indemnity because the former German territory which is now under the mandatory rule of Japan is to be returned to her and, as a rule, Germany cannot admit only Japan, the country concerned to the mandatory rule, of not returning it to her. At my request, the words "an adequate consideration" which, at first, had been used in the text of the Pact was altered to "in a way". The German authorities expressed that the consideration may be absolutely "nominal", and even gave an instance saying "six bags of coffee". It does not mean anything serious.

Privy Councillor SHIMIZU: I consider, it is not necessary that Japan should pay an indemnity to Germany for the mandatory territory at this time of day.

Foreign Minister MATSUOKA: To my thinking, it will be right to understand the territory has not been transferred to Japan from the first, just as Dr. FACHI or other influential international jurists have advocated. Since Germany has actually denounced the Treaty of Versailles for more than three years, it will be right to regard the mandatory rule of Japan as continuation of military occupation. So I think it is necessary to clarify the situation by taking it over from Germany.

Privy Councillor MIHANI: When did Italy recognize this Pact?

Foreign Minister MATSUOKA: As I stated just now, the Italian authorities sent the Ambassador stationed to TOKYO to me on the 25th instant and expressed their consent. Before that also RIBBENTROP, the German Foreign Minister, had obtained the Italian authorities' consent about the matter at ROME.

Privy Councillor MINAMI: Wasn't it too early to submit the matter to the Imperial Sanction at the Council in the Imperial presence, while it was not sure whether the Italian authorities would express their consent or not?

Foreign Minister MATSUOKA: The German authorities had repeatedly expressed from the first that they were sure to obtain the Italian authorities' consent about this matter. Moreover, we submitted our policy of concluding a pact between the three, (Japan, Germany and Italy), to the council in the Imperial presence in accordance with the draft which had been temporarily decided between Japan and Germany, so that I think there is no illegality.

Privy Councillor MINAMI: Is there any agreement concerning the extent of Greater East Asia?

Foreign Minister MATSUOKA: We have discussed that point and have recorded the results during the negotiations.

Privy Councillor MINAMI: Explain the reason why the notes, concerning a strife breaking out between Japan and England, have specially been exchanged.

Foreign Minister MATSUOKA: Paragraph III of the present Pact shall not be applied to England because she is participating in the European war. But as it is not impossible for a war breaking out between Japan and England, we clarified this point, notwithstanding the German authorities' dissent.

Privy Councillor MINAMI: Was this Pact suggested by Japan? Or by Germany?

Foreign Minister MATSUOKA: It was suggested by Germany.

Privy Councillor MINAMI: I think Germany's proposal has been based on the failure of her attack on England. Don't you think so?

Foreign Minister MATSUOKA: I think the protracted operations against England may be a motive but not the whole. Germany might have intended to make the proposal because when looking forward far into the future, Germany realized it would be inevitable to cause complications with the U. S.

Privy Councillor MINAMI: I agree with you on the point of restraining the U. S. by concluding this Pact, but is there no fear of both countries moving in harmony?

Foreign Minister MATSUOKA: We cannot say that Germany would not fall in line with the U. S. This Pact is, however, worth being concluded for improvement of the relations between the U. S. and Japan, because the German-Americans' influence is formidable in the U. S.

Privy Councillor MINAMI: The Ministers' answers concerning petroleum are not satisfactory to me and I cannot feel easy about it. Explain more clearly and let me feel easy.

The President of the Planning Board, the Minister of War, and the Minister of the Navy.

As we explained just now, the Army and Navy have a considerable stock of petroleum, and at the same time we are successfully negotiating to secure it from abroad. (They repeated the answers given to Councillors KAWAI and ARIMA).

Privy Councillor MINAMI: The Sino-Japanese conflict is still going on and if, on the other hand, a war breaks out between the U. S. and Japan, what will become of the Japanese finance? I request the Minister of Finance to explain about that point.

Minister of Finance KAWABE: Of course, Japan will be in financial difficulty. After all, there is no way but to take measures for promoting national savings and retrenching administrative expenditure.

Privy Councillor MINAMI: May I ask you a question concerning the relations between Japan and Soviet? If a war should break out between the U. S. and Japan, both countries would attempt to go hand in hand with Soviet just as Soviet was sought after by England, France, and Germany before the World War I. Why could not we conclude the Pact after we regulated the diplomatic relations between Japan and Soviet? Why must we obey Germany's proposal leaving our negotiations with Soviet till later on?

Foreign Minister MATSUOKA: As to the regulation of diplomatic relations between Japan and Soviet, the former cabinet proposed a Neutrality Treaty to Soviet and I, too, have sounded Soviet on that matter since my installation in the present post. However, Soviet agreed to our proposal on almost unacceptable conditions, such as re-examination of the Treaty of Portsmouth and recovery of right and interest in Northern Saghalien. Thus we came to a conclusion that there would be nothing but to regulate the relations between Japan and Soviet through Germany's help so that we accepted Germany's proposal concerning this Pact.

Privy Councillor MINAMI: I heard that STAMMER expressed to the Foreign Minister that the U. S. would not join the European War, but it is hard to foresee how the circumstance will change after the presidential election, and also it is not impossible that the U. S. would revise the Neutrality Treaty and give assistance to England. Would

Germany be recognized to be attacked by the U. S. in such a case?

Foreign Minister MATSUOKA: We must judge from the then existing circumstances whether America's movement would be recognized as an attack or not. As to this point, the German authorities insisted to insert the wording "attacked openly or covertly" in Paragraph III of the Pact, at the meeting of both countries. At that time, we proposed to eliminate the words because there would be a fear of the wording "attacked covertly" being interpreted as including such case as the transfer of torpedo-destroyers to England by the U. S. The German authorities explained that insertion of the words would be rather advantageous for Japan, including such a case as when the U. S. fleet enters Singapore, excluding the above-mentioned transfer of torpedo-destroyers.

Privy Councillor MIHAMI: Did you ask Germany emphatically that Germany would endeavor to make Soviet abandon her policy of supporting the CHUNGKING Government?

Foreign Minister MATSUOKA: I had deeply concerned on that point and intended to make Germany lead the CHUNGKING Government to peace through Soviet's help, but if we suggest it too early, Germany will take advantage of our helpless condition. This would be disadvantageous to us. So, in the interview with Ambassador OTTO at the beginning of August when he proposed Germany's help concerning the matter, I declared that we would settle the Sino-Japanese conflict by our own efforts. Of course, I am intending to hasten the realization of the friendship between Japan and Soviet and the settlement of the Sino-Japanese conflict, making efficient use of the Pact.

Privy Councillor KARA: I have no opinion of my own about that.

Privy Councillor ARAKI interrogated on the constitution, the physical strength and the health condition of the Army and Navy soldiers, especially on phthisis prevention. The Ministers of War and the Navy answered his questions.

Privy Councillor MATSUI: I have no opinion.

Privy Councillor SUGAWARA: May I trouble you with questions on five points? Firstly, the Foreign Minister stated about "the Secret Protocol" just now. Was a proposal brought forward for drawing it up? Secondly, what are the relations between the Pact and the Anti-Comintern Pact of Japan, Germany and Italy? Thirdly, this is a Pact among the three among which Germany has a close connection with Italy. Therefore, when the interpretation of the Pact causes discussion, is not there a fear of Japan being in a situation of two to one? Fourthly, isn't it necessary to commit the relations

between Japan and Italy to writing? Fifthly, I have heard of the military preparedness in case of the outbreak of a war between the U. S. and Japan. However, I am much concerned about the financial problems. I believe the Foreign Minister is prepared for this problem. What do you think of it?

Foreign Minister MATSUOKA.

- (1) A proposal was brought forward for drawing up a secret protocol at the meeting, but it was a unilateral one which exclusively contained the demands of Japan, so that it would take a long time to complete the secret protocol, and more than that we had to obtain Italy's consent about it. Therefore, avoiding exchange of the secret protocol, I have exchanged notes with the German Ambassador stationed in TOKYO as substitutes for them.
- (2) The Anti-Comintern Pact will be left as it is. Japan should adhere to the principle against Communism without reference to the connections between Japan and Soviet.
- (3) Indeed, the connections between Germany and Italy is close, but you need have no misgiving about the matter, because Italy's feeling towards Japan is better than that towards Germany.
- (4) I think it is not necessary to commit this matter to writing. The Italian Ambassador has plainly expressed that Italy agreed with this matter.

Minister of Finance KAWARA: As to the fifth question of Councillor SUGAWARA, I am intending to take measures to prevent the burden of the people from becoming heavy as far as possible.

Privy Councillor MATSUURA: The present Pact aims at preventing the relations between the U. S. and Japan from becoming serious, and of course I am hoping for it. I hereby request the Government to provide against an unexpected serious situation.

Privy Councillor USHIO interrogated on the internal affairs and food problem. The President of the Planning Board answered the questions.

Privy Councillor HAYASHI: The fundamental aim of the Pact is to regulate our relations with the U. S. but at the same time we must deliberate carefully on the relations between Japan and Soviet on this occasion. The Foreign Minister's explanation gave one an impression that the Minister is having an optimistic idea for the relations between Japan and Soviet. While, according to an information which I have received, there are many bad factors about the future relations between both countries. For instance, according to an authentic information concerning an address of instruction to the members of the Communist Party which I have received on the occasion when the Reich-Soviet Non-Agression Treaty was concluded last year.

STALIN delivered a speech: "Our present coalition with Germany is a means to infect Western Europe with Bolshevik ideas. Nevertheless, I will not give up my Eastward Advancing Policy, but I intend to realize it actively when the chance comes". What does the Foreign Minister think of it?

Foreign Minister MATSUOKA: I don't consider the friendship between Japan and Soviet will grow so easy, nevertheless I cannot but recognize that Germany will be able to restrain Soviet Russia. According to an authentic information which I have received, the most important motive by which Soviet turned her back upon England and France and came to fall in line with Germany last year, started because HITLER declared to STALIN that if Soviet did not accept Germany's request, the latter would attack the former. Judging from the circumstances, I think it will be effective to have Germany assist to regulate the relations between Japan and Soviet.

Privy Councillor FUKAI: What sort of strategic assistance can be given to Japan by Germany in such a case as provided in Paragraph III of the Pact or in case of the outbreak of a war between the U. S. and Japan?

Foreign Minister MATSUOKA: When that point was discussed at the meeting, the German authorities expressed that they would supply new war equipments to Japan even before the situation provided in Paragraph III would be realized and if a war broke out between the U. S. and Japan, they would restrain the American force on the Atlantic.

Minister of War TOJO: The supply of superior war equipments by Germany under Soviet's consent will be the most important assistance to Japan.

Minister of the Navy OIKAWA: I am of the same opinion with the War Minister.

Privy Councillor FUKAI: As to the relations between Japan and Soviet, you explained just now that Germany would be able to restrain Soviet Russia. What do you mean by that? Isn't it contradictory to the Reich-Soviet Non-Aggression Treaty?

Minister of War TOJO: Indeed, you may be right so far as the Pact is concerned. But judging from the virtual strategic trend, it is not impossible for Germany to restrain Soviet Russia. For instance, Germany is keeping the greater part of her military forces with the motorized ones within the confines of her territory, in spite of waging war against England. This is strategically restraining Soviet.

Privy Councillor FUKAI: The Foreign Minister said just now that Japan and Germany are depending upon each other, but I cannot but consider Germany's attitude towards the Reich-Soviet Non-Aggression Treaty was unfaithful. On the occasion when Foreign Minister ABE explained

the progress of the diplomatic negotiations at the committee meeting in September last year, Vice-Minister of Foreign Affairs SAWADA stated that the HIRANUMA Cabinet entered a protest against Germany, pointing out that the Non-Aggression Pact was contradictory to the Secret Protocol of the Japan-Reich Anti-Comintern Pact. What has become of the protest?

Foreign Minister MATSUOKA: Whether the protest was really understood by German authorities is doubtful. I think perhaps Japan has not received any answer from Germany.

Privy Councillor FUKAI: Diplomatic negotiations must not be influenced by sentiment. I consider the diplomatic intercourse must be practical. It is read in the preamble of the Pact that every country should be in just and equitable peace, nevertheless, according to HITLER's opinion it seems that "the stronger prey upon the weaker" is a natural law for him. I wonder if Germany has understood the exact meaning of the preamble.

Foreign Minister MATSUOKA: The diplomatic policy of Japan is to proclaim the Japanese spirit and must not be influenced by advantages and disadvantages. The idea like "the stronger prey upon the weaker" should be decidedly rejected.

Privy Councillor FUKAI: I can understand that if the war between the U. S. and Japan is inevitable our diplomatic policy should lay emphasis on either Germany or England and America. It is, however, not impossible that the conclusion of the Pact might hasten the outbreak of war between the U. S. and Japan. I wonder whether the Prime Minister is confident of finding his way out of the lack of war equipments and other materials, demoralization of thoughts, etc., in the worst case. Please explain your opinion.

Prime Minister KONO: The fundamental aim of the Pact is to prevent the U. S. and Japan from a war. But as she would grow impudent if we acted humbly towards her, we must maintain a dauntless attitude towards her. In the worst case we government authorities must act up to various policies with great resolution throughout the foreign and domestic affairs. On the occasion when I proceeded to the Imperial Palace and submitted this matter to the Throne, I was filled with trepidation finding that the Emperor had been firmly determined. Therefore, I am being prepared for putting this Pact in practice satisfactorily.

Privy Councillor FUTAGAMI: Since the diplomatic and economic matters have already been discussed, I will ask you some questions on the Pact itself. Firstly, as to its formality, it is not clear which is referred to the Privy Council among these documents delivered to us. Will the originals of these documents be written in Japanese? Judging from the contents, also the exchanged note seems to be an international understanding. Isn't it referred to the Privy Council?

Foreign Minister MATSUOKA: The draft of the Pact alone has been referred to the Privy Council. The other documents have been delivered for reference. The original of the Pact should be written in Japanese, German and Italian, but for the time being, we shall sign the texts written in English.

Chief of the Treaty Bureau MATSUMOTO: The exchanged note attached is different in its content and formality from an exchanged official note which has full force and effect of a Pact, (for instance, a number is assigned), and it can not be recognized as an international understanding. But it is recognized to be very important, containing the interpretation of the Pact and items agreed between Foreign Minister MATSUOKA and German Ambassador OTTO so that we attached it to the draft of the Pact for reference.

Privy Councillor FUTAGAMI: To sign the text of the Pact written in English temporarily is exceptional and I cannot think such formality could be admitted. Moreover, since the content of the exchanged note is an international understanding, I think it should be referred to the Privy Council.

Chairman HARA: I am intending to open a round table conference for these matters of formalities later on.

(After the Committee Meeting was over, the attendants on the Government's side retired and it was decided at the round table conference as follows:

The draft of the Pact alone should be referred to the Privy Council. For the time being, it should be overlooked to refer the draft of the Pact written in Japanese in discussion, and to sign the text of the Pact written in English temporarily, and later on change the texts written in English to texts written in Japanese, German and English.)

Privy Councillor FUTAGAMI: The wording "not involved in either the European War or the Sino-Japanese conflict" at present in Paragraph III of the present Pact is so inaccurate that it may be read that Paragraph III is applied in case a contracting party is attacked by a Power or Powers not at present involved in either the European War or the Sino-Japanese conflict. What do you think of that point? According to the Foreign Minister's explanation, the Joint Special Commission is understood to be a joint military, naval and economic commission. Doesn't it mean a joint commission of the three contracting parties? Considering Paragraph V in connection with Paragraph III, Germany will not be able to attack Soviet Russia even when Japan is attacked by Soviet Russia because the former has concluded the Non-Aggression Treaty with the latter. On the other hand, if Germany is attacked by Soviet Russia, Japan will have to attack Soviet Russia in order to assist Germany. Therefore, don't you think this Pact is a unilateral one?

Foreign Minister MATSUOKA: The first question of Privy Councillor FTAGAMI is a matter concerning wording and there is no room for doubt in interpretation. As for the second question, of course it means the Joint Commission of the Contracting Parties. As to your opinion that Paragraph III is one-sided under the influence of Paragraph V, you have forgotten the political aim of Paragraph III. In such a case when Soviet Russia attacks Germany, the existing political connections between both countries will be changed materially. I think, therefore, Japan's attitude assumed in such a case should be excluded from applying this Paragraph of the Pact. The object of this Paragraph is to state plainly that for the time being, the connections between Japan and Soviet Russia is excluded from this pact.

Privy Councillor NANO: I have no opinion of my own about that.

Privy Councillor OSHIMA: Is there any agreement concerning the limit of Greater East Asia?

Foreign Minister MATSUOKA: Of course we have consulted with Germany about that matter, as I explained this morning.

Privy Councillor OBATA: When the U. S. participates in the European War at such a time when the Sino-Japanese conflict is not settled, it would be a heavy responsibility for Japan to give assistance to Germany and Italy. On the other hand, the outbreak of the war between the U. S. and Japan is almost impossible, so that this Pact would become one-sided. What do you think of it?

Foreign Minister MATSUOKA: No, I don't think so because the possibility for the United States' participation in the European War and that for the outbreak of the war between the U. S. and Japan are equally matched.

Privy Councillor TAKEGOSHI: What sort of assistance will be given to Japan by Germany in the worst case as a result of this Pact? In what way will the Japanese Navy assist Germany and Italy?

Foreign Minister MATSUOKA: The matters in question must be submitted to the Joint Commission for deliberation.

Chief of the Examination Committee SUZUKI: We must keep watch on the expansion of the U. S. Navy and must not neglect our preparations for it, because the war between the U. S. and Japan may be inevitable, notwithstanding this Pact is concluded or not.

Minister of the Navy OIKAWA: If we attack the U. S. at a stroke, the chances are in our favor. We are now planning expansion in various fields for the future.

Privy Councillor ISHII: According to the last part of the exchanged note, it is mentioned that the South Sea Islands under the mandatory rule of Japan are to remain to be Japanese dominions, but Japan must indemnify Germany for them. Foreign Minister MATSUOKA has explained that the South Sea Islands are still under military occupation of Japan because the Treaty of Versailles had already terminated. So that Japan must take over them from Germany, paying an indemnity. I believe it is right to consider them as Japanese dominions because Japan has taken over the mandatory territory which was transferred to the five Powers as a result of the Treaty of Versailles. Therefore, I don't approve the German Ambassador's verbal announcements. I will only give my opinion for reference because this matter is not to be referred to the Privy Council.

Foreign Minister MATSUOKA: Apart from the legal theories of the influential international jurists, including Dr. TACHI, that mandatory administration does not involve transfer of territory, it is my belief for three years standing that from the political point of view, it will be much better for Japan to take over the territory from Germany, paying an indemnity. I heard that several years ago, the Japanese Naval authorities proposed the cession of the territory to Germany through a naval officer stationed at Berlin.

Privy Councillor ISHII: Once, I exchanged views with Dr. TACHI about this matter. Notwithstanding his theory that mandatory administration does not involve transfer of territory, he seemed to have no objection to the point that the territory had been transferred to the five Powers from Germany. Therefore, I cannot agree to take over the territory from Germany paying an indemnity after so long a time has passed.

Privy Councillor MITSUCHI: Since this morning, the discussions seemed to be chiefly about the problem, in case of war breaking out between the U. S. and Japan. If this Pact is concluded, we must expect that the U. S. will impose economic pressure upon us more severely than ever. I think, therefore, the national life in Japan will become an important problem. Have the Government authorities prepared satisfactorily for this matter? The Japanese are apt to worship Germany and attempt an Anti-American movement when such a Pact is concluded. I hope the Government authorities would control them strictly.

President of the Planning Board HOSHINO: Also, we government authorities are so much concerned with national life that we will be sure that nothing is left to be desired.

Prime Minister KONO: I entirely agree with you concerning the control of the Anti-American movement. I will set up to the counter-measures for it.

The attendants on the Government's side retired at 7.30 p. m.

CHARGE OUT SLIP

DATE OCT 24 1946

EVIDENTIARY DOC. NO. 1603 A

TRIAL BRIEF _____

EXHIBIT NO. _____

BACKGROUND DOC. NO. _____

SIGNATURE G. C. Foster (A.S.K.)

ROOM NO. 371

Exhibit 1030

INTERNATIONAL PROSECUTION SECTION

Doc. No. 1603

13 May 1946

ANALYSIS OF DOCUMENTARY EVIDENCE

DESCRIPTION OF ATTACHED DOCUMENT.

Title and Nature: Re: The Tripartite Pact. MATSUOKA-Stahmer informal discussions; Privy Council Meeting.

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English

Has it been translated? Yes No

Has it been photostated? Yes No

LOCATION OF ORIGINAL (also WITNESS if applicable) as of:

Document Division

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Doc. No. 1603

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Doc. No. 1603

13 May 1946

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INTERNATIONAL PROSECUTION SECTION

Doc. No.

1623

Date 8 May - 1946

ANALYSIS OF DOCUMENTARY EVIDENCE

DESCRIPTION OF ATTACHED DOCUMENT.

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~~MATSUOKA~~ MATSUOKA - Stahmer informal discussions, Privy Council Meeting.

Date: ~~Sept.~~ Sept. 1940 Original () Copy ()

Language: Japanese and English

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

LOCATION OF ORIGINAL (also WITNESS if applicable) as of _____:

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Analyst

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and determined Axis can scare the U.S. into
remaining neutral. Germany and Italy will
do all in their power to "restrain the U.S. ~~over~~ the
Atlantic and will at once start supplying Japan
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1603

broker" in ~~the~~ Japan-U.S.S.R. and Japan-U.S. affairs.

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[SPACE]

Proceedings concerning the Tri-Partite Pact at the Privy Council Meeting 26 Sept. 1940. (Names of those present ~~can~~ can be found in the ^{complete} translation attached to the document.) ~~It is to be found in Doc. No. 7007~~
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1603

Therefore, regulation of diplomatic relations between Japan and USSR is the most important matter." (P. 2)

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Privy Councillor SHIMIZU: "Wou't (this fact) be against the constitution?"

MATSUOKA: "There are many precedents of such a fact. It is referred to the Privy Council for deliberation and sanctioned before the Pact is signed, (it is not) against the Constitution." (P. 7)

SHIMIZU and MATSUOKA discuss Japan's paying Germany an indemnity for the South Sea Islands ~~annexed~~ to Japan. MATSUOKA states that Germany wishes a nominal payment just as a formality. A "nominal payment" could and would probably be a mere token payment. (P. 7) (See also Doc. No. 1461, Par. 9; Doc. No. 1214)

Privy Councillor MINAMI asked why the Tri-Partite Pact could not be postponed until after diplomatic relations between Japan and Russia had been regulated.

MATSUOKA replied that Russia's terms of acceptance of all previous Japanese proposals had been unacceptable. (Russia wanted re-ex-

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Privy Councillor FUKAI asks what sort of strategic assistance would Japan receive under Par. III of the Pact ~~in~~ in case a war broke out between the U.S. and Japan.

MATSUOKA: "When that point was discussed at the meeting, the German authorities said they would supply new war equipment to Japan even before ~~the~~ a situation provided as in Par. III could be realized, and if a U.S.-Japan war broke out Germany would restrain ~~the~~ America on the Atlantic."

At this point War Minister TOJO and ~~Army~~
~~Minister OIKAWA~~ declared ~~that~~ declared: "The
 supply of superior war equipment by Germany
 with Russia's consent will be a most
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 against Germany ^{made} by the HIRANUMA Cabinet
 pointing out that the Russo-German Non-Aggression
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 understood by German authorities is doubtful. I think
 perhaps Japan has not received any answer from
 Germany." (P. 13)

Prime Minister KONOE stated that the
 fundamental aim of the Pact was to prevent
 a U.S.-Japanese War. (See Doc. No. 1202)

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Privy Counsellor OSHIMA: "Is there any agreement concerning the limit of Greater East Asia?"

MATSUOKA: "Of course we have consulted with Germany (P. 15) (See Doc. No. 1461, Par. 10)"

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1603

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MATSUOKA: "I intended to have Germany lead the CHUNGKING govt to peace through Russia's help, but if we suggest it too early Germany may take advantage of our helpless condition. So, in the interview with Ambassador OTTO at the beginning of August when he proposed Germany's help in the matter, I declared we would settle the Sino-Japanese conflict ourselves. Of course, I intend to hasten the realization of a friendship between Russia and Japan and the settlement of the Sino-Japanese war, making efficient use of the pact." (P. 10)

For TOJO's explanation see Doc. No. 1461, Par. 8.

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(See also Doc. No. 1461, Par. 18)

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The subject of a U.S.-Japan war came up.

~~The~~ Navy Minister OIKAWA: "If we attack the U.S. at a stroke, the chances are in our favor. ~~that~~ We are now planning expansion ~~in the future~~ (P. 15) (See Doc. No. 1461, Par. ~~25~~ 25 for statement of OIKAWA)

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Here follows a duplicate of the supplement to the Prime Council Committee Meeting, ~~and~~ ~~which~~ ~~is~~ ~~attached~~ ~~to~~ ~~Doc. No. 1461~~ which contains some items not contained in the summary analyzed above. ~~The supplement itself~~ ~~is~~ ~~an~~ ~~appendix~~ ~~to~~ ~~the~~ ~~summary~~ ~~reported~~ ~~in~~ ~~the~~ ~~Chungking~~ ~~report~~.

~~Analysis~~

has been analyzed and is now Doc. No. 1461. Also, for information on proceedings regarding the Tri-Partite Pact see ~~Doc. No. 1202~~ Doc. No. 1202, 1214, and 1215.

End
W.C.
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W.C.

INTERNATIONAL PROSECUTION SECTION

Doc. No. 1603

13 May 1946

ANALYSIS OF DOCUMENTARY EVIDENCE

DESCRIPTION OF ATTACHED DOCUMENT.

Title and Nature: Re: The Tripartite Pact. MATSUOKA-Stahmer informal discussions; Privy Council Meeting.

Date: Sept. 40 Original Copy Language: Japanese
English

Has it been translated? Yes No
Has it been photostated? Yes No

LOCATION OF ORIGINAL (also WITNESS if applicable) as of:

Document Division

SOURCE OF ORIGINAL: Foreign Ministry

PERSONS IMPLICATED: MATSUOKA; TOJO; OIKAWA; et al infra.

CRIMES TO WHICH DOCUMENT APPLICABLE: Conspiracy to wage aggressive warfare.

SUMMARY OF RELEVANT POINTS (with page references):

A list of salient points in informal conversations between MATSUOKA and special envoy STAHER 9, 10 September, 1940 written both in English and Japanese:

Germany does not want the war to spread, but wishes to conclude it as soon as possible. Germany wants Japan to restrain the U.S. from entering the war. Germany believes that a united and determined Axis can scare the U.S. into remaining neutral. Germany and Italy will do all in their power to "restrain the U.S. on the Atlantic and will at once start supplying Japan with as much of the war equipment (such as airplanes, tanks and other war tools, with men even, if Japan wishes it) as she can reasonably spare.... (MATSUOKA remarked that these things....will have to be left to a.... military and naval commission of the Axis, granted that Japan joins the Axis in the sense and in the way Germany wants.)" Germany respects Japan's political leadership in East Asia, all she wants from this region is of economic nature. Germany will act as an "honest broker" in Japan-USSR and Japan-US affairs.

"Germany, in asking Japan to join the Axis in the fullest sense.....quickly, before the war against England closes is taking a long view of carrying on /a/ stupendous struggle against the British Empire, not to say Anglo-Saxondom including America. The present war may end before long, but this great struggle will go on for tens of years yet, in one form or another. (MATSUOKA emphasized this phase.)" "Stahmer's words may be regarded as coming directly from Ribbentrop."

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TOJO: ".....military operations against the U.S. cannot be said to be perfect without taking those against Soviet Russia into consideration. Therefore, regulation of diplomatic relations between Japan and USSR is the most important matter." (p. 2) (See Doc. No. 1461, Par 12).

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MATSUOKA replied that Russia's terms of acceptance to all previous Japanese proposals had been unacceptable. (Russia wanted re-examination of the Treaty of Portsmouth,) Therefore Japan was forced to "regulate" her relations with Russia through the help of Germany. (p 9) (See Doc. No. 1461 Par. 13)

MINAMI then asked MATSUOKA if American assistance to England could be interpreted as an attack on Germany.

MATSUOKA replied: "We must judge from the then existing circumstances whether America's movement would be recognized

as an attack or not. As to this point, the German authorities insisted on inserting the words 'attacked openly or covertly' in Par. III of the Pact,we proposed to eliminate 'attacked covertly' for fear of their including such a case as the U.S.-British destroyer deal. The Germans explained that the insertion of the words would be advantageous for Japan, including cases like the U.S. fleet entering Singapore, excluding the above-mentioned transfer of destroyers." (p. 10)

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At this point War Minister TOJO declared: "The supply of superior war equipment by Germany with Russia's consent will be a most important help to Japan." Navy Minister OIKAWA agreed. (p. 12)

Doc. No. 1603 - Page 4 - SUMMARY CONT'd

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MATSUOKA: "Of course we have consulted with Germany" (p. 14) (See Doc. No. 1461, Par.(10))

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Here follows a duplicate of the supplement to the Privy Council Committee Meeting which contains some items not contained in the summary analyzed above. The supplement itself has been analyzed and is now Doc. No. 1461. Also, for information on proceedings regarding the Tripartite Pact see Doc. No. 1202, 1214, and 1215.

at 1030

Doc 1603A

第四日獨伊三國條約之閣下樞密院審查委員會議事概要

(松本 條約局長手記)

昭和十七年九月二十六日午前十一時三十分開會

宮中東三ノ間ニ於テ

出席者

樞密院側

原 樞密院議長

鈴木 樞密院副議長(審查委員長)

欠席ノ金子顧問官及田中顧問官ヲ

除キ全顧問官審查委員トシテ出席

政府側

近衛 内閣總理大臣

松岡 外務大臣

東條 陸軍大臣

及川 海軍大臣

河田 大藏大臣

星野 企畫院總裁

他ニ説明員トシテ

村瀨 法制局長官 森山 第三部長

松本 條約局長

武藤 軍務局長

阿部 軍務局長

原口 為替局長

松隈 銀行局長

辻 監理局長

議事

- 一、委員長開會ヲ宣シ書記官ヲシテ條約案文ヲ朗讀セシム
- 二、近衛總理大臣別紙甲號ノ通牒ヲ述ブ
- 三、松岡外務大臣別紙乙號ノ通牒ヲ述ブ
- 四、庶順ニ依リ顧問ニ入ル

河合顧問官

本官ハ本案ノ趣旨ヲ完全ニ了解セリ本官トシテハ豫テヨリ日獨同盟ノ成立ヲ希望シ居リタルモノニシテ松岡大臣就任以來其ノ速ナル實現ヲ期待シ一部ニ松岡大臣ノ活動ヲ手緩シトスル論モ耳ニシタルガ今同遂ニ之ガ成立ヲ見タルハ欣快ニ堪ニカル所ナリ且今ノ松岡大臣ノ説明ニ依リテ伊太利ノ態度ハ明テラザル處此ノ真ヲ承リ度シ

松岡大臣

本件話合ハ先程モ述べタル通り日獨同盟ニ始メラレタルモノニシテ獨側ハ最初ヨリ伊太利ノ方ハ引受け居シト申述べ居リタリ昨日伊太利大使ハ本大臣ヲ訪問シテ伊太利ハ本件交渉ノ一切ヲ獨側ニ委任シ日獨同盟ニ纏リタル條約案ニ伊側ハ全幅的ノ賛意ヲ表スル旨本國政府ノ訓令ニヨリ申入レ来リタル次第ナリ

河合顧問官

附屬ノ交換文書ヲ一覽スルニ日獨同盟ノ關係ノミヲ述べ居ル處伊太利ヨリモ同様ノモノヲ取付クル必要ナキヤ

松岡大臣

實ハ我ガ方トシテハ凡テ獨逸ニ重点ヲ置キ伊太利側ヲ附隨的ノモノト考ヘテ居支ナシト思考ス從テ交換文書ノ中ニ於テ獨逸外務大臣ガ伊太利ノ援助及協力ヲ必要トスル場合ニハ伊太利ハ勿論獨逸及日本ト同調スベキトヲ絶対ニ信スル旨ヲ掲ゲラルニ止メタル次第ナリ

河合顧問官

條約第三條ハ且取モ重要ト思考ス本官ハ日

米開戦ヲ信ズルモノニ非ザルモ日取悪ノ場合ヲ考慮シテ軍部大臣
ハ何等敗ケテ取ラガレ又覺悟アリト信ズルガ之ニ就テ何等カ本
官等ニ安心ヲ與フ様御説明ヲ承リ度シ又蘇聯ガ日本ニ向テ
事ヲ起サガレモトモ限ラズ此ノ場合獨逸ハ如何ナル態度ヲ執ルモ
ノト考ヘラルヤ

東條陸軍大臣 本大臣ハ主トシテ陸軍ノ見地ヨリ御回答ス最悪ノ
事態ニ陥リタル際対米作戦ニ要スル陸軍ノ兵力ハ極一部分ヲ
使用スル過ズ其ノ兵ハ御懸念ハ世用ト思考ス然レテ亦
米作戦ハ結局対蘇作戦ヲ考慮セザレバ完全ナリト云ヒ難シ依テ
日蘇ノ國文調整ハ極メテ重要ナル問題ニシテ之ガ有效ニ完
成スルハ軍事上準備ハ余程樂ニナルモト考ヘ得ル處又蘇聯
ノ性格上日本トシテ準備ヲ怠ル詎ニハ考ラズト思考ス尚又那
事変ニ付テハ本條約ヲ有效ニ活用スルニトモ依リ最悪ノ事態
發生前事變ノ解決ヲ圖リ度キ考ナリ

及川海軍大臣 現存艦隊ノ戦備ハ完成シ居シルヲ以テ決シテ米
國ニ敗テハ取ラガレモ戦費ガ長期ニ亘ル場合ハ米國ノ海軍
充實計畫直ノ實現ニ伴ヒ我々トシテモ充分ノ準備ヲ爲ス要
アリ此ノ兵ニ付テハ海軍トシテモ萬全ノ策ヲ講ヒ居ル次第ナリ
河合顧問官 本官ノ最モ心配スル所ハ物資ノ關係ニ於テ一休長
期戦トナリタル場合ト位ノ間ハ甚反テテ御考ナリヤ

星野企画院總裁 昨日御説明申上ゲタル通り(企画院總裁
ハ其ノ前日樞密院定例參集ニ於テ物資動員計畫ニ付詳
細ナル説明ヲ行ヘリ)數年前ヨリ我國ハ諸物資ノ自給自
足ヲ覺悟シテ準備シ来シルガ二十億ノ輸入ノ中十九億ハ英

米ニ依存セル有様ナルガ故ニ經濟上ノ壓迫強化ノ場合條約等
 三條發動ノ場合ヲ考ヘテ萬全ノ策ヲ講スル必要アリ鉄ニ付テ之ヘ
 本年ノ生産高ハ五百二十万ト見込ナルガ最悪ノ場合ニ之四百
 万屯ハ生産し得ル見込ナリ現在軍備並ニ軍需品ニ使用セルモノ百
 五十万屯其ノ他ハ生産力充足並ニ民需官需ニ充當マルモノナルガ
 片屑鉄ヲ来ラサル場合又ハ鉄材ノ輸入ナキ場合ヲ考慮シテ生産
 力充足ニ手加減ヲ加ヘ民需官需ヲ制限スル左程窮境ニハ之ヲテ
 ル見込ナリ非鉄金屬ニ付テハ鉄ノ様ニ參ラヌモ世界中ヨリ目下蒐
 集ニ務メ居ルコト之亦左程心配ハ要ラヌト思考ス且取モ重大
 ナルハ石油ナルガ現在ハ多量ヲ米國ニ依存シ居リ殊ニ航空機用
 揮發油ハ殆ド全部ヲ米國ヨリノ輸入ニ仰キ居ル處國內ノ増産
 ヲ圖ルト共ニ米國以外ヨリ獲得スル方法ヲ講セザルベカラズ日英近航
 空油ニ付テハ相當ノ「ストック」ヲ得タリ然レ共對米戰爭長期ニ直
 ル場合鉄其ノ他ノ金屬類ノ場合トハ異リ日滿支三國ノ中ノ一ニ
 テハ自足出来ザルニ依リ出来得ル限り東ニ南印又ハ北樺太ヨリ
 石油獲得權ヲ確保スル必要アリ此ノ旨ニ付テハ今回ノ獨逸側トノ
 話合ニ於テモ問題トナリタル旨ナリ又目下南印ニ於テ平和裡ニ
 石油ヲ獲得スル交渉カ行ハレ居ルモノト御了解願出シ

河合顧問官 昨日ノ御話ノ時ニモ石油ニ付テハ軍部ニ於テモ相當ノ
 準備アリト云フ意味ノコトヲ申サレタルガ軍部大臣ヨリモ御答辯
 願度シ

及川海軍大臣 海軍トシテハ相當長期ノ準備ヲ有ス又人造石油
 ニ付テモ目下施策中ナリ

東條陸軍大臣 陸軍ノ資材ニ付テモ相當ノ期間ハ堪エ得ル様

準備アリ非常ナル長期戦トシテ航空機用機械化部隊用
油ニ付テ考慮スル必要アリ

右ニテ一旦休會

午後一時十分再開

石井顧問官 第三條ニ依リ一國ガ攻撃セラルル時ハ直ニ参戦
義務ヲ生ズルモノナリヤ何事カ此ノ点ニ付 註合アリタルヤ

松岡外務大臣 交換文書中ニ一締約國ガ條約第三條ノ
意義ニ於テ攻撃セラレタリヤ否ヤハ三締約國間ノ協議ニ依リ
決定セラルベキコトヲ論トス一在京獨逸大使末翰トナルハ御

質問ノ点ヲ明確ナラシムル爲本大臣ノ要求ニ依リ挿入シタル
モノニシテ攻撃アリタルヤ否ヤニ付テ協議シ協議纏マレバ自働

的ニ共同ニ戦ハザルベカラザル處何時如何ナル方法ニ依リ援
助スルヤハ締約國各々自主的ニ決定シテ協議スルコトナル次
第ナリ

石井顧問官 條文中ニ直ニト云フ字句モテキニ依リ外務大臣ノ説明ハ
自今ニ同感ナリ尚第四條ノ混合専門委員會ハ通常同盟條約

ニアル軍事専門家間ノ協議ト解シ居リタルガ先程ノ外務大臣ノ説明
ニ依リハ経済的ノ問題モ右委員會ニ於テ協議スルモノノ如キ處此ノ

点ニ付御説明ヲ承リ度シ

松岡外務大臣 本件ハ最初ノ條約ノ附属秘密議長書中ニ規定スル案
ニテリ居リタリ同案ニ依リ陸海軍混合委員會ヲ東京ニ一伯

林又ハ羅馬ニ一ヲ設ケ其ノ他經濟委員會ヲ設ケルコトナリ居リ
然シ其秘密議長書ニ作成セラルトナリ此ノ点ハ條約成立後兩

國間ニ協議シテ決定致度キ處經濟問題ヲ扱フ委員會ハ必
要ト思考スルニ依リ設置スルコトナルベシト考ヘ居リ

Doc 1603A

石井顧問官 本條約ニハ同盟條約ニ殆ニド必ズ存在スル
單獨不媾和ニ関スル規定ナキ處右ハ何等カ特殊ノ思惑アリ
リタル次第ナリヤ

松岡外務大臣 本件ハ一切話出ザリキ實ハ本大臣トシテハ
先方が云ヒ出セバ之ヲ挿入スルモ差支ナシト思考シタルガ
先方が之ニ觸レザル場合ニハ之ヲ設ケザル方可ナリト
思ヒタリ何トナシ本條約ハ本大臣ノ考ニテハ戦争
ヲ防止スルコトガ目的ニシテ戦争スルコトガ目的ニアラ
ザルニ依リ開戦ヲ豫想スル單獨不媾和ノ規定ヲ
設ケザル方可ナリト思ヒタルコトガ一ノ理由ニシテ
他ノ理由ハ万一戦争が始マシバ此ノ点ハ戦争初期
ニ互ニ約束スルニ宜シト考ヘタルヲ以テ之ガ規定
方ヲ申出ザリレ次第ナリ

石井顧問官 御意見御尤ト存ズ尚條約第一條
ニ歐洲ニ於ケル新秩序ト云フコトガアル處何ヲ以テ
歐洲ノ新秩序ト云フヤ判然タラシメザレバ日本
義務ガ判然タリ得ザルニ非ズヤ何カ此ノ點ニ付
話合アリシヤ

松岡外務大臣 御尤ノ質問ト存ズルモ本大臣トシテハ
新秩序ノ意義ハ前文ニテ充テハ居シリト
思考ス前文ハ當方ノ提案ニシテ獨逸側ハ一字
ノ修正ヲモ申出ザリシモノナリ

No6 有馬顧問官 本條約ニ依リ日米戦争ヲ避ケ度キハ
本官モ政府ト同感ナルガ日米ハ宿命的ニ戦ハサル

ビカラザルモノナラバ今日が最モ良キ時期ト考フ但シ
最モ心配ナルハ石油ノ缺乏ナリ海軍大臣ハ相当準
備アリト云ハシタルガ日米開戦スレバ一年ニ亙リテ終局
ニ達スルモノトハ思ハレズ殊ニ今日ノ戦争ニ於テハ極
メテ多量ノ石油ヲ使用セザルベカラザル處人造石
油等モ果シテ急場ノ間ニ合フモノナリヤ心配ニ
堪エザル次第ナルニ付此ノ點重テ海軍大臣ヨリ御
回答ヲ得度ニレ

及川海軍大臣人造石油ハ未ダ着手シタル許リニテ
中々急場ノ間ニ合フトハ申サレズ依テ平和的手段
ニ依テ蘭印又ハ北樺太ヨリ獲得スル他ナク之ガ成功
スレバ相当有約ナリ從テ蘇聯トノ國交調整ハ
此ノ上莫ヨリ云フモ重要ナリト存ズ又一方海軍トシテ
ハ長期戦ニナレバ油ノ使ヒ延シモ考ヘザルヲ得ズ
有馬顧問官ハイ、オクタン價ノ石油ハ充分間ニ合フ次
第ナリヤ

及川海軍大臣ハイ、オクタン價ノ石油ハ近年海軍ニテ
モ専門ノ研究機関ヲ設ケ海軍独自ノ方法ニテ製
造シ居シリ又相当準備モアル次第ナリ
窪田顧問官 條約第三條ノ文ハ上ヨリ見シバ現ニ
歐洲戦争又ハ日支紛争ニ參入シ居ラザル國ノ中
ニハ蘇聯モ合ミルモノト考フルガ蘇聯トノ關係ハ
如何ナルモノナリヤ独逸トハ蘇聯トハ何等カ話
合アリタル次第ナリヤ

松岡外務大臣 其ノ疑問ヲ避クル爲第五條ヲ註釋セタル
 次第ナリ高本大臣ガ「スターマール」ニ對シテ「蘇聯トノ間ニ
 何カ本條約ニ付話アリタルヤト訊ネタルニ對シテ「ス
 ターマール」ハ否定的ノ回答ヲ爲シ居リタルガ本大臣
 ノ想像スル所ニテ「スターマール」ハ「モスコ」通過
 ノ際「蘇側ト何等カ話ヲ爲シ居ルモノト考ヘ居
 レリ」其ノ證據ト思ハルル一ノ事實アルガ「スターマール」
 ハ八月二十三日ニ柏林ヲ出發セル處同日「ルビン」
 外相ハ東栖大使トノ會見ニ於テ何等言及セザ
 リシガ「スターマール」ハ廿四日ニ東郷大使ニ會見
 シタル際ニハ「獨逸側ハ日本ト政治條約ヲ締結スル
 積ナルニ付テ話シ居ルヲ以テ其ノ間「スターマール」ハ
 「蘇聯當局ト何カ話ヲ爲セルモノト思考セラル
 穴窪田顧問官米蘇接近ノ噂ヲ聞ク處本條約ハ之
 ヲ促進スルコトナル懼ナキヤ此ノ占ハ如何
 松岡外務大臣米蘇接近ニ付テハ外務省ニ於テモ
 又右方面注意シテ真相ノ把握ニ努カメ居ル處今
 日迄確實ト認めラルル情報ニハ接シ居ラズ本大臣
 ハ未ダ具體的ノ何物モナシト考ヘ居レリ高「スター
 マール」ハ日蘇ノ國交調整ノ成功ニ付テハ極メテ明
 白ニ其ノ可能性ヲ述ベ獨逸ノ斡旋ヲ申出タル次第
 ニシテ此ノ真ハ「交換文書」ニモ記載サレタル通ナリ
 石塚顧問官條約ノ條文トシテハ本官ニ於テ「其
 存ナシ但シ獨逸トノ關係ニ付テハ過去ノ實績ニ

照シ百ノバトセニトシ信用ヲ置キテ譯ニ行カズ防共協定
及文化協定締結ノ際ニモ特殊ノ事項ニ付テ公鬼モ角
全面的ノ提携ハ不可ナリトノ議論アリキ此ノ点ハ
政府ニ於テモ充分御留意相成テ條約實施ニ
遺憾ナキヲ期セラシ度ニ

清水顧問官 本條約ノ調印者ハ誰ナリヤ
松岡外務大臣 トリッペン トロップ アノレ 及來栖大使
一三名ナリ

清水顧問官 本條約ハ署名ト同時ニ實施セラルルコト
トナリ居ル處之ハ憲法上差支ナレト思ハルルヤ。

松岡外務大臣 斯クハ如キ條約ハ前例モ多クアリ調
印前ニ樞密院ニ御諮詢相成リ御裁可アルモノナルニ
依リ憲法上ノ問題ハ生ズル惧ナシ

清水顧問官 聞ク所ニ依ルハ重慶ニハ未ダ獨逸人ノ
技師カ數名居ルト云フガ眞実ナリヤ

東條陸軍大臣 斯カル情報ハアルモ眞相不明ナリ
清水顧問官 我南洋委任統治地域ニ對シテモ何
等カハ代償ヲ支拂フコトトナリ居ル處如何ナル
譯ナリヤ

松岡外務大臣 此ノ点ニ付テハ獨逸側ハ目下未共任
統治トナリ居ル舊白獨領ハ全部返還ヲ欲スル建
前トナリ居リ與國タル日本ノ之ガ之ヲ返還セ
ザルコトヲ認ムルハ原則ノ問題トシテ受諾シ得ズ
從テ代償ヲ得テ日本ニ讓渡シタル形式ヲ採リ

度ニト主張セリ最初ハ相当ナル代償 adequate
 フ字句ナリシヲ本大臣ノ主張ニ依リ *the way* ト云
 フコトニシタルモノニシテ先亦ハ此ハ代償ハ全然ナ
 ナルモノニテ可ナリ例ヘバ珈琲豆袋ト云フ例ニ
 リト云ヒ居リタル位ニテ極メテ輕キ意味ナリ
 清水顧問官本官ノ考ニテハキセ任統治ハハテ更
 ヨリ讓渡ヲ受クル必要ナキモノト云ハル
 松岡外務大臣自分ノ考フル所ニ於テハ立博士其他
 有カタル國際法學者者ノ説ノ如ク領土ノ割讓ハナ
 シモノト見ルノガ正シト思考ス從テ本大臣ハ三年
 以來フヴェルサイユ條約ヲ獨逸ガ實際上破棄シタ
 ル以上日本ノキセ任統治ハ軍事占領ノ繼續ト見ル
 ノガ正シク從テ獨逸ヨリ讓渡ヲ受テ事態ヲ明
 瞭ニスルル必要アリト考ヘ居リリケ
 南顧問官 伊太利ハ本條約ニ何時承認ヲ與ヘタリヤ
 松岡外務大臣 先程モ御答合シタル通り伊太利ハ二
 五日ニ在京大使ヲ本大臣ノ許ニ派遣シテ同意ヲ
 表明シ来シリ其ノ前ニリッペントロープ外相ガ羅
 馬ニ於テ伊太利側ノ同意ヲ取付ケタルモノナリ
 南顧問官 然ラバ十九日ノ御前會議ノ際ニハ伊
 太利ハ同意スルモノトモセザルモノトモ不明ナリニ
 本件ヲ御前會議ニ附シ御裁可ヲ仰ギタル時
 期頗ル尚早ニアラズヤ

松岡外務大臣獨逸側ハ最初ヨリ伊太利ノ同意ヲ
 確實ニ得ラルルコトヲ綿綿返シ述ベ居リタルノミナ
 ラズ御前會議ニテ審議シタルハ日独間ニ應
 纏リタル案ハ依リ日独伊三國間ニ條約ヲ締
 結スル方針ヲ附議シタルモノナルニ依リ何等差
 支ナカリレモノト考フ

南顧問官大東亞ノ範圍ニ係テハ明白ナルコトヲ決メ居ラサルニアラ
ズヤ。

松岡外務大臣交渉ニ當リ臨時語ヲ爲シ記録ニ留メタリ
南顧問官日英間ニ紛争發生シタル場合ニ係テニ交換文書アルハ
如何ナル理由ナリヤ

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松岡外務大臣英國ハ既ニ歐洲戰爭ニ参戰シ居ルヲ以テ本條約
ホ三條ノ場合ニ當リ嵌ラサルモ日本トシテハ日英戰爭ガ絶對
ニシトハ云ヒ得ザルニ依リ特ニ此ノ點ヲ獨逸側ノ好マザ
リニシテ拘ラズ明確ニモシメタリ、

南顧問官本條約ハ日本ヨリ言出シタルモノナリヤ獨逸ヨリ
言出シタルモノナリヤ

松岡外務大臣獨逸ヨリ言出シタルモノナリ、

南顧問官獨逸ガ斯ナル提議ヲ爲スニ至レルハ日英作戦ニ失敗
シタル爲ニアラスヤ

松岡外務大臣日英作戦ノ長引キタルコトモノ理由ナルヤモ知レザルモ
右ガ全部ニハ非ズ數十年ノ長キ眼テ見テ獨逸ノ高藤辭ケ難
シト見タル爲ナラント思ハル

南顧問官本條約ニ依リ米國ヲ牽制スルコトハ結構ナルガ米獨
提携ノ危險絶對ニキヤ、

松岡外務大臣米獨提携ノ可能性モ絶對ニシトハ思ハズ然レ共
日米關係ノ改善ニハ獨系米人ノ米國ニ於ケル執力ヲ無視スル
ガレニ依リ此ノ點ニ於テモ本條約ノ價值アリト由心考ス

12
南顧問官石油ノ問題ハ先程ノ各大臣ノ回答ヲ承ルモ壁ヲ
隔テテ物ヲ聞クガ如ク一オモヤ心出スル今少シ明瞭ナルコトヲ

承リ安心セシメラレ度シ

企畫院總裁、陸海軍各大臣 先程モ御答ニタルニ通り陸田
ハ相留野藏アリ海外ヨリノ平和的獲得モ有望ナリト河合
有馬両顧問官ニ對スル回答ヲ繰返シ述ブ

南顧問官 一方ニ於テ日支事變が繼續シ一方ニ於テ日米戦争
が勃發セバ日本ノ財政ハ如何ナルヤ大藏大臣ニ承リ度シ

河田大藏大臣 財政が窮乏ニナルコトハ勿論ナリ結局国民ノ貯
蓄ヲ増進シ政費節約ヲ圖ル他ナシ

南顧問官 次ニ日蘇關係ニ付承リ度シ萬一日米戦争が起リタル
場合蘇聯ハ作モ歐洲戦争ガニ英佛ト獨立ヨリ引張取トナリタ
ルが如ク日米兩國ヨリ提携ノ手ヲ差延スコトナルベシト思ハル故ニ日米

關係ヲ考フルニハ先ヅ蘇聯トノ外交調整ヲ行ヒテ後此ノ條約ノ
交渉ヲ為スコトハ出来ザリシモノナリヤ何故ニ蘇聯トノ交渉ヲ

後廻シニシテ獨逸ト言フニ從フモノナリヤ

松岡外務大臣 蘇聯トノ外交調整ニ付ハ亦内閣時代ニ申シ條約ヲ
提議セリ本大臣モ就任以來探リテ入レテ見タルが蘇側ハ亦内閣ノ

提議ヲ受諾スル條件トシテポーツマス條約ノ再檢証權太利
權ノ回收等殆ンド拒否的ノ條件ヲ附シテ受諾ヲ回答シ来レルカ

如キ有様ナリ依テ本大臣ハ蘇聯トノ外交調整ハ獨逸ヲ利用
スル他ナシトノ結論ニ達シ本條約ニ對スル獨逸側ノ提議ヲ受

諾スル次第ナリ

南顧問官 米國ハ歐洲戦争ニ参加セズト言フコトヲ「スターマー」ハ
外務大臣ニ申シタト言フコトナルモ大統領欲選年任ハ如何ナルコト
ニナルヤモ知ズ申立法ヲ改正シテ極力英國ヲ援助スルコトニ

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ナルヤモ圍ラレズ其ノ場合ハ米國ハ独逸ヲ攻撃スルモトナルヤ否ヤ
松岡外務大臣米國ノ措置が攻撃トナルヤ否ヤハ其ノ時ノ状況ニ依
リ判断スル他ナシ此ノ點ニ付テハ先向申獨逸側ハ亦三條ヲニ然ト又ハ
陰謀ニ(Openly or covertly)攻撃セラレタル云々ト云フコトニ致度
シト申出タルニ對シ當方ヨリ陰謀ニ攻撃スルトハ例ハ米國が英皇
ニ驅逐艦ヲ讓渡スルが如キコトヲモ合ハズル、惧アルニ依リ斯ナル旨
ハ削除シタルト主張シタル際先方ハ右旨向ハ望テ日本側ノ利益ノ
為ニ挿入スルモノニシテ例ハ米國艦隊が新嘉坡ニ入港シタルト云フが
如キ場合ヨリ陰謀ニ攻撃スルモノト云フベリ驅逐艦ノ讓渡ノ如キハ入ラズ
ト説明シタル経緯モアリ

南嶽同官獨逸側トノ話合ノ際ニ蘇聯ヲシテ援厚政策ヲ施サセム
ル爲ニ盡力カスルト云フ事ニ付今ハソヲ押サレタリヤ

松岡外務大臣此ノ點ハ本大臣トシテモ先令を慮シ居リ獨逸ヲシテ蘇
聯ヲ通ジテ重慶ヲ知平ニ導カニルコトヲ考ヘ居ルモノナルが之ヲ過早
ニ言ヒ出スコトハ獨逸ニ脚下ヲ見ラレ有害アリテ利セキ次カレバ最初自
初旬ニソット大使ニ會見ノ際先方ヨリ斯ナル趣ヒ日事ヲ申出シタル
際モ日米ハ支那事變ハ獨力ニテ片附クル積リナリト申開置キタル次
カチ素ヨリ今後ハ本條約ヲ正令ニ活用シテ日蘇國交調整支那
事變收拾ノ促進ヲ圖ル覚悟ナリ

奈良勸同官 併同ナシ

荒木勸同官ヨリ軍ノ素後、作力健康状態殊ニ肺結核豫防等ニ
付復向アリ陸海軍大臣ヨリ各同答ス

14 松井勸同官 併同ナシ

菅原勸同官五ノ點ニ付復向致度シ(一)ハ外務大臣ハ先程秘密議

定書ト言フ事ヲ申サレタルガ秘密議定書ヲ作成スルト言フ議ガアリニヤ
 (一) 日本條約ト自独伊防共協定トノ關係如何 (二) 日本條約ハ三国條約ナ
 ルガ獨伊ノ關係ハ極メテ秘密ナルヲ以テ條約ノ解釋等ニ依テ議ヲ
 生ジタル場合常ニ二對一トナル惧ナキヤ (四) 伊太利トノ關係ニ依テハ
 何等文書ノ上ニ残ス必要ナキヤ (五) 外米戰爭勃發シタル場合ノ
 軍事上ノ覺悟ニ依テハ先程説明アリタルモ最モ心配ナルハ財政上ノ向
 題ナリ此ノ點ハ大藏大臣ニ於テモ充分ナル覺悟アリト存ズルガ如何
 松岡外務大臣 (一) 交渉中ニ秘密議定書作成ノ議出タルモ秘密議
 定書ノ内容ハ日本側ノ要求ノミヲ入ルル片務的ノモノトナリ之ヲ完全ニ
 スル爲ニ八時日ヲ必要トスルノミナラズ伊太利ノ同意ヲモ取付クル必要アリ
 タルニ依リ秘密議定書ノ作成ヲ避ケ本大臣ト在京獨ニ大使トノ間ニ
 文書ヲ交換シテ秘密議定書ニ代フルコトナリタル次第ナリ

(一) 防共協定ハ其ノ儘存置ス日本トシテハ防共ト言フ大方針ハ其聯邦ト
 ノ關係如何ニ拘ラズ之ヲ堅持シ行カサルベカラズト由ニ考ス (三) 獨伊ノ
 關係ハ成程秘密ナルモ伊太利ノ日本ニ對スル感情ハ獨以上ノモノアルヲ以
 テ御心配無用ト由ニ考ス (四) 別ニ文書ヲ要セサルモノト考フ伊太利大使
 ハ極メテ明白ニ伊太利政府ノ同意ヲ申出表シリ
 河田大藏大臣ニ由リ原顧問官ノ御質問ノカキ點ニ依テハ極力國民
 ノ負擔増加ヲ防ガ様措置シ度キ所存ナリ

松浦顧問官在條約趣旨トスル所ハ日米關係ノ惡化ヲ防止スルニ在
 リ本官モ最モ之ヲ希望スル次第ナルガ不幸ニシテ最惡ニ場合が起リ
 タル時ニ処スベキ準備ハ之ヲ充分整ヘ置カレ度シ

潮顧問官最惡ニ場合ニ於ケル国内情勢カ食糧問題等ニ依リ質問アリ
 企更院總裁ヨリ回答ス

Doc 1603A

杯飲同官條約ノ主眼トスル點ハ蘇米關係ナルガ對蘇關係ハ此際
最モ慎重ニ考慮スル必要アリト存ズ外務大臣ノ御説明ニ依リテ對
蘇關係ニは樂觀的ノ考ヲ有シ居ラルヤノ印象ヲ得タルガ本官ノ
有スル情報ニ依リテ日蘇關係ニ獨蘇間ノ關係ノ將來ニは相當ニ惡
キ材料モアリ例ハ昨年獨蘇間ノ復條約ガ締結セラレタル際ハスター
リンガ共產黨員ニ對シタル訓示ノ内容ニは自令ノ有スル確實ナル情
報ニ依リテスターリンハ蘇聯ガ今度獨逸ト提携シタルハ西歐赤化ノ一
手段ナリ又之ニ依リ決シテ東進政策ヲ放棄シタルモノニアラズ時
期至ラズ積極的ニ要ル積リナリト述ベタル由ナルガ之等ノ點ニはテハ外
務大臣ハ如何御考ナリヤ

松岡外務大臣 日蘇國交調整ガ爾等容具ナリトハ自令モ考(居
ラズ唯獨逸ハ蘇聯ニ對シテ相當ノ圧力ヲ加(得ルコトハ之ヲ認めガレ
ベカラズ自令ノ有スル確實ナル情報ニ依リテ昨年蘇聯ガ何故ニ英佛
ヲ離レテ獨逸ト提携スルニ至リヤトモ言フニ其ノ動機最モ重要ナルハ
「ドイツ」ハ「スターリン」ニ對シテ若シ獨逸側ノ要求ガ容シラレバ獨逸ハ
蘇聯ヲ攻撃スベシト申傳(タリト言フコトナリ之ヲモヨリ判斷シテ
日蘇國交調整ニ獨逸ヲ斡旋セシムルコトハ相當ノ有效ナリト考(居
シ)

深井顧問官 條約第三條の場合即ち日米戦争の場合に獨逸に如何ナル軍事上ノ援助ヲ日本ニ與ヘ得ルヤ

松岡外務大臣 右ノ交渉ノ際ニモ論議セラルルガ獨逸ニ第三條ノ事能ハ發生以前ニ於テモ新兵器等ヲ日本ニ供給スベシト申シ居リ又日米戦争勃發ノ場合ニハ大西洋方面ニ於テ米國ニ牽制スルニト

ニテリ居シリ

東條陸軍大臣 一蘇聯トノ諒解ノ下ニ優待ナル軍用器材ノ供給ヲ受ケルコトガ最も重要ナル援助ナリ

及川海軍大臣 大体陸軍ト同様ナリ

深井顧問官 一蘇聯ニ對スル關係ニ於テ獨逸クモ蘇聯ヲ牽制スルコトハ如何ナル意味ナリヤ斯ル事ハ獨逸不可侵條約ニ正面

ヨリ反スルモノニテラスヤ

東條陸軍大臣 條約上ハ其ノ通ナルガ實際ノ軍事上ノ動キヨリ云ハバ獨逸ハ蘇聯ヲ牽制シ得ルモノナリ現ニ獨逸ハ對英作

戦ヲ行ヒソアルモ其ノ陸軍ノ大部分ヲ機械化部隊ト英國内ニ保有シ居リ之ガ軍事的ニ蘇聯ヲ牽制シ居ル次第ナリ

深井顧問官 外務大臣ハ日獨間ノ相互信賴ト云フコトヲ申カシタルガ獨逸側ノ昨年ノ獨逸不可侵條約締結ノ際ノ態度ハ不信ト云フノ外ナシ昨年九月阿部兼攝外相ガ本殿ニ於テ

外交經過ヲ説明シタル際當時澤田外務次官ガ平沼内閣ニ於テ獨逸協定ガ日獨所共協定ノ秘密協定ニ違反セル

点ヲ指摘シテ獨逸ニ對シ抗議ヲ提出セルヒヨリ亦ハタル處

右抗議ノ結果ハ如何ナリ居ヤ

松岡外務大臣 本大臣ノ聞ク所ニ依ルニ右抗議ノ果シテ先才

二通じ居ルヤ否ヤ疑ハシク恐ラク獨逸側ヨリハ何等ノ回答ナカリ
シモノト思考ス

深井顧問官 対外関係ニ感情ヲ交ヘルコトハ禁物ニシテ外交ハ

飽ク迄現実的ニ行ハカルベカラズト思考スル處本條約ノ前文ニ

萬邦ヲシテ各其ノ所ヲ得シムルトアルガヒトラシノ序ニ之ヲ所ハ

弱肉強食ハ自然ノ法則ナルカノ如キ感觸ヲ與フルガ獨逸側

ハ果シテ此ノ前文ノ趣旨ヲ正當ニ理解シ居ルヤ

松岡外務大臣 我外交ノ使命ハ皇道ノ宣布ニ在リ利害得失

ノミニ依リテ動クモニアラス弱肉強食ノ如キ思想ハ斷じて之ヲ

排棄スベキモノト考フ

深井顧問官 日米戦争ヲ不可避トスル此ノ際獨逸ノ英米ク

孰シカニ外交ノ重点ヲ置カザルベカラズト云フコトハ理解出来ルモ

本條約締結ノ結果ハ或ハ日米戦争ヲ早メルコトナルヤモ知

レズ總理大臣ハ自取悪ノ場合ニ於ケル軍需品一般物資ノ缺

乏思想ノ悪化等ニ對處シテ之ヲ切抜ケ得ル自信アリヤ否ヤ

賢悟ヲ承リ度シ

近衛總理大臣 本條約ノ根本ヲ考ヘオハスヨリ日米ノ衝突ヲ回

避スルニ在リ然レ共下手ニ出シ米國ヨリ上ラセル文ナルニ依リ

毅然ナル態度ヲ示ス必要アリト思考ス万一最悪ノ事能ハ

生ジタル場合ニ政府ハ外交内政ヲ通シテ非常ニ覺悟

ヲ以テ施策セザルベカラズト考ヘ居リ先日本大臣カ參内本

件ヲ上奏致シタル際 天皇陛下ニ於カセラシテモ非常ナル御

決心ヲ有シ遊バカルコトヲ伺ヒ寔ニ恐懼感激ニ堪エズ本大

臣トシテモ身命ヲ堵シテ本條約ノ遺憾ヲ運用ヲ期シ度シ

ト考ヘ居リ

ニ上顧問官 外交上、經濟上ニ付テハ大分質疑應答アリタルニ依リ自今ヨリハ條約其ノモリニ付疑問ノ点ヲ質シ度又ハ先形式ト云フ付テ茲ニ配布ノ書類ノ中何モガ御諮詢ニナリ居ルヤ不明ナリ之等ノ文書ハ日本文ガ本文ナリヤ交換文書ノオモ内容ヨリ見レハ國際約束ト思ハルガ之ニ付テハ御諮詢ナキ次第ナリヤ松岡外務大臣 御諮詢ニ相成リ居ルハ條約案ノミニテ他ハ参考ナリ條約ノ本文ハ日本文、獨逸文及伊太利文トモ答ナルモ差膚ナリ英文ノモリニ署名スルコトナリ居リ

松本條約局長 附屬ノ交換文書ハ條約ト同様ノ效力ヲ有スル所謂換文トハ内容並ニ形式(例ハ番号ヲ附ス)ニ於テ異リ居リ所謂國際約束トハ認め難キモ條約ノ解釋及松岡大臣トモツト大使トノ意見ノ一致シタル莫ク記載セルモノニシテ極メテ重要ナル文書ト認メテ参考トシテ上奏案ニ附屬セシメタル次第ナリ

ニ上顧問官 差膚リ英文ニ署名スルコト云フガ如キハ異例ニシテ斯ル手續ガ許サルトハ思ハズ又交換文書ノ内容ハ國際約束ナルヲ以テ之亦御諮詢ノ客体トスベキモノト思考ス

原議長 之等形式ノ問題ニ付テハ後刻懇談會ヲ開催スルコト致度シ

(審査委員會終了後政府側退席シ懇談會ヲ開キタル結果條約案文ノミヨ御諮詢ノ客体トスルコト並ニ差膚リ條約案日本文ノミヨ審議シ英文ニ署名シ後日日獨伊文トスリ代フル莫ク默過スルコトニ決定セル趣ナリ)

ニ上顧問官 條約第三條ニ歐洲戰爭又ハ日支紛爭ニ参入シ居ラザルトアルハ不正確ト言現シホニテ歐洲戰爭又ハ

日支紛争、雖又亦ニ参入シ居ラザル一國ガ攻撃シタル場合ニハ第一
三條ガ發動スル様ニ取ルル處其ノ真如何次ニ混合専門委員
會トシ先程ノ外務大臣ノ説明ニ依ルル軍事ト經濟トノ混合ノ様
ニ取ルルガ之ハ三國ノ混合ノ意味ニアラズヤ更ニ第五條ト第三
條トヲ合セ考フルニ獨逸ハ蘇聯トノ間ニ不可侵條約ヲ有スルヲ
以テ日本ガ蘇聯ヲ攻撃ヲ受ケタル場合ニモ獨逸ハ蘇聯ヲ
攻撃スルト能ハズ之反シテ獨逸ハ蘇聯ヲ攻撃ヲ受ケタル
場合ニハ日本ハ獨逸ヲ援助スル為蘇聯ヲ攻撃セザルベカラズ從テ
片務的ノ規定ナラズヤ

松岡外務大臣 二上顧問官ノ御質問ノ第一項ハ用語ノ問題ニテ
實際ノ解決上ハ疑義ヲ生ズル余地ナシト田中ノ答ニ真ハ勿論
三國ノ混合委員會ノ意味ナリ第三條ガ第五條ノ結果日本
ニ片務的ナリトノ議論ハ本條ノ政治的意味ヲ没却シタルモノニシ
テ蘇聯ガ獨逸ヲ攻撃スルガ如キ場合ニハ獨逸間ニ現存スル政治
的状態ハ重大ナル变革ヲ受ケルモノニシテ斯ルル場合ニ日本ノ處ス
ル道ハ本條ノ規定ノ範圍外ナリト思考ス本條ノ趣旨ハ差支リ
本條約ガ蘇聯ヲ目標トシ居ラザルニトテ明示シタルモノナリ

眞野顧問官 質問ナシ

大島顧問官 大東亞ノ範圍ニ付テハ何等カテ話合アリヤ

松岡外務大臣 勿論話合アリシトハ本日午前中説明シタル通
ナリ

小幡顧問官 日本が日支事変ヲ解決シ居ラザル此
ノ際ニ當テ歐洲戦争ニ米國が兵ヲ戰シタル場合ニ獨
イヲ援助スル義務ヲ負フコトハ極メテ重大ナル義
務ヲ負フモノナルニ反シ日米が開戦スルト云フ可
能性ハ少シト思ハル依テ本條約ハ極メテ片務的
ナルモノトナラザルヤ

松岡外務大臣 米國が歐洲戦争ニ加スルヤ否ヤ
又日米戦争が勃発スルヤ否ヤハ雖モ五分五分ノ
可能性アリト見テ差支ナン依テ片務的ノモノトハ
思考セズ

竹越顧問官 本條約締結ノ結果曰取惡ノ場合ヲ
生シタルトキ獨逸ハ如何ナル援助ヲ日本ニ與ヘ得ル
ヤ又日本海軍が伊ヲ援助スル場合ニハ如何ナル
援助ヲ爲スヤ

松岡外務大臣 如何ナル援助ヲ與ヘ得ルヤ等ノ問題ハ
混合委員會ニテ充分研究セサルベカラズ

鈴木審査一委員長 本條約ノ成立トハ口トニ拘ラズ
日米戦争ハ不可避ト考フルニ依リ米國海軍ノ擴張
ヲ充分監視シテ之ニ相應スル準備ヲ怠ル
ベカラズ

2/ 及川海軍大臣 差當リ連戦即決テ米國ニ對シテ
充分勝算アリ將來ニ付テハ着々各般ノ擴張
計畫ヲ目論ミ居ル次第ナリ

No 石井顧問官 交換文書一曰取後ノモノヲ見ルニ

我委任統治下ノ南洋群島ハ依然日本ノ屬地トスルモ
 之ニ對シ代償ヲ支拂フベキ旨記載シアリ之ニ對スル
 松岡大臣ノ説明ニヨレバ「ウエルサイユ」條約ハ既消
 滅シタルモノナルニ依リ南洋群島ハ日本ハ今高軍
 事占領ヲ繼續セルモノニシテ從テ日本ハ獨逸ヨリ代償
 ヲ支拂ヒテ之ヲ讓受クルハ必要アリトシタル處委任
 統治地域ハ「ウエルサイユ」條約ニ依リ五大國ニ讓渡
 セラシタルモノヲ日本ガ獲得シタルモノト見ルベク既ニ
 日本ノ屬地ナリト解スルヲ以テ正シト自分ハ思考ス
 ルニ依リ獨逸大使ノ口頭宣言ニハ自分ハ賛意ヲ表
 シ兼テ尤モ本問題ハ御諮詢外ノ問題ナルヲ以テ
 唯御參考迄ニ自分ノ意見ヲ述ブルニ止メ置キタレ
 松岡外務大臣 立博士等有カナル國際法學者
 ノ意見ハ委任統治ノ領土ノ讓渡ニ非ズト爲シ居レルガ故
 ニ法理論ヲ別トシテ實際政治ノ問題トシテハ一應獨逸ヨ
 リ何等カノ方法ニテ割讓ヲ受クル方可ナリト云フ
 フトガ自分ノ三年以來ノ考ナリ聞ク所ニ依レバ三
 年位前ニ日本海軍ヨリ在伯林ノ海軍武官ヲ通
 ジテ獨逸ニ對シ一定代償ノ下ニ割讓ヲ申出
 タル趣ナリ

石井顧問官 本問題ニ付テハ立博士トモ意見見
 ヲ交換シタルコトアリ立博士ノ意見見モ亦委任統治
 治ガ領土ノ割讓ニアラズト云フ文デ獨逸ガ五大國
 ニ讓渡シタル處ニ付テハ「ウエルサイユ」條約ハ既消
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 タル趣ナリ

今更日本ガ獨逸ヨリ代償ヲ支拂ヒテ割讓ヲ受
 クルガ如キハ本官ノ同意シ難キ所ナリ

三土顧問官 今朝来ノ質疑應答ヲ聞イテ居ルニ
 米國トノ戦争トナリタル場合ノコトヲ主トシテ論議セ
 ラレ居ル様ナルモ本條約締結後直ニ米國ノ我國ニ
 對スル經濟壓迫ハ一層加重セラルルモノト思考ス又
 其ノ場合ニ於ケル我國民生活ノ問題ハ重大ナル問
 題ナリト思ハル處之ニ付テハ充分ナル用意出
 来居レリヤ又日本人ハ兎角此ノ種ノ條約が出
 来ルト独逸カブレイトナリ反米運動等ヲ試ム
 ルモノ出デ来ル惧アリ斯カル莫ハ四嚴ニ取締リ
 頂キタレ

星野企画院總裁 國民生活ノ問題ハ政府トシテ
 最も関心ヲ有シ居リ之が對策ニ付テハ萬
 貴憾ナキヲ期シタレ
 近衛内閣總理大臣排米運動ヲ取締ルコトハ極
 テ同感ナレバ四嚴重實施致シタレト存ス

午後七時三十分政府側退場

Doc 1603A

證明書

ワシントン文書局 第 第 號
國際檢察部 第一六〇三號

典據及ビ公正ニ関スル證明

余、林馨ハ余カ下記資格ニ於テ、即ケ日本外務省文書課長トシテ日本政
府ト公的関係ニ在ルモノナルコト、並ニ該官吏トシテ余ガ茲ニ添附セラルル四六頁ヨリ成
ル一九四十年一昭和十五年九月二十六日附下記題名、即ケ日獨伊三國條約ニ関
スル樞密院審査委員會議事概要ノ文書保管ニ任ジ居ルコトヲ茲ニ證明ス。
余ハ更ニ添附ノ記録及ビ文書ガ日本政府ノ公文書ナルコト、並ニ右ガ下記名稱ノ者又ハ部
局ノ公式書類及ビ綴一部ヲコトテ證明ス。(若シテ左ノ綴番號又ハ引用、其他公式書
類又ハ綴ニ於テ該文書ノ正規所在ノ公式名稱ヲ特記スベシ)

一九四六年一昭和三十一年九月九日

東京ニ於テ署名

當該官吏署名欄

右者ノ公的資格

證

林 馨 (林)

外務省文書課長

ストダガハル一音譯一

ハ公式入手ニ関スル證明

余、リチャード・H・ラーシニハ、余ガ聯合國最高指揮官總司令部ニ関係アルモノナルコト、並ニ上
記題名文書ハ余ガ公務上、日本政府ノ上記署名官吏ヨリ入手シタルモノナルコトヲ茲ニ證明ス。

一九四六年一昭和三十一年九月九日

東京ニ於テ署名

氏名欄

右者ノ公的資格

證

リチャード・H・ラーシニ

國際檢察部調査官

I 4 P. 戸口

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Outline of Proceedings of the Investigation
Committee of the Privy Council Concerning
the JAPAN-GERMANY-ITALY Tripartite Treaty.

(Written by MATSUMOTO, Chief
of the Treaty Bureau.)

The session was opened at 11:20 a.m., September
26, 1940 in the HIGASHI-SAN-NO-MA (TN: East Number Three)
Room of the Imperial Palace.

Attendance:

The Privy Council HARA, President of the Privy
Council
SUZUKI, Vice-President of the
Privy Council (Chairman
of the Investigation
Committee)

All Councillors were present as
members of the Investigation
Committee except KANEKO and
TANAKA who were absent.

The Government (TN: Cabinet) KONOE, Prime Minister
MATSUOKA, Foreign Minister
TOJO, War Minister
OIKAWA, Navy Minister
KAWADA, Finance Minister
HOSHINO, President of
the Board of
Planning.

Moreover, the following persons were present as
experts.

MURASE, President of the Bureau of Legislation
MORIYAMA, Chief of the Second Section
MATSUMOTO, Chief of the Treaty Bureau
MUTO, Chief of the Military Affairs Bureau
(TN: Army)
ABE, Chief of the Military Affairs Bureau
(TN: Navy)
HARAGUCHI, Chief of the Exchange Bureau
MATSUKUMA, Chief of the Bureau of Banks
TSUJI, Chief of the Superintendent Bureau

Proceedings:

1. The chairman of the committee announced the opening
of the session and had the secretary read the draft of the
treaty.

2. Prime Minister KONOE delivered a formal address as per separate paper No. A.

3. Foreign Minister MATSUOKA gave an explanation as per separate paper No. B.

4. Interpellation began according to rank.

Councillor KAWAI: I thoroughly understood the spirit of the draft. Personally, I have been desiring the conclusion of the JAPAN-GERMANY-ITALY Alliance, and I have been expecting its speedy realization since Minister MATSUOKA came into office. Although I have heard talks amongst some factions that the activity of MATSUOKA was slacking, it is a great pleasure to see the treaty being at last concluded. According to the explanation just made by Minister MATSUOKA, the attitude of ITALY is not clarified. I ask your reply on this point.

Minister MATSUOKA: As I have just explained, negotiations of this treaty began between JAPAN and GERMANY. GERMANY said at the beginning that she would be responsible for ITALY. Yesterday the Italian Ambassador called upon me and informed me, according to his home government's instruction, that ITALY has entrusted to GERMANY everything concerning negotiations of the treaty and that ITALY would express wholeheartedly her approval of a draft of the treaty concluded between JAPAN and GERMANY.

Councillor KAWAI: Glancing over the exchange of statements appended to the treaty, I found that it was concerned only with the relations between JAPAN and GERMANY. However, is it not necessary to make a similar exchange with ITALY?

Minister MATSUOKA: As a fact, I think we should attach importance to GERMANY in every point and it would not hurt to consider ITALY as secondary. Therefore, I have had the German Foreign Minister state in the exchange of statements that he has absolute confidence in that, when assistance and co-operation of ITALY is desired, ITALY will no doubt act in concert with GERMANY and JAPAN.

Councillor KAWAI: I consider Article III of the treaty most important. Although I do not believe in a Japanese-American war, I think that, if worst comes to worst, the War and Navy Ministers may have something in readiness to avert defeat, and on this point I beg to have an explanation that will reassure us. Moreover, we cannot say definitely that the U.S.S.R. will not start something against JAPAN. In such a case, what attitude will GERMANY take?

War Minister TOJO: I will give my answer chiefly from the standpoint of the Army. If the worst comes to worst, only a small part of the military strength will be necessary to carry out the operation against the U.S.A. I think that you need not worry on this point. However, an operation against the U.S.A. cannot be said complete unless we consider an operation against the U.S.S.R. Therefore, adjustment of JAPAN-SOVIET relations is a very important matter. I think that, if we could accomplish this effectively, military preparation would be eased considerably, but when we consider the character of the U.S.S.R., JAPAN cannot neglect her own preparation. As to the CHINA Incident, we intend to bring it to a conclusion by making efficient use of this treaty before we find ourselves in the worst situation.

Navy Minister OIKAWA: Since the war preparedness of our present Navy is complete, we will definitely not be beaten by the U.S.A., but in event of a prolonged war, it is necessary that we make sufficient preparations to keep up with the realization of the American plan for repletion of her navy. On this point, the Navy is adopting a policy prudent in every respect.

Councillor KAWAI: I fear nothing so much as the question of our materials. In case of a protracted war, how long will they last?

President of the Planning Board HOSHINO: As I explained yesterday (the President gave a detailed explanation of the material mobilization plan at the regular meeting of the Privy Council on the previous day), our country has for the last few years been making preparations for self-sufficiency as regards materials. Out of 2,100,000,000 yen in imports, 1,900,000,000 yen is received from ENGLAND and the U.S.A. If, therefore, the economic pressure is strengthened, it is necessary that we act prudently considering the activation of Article III of the treaty. As for iron, this year's output is expected to be 5,200,000 tons, and even at the worst we can expect an output of 4,000,000 tons. At present, 1,500,000 tons are used for armaments and military purposes, and the rest is allotted for the repletion of productive power and for private and governmental use. If we manipulate the repletion of productive power, and restrict private and governmental demands, giving consideration to cases when imports of scrap iron and iron material may be stopped, we shall not find

ourselves in so serious a situation. As regards metals other than iron, the case is different, but I think that you need not be seriously concerned, for we are now endeavouring to collect them from all parts of the world. Most important is petroleum. We are at present depending greatly on AMERICA, especially for aviation gasoline, almost all of which we must import from AMERICA. We must try to increase its production at home and, at the same time, must find means to secure it from places other than AMERICA. Recently, we have accumulated a considerable "stock" of aviation petroleum. However, in case of a prolonged war with the U.S.A., a self-sufficient supply cannot be obtained solely in JAPAN, MANCHURIA, and CHINA, whereas iron and other metals can be so obtained. Therefore, it is necessary that we speedily secure the right to obtain oil in the DUTCH EAST INDIES or NORTH KARAFUTO. This matter has been touched upon in the recent talk with GERMANY. Furthermore, you must understand that at present negotiations are being carried on for the peaceful acquisition of oil in the DUTCH EAST INDIES.

Councillor KAWAI: In regard to petroleum, at yesterday's talk the military and naval authorities too implied that considerable preparations have been effected. I wish to have some explanation by the War Minister and the Navy Minister.

Navy Minister OIKAWA: As for the Navy, we have made preparations for a considerable length of time. Measures are now being taken regarding synthetic oil.

War Minister TOJO: The Army has prepared so that its materials may last for a considerable period. If an unusually prolonged war should occur, consideration must be given to oil for aircraft and mechanized units.

Recess.

Reopened at 1:10 p.m.

Councillor ISHII: In case a power is attacked, are we bound to enter into war immediately according to Article III? Has there been an agreement as regards this?

Foreign Minister MATSUOKA: In the exchange of statements, it reads: "It is understood that the deliberation of the three signatories will decide whether or not one of the contracting parties has been attacked in the sense of Article III of the treaty." (Letter from the German Ambassador at TOKYO.) This was inserted at my request so

as to clarify the point now in question. If the existence of an attack is deliberated and affirmed, the signatories are automatically bound to fight in co-operation. The time and the manner of assistance are to be decided upon by each of the respective signatories independently and then be referred for deliberation.

Councillor ISHII: I agree with the explanation given by the Foreign Minister, since the term "immediately" is lacking in the text. Furthermore, I have interpreted the joint special committee of Article IV to mean a conference of military specialists as in the case of ordinary treaties of alliance, but according to the explanation given just now by the Foreign Minister, it seems that economic problems would also be discussed by the committee. I would like to hear the explanations on this point.

Foreign Minister MATSUOKA: At first, it was planned to have this matter provided for in the annexed secret protocol of the treaty. According to the said plan, a joint committee of the Army and Navy was to be established, one in TOKYO, and one in BERLIN or ROME. In addition, an economics committee was also to be set up, but it was decided not to draw up a secret protocol. This point I should like to have deliberated and decided between the two countries after the treaty is concluded. Since a committee to handle economic problems is thought to be necessary, it should be established.

Councillor ISHII: In this treaty there is no provision, such as almost always exists in treaties of alliance, regarding the non-conclusion of a separate peace. Is there any special object in this?

Foreign Minister MATSUOKA: I did not mention anything on this matter. To tell the truth, I thought that if the other party spoke of it, I would not object to its insertion, but if the other party did not touch on this subject, I considered it better not to have this provision. The reason is that, according to my idea, the object of this treaty was to prevent war and not to make war. Therefore, one of the reasons was that it was preferable not to have a provision for the non-conclusion of a separate peace, which anticipated the outbreak of war. Another reason was that in event a war should break out, I thought this question might be settled by reaching mutual agreement in the early stage of the war. Therefore, I did not propose this.

Councillor ISHII: Your opinions are quite right. However, Article I of the treaty speaks of the new order in EUROPE, but unless what is meant by the new order in EUROPE is made clear, how are we to know clearly the obligation of JAPAN? Were any understandings given in this respect?

Foreign Minister MATSUOKA: Although your question is reasonable, I think the meaning of the new order was fully expressed in the preamble. The preamble was our proposal and not a single word of amendment was made by the Germans.

Councillor ARIMA: I agree with government in its desire to avert an American-Japanese war as demonstrated by this treaty, but if JAPAN and the UNITED STATES are destined to fight, I think now is the best time. However, what concerns us most is our lack of petroleum. Although the Navy Minister said that we have made appropriate preparations, it cannot be supposed that, if hostilities began between JAPAN and the U.S.A., they would terminate in one or two years. Particularly since we are bound to use great quantities of petroleum in modern wars, we cannot help worrying whether or not synthetic petroleum and such will suffice in critical times. Therefore, I would like to have a reply on this point from the Navy Minister.

Navy Minister OIKAWA: Since we have just started with synthetic petroleum, we cannot say that it will suffice in critical times. Therefore, there is no other way than to acquire it from the DUTCH EAST INDIES or NORTH KARAFUTO through peaceful means, and it is quite likely this will occur. Consequently, when viewed from this point, I think adjustment of relations with the U.S.S.R. is very important. On the other hand, if the war is prolonged the Navy must consider the economic use of petroleum.

Councillor ARIMA: Would there be a sufficiency of petroleum of high octane rating?

Navy Minister OIKAWA: Yes, in regard to petroleum of high octane rating, the Navy has lately established a special research organ and has been producing it through methods original with the Navy. Moreover, considerable store is on hand.

Councillor KUBOTA: Perusing the wording of Article III of the treaty, we can conceive the U.S.S.R. to be included among countries not participating at present in the European War and the Sino-Japanese dispute. What is the

relation between JAPAN and the U.S.S.R.? Were there any conversations between GERMANY and the U.S.S.R.?

Foreign Minister MATSUOKA: In order to avoid that doubt, we established Article V. In reply to my inquiry whether any conversation was held with the U.S.S.R. concerning this treaty, STAHER gave a negative answer. However, I am inclined to think STAHER talked with the Russians when he passed through MOSCOW. There is one fact which seems to prove this; that is, on August 23, when STAHER left BERLIN, Foreign Minister RIBBENTROP who happened to have an interview with Ambassador KURUSU on the same day made no reference to this matter. However, on the 24th when STAHER had an interview with Ambassador TOGO, he said that GERMANY intended to conclude a political treaty with JAPAN. From this, it could be conceived that STAHER had some conversation with the Soviet authorities during that period.

Councillor KUBOTA: We hear rumors of rapprochement between the UNITED STATES and the U.S.S.R. Is there any fear of this treaty accelerating this?

Foreign Minister MATSUOKA: As regards the rapprochement between the U.S. and the U.S.S.R., the Foreign Ministry has been vigilant and has endeavored to secure the real facts from all quarters, but up to now we have not come in contact with any information deemed authentic, and I think that there is still nothing concrete at the present. Furthermore, STAHER stated very clearly the possibility of meeting success in the adjustment of Japanese-Soviet relations, and has proposed the services of GERMANY as mediator. This point is identical to those as stated in the exchange of statements.

Councillor ISHIZUKA: I have no objection in regard to the text of the treaty. However, as to the relations with GERMANY, we cannot put 100% confidence in her, when we consider the record of the past. At the time the Anti-comintern Pact and the Cultural Pact were concluded, there were opinions that complete unity was impossible, except in special instances. We expect the government to take this into full consideration and put the treaty into effectual operation.

Councillor SHIMIZU: Who were they who signed this treaty?

Foreign Minister MATSUOKA: RIBBENTROP, CIANO, and Ambassador KURUSU.

Councillor SHIMIZU: This treaty is being put into force simultaneously with its signing. Do you think that it is in accord with the constitution?

Foreign Minister MATSUOKA: There are many previous examples of treaties like this, and there is no danger of any constitutional difficulties, because it was sanctioned by the Emperor after being referred to the Privy Council for deliberation before it was signed.

Councillor SHIMIZU: According to what I hear there are several German engineers still in CHUNGKING. Is it true?

War Minister TOJO: There are such reports, but the truth is not clear.

Councillor SHIMIZU: It stipulates that some sort of compensation should be paid for our South Seas Mandate. Can you tell me the meaning of this?

Foreign Minister MATSUOKA: In regard to this point, the set-up is that all of the former German territories now under mandated rule be returned to GERMANY, and that she cannot allow, as a matter of principle, only JAPAN, her ally, to retain the territories. Therefore, they insisted that they wished to receive compensation and /thereby/ resort to the formality that it had been transferred to JAPAN. At first, the term "adequate" was used with compensation, but due to my insistence, "adequate" was deleted in favor of "in a way". Since GERMANY said that she would be satisfied if this compensation be an entirely "nominal" one--giving examples that there have been cases of only six bags of coffee; what she means is of a very light nature.

Councillor SHIMIZU: In my opinion, I think that there is no need of receiving transfer of the mandates from GERMANY now.

Foreign Minister MATSUOKA: In my opinion, I think the view taken by Dr. TACHI and other authoritative students of international law that there was no cession of territories is right, and therefore, since GERMANY practically denounced

the VERSAILLES Treaty three years ago, it is correct to regard the Japanese Mandatory rule as the continuation of military occupation. Accordingly, I think it is necessary that we receive transfer of the territories from GERMANY and clarify the situation.

Councillor MINAMI: When did ITALY give her approval to this treaty?

Foreign Minister MATSUOKA: As I have replied previously, ITALY on the 25th sent her ambassador in TOKYO to call on me to express her approval of the treaty. Prior to this, the German Foreign Minister RIBBENTROP obtained ITALY's approval in ROME.

Councillor MINAMI: In that case, don't you think that it was too early to submit this question to the Imperial Conference of the 19th to obtain Imperial sanction when it was uncertain whether ITALY would approve it or not?

Foreign Minister MATSUOKA: Not only had GERMANY repeated from the start that she would be able to obtain ITALY's approval, but since the matter discussed at the Imperial Conference was a question concerning the plan for conclusion of a treaty between JAPAN, GERMANY, and ITALY based on a general plan framed by GERMANY and JAPAN, I do not think that it matters much.

Councillor MINAMI: Has the sphere of GREATER EAST ASIA been clearly defined?

Foreign Minister MATSUOKA: We have talked about it at the time of negotiation and have recorded it.

Councillor MINAMI: What is the particular reason for the exchange of statements when trouble occurred between BRITAIN and JAPAN?

Foreign Minister MATSUOKA: As BRITAIN is already participating in the European War, Article III of this treaty is not applicable to her; but as for JAPAN, we cannot assert that there will be absolutely no British-Japanese war. That is why we have especially made this point clear, in spite of GERMANY's disapproval.

Councillor MINAMI: Did JAPAN first propose this treaty, or was it GERMANY?

Foreign Minister MATSUOKA: GERMANY proposed this treaty first.

Councillor MINAMI: Is it not because GERMANY had failed in her campaign against BRITAIN that she has come to offer such a proposal?

Foreign Minister MATSUOKA: The prolongation of the campaign against BRITAIN may be a reason but this is not the only reason. I think the reason is that GERMANY believed that in the course of half a century or so, complications between AMERICA and GERMANY are inevitable.

Councillor MINAMI: I approve of checking AMERICA by means of this treaty, but is there absolutely no danger of a U.S.-GERMANY coalition?

Foreign Minister MATSUOKA: We are not positive that there will be absolutely no possibility of a U.S.-GERMANY coalition. However, as we cannot overlook the influence of German-Americans in the UNITED STATES with regard to the improvement of Japanese-American relations, we consider this treaty valuable in this respect also.

Councillor MINAMI: I am informed from the answers of the various ministers on the petroleum problem, but I cannot feel secure in the least because it is like hearing through a wall. I would like to have it explained more clearly and feel a sense of security.

President of Planning Board and Ministers of Army and Navy: As replied before, the Army and Navy have a considerable stockpile. The replies by Councillors KAWAI and ARIMA that peaceful acquisition from abroad is hopeful, we repeat here.

Councillor MINAMI: If the Sino-Japanese Incident continues on one hand, and if war between JAPAN and AMERICA should break out on the other hand, how would the financial situation be? I would like the Finance Minister to answer this question?

Finance Minister KAWADA: It goes without saying that JAPAN will have her finances constrained. There will be no other way, after all, than to increase the savings of the people and try to cut down the government expenditure.

Councillor MINAMI: Next, I would like to hear about the Russo-Japanese relations. If a Japanese-American War should break out, it would be conceived that hands for co-operation by both JAPAN and the U.S.A. will be extended to the U.S.S.R. just as it had been done by the Anglo-French and by the Germans before the European War. Therefore, in consideration

of the Japanese-American relations, can't we first of all adjust our relations with the Soviet and thereafter carry on negotiations on this treaty? Why is it that we must only comply to the words of the Germans and defer the negotiation with the U.S.S.R.?

Foreign Minister MATSUOKA: In regard to the adjustment of relations with the U.S.S.R., proposal for a neutrality pact had been made during the former Cabinet. I, myself, after assuming office, have tried 'feelers', but the state of affairs were that the U.S.S.R. gave reply of acceptance on condition that the proposal of the former Cabinet will be accepted provided that the "PORTSMOUTH" Treaty be rescrutinized, the rights and interests in NORTH SAGHALIEN be returned, etc., presenting conditions which almost had to be rejected. Thus, I came to the conclusion that in the adjustment of relations with the U.S.S.R., there is no other way than to utilize GERMANY. That is why I accepted GERMANY's proposal to this treaty.

Councillor MINAMI: It is said that STAHMER told the Foreign Minister that the UNITED STATES will not participate in the European War; but we cannot ascertain how it will turn out after the presidential election. The U.S.A. may revise her neutrality law and may assist BRITAIN to the utmost. In such a case, would it mean that the U.S.A. will attack GERMANY?

Foreign Minister MATSUOKA: There is no other way to judge whether the action of the UNITED STATES constitutes an attack or not, except through the situation at that time. Regarding this point, GERMANY suggested during the negotiation that it was desirable to have in Article III the attack as being made "openly or covertly"..... To this we insisted that we wished to eliminate such words because in the words "the attack being made covertly", there would be a fear of including such things as the transfer of American destroyers to BRITAIN in its meaning. There had been cases when GERMANY explained that those words were inserted rather for the interest of JAPAN. For instance, when the UNITED STATES Fleet enters SINGAPORE, it could be said that a covert attack has been made, and, therefore, the transfer of destroyers would not be included in this interpretation.

Councillor MINAMI: At the meeting with the Germans, did you repeat the fact that they are to exert their efforts in order to have the U.S.S.R. discard their policy of assisting CHIANG KAI SHEK?

Foreign Minister MATSUOKA: I, as Foreign Minister, have given full consideration to this point and have thought of letting GERMANY, through the U.S.S.R., lead CHUNGKING to terms of peace. However, to have suggested this matter too early would have bared our weak points to GERMANY, and thus it would have caused us many disadvantages without a single advantage. Therefore, even during the early part of August when I had an interview with Ambassador OTT, when he mentioned something of this purport, I told him that JAPAN intended to dispose of the CHINA Incident unaided. Of course, it was my intention to make full use of this treaty hereafter to adjust JAPAN-SOVIET diplomatic relations and find means to promote the settlement of the CHINA Incident.

Councillor NARA: No questions.

Councillor ARAKI inquired about the quality, physical vitality, and the health of the Army and Navy, and especially about the prevention of tuberculosis, etc., to which both the War and Navy Ministers made replies.

Councillor MATSUI: No questions.

Councillor SUGAWARA: I wish to present questions on five points. (1) A little while ago the Foreign Minister spoke of a secret protocol, but were there any suggestions regarding the drawing up of a secret protocol? (2) What connections are there between this treaty and the JAPAN-GERMANY-ITALY Anti-Comintern Pact? (3) Although this treaty is a tripartite pact, the relations between GERMANY and ITALY are so close that when a dispute arises concerning the interpretation of the treaty, don't you think that there is fear of the odds always being two to one against us? (4) In regard to our relations with ITALY, is it completely unnecessary to have it in writing? (5) Although there were explanations a while ago regarding preparedness from the military standpoint in case a war should break out with the UNITED STATES, we are most of all anxious about the financial problem. Although we believe that the Finance Minister is fully prepared on this point, what is the actual situation?

Foreign Minister MATSUOKA: (1) During the negotiations, proposals for a secret protocol were made, but the contents of the secret protocol became unilateral, including only the demands made by JAPAN. In order to make this perfect, it not only takes time, but it also needs the approval of ITALY. Therefore, we avoided drawing up the secret protocol and decided that I, the Foreign Minister, exchange statements with the German Ambassador in TOKYO and use this in place of the secret protocol. (2) The Anti-Comintern Pact will remain as it now stands. I think that JAPAN must maintain her great

policy of defense against communism irregardless of whatever relations she may have with the U.S.S.R. (3) Although it is true that German-Italian relations are close, I consider it needless to be anxious about whether ITALY's feelings toward JAPAN are greater than those toward GERMANY. (4) I think there is no special need for any document. The Italian Ambassador has quite clearly given the approval of the Italian Government.

Finance Minister KAWADA: In regard to the fifth question presented by Councillor SUGAWARA, I intend to take measures so as to avoid as much as possible the increase of burden on the people.

Councillor MATSUURA: The purport of this treaty is to check the aggravation of Japanese-American relations. I myself desire this most. However, if unfortunately worst comes to worst, I request that adequate preparations be made to meet this situation.

Councillor USHIO: Questions were asked regarding the domestic situation, food problems, etc., if worst came to worse. The President of the Planning Board answered this.

Councillor HAYASHI: Although the principal object of the treaty is concerned with Japanese-American relations, I think it is necessary to give most careful consideration to Soviet relations at this time. According to the explanation given by the Foreign Minister, I had the impression that he possessed an optimistic view in regard to our relations with the U.S.S.R., but from the information I have on hand, there are grounds for considerable pessimism in regard to the future of relations between JAPAN and the U.S.S.R. and between GERMANY and the U.S.S.R. For instance, last year when the German-Soviet Non-Aggression Pact was concluded, the contents of the instruction STALIN gave to the Communists were, according to the reliable information I have, that STALIN stated that the recent coalition between the U.S.S.R. and GERMANY was a means to bolshevize western EUROPE. He further stated that this did not mean that the eastward expansion policy had been discarded, and that when the opportune time arrived, the U.S.S.R. intended to take positive action. In regard to these points, what are the ideas of the Foreign Minister?

Foreign Minister MATSUOKA: I also do not think the adjustment of JAPAN-U.S.S.R. relations to be so easy. However, we must acknowledge that GERMANY can exert considerable pressure on the U.S.S.R. According to the reliable information I have, one of the most important motives for the U.S.S.R.'s

severance from ENGLAND and FRANCE to act in concert with GERMANY last year, is that HITLER is said to have told STALIN that GERMANY would attack the U.S.S.R. if she did not accede to German demands. Judging from these, I think it would be very effective to have GERMANY act as intermediary in adjusting the relations between JAPAN and the U.S.S.R.

Councillor FUKAI: In the case of Article III of the treaty; that is, in the event of a Japanese-American War, what sort of military assistance can GERMANY give to JAPAN?

Foreign Minister MATSUOKA: That was also discussed during the negotiations and GERMANY declared that she would supply JAPAN with new weapons and so forth, even prior to the outbreak of the situation mentioned in Article III, and in the event that a Japanese-American War should break out, she is to hold in check the UNITED STATES in the Atlantic area.

War Minister TOJO: The most important assistance would be in the receiving of supplies of excellent military equipment under an understanding with the U.S.S.R.

Navy Minister OIKAWA: Generally, I have the same opinion as the Army.

Councillor FUKAI: In the relations with the U.S.S.R., what is the meaning that GERMANY is to restrain the U.S.S.R.? Would not such an act be an outright contradiction to the German-Soviet Non-Aggression Pact?

War Minister TOJO: From the standpoint of the treaty, it is as you say, but speaking from the standpoint of actual military movements, GERMANY would be able to check the U.S.S.R. At present, although GERMANY is carrying on military operations against ENGLAND, the greater part of her Army together with mechanized units, are maintained within the homeland. This, militarily speaking, is checking the U.S.S.R.

Councillor FUKAI: Although the Foreign Minister spoke of mutual confidence between GERMANY and JAPAN, the attitude assumed by GERMANY last year at the time of the conclusion of the German-Soviet Non-Aggression Pact cannot but be said to be that of insincerity. Last September when Foreign Minister ABE, who held a concurrent portfolio, gave an explanation of the diplomatic developments at the present session of the Privy Council, the then Vice Foreign Minister SAWADA stated that the HIRANUMA Cabinet filed a protest to GERMANY pointing out that the German-Soviet Pact was an infringement of the secret pact of the JAPAN-GERMANY Anti-Comintern Pact.

What has become of the result of that protest?

Foreign Minister MATSUOKA: From what I heard, it is doubtful whether the above protest has had any effect or not, and I think that, perhaps, there was no reply whatsoever from GERMANY.

Councillor FUKAI: I think that insertion of sentiments in our foreign relations should be avoided, and that diplomacy must always be practiced realistically. In the preamble of the treaty it says, "let every nation have its rightful place . . .", but since HITLER's words always give us the impression that according to the laws of nature, the weak are the victims of the strong, do you think that GERMANY will be able to understand the true spirit of this preamble?

Foreign Minister MATSUOKA: The mission of our diplomacy lies in the propagation of the "Imperial Way". We do not act solely for the purpose of advantages or disadvantages in respect of our interests. I think that such thoughts as "the weak are the victims of the strong" should be absolutely rejected.

Councillor FUKAI: I can understand that, if a Japanese-American war is inevitable, emphasis in diplomacy must be laid to either GERMANY or the Anglo-Americans at this time, but the result of concluding this treaty may hasten the Japanese-American war. Therefore, I wish to ask the Prime Minister his determination, whether or not he has the confidence to be able to overcome shortages of munitions and general commodities; the demoralization of thoughts, etc., when he faces them in the most aggravated times.

Prime Minister KONOE: The basic idea of this pact, of course, lies in the aversion of a Japanese-American clash. However, I think that it is necessary for us to show a firm attitude, because if we act humbly, it will only make the UNITED STATES presumptuous. /TN: May also read "...if we make a blunder, the UNITED STATES will become presumptuous"./ If worst should come to worst, I think that the government must adopt policies with firm resolutions on both diplomatic and domestic affairs. The other day when I presented myself at the Imperial Palace to report on this matter, I found His Majesty, the Emperor, also to have possessed a very firm resolution which was most impressive. I hope that this treaty will be satisfactorily executed, even at the risk of my very life.

Councillor FUTAGAMI: Since there has been much discussion from the standpoint of both diplomacy and economics, I would like to ask some questions on some doubtful points on the treaty itself. First of all, on the point of formality, it

is not clear which of the documents distributed here are for Imperial inquiry. Of these documents, is the Japanese composition the original text? Looking over the contents of the exchange of statements, it seems as if they are international promises. Are these to be submitted for Imperial inquiry?

Foreign Minister MATSUOKA: The only item submitted for inquiry is the draft of the treaty; the others being used only as references. Although the original texts of the treaty will be in Japanese, German, and Italian, for the time being, signatures will be affixed on the English text.

Chief of the Treaty Bureau MATSUMOTO: The attached exchange of statements is different in contents and form, e.g. numbering, from that of the so-called exchange of official documents, which possesses the same effect as the treaty, although it could hardly be regarded as a kind of a so-called international promise. The interpretation of the Pact and the points of agreement between Foreign Minister MATSUOKA and Ambassador OTT were put in writing and, since it was recognized as an extremely important document, it was attached and presented to the Throne as a reference.

Councillor FUTATAGAMI: Such measures as "the affixing of signatures for the time being on the English text" are unusual, and I do not think that such a procedure will be permissible. Furthermore, since the contents of the exchange of statements are a kind of international promise, I think that it must also be presented as an object of inquiry.

President of the Privy Council HARA: In regard to these problems of formalities, I wish to call an informal meeting later.

(After the Investigation Committee adjourned, the government delegates retired, and it seems that as a result of the informal discussion which followed, it was decided that the composition of the draft of the treaty would be the only item to be presented for Imperial inquiry, that for the time being, only the Japanese text of the treaty draft would be examined, that signatures were to be affixed to the English text, and that the point of the later replacement of the texts written in Japanese, German, and Italian would be overlooked.)

Councillor FUTAGAMI: The wording "participating neither in the European War nor the Sino-Japanese conflict..." in Article III of the treaty is an inaccurate expression. It could be interpreted to mean that in case of an attack by a

nation which is neither a participant in the European War nor in the Sino-Japanese dispute, Article III will operate. Can you clarify this point? Next, according to the previous explanation made by the Foreign Minister, the joint special committee could be construed as a compound of military and economics, but does this not mean a compound of the three nations? Furthermore, comparing Article V and III, since GERMANY is bound by the Non-Aggression Pact with the SOVIET UNION, GERMANY cannot attack the SOVIET UNION even in case JAPAN is attacked by the SOVIETS. On the contrary, JAPAN must attack the SOVIET UNION in order to render assistance to GERMANY if GERMANY is attacked by the SOVIETS. Therefore, is this not a unilateral stipulation?

Foreign Minister MATSUOKA: The first point of Councillor FUTAGAMI's question is a problem concerned with terminology, but from the practical standpoint of interpretation, I do not think that there is any room for doubt to arise. The second point, of course, means the Joint Committee of the three nations. The argument that Article III, because of Article V, is one-sided against JAPAN, is a disregard of the political significance of this treaty. In such a case as when the U.S.S.R. attacks GERMANY, the political situation now existing between GERMANY and the U.S.S.R. will be subjected to a grave transformation, and in such instances, I think that the path for JAPAN to tread will be outside of the scope of the stipulation of this Article. The purport of this Article states plainly that this treaty is not presently aimed against the U.S.S.R.

Councillor MANO: No questions.

Councillor OSHIMA: Was there any understanding regarding the scope of the Greater East Asia?

Foreign Minister MATSUOKA: Of course, there was an understanding, as I have explained this morning.

Councillor OBATA: At this time when JAPAN has not yet solved the Sino-Japanese Incident, if JAPAN is under the obligation to aid GERMANY and ITALY in case the UNITED STATES should participate in the European War, JAPAN will be placed under a very heavy responsibility. On the other hand, I think, the possibility of war breaking out between JAPAN and AMERICA is small. Therefore, will not this treaty be very one-sided?

Foreign Minister MATSUOKA: Whether AMERICA will participate in the European War or not, or whether war between AMERICA and JAPAN will break out or not, I think is a fifty-fifty possibility. Therefore, I do not believe it to be one-sided.

Councillor TAKEGOE: As the result of this treaty being concluded, what kind of support can GERMANY give JAPAN in case worst comes to worst and in case the Japanese Navy aids GERMANY and ITALY, what kind of aid can it give?

Foreign Minister MATSUOKA: Such problems as the kind of help that can be mutually given should be thoroughly investigated at the Joint special committee.

Chief of the Investigation Committee SUZUKI: I think a Japanese-American war is inevitable regardless of whether this treaty is concluded or not. We, therefore, must carefully observe the expansion of the UNITED STATES Navy and must not neglect our preparations corresponding to this.

Navy Minister OIKAWA: We are confident of victory in a quick, decisive war against AMERICA, but as for the future, we are steadily drawing various expansion plans.

Councillor ISHII: I see what is written in the last of exchange of statements is that the South Sea Islands under our mandate will remain a territory of JAPAN, provided that we pay a compensation for them. According to Minister MATSUOKA's explanation of this, since the VERSAILLES Treaty has already expired, JAPAN is still continuing a military occupation of the South Sea Islands. Therefore, although it is said that it is necessary for JAPAN to pay compensation to GERMANY to obtain transfer of the islands, according to the VERSAILLES Treaty, the possession of the mandated islands were transferred to the Five Powers, from which powers JAPAN acquired them. I, therefore, think it is proper to interpret that the islands are already the possession of JAPAN and, therefore, I cannot agree to the verbal declarations of the German Ambassador. Since I admit that this problem is not a subject for Imperial inquiry, I am just expressing my opinion for your information.

Foreign Minister MATSUOKA: According to the opinion of famous scholars of international law, as Dr. TACHI, a mandate is not a transfer of territory. Therefore, aside from the standpoint of legal theories, and viewing it from the standpoint of practical politics, it has been my opinion for the past three years that it is a better policy to receive these islands from GERMANY through some means. From what I have heard, three years ago, the Japanese Navy had proposed to GERMANY through the naval attache in BERLIN the cession of these islands under certain compensatory terms.

Councillor ISHII: I have exchanged opinions with Dr. TACHI concerning this problem. Dr. TACHI's opinion was only that a mandate is not a cession of territory. In regards to the point that GERMANY transferred them to the Five Powers, I believe there is no dispute. Therefore, I can hardly agree to having JAPAN pay a compensation now to GERMANY for the cession of these islands.

Councillor MITSUCHI: From the questions and answers I have heard throughout this morning, the discussion seems to be chiefly on matters assuming war with AMERICA. However, the moment this treaty is concluded, I think AMERICA's economic sanctions against JAPAN will be greatly increased. In this case, I think the subsistence problem of our people will become serious. Are sufficient preparations made for this? When a treaty of this sort is concluded, the Japanese people are apt to follow GERMANY blindly and there is danger that some may attempt anti-American movements, etc. It is hoped that such acts will be strictly controlled.

President of the Planning Board HOSHINO: The government is most concerned over the problems of the people's livelihood and will try to meet the situation most satisfactorily.

Prime Minister KONOE: Since I am in full accord with keeping under control anti-American movements, I intend to carry it out very strictly.

Government officials retired at 7:30 p.m.

THRU POWER PAST

Outline of Proceedings of the Investigation
Committee of the Privy Council Concerning
the JAPAN-GERMANY-ITALY Tripartite Treaty.

(Written by MATSUMOTO, Chief
of the Treaty Bureau.)

The session was opened at 11:20 a.m., September
26, 1940 in the HIGASHI-SAN-NO-MA (TN: East Number Three)
Room of the Imperial Palace.

Attendance:

The Privy Council HARA, President of the Privy
Council
SUZUKI, Vice-President of the
Privy Council (Chairman
of the Investigation
Committee)

All Councilors were present as
members of the Investigation
Committee except KANEKO and
TANAKA who were absent.

The Government (TN: Cabinet) KONOE, Prime Minister
MATSUOKA, Foreign Minister
TOJO, War Minister
OIKAWA, Navy Minister
KAWADA, Finance Minister
HOSHINO, President of
the Board of
Planning.

Moreover, the following persons were present as
experts.

MURASE, President of the Bureau of Legislation
MORIYAMA, Chief of the Second Section
MATSUMOTO, Chief of the Treaty Bureau
MUTO, Chief of the Military Affairs Bureau
(TN: Army)
ABE, Chief of the Military Affairs Bureau
(TN: Navy)
HARAGUCHI, Chief of the Exchange Bureau
MATSUKUMA, Chief of the Bureau of Banks
TSUJI, Chief of the Superintendent Bureau

Proceedings:

1. The chairman of the committee announced the opening
of the session and had the secretary read the draft of the
treaty.

2. Prime Minister KONOE delivered a formal address as per separate paper No. A.
3. Foreign Minister MATSUOKA gave an explanation as per separate paper No. B.
4. Interpellation began according to rank.

Councillor KAWAI: I thoroughly understood the spirit of the draft. Personally, I have been desiring the conclusion of the JAPAN-GERMANY-ITALY Alliance, and I have been expecting its speedy realization since Minister MATSUOKA came into office. Although I have heard talks amongst some factions that the activity of MATSUOKA was slacking, it is a great pleasure to see the treaty being at last concluded. According to the explanation just made by Minister MATSUOKA, the attitude of ITALY is not clarified. I ask your reply on this point.

Minister MATSUOKA: As I have just explained, negotiations of this treaty began between JAPAN and GERMANY. GERMANY said at the beginning that she would be responsible for ITALY. Yesterday the Italian Ambassador called upon me and informed me, according to his home government's instruction, that ITALY has entrusted to GERMANY everything concerning negotiations of the treaty and that ITALY would express wholeheartedly her approval of a draft of the treaty concluded between JAPAN and GERMANY.

Councillor KAWAI: Glancing over the exchange of statements appended to the treaty, I found that it was concerned only with the relations between JAPAN and GERMANY. However, is it not necessary to make a similar exchange with ITALY?

Minister MATSUOKA: As a fact, I think we should attach importance to GERMANY in every point and it would not hurt to consider ITALY as secondary. Therefore, I have had the German Foreign Minister state in the exchange of statements that he has absolute confidence in that, when assistance and co-operation of ITALY is desired, ITALY will no doubt act in concert with GERMANY and JAPAN.

Councillor KAWAI: I consider Article III of the treaty most important. Although I do not believe in a Japanese-American war, I think that, if worst comes to worst, the War and Navy Ministers may have something in readiness to avert defeat, and on this point I beg to have an explanation that will reassure us. Moreover, we cannot say definitely that the U.S.S.R. will not start something against JAPAN. In such a case, what attitude will GERMANY take?

War Minister TOJO: I will give my answer chiefly from the standpoint of the Army. If the worst comes to worst, only a small part of the military strength will be necessary to carry out the operation against the U.S.A. I think that you need not worry on this point. However, an operation against the U.S.A. cannot be said complete unless we consider an operation against the U.S.S.R. Therefore, adjustment of JAPAN-SOVIET relations is a very important matter. I think that, if we could accomplish this effectively, military preparation would be eased considerably, but when we consider the character of the U.S.S.R., JAPAN cannot neglect her own preparation. As to the CHINA Incident, we intend to bring it to a conclusion by making efficient use of this treaty before we find ourselves in the worst situation.

Navy Minister OIKAWA: Since the war preparedness of our present Navy is complete, we will definitely not be beaten by the U.S.A., but in event of a prolonged war, it is necessary that we make sufficient preparations to keep up with the realization of the American plan for repletion of her navy. On this point, the Navy is adopting a policy prudent in every respect.

Councillor KAWAI: I fear nothing so much as the question of our materials. In case of a protracted war, how long will they last?

President of the Planning Board HOSHINO: As I explained yesterday (the President gave a detailed explanation of the material mobilization plan at the regular meeting of the Privy Council on the previous day), our country has for the last few years been making preparations for self-sufficiency as regards materials. Out of 2,100,000,000 yen in imports, 1,900,000,000 yen is received from ENGLAND and the U.S.A. If, therefore, the economic pressure is strengthened, it is necessary that we act prudently considering the activation of Article III of the treaty. As for iron, this year's output is expected to be 5,200,000 tons, and even at the worst we can expect an output of 4,000,000 tons. At present, 1,500,000 tons are used for armaments and military purposes, and the rest is allotted for the repletion of productive power and for private and governmental use. If we manipulate the repletion of productive power, and restrict private and governmental demands, giving consideration to cases when imports of scrap iron and iron material may be stopped, we shall not find

ourselves in so serious a situation. As regards metals other than iron, the case is different, but I think that you need not be seriously concerned, for we are now endeavouring to collect them from all parts of the world. Most important is petroleum. We are at present depending greatly on AMERICA, especially for aviation gasoline, almost all of which we must import from AMERICA. We must try to increase its production at home and, at the same time, must find means to secure it from places other than AMERICA. Recently, we have accumulated a considerable "stock" of aviation petroleum. However, in case of a prolonged war with the U.S.A., a self-sufficient supply cannot be obtained solely in JAPAN, MANCHURIA, and CHINA, whereas iron and other metals can be so obtained. Therefore, it is necessary that we speedily secure the right to obtain oil in the DUTCH EAST INDIES or NORTH KARAFUTO. This matter has been touched upon in the recent talk with GERMANY. Furthermore, you must understand that at present negotiations are being carried on for the peaceful acquisition of oil in the DUTCH EAST INDIES.

Councillor KAWAI: In regard to petroleum, at yesterday's talk the military and naval authorities too implied that considerable preparations have been effected. I wish to have some explanation by the War Minister and the Navy Minister.

Navy Minister OIKAWA: As for the Navy, we have made preparations for a considerable length of time. Measures are now being taken regarding synthetic oil.

War Minister TOJO: The Army has prepared so that its materials may last for a considerable period. If an unusually prolonged war should occur, consideration must be given to oil for aircraft and mechanized units.

Recess.

Reopened at 1:10 p.m.

Councillor ISHII: In case a power is attacked, are we bound to enter into war immediately according to Article III? Has there been an agreement as regards this?

Foreign Minister MATSUOKA: In the exchange of statements, it reads: "It is understood that the deliberation of the three signatories will decide whether or not one of the contracting parties has been attacked in the sense of Article III of the treaty." (Letter from the German Ambassador at TOKYO.) This was inserted at my request so

as to clarify the point now in question. If the existence of an attack is deliberated and affirmed, the signatories are automatically bound to fight in co-operation. The time and the manner of assistance are to be decided upon by each of the respective signatories independently and then be referred for deliberation.

Councillor ISHII: I agree with the explanation given by the Foreign Minister, since the term "immediately" is lacking in the text. Furthermore, I have interpreted the joint special committee of Article IV to mean a conference of military specialists as in the case of ordinary treaties of alliance, but according to the explanation given just now by the Foreign Minister, it seems that economic problems would also be discussed by the committee. I would like to hear the explanations on this point.

Foreign Minister MATSUOKA: At first, it was planned to have this matter provided for in the annexed secret protocol of the treaty. According to the said plan, a joint committee of the Army and Navy was to be established, one in TOKYO, and one in BERLIN or ROME. In addition, an economics committee was also to be set up, but it was decided not to draw up a secret protocol. This point I should like to have deliberated and decided between the two countries after the treaty is concluded. Since a committee to handle economic problems is thought to be necessary, it should be established.

Councillor ISHII: In this treaty there is no provision, such as almost always exists in treaties of alliance, regarding the non-conclusion of a separate peace. Is there any special object in this?

Foreign Minister MATSUOKA: I did not mention anything on this matter. To tell the truth, I thought that if the other party spoke of it, I would not object to its insertion, but if the other party did not touch on this subject, I considered it better not to have this provision. The reason is that, according to my idea, the object of this treaty was to prevent war and not to make war. Therefore, one of the reasons was that it was preferable not to have a provision for the non-conclusion of a separate peace, which anticipated the outbreak of war. Another reason was that in event a war should break out, I thought this question might be settled by reaching mutual agreement in the early stage of the war. Therefore, I did not propose this.

Councillor ISHII: Your opinions are quite right. However, Article I of the treaty speaks of the new order in EUROPE, but unless what is meant by the new order in EUROPE is made clear, how are we to know clearly the obligation of JAPAN? Were any understandings given in this respect?

Foreign Minister MATSUOKA: Although your question is reasonable, I think the meaning of the new order was fully expressed in the preamble. The preamble was our proposal and not a single word of amendment was made by the Germans.

Councillor ARIMA: I agree with government in its desire to avert an American-Japanese war as demonstrated by this treaty, but if JAPAN and the UNITED STATES are destined to fight, I think now is the best time. However, what concerns us most is our lack of petroleum. Although the Navy Minister said that we have made appropriate preparations, it cannot be supposed that, if hostilities began between JAPAN and the U.S.A., they would terminate in one or two years. Particularly since we are bound to use great quantities of petroleum in modern wars, we cannot help worrying whether or not synthetic petroleum and such will suffice in critical times. Therefore, I would like to have a reply on this point from the Navy Minister.

Navy Minister OIKAWA: Since we have just started with synthetic petroleum, we cannot say that it will suffice in critical times. Therefore, there is no other way than to acquire it from the DUTCH EAST INDIES or NORTH KARAFUTO through peaceful means, and it is quite likely this will occur. Consequently, when viewed from this point, I think adjustment of relations with the U.S.S.R. is very important. On the other hand, if the war is prolonged the Navy must consider the economic use of petroleum.

Councillor ARIMA: Would there be a sufficiency of petroleum of high octane rating?

Navy Minister OIKAWA: Yes, in regard to petroleum of high octane rating, the Navy has lately established a special research organ and has been producing it through methods original with the Navy. Moreover, considerable store is on hand.

Councillor KUBOTA: Perusing the wording of Article III of the treaty, we can conceive the U.S.S.R. to be included among countries not participating at present in the European War and the Sino-Japanese dispute. What is the

relation between JAPAN and the U.S.S.R.? Were there any conversations between GERMANY and the U.S.S.R.?

Foreign Minister MATSUOKA: In order to avoid that doubt, we established Article V. In reply to my inquiry whether any conversation was held with the U.S.S.R. concerning this treaty, STAHER gave a negative answer. However, I am inclined to think STAHER talked with the Russians when he passed through MOSCOW. There is one fact which seems to prove this; that is, on August 23, when STAHER left BERLIN, Foreign Minister RIBBENTROP who happened to have an interview with Ambassador KURUSU on the same day made no reference to this matter. However, on the 24th when STAHER had an interview with Ambassador TOGO, he said that GERMANY intended to conclude a political treaty with JAPAN. From this, it could be conceived that STAHER had some conversation with the Soviet authorities during that period.

Councillor KUBOTA: We hear rumors of rapprochement between the UNITED STATES and the U.S.S.R. Is there any fear of this treaty accelerating this?

Foreign Minister MATSUOKA: As regards the rapprochement between the U.S. and the U.S.S.R., the Foreign Ministry has been vigilant and has endeavored to secure the real facts from all quarters, but up to now we have not come in contact with any information deemed authentic, and I think that there is still nothing concrete at the present. Furthermore, STAHER stated very clearly the possibility of meeting success in the adjustment of Japanese-Soviet relations, and has proposed the services of GERMANY as mediator. This point is identical to those as stated in the exchange of statements.

Councillor ISHIZUKA: I have no objection in regard to the text of the treaty. However, as to the relations with GERMANY, we cannot put 100% confidence in her, when we consider the record of the past. At the time the Anti-Comintern Pact and the Cultural Pact were concluded, there were opinions that complete unity was impossible, except in special instances. We expect the government to take this into full consideration and put the treaty into effectual operation.

Councillor SHIMIZU: Who were they who signed this treaty?

Foreign Minister MATSUOKA: RIBBENTROP, CIANO, and Ambassador KURUSU.

Foreign Minister MATSUOKA: As regards the rapprochement between the U.S. and the U.S.S.R., the Foreign Ministry has been vigilant and has endeavored to secure the real facts from all quarters, but up to now we have not come in

Councillor SHIMIZU: This treaty is being put into force simultaneously with its signing. Do you think that it is in accord with the constitution?

Foreign Minister MATSUOKA: There are many previous examples of treaties like this, and there is no danger of any constitutional difficulties, because it was sanctioned by the Emperor after being referred to the Privy Council for deliberation before it was signed.

Councillor SHIMIZU: According to what I hear there are several German engineers still in CHUNGKING. Is it true?

War Minister TOJO: There are such reports, but the truth is not clear.

Councillor SHIMIZU: It stipulates that some sort of compensation should be paid for our South Seas Mandate. Can you tell me the meaning of this?

Foreign Minister MATSUOKA: In regard to this point, the set-up is that all of the former German territories now under mandated rule be returned to GERMANY, and that she cannot allow, as a matter of principle, only JAPAN, her ally, to retain the territories. Therefore, they insisted that they wished to receive compensation and /thereby/ resort to the formality that it had been transferred to JAPAN. At first, the term "adequate" was used with compensation, but due to my insistence, "adequate" was deleted in favor of "in a way". Since GERMANY said that she would be satisfied if this compensation be an entirely "nominal" one--giving examples that there have been cases of only six bags of coffee; what she means is of a very light nature.

Councillor SHIMIZU: In my opinion, I think that there is no need of receiving transfer of the mandates from GERMANY now.

Foreign Minister MATSUOKA: In my opinion, I think the view taken by Dr. TACHI and other authoritative students of international law that there was no cession of territories is right, and therefore, since GERMANY practically denounced

the VERSAILLES Treaty three years ago, it is correct to regard the Japanese Mandatory rule as the continuation of military occupation. Accordingly, I think it is necessary that we receive transfer of the territories from GERMANY and clarify the situation.

Councillor MINAMI: When did ITALY give her approval to this treaty?

Foreign Minister MATSUOKA: As I have replied previously, ITALY on the 25th sent her ambassador in TOKYO to call on me to express her approval of the treaty. Prior to this, the German Foreign Minister RIBBENTROP obtained ITALY's approval in ROME.

Councillor MINAMI: In that case, don't you think that it was too early to submit this question to the Imperial Conference of the 19th to obtain Imperial sanction when it was uncertain whether ITALY would approve it or not?

Foreign Minister MATSUOKA: Not only had GERMANY repeated from the start that she would be able to obtain ITALY's approval, but since the matter discussed at the Imperial Conference was a question concerning the plan for conclusion of a treaty between JAPAN, GERMANY, and ITALY based on a general plan framed by GERMANY and JAPAN, I do not think that it matters much.

Councillor MINAMI: Has the sphere of GREATER EAST ASIA been clearly defined?

Foreign Minister MATSUOKA: We have talked about it at the time of negotiation and have recorded it.

Councillor MINAMI: What is the particular reason for the exchange of statements when trouble occurred between BRITAIN and JAPAN?

Foreign Minister MATSUOKA: As BRITAIN is already participating in the European War, Article III of this treaty is not applicable to her; but as for JAPAN, we cannot assert that there will be absolutely no British-Japanese war. That is why we have especially made this point clear, in spite of GERMANY's disapproval.

Councillor MINAMI: Did JAPAN first propose this treaty, or was it GERMANY?

Foreign Minister MATSUOKA: GERMANY proposed this treaty first.

Councillor MINAMI: Is it not because GERMANY had failed in her campaign against BRITAIN that she has come to offer such a proposal?

Foreign Minister MATSUOKA: The prolongation of the campaign against BRITAIN may be a reason but this is not the only reason. I think the reason is that GERMANY believed that in the course of half a century or so, complications between AMERICA and GERMANY are inevitable.

Councillor MINAMI: I approve of checking AMERICA by means of this treaty, but is there absolutely no danger of a U.S.-GERMANY coalition?

Foreign Minister MATSUOKA: We are not positive that there will be absolutely no possibility of a U.S.-GERMANY coalition. However, as we cannot overlook the influence of German-Americans in the UNITED STATES with regard to the improvement of Japanese-American relations, we consider this treaty valuable in this respect also.

Councillor MINAMI: I am informed from the answers of the various ministers on the petroleum problem, but I cannot feel secure in the least because it is like hearing through a wall. I would like to have it explained more clearly and feel a sense of security.

President of Planning Board and Ministers of Army and Navy: As replied before, the Army and Navy have a considerable stockpile. The replies by Councillors KAWAI and ARIMA that peaceful acquisition from abroad is hopeful, we repeat here.

Councillor MINAMI: If the Sino-Japanese Incident continues on one hand, and if war between JAPAN and AMERICA should break out on the other hand, how would the financial situation be? I would like the Finance Minister to answer this question?

Finance Minister KATADA: It goes without saying that JAPAN will have her finances constrained. There will be no other way, after all, than to increase the savings of the people and try to cut down the government expenditure.

Councillor MINAMI: Next, I would like to hear about the Russo-Japanese relations. If a Japanese-American War should break out, it would be conceived that hands for co-operation by both JAPAN and the U.S.A. will be extended to the U.S.S.R. just as it had been done by the Anglo-French and by the Germans before the European War. Therefore, in consideration

of the Japanese-American relations, can't we first of all adjust our relations with the Soviet and thereafter carry on negotiations on this treaty? Why is it that we must only comply to the words of the Germans and defer the negotiation with the U.S.S.R.?

Foreign Minister MATSUOKA: In regard to the adjustment of relations with the U.S.S.R., proposal for a neutrality pact had been made during the former Cabinet. I, myself, after assuming office, have tried 'feelers', but the state of affairs were that the U.S.S.R. gave reply of acceptance on condition that the proposal of the former Cabinet will be accepted provided that the "PORTSMOUTH" Treaty be rescrutinized, the rights and interests in NORTH SAGHALIEN be returned, etc., presenting conditions which almost had to be rejected. Thus, I came to the conclusion that in the adjustment of relations with the U.S.S.R., there is no other way than to utilize GERMANY. That is why I accepted GERMANY's proposal to this treaty.

Councillor MINAMI: It is said that STAHRER told the Foreign Minister that the UNITED STATES will not participate in the European War; but we cannot ascertain how it will turn out after the presidential election. The U.S.A. may revise her neutrality law and may assist BRITAIN to the utmost. In such a case, would it mean that the U.S.A. will attack GERMANY?

Foreign Minister MATSUOKA: There is no other way to judge whether the action of the UNITED STATES constitutes an attack or not, except through the situation at that time. Regarding this point, GERMANY suggested during the negotiation that it was desirable to have in Article III the attack as being made "openly or covertly"..... To this we insisted that we wished to eliminate such words because in the words "the attack being made covertly", there would be a fear of including such things as the transfer of American destroyers to BRITAIN in its meaning. There had been cases when GERMANY explained that those words were inserted rather for the interest of JAPAN. For instance, when the UNITED STATES Fleet enters SINGAPORE, it could be said that a covert attack has been made, and, therefore, the transfer of destroyers would not be included in this interpretation.

Councillor MINAMI: At the meeting with the Germans, did you repeat the fact that they are to exert their efforts in order to have the U.S.S.R. discard their policy of assisting CHIANG KAI SHEK?

Foreign Minister MATSUOKA: I, as Foreign Minister, have given full consideration to this point and have thought of letting GERMANY, through the U.S.S.R., lead CHUNGKING to terms of peace. However, to have suggested this matter too early would have bared our weak points to GERMANY, and thus it would have caused us many disadvantages without a single advantage. Therefore, even during the early part of August when I had an interview with Ambassador OTT, when he mentioned something of this purport, I told him that JAPAN intended to dispose of the CHINA Incident unaided. Of course, it was my intention to make full use of this treaty hereafter to adjust JAPAN-SOVIET diplomatic relations and find means to promote the settlement of the CHINA Incident.

Councillor NARA: No questions.

Councillor ARAKI inquired about the quality, physical vitality, and the health of the Army and Navy, and especially about the prevention of tuberculosis, etc., to which both the War and Navy Ministers made replies.

Councillor MATSUI: No questions.

Councillor SUGAWARA: I wish to present questions on five points. (1) A little while ago the Foreign Minister spoke of a secret protocol, but were there any suggestions regarding the drawing up of a secret protocol? (2) What connections are there between this treaty and the JAPAN-GERMANY-ITALY Anti-Comintern Pact? (3) Although this treaty is a tripartite pact, the relations between GERMANY and ITALY are so close that when a dispute arises concerning the interpretation of the treaty, don't you think that there is fear of the odds always being two to one against us? (4) In regard to our relations with ITALY, is it completely unnecessary to have it in writing? (5) Although there were explanations a while ago regarding preparedness from the military standpoint in case a war should break out with the UNITED STATES, we are most of all anxious about the financial problem. Although we believe that the Finance Minister is fully prepared on this point, what is the actual situation?

Foreign Minister MATSUOKA: (1) During the negotiations, proposals for a secret protocol were made, but the contents of the secret protocol became unilateral, including only the demands made by JAPAN. In order to make this perfect, it not only takes time, but it also needs the approval of ITALY. Therefore, we avoided drawing up the secret protocol and decided that I, the Foreign Minister, exchange statements with the German Ambassador in TOKYO and use this in place of the secret protocol. (2) The Anti-Comintern Pact will remain as it now stands. I think that JAPAN must maintain her great