

DOC 4031

Evid.

Folders

(52)

4031c

Following frames have
been withdrawn and set up
for court as indicated

Frames	135844-46 (4031A)
	135847-8 (4031B)
	135851-3 (4031C)

29 Aug 46

Hyd

Miss Brastrupe

Proofed
SK

INTERNATIONAL PROSECUTION SECTION

Doc. No. 4031

Date 30 May 1946

ANALYSIS OF DOCUMENTARY EVIDENCE

DESCRIPTION OF ATTACHED DOCUMENT *File of telegrams*

Title and Nature: *Photostats between German Embassy in Tokyo and Foreign Ministry in Berlin*

Date: *Apr 1938 - May 1939* Original () Copy (X) Language: *German*

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

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

LOCATION OF ORIGINAL (also WITNESS if applicable)

DOCUMENT DIVISION

SOURCE OF ORIGINAL: *Nuremberg*

PERSONS IMPLICATED: *Togo, ^{Shigenori} Ribbentrop*

CRIMES TO WHICH DOCUMENT APPLICABLE:

Conspiracy for Aggressive Warfare

SUMMARY OF RELEVANT POINTS (with page references):

Item 1: *Memo about conference notes for Conversation between German Foreign Minister and Togo on 8 April 1938, re. economic cooperation in China: Ribbentrop informed Japanese Ambassador on 4 points forming the basis of a confidential exchange of notes between German and Japanese Governments. Togo objected to the German demand for equality with Japan as other nations would then demand identical ^{identical} ~~similar~~ status (~~equality~~ *stalling*). Ribbentrop insisted on equality ~~with Japan~~*

Analyst: THOS A. KELLY S/PT. RNVR

Doc. No. *with Japan*

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and preference against other countries because of the good relations
on the basis,

of the Anti-Comintern Pact and future ^{closer} cooperation. De Lönki
could be discussed with von RAUMER. In answer to Togo's
question about Czechoslovakia, Ribbentrop informed him that
the question of 'self-government' for the Sudetens was still in the
air but he hoped that the position would be clarified.
[135842-3].

Stein 2: ~~Secret~~ ^{Memo} Notes on Conversation between German Foreign Minister and
Japanese Ambassador on 20 May 1940 (as communicated by the German
Foreign Minister.) ~~sent by Wirtz for Berlin to Tokyo~~ ^{dated} 2 June 1939

~~Stein 12~~
This Stein is
identical with
Stein 12 in
File of Section
Ha Pol (Economic
Policy), IPS
Doc 4024

~~Japanese ambassador dealt with German-Japanese
economic cooperation in North China and elaborated
the "Pro Memoria" which is to be an informal
agreement backed up solely by the word of the
Japanese government. "Pro Memoria" is the "maximum"
that Japanese government will yield. Ribbentrop ordered
document to be treated as "secret" and to be named
by von Raumer, Wohlthat and Schlatterer. Desire for
alterations in "Pro Memoria" should be given formal
character by exchange of communications between
ambassadors [135381].~~

[135381]

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Memorandum about
 Note on Conversation between German Foreign Minister & Japanese
 Ambassador on 20 May 1938 (as communicated by German Foreign
 Minister). ^{dated} sent by WILHELM FURUBERGER on 2 June 1938.

Ribbentrop stressed the following points:

- 1) Germany help to Japan: Recognition of Manchuria; military consellers; cessation of export of war materials.
- 2) Germany's losses in China: No repayment; forfeiture of contracts for delivery of war material; probable Chinese refusal of payment; Boycott of German goods in China.
- 3) Japanese failings: insufficient release of frozen assets; No priority among other nations in Manchuria for commerce or war reparations; cessation of German trade in North China.
- 4) General expectation of greater Japanese cooperation in economic questions: priority for Germany in Japanese occupied spheres. Greater support for German-Japanese trade in view of ^{trade} losses in China.

Togo thanked him for German help. Calculated German ^{economic} losses in China at 100,000,000 R.M.S. in a letter to General OSHIMIZU and said frozen assets had been released. Ribbentrop not satisfied noted for greater concessions. Remarked on the favourable treatment given to America. Togo promised to inquire at Tokyo

This is identical
 with Item 14 in
 File of Section
 Ha Pol 5 IPS
 Doc 4024
 [135832-3]

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about it. He also gave soft answer to the cessation of German trade in China by Japanese trust companies and also promised to take up question of ~~war reparations~~ with his Government. Also hoped that support for German-Japanese trade would soon be forthcoming. [135833-3]

Item 4. ^{Memorandum} Notes on Conversation between German Foreign Minister and Japanese Ambassador of 28 May 1938, dated 2 June 1938
Subject - Japanese & German economic trade ^{negotiations}
~~Japanese Ambassador discussed possibility of compensation for loss of trade but was opposed to connecting the business of German-Japanese trade and the Chinese Question.~~
~~Hickentrop answered that German losses must be compensated that, although there was mutual understanding between two nations, Germany must have priority in trade. Togo answered that the priority and preference question had been dealt with by Dr Gündler and that America did not receive preference over Germany. [135834-5]~~

This is identical with Item 13 in file of Section Ha Pol;
IPS Doc 4024 . [135834-5]

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Stem 5 Memo about
Secret. sent by Wick for Berlin 3 June 1938. Notes on
discussion with TOGO about changes in the "Pro Memoria" delivered
to German Foreign Minister on 20 May, dated June 3, 1938

This is identical ~~the discussion dealt with the proposed German~~
with Stem 11 sponsored changes in the "Pro Memoria" Japanese
in file of - government opposed these alterations and a
section labeled, compromise was reached whereby German interest
IPS Doc 4074 would receive best possible treatment corresponding
[135836-7] to the friendly relations that existed between Japan
and Germany. Tojo showed that he was
favourable towards equality for Germany in taxes
inputs & outputs. [135836-7]

Stem 6: Secret: Pro Memoria delivered by Japanese Ambassador
on 20 May 1938.

A) Japanese ^{special position} influence in China acknowledged by
Ribbentrop. closer economic collaboration
in China between Japan and Germany ^{agreed upon} ~~agreed~~,
in accordance with the Anti-Comintern Pact,
German commerce in China to be given ^{preferential}
~~treatment~~ favorable consideration.

B) Japanese answer: a) ^{Germany will not be put into the remote position of being} Japanese Government will in
certain instances give ^{favorable attention} ~~preferential treatment~~

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to German interests but other states cannot be excluded. (b) German and Japanese export trade to be treated equally in regards to customs rules but ~~priority in North China to be given to Japanese~~ ^{Japan's special position resulting e.g. from the indivisible connection of Chinese and Japanese currency system will be maintained} ~~finances.~~ [155838-155839]

Item 7. ^{Proposed changed formulation}
~~Altered Copy of ProMemoria delivered by Japanese Ambassador on 28 May 1938. - Secret.~~

1) ~~German economic cooperation in China and work for preferential for German trade there~~

2) (a) ~~Japanese promise of better treatment for German interests but ^{economic} cooperation with third power is not excluded.~~

(b) ~~German and Japanese trade to be placed on same footing and German interests to be given preference over interests of other countries.~~

~~[155840-1]~~

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Changes consist mainly in the insertion of the words "as far as Japanese influence reaches" after the word "China" in articles I and II.

In article Ia the new version provides that Germany "be, in principle, put in a better position than third powers" and refers later to "this preferred position of Germany".

In article IIc equal treatment to Germany and Japan is extended ~~also~~ to matters concerning taxes, revenues, fees, tariffs etc. and provides for the case of changes in the present export and import regulations etc.

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Item 8:

Ribbentrop's memo

Report on conversation ^{with} Togo ~~Ribbentrop~~
on 29 June 1938.

The Japanese government wishes to replace
"North China" by "China" in the Pro Memoria.

"Priority" for Germany as opposed to ^{all} other nations
not possible. Ribbentrop reports that the
formula in paragraph (6) be "to promote
German interests quite distinctly" rather than
~~to promote German interests wherever possible.~~

Ribbentrop gets the impression that Togo ^{Japan is ready to} wants
to state this fact clearly in an agreement. ~~all precise statements.~~ He also points out that
Japan cannot pay in foreign currency; thanks
Ribbentrop for ^{support given to him} ~~protection~~ concessions obtained by
Wohltat at the London Conference re whale fisheries.

In regard to
Jap-German trade
negotiations
TO 60

Ribbentrop informs TO 60 ~~that~~

German military ~~councilors~~ ^{advisors} will leave HANKOW
on 5 July. ~~Complaints by Trautmann about~~
~~number in Japanese press of German-Chinese~~
~~tension.~~ [135846-5-6] He

Complains about Jap press-reports in connection with recall
of Ambassador TRAUTMANN, ~~saying~~ ^{German} about an impending break in
German-Chinese relations and recognition of the Peking-Government.

[135846-T]

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dated 29 June 1938

Item 9.

~~Secret~~. Tent of Pro Memoria. ~~Sent from Berlin by WIEHL~~
29 June 1938. proposed by ~~TOGO~~ TOGO:

- i) ~~Rebuttal~~ ~~has emphasized the need for German-Japanese economic cooperation in China and has stressed the necessity of priority for German and Japanese export trade.~~
- ii) Japanese answer: (a) favourable treatment will be given to German interests, same as other countries enjoy (except Manchuria) but this does not prevent Japan from trading with a third power.
- (b) German and Japanese export trade in China placed on same footing, will be given best treatment, another power should get in China (with the exception of Japan & Manchuria). [135847-8]

Relevant Notes: question of priority again.
To be discussed by OTT in Tokyo in July.
Germany wishes Italy, also signatory of the
~~Anti-comintern~~, to be included for "priority"
in China. [135849-50].

Provides for "most favored treatment clause" in favor of Germany (standstill being an exception) as a minimum it provides for favorable attention above this in certain cases. [135847-50] ^{attached} notes by WIEHL re German line re preferential treatment.

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Item 10: Notes

~~Item 10~~ ~~Notes~~ dated ~~by WIKHL~~ on ~~6 July 1938~~ in a conference with TOGO re German-Jap. economic cooperation in China with ~~Japanese ambassador~~ on 6 July 1938.

~~Togo discussed proposed commercial treaty re German trade in China. Japan to buy 100,000,000 ¥ worth of German products.~~

~~Next "Pro Memoria" on German-Japanese economic cooperation in China: (1) Japanese government wants~~

~~writing changed~~
~~writing of Pro Memoria~~
~~changed from~~

areas in China which come under Japanese influence to "China". Reasons are "the Japanese government hopes to extend its influence throughout ^{the whole of} China and it is, ^{therefore,} not desired for general reasons to acknowledge in this document

the possibility of a ~~the~~ partition of China into areas which would/would not come under Japanese influence."

~~WIKHL~~ ~~proposed~~ ~~proposal~~ accepted. (2) Another change: ^{inserted by TOGO in form} "German trade" ~~export trade~~ ^{to} "German ^{export} trade" but Ribbentrop insists on the ~~former~~ ^{former} phrasing.

(3) ~~Security~~ ^{The question of preferential treatment is} ~~discussed~~. Ribbentrop stresses "assistance to Jap. activities in China, rendered by Germany under considerable sacrifices" ~~emphasises Germany's sacrifices for Japan as~~

as opposed to difficulties by which ~~other powers~~ ^{other powers} ~~obstruct~~ ^{TOGO finds the form of the Jap government's funds} Japan. ~~It is~~ ^{to examine Pro Memoria} ~~the form of an exchange of notes impractical, because it necessitates agreement by Privy Council (?)~~

~~from legal standpoint~~ [135851-3] which is difficult and takes a great deal of time.

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X Ribbentrop's Memo about a conference with OSHIMA, dated
Item II: ~~by Ribbentrop~~ BERLIN, 5 July 1938.

Oshima informed Ribbentrop; that Chief of G.P.U.,
who had flown from Siberia was now in Tokio
and agreed that he should be interrogated by German
official for information on the UKRAINE: that ~~an~~
air-agreement maybe expected soon, that flights by the southern route will be started in the course of this
year and, as soon as SINKIANK was put in order a more northerly
airline would be established. Ribbentrop ^{declared his} dissatisfaction
with TOGO's ~~formal~~ economic cooperation in
~~with China for economic purposes~~
and also priority for Germany there. OSHIMA
promised to take it up with General Staff.

[135854]

~~Item II~~ copy of clause to be inserted in the original
draft of the consultation & assistance Pact
between Japan ^{Italy} and Germany ^{then under discussion, pointing out,} that this pact does not
interfere with pact signed between
Germany & Italy of 22 May 1939 and can only
be inserted ^{in the relations between Germany and Italy if the provisions}
obligations resulting from the Pact of 22 May 1939 are ^{not further}
^{wider in scope.}

~~not this
as part
of~~

[Note to Sterner Nr 135931 - 43 to be
checked for previous translations and
analysis. see notes appended thereto]

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Item 12 ^{and 13} Telegrams from Ribbentrop ^{and Weiszacker} to OTT, dated ¹⁵ May 1938, re German-Italian Assistance Pact.

This is identical with IPS Doc 1382, ^{part 1} and is fully translated in the analysis of said document.

Item 13: Tel. from WEISZACKER to OTT, dated 15 May 1938, identical with IPS Doc 1382, part 2; partially translated ~~and~~ in analysis of said document.

Item 14: These are the annexes mentioned in Item 13, which are not enclosed in IPS Doc 1382.

They are: 1) Pact of consultation and Assistance between Japan, Italy and Germany

2) Ratification protocol

3) Secret attached protocol

4) Attached Papers 2, 3, 4. (135937-93)

~~and clause to be inserted before Art IV (135935)~~

(135930 is identical with 135941)

(A rough translation of these annexes is attached)

DEFENSE CHARGE OUT SLIP NO. 3

Date

14 May 47

Description of Material:

IPS Doc. No. 4031

DEF Doc. No. Ct. Exhibit No.

1314

2619

No 159 15.5.38

135936-43

I, the undersigned representative of the Defense Panel do hereby state that I have withdrawn the above document, that the part described below has been extracted from such document for introduction in evidence, that an appropriate notation has been inserted together with a processed copy of the extracted portion in place of said part and that I have returned the remainder of the document.

I further agree to inform IPS Document Division (Files Unit) of the Defense Document No. as well as Court Exhibit No. assigned to the extracted portion.

Signature

[Handwritten Signature]

Description of Extracted Portion: (Page No., Frame No., Item No.)

[Blank lines for description of extracted portion]

Berlin, 6 July 1938

MEMORANDUM

ON A CONVERSATION WITH THE JAPANESE AMBASSADOR, ON 6
JULY 1938

TOGO, who had announced himself, made reference to the fact that the Reichminister in the conversation of 29 June had referred him to me regarding details of the pending economic negotiations. At first he spoke about the present situation of the German-Japanese negotiations for the trade agreement and said that, in the last conversation of his Commercial Attache SHUDO with H. D. WOHLTHIT and L. R. VOSS, we had expressed certain wishes for the acceptance of German goods by Japan up to the amount of 160 million yen, suggested by Japan, for normal export, and had declared ourselves willing to take into consideration the Japanese suggestion for an agreement regarding an additional export of 150 million yen, half against Japanese goods, half on credit, in the event of the Japanese government considering our wishes favorably. He had telegraphed this outcome of the conversation of his Commercial Attache to Tokyo and had recommended consideration of our wishes. After having received instructions he would again contact me.

Then the Ambassador again spoke about the Pro Memoria on German-Japanese economic cooperation in China and insisted particularly and obstinately on his counterplan which he had handed to the German Foreign Minister on 29 June and which the Reichminister had already declared unsatisfactory. The differences of opinion referred to the following points:

(1) According to our suggestion the Pro Memoria was to refer to "the areas of China which are under Japanese influence". The Ambassador wishes to replace these words throughout merely by "China" and brought up as a reason that the Japanese government hoped to extend its influence over all of China, therefore it was for general reasons undesirable to acknowledge in this document the possibility of a division of China into areas which either were or were not under Japanese influence. In answering this I stressed that, with our stipulation of text, we merely wished to clarify that the agreement did not apply to such areas which finally would remain of China without being under Japanese influence. In itself this was natural because the Japanese government could of course only take over responsibilities for such areas in

which it had influence. Therefore I was willing to ask for the Reichsminister's decision whether he approved of the Japanese suggestion, to put only "China" in the parts of the Pro Memoria concerned.

(2) The Japanese counterdraft wishes to put the words "German foreign trade" where, in various parts, it says "German trade" in China. I declared to the Ambassador that we could not agree to this. The reconstruction and securing of the commercial activity of German firms in China was for us an unavoidable prerequisite for the economic cooperation in China desired by both governments. This commercial activity, however, not only consisted of the import and export of German goods by these firms to or from Germany, but also of trade within China and of mediation for export of Chinese goods to third countries for instance America and England. At last the Ambassador conceded this and consented that at the end of (I) and in (II) before the letter (a), just "Germany's trade in China" should be put in place of "foreign trade".

(3) The Japanese suggestions for changes under the letters (a) and (b) present the main difficulty. The Ambassador persisted that the Japanese government could not promise us a better position than third powers and equal treatment with Japan regarding taxes, revenues, duties, traffic fees, etc. In answering I declared to him again and again that, in view of our support of the Japanese action in China rendered with considerable sacrifices, we felt entitled to a better position than such powers which not only did not support Japan but laid, wherever they could, obstacles in her way. In any case I did not have the right to leave off from this demand in view of the binding instructions of the Reichsminister. Still the Ambassador asked me to again obtain the opinion of the Reichsminister and also referred to the fact that VON RAUMER had promised him another examination, from the legal standpoint of the suggestions which differed from our version. At last I declared myself ready to report to him the final attitude of the Reichsminister and the eventual outcome of this legal examination.

(4) Finally the Ambassador told me that he had been empowered by his government to give the planned Pro Memoria a legally more binding form by a mutual provisional signing. I responded that I would bring this to the notice of the

Reichsminister but pointed out that the Reichsminister, as was known, had proposed through VON RAUMER the form of an exchange of notes. The Ambassador was of the opinion that his government considered the form of an exchange of notes impractical on account of the necessary but difficult and time consuming consent of the Privy Council.

Signed WIEHL

/135851-3/

AFFIDAVIT

I, W. P. Cumming, being first duly sworn on oath, depose and say:

1. That I am an Attache of the United States Department of State on the Staff of the United States Political Adviser on German Affairs, and as such I am a representative of the Office of Military Government for Germany (U.S.). That in my capacity as above set forth, I have in my possession, custody, and control at the Berlin Documents Center, Berlin, Germany, the original captured German Foreign Office files and archives.

2. That said original Foreign Office files and archives were captured and obtained by military forces under the command of the Supreme Commander, Allied Expeditionary Forces, and upon their seizure and capture were first assembled by said military forces at a Military Document Center at Marburg, Germany, and were later moved by authorized personnel of said Allied forces to said central documents center, above referred to, and known as the Berlin Documents Center.

3. That I was assigned to said document center at Marburg, Germany, on August 15, 1945; and said captured German Foreign Office files and archives first came into my possession and control while I was stationed at Marburg, Germany, and that thereafter the same have continued in my possession and custody and under my control.

4. That the document to which this affidavit is attached is a true and correct photostatic copy of an original German Foreign Office document which was captured from said Germany Foreign Office files and archives, and which came into my possession and custody and under my control in the manner above set forth.

5. That said original document, of which the attached is a photostatic copy, is being held and retained by me in order that it may be examined and inspected by various interested agencies, and a photostatic copy of said original is hereby furnished and certified to because of the unavailability of said original for the reasons above set forth.

s/ W. P. Cumming
W. P. CUMMING

Subscribed and sworn to before me this 23rd day of April 1946.

s/ G. H. Garde
G. H. GARDE
Lt. Colonel, AGD
Acting Adjutant General

OFFICE OF MILITARY
GOVERNMENT FOR GERMANY (U.S.)

Germany - Foreign Relations -
Japan

Doc. No. 4031A

Page 1

R.M. 240

The Japanese Ambassador TOGO, who had announced himself visited me today at 13.30 hours.

He handed me the Pro Memoria attached in the enclosure. As an explanation he added that the Japanese Government would like to avoid the expression "North China" in such a Pro Memoria and would like to put "China" in its place. Furthermore the Japanese Government was not able to assure Germany a better position than all other powers in a treaty form. Therefore the formula mentioned at the end of the Pro Memoria had been chosen in order to meet our wishes as far as possible. I declared myself not satisfied with the formula.

Among other things I explained to the Japanese Ambassador whether the formula in paragraph a.) of the Pro Memoria could not be changed in such a way so that it would read: "to further German interests to a specially great degree" instead of "to further German interests as far as possible."

The Japanese Ambassador seemed to consider a change of that sort possible.

After that he once more emphasized in epic verbosity that the Japanese Government would do everything necessary to secure the German interests. The idea of his statements seemed to be that one was, to be sure, in practice willing to grant Germany a better position than all the other nations and to express this in the text as far as possible, but that one would not agree to commit oneself in a definite treaty form. The Japanese Ambassador further declared that he would also willingly accept further German proposals for modifications regarding the Pro Memoria.

I explained to the Japanese Ambassador that at present I could not take up a standpoint regarding the text of the Pro Memoria. To me it seemed that the draft did not go further than the most preferential treatment which, in view of Germany's special situation, was not satisfactory. However I would have this plan thoroughly examined and would then give him a report regarding the outcome of this examination.

The Japanese Ambassador then briefly mentioned the present situation of the German-Japanese negotiations for the commercial treaty. Unfortunately Japan was at present not capable of paying foreign bills of exchange to a greater extent.

I declared that I was not informed about details and referred him to Min. Dir. WITHL.

The Japanese Ambassador then expressed his thanks for the support which Min. Dir. WOHLTAT had given him at the whaling conference in London.

I then informed the Japanese Ambassador that our military advisors would probably leave Hankow on 5 July. It had not been altogether easy to effect their departure. In connection with the recall of Ambassador TRAUTMANN a number of combinations regarding severing of German-Chinese relations and the recognition of the Peking Government had been in the Japanese press. I would be thankful if the Japanese press could be influenced in such a way that it would refrain from such combinations.

The Japanese Ambassador then expressed himself optimistically regarding the further development of the military operations. After a capture of Hankow the position of CHIANG KAI-SHEK seemed to him untenable.

Berlin, 29 June 1938

Signed RIBBENTROP

/135844-6/

AFFIDAVIT

I, W. P. Cumming, being first duly sworn on oath, depose and say:

1. That I am an Attache of the United States Department of State on the Staff of the United States Political Adviser on German Affairs, and as such I am a representative of the Office of Military Government for Germany (U.S.). That in my capacity as above set forth, I have in my possession, custody, and control at the Berlin Documents Center, Berlin, Germany, the original captured German Foreign Office files and archives.

2. That said original Foreign Office files and archives were captured and obtained by military forces under the command of the Supreme Commander, Allied Expeditionary Forces, and upon their seizure and capture were first assembled by said military forces at a Military Document Center at Marburg, Germany, and were later moved by authorized personnel of said Allied forces to said central documents center, above referred to, and known as the Berlin Documents Center.

3. That I was assigned to said document center at Marburg, Germany, on August 15, 1945; and said captured German Foreign Office files and archives first came into my possession and control while I was stationed at Marburg, Germany, and that thereafter the same have continued in my possession and custody and under my control.

4. That the document to which this affidavit is attached is a true and correct photostatic copy of an original German Foreign Office document which was captured from said Germany Foreign Office files and archives, and which came into my possession and custody and under my control in the manner above set forth.

5. That said original document, of which the attached is a photostatic copy, is being held and retained by me in order that it may be examined and inspected by various interested agencies, and a photostatic copy of said original is hereby furnished and certified to because of the unavailability of said original for the reasons above set forth.

s/ W. P. Cumming

W. P. CUMMING

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s/ G. H. Garde

G. H. GARDE
Lt. Colonel, AGD
Acting Adjutant General

OFFICE OF MILITARY
GOVERNMENT FOR GERMANY (U.S.)

Copy

Secret!

Berlin, 29 June 1938

Pro Memoria

I.) In the repeated discussions which Reich Minister for Foreign Affairs von RIBBENTROP had with the Japanese Ambassador in Berlin, TOGO, over the economic construction /Aufbau/ in China, the Reich Minister recognized the special position which Japan holds in China and shared the view with the Ambassador that Japan and Germany must cooperate economically still more closely in China in the spirit of the Anti-Comintern Pact which had been concluded between the two countries. Accordingly, the Reich Minister declared to the Ambassador the willingness of the German Government to try to do its best for economic and technical cooperation with Japan in China. He at the same time expressed the wish that the Japanese Government for its part would proceed in the same manner and that in particular it would take an especially generous and considerate attitude especially as regards German foreign trade in China.

II.) After the Ambassador had informed the Japanese Government of the course and result of the conversations as depicted above, the Ambassador was then instructed by the Imperial Government to communicate the following to the German Government:- The Japanese Government is agreed with the points mentioned in I.) and accordingly intends, with regard to the economic activity concerning Germany's foreign trade in China to observe the following lines in future.

a.) In future the Japanese Government will consider Germany particularly benevolently in her economic activities in China and will at least grant her the most favorable treatment that third powers (excepting Manchukuo, will enjoy, and is accordingly prepared in individual cases, in which future proposals will be made by Germany with a bearing on this, to promote German interests where possible. This benevolent treatment of Germany of course does not exclude Japan's economic cooperation with third powers.

b.) The Japanese Government is of the opinion that German foreign trade in China has to stand fundamentally on the same footing with the Japanese. It will consequently do its best for both countries to enjoy the same treatment as regards customs and accordingly in the event of any special

import and export regulations, management of foreign bills of exchange or other measures for the control of goods and payment arrangements being met with, which make the position of equality of Germany practically impossible, for example concerning the different nature of German or Japanese currencies. German interests will be particularly benevolently considered and at least the most favorable treatment, that other powers (excluding Japan and Manchukuo, enjoy, will be granted to her.

AFFIDAVIT

I, W. P. Cumming, being first duly sworn on oath, depose and say:

1. That I am an Attache of the United States Department of State on the Staff of the United States Political Adviser on German Affairs, and as such I am a representative of the Office of Military Government for Germany (U.S.). That in my capacity as above set forth, I have in my possession, custody, and control at the Berlin Documents Center, Berlin, Germany, the original captured German Foreign Office files and archives.

2. That said original Foreign Office files and archives were captured and obtained by military forces under the command of the Supreme Commander, Allied Expeditionary Forces, and upon their seizure and capture were first assembled by said military forces at a Military Document Center at Marburg, Germany, and were later moved by authorized personnel of said Allied forces to said central documents center, above referred to, and known as the Berlin Documents Center.

3. That I was assigned to said document center at Marburg, Germany, on August 15, 1945; and said captured German Foreign Office files and archives first came into my possession and control while I was stationed at Marburg, Germany, and that thereafter the same have continued in my possession and custody and under my control.

4. That the document to which this affidavit is attached is a true and correct photostatic copy of an original German Foreign Office document which was captured from said German Foreign Office files and archives, and which came into my possession and custody and under my control in the manner above set forth.

5. That said original document, of which the attached is a photostatic copy, is being held and retained by me in order that it may be examined and inspected by various interested agencies, and a photostatic copy of said original is hereby furnished and certified to because of the unavailability of said original for the reasons above set forth.

s/ W. P. Cumming

W. P. CUMMING

Subscribed and sworn to before me this 23rd day of April 1946.

s/ G. H. Garde

G. H. GARDE
Lt. Colonel, AGD
Acting Adjutant General

OFFICE OF MILITARY
GOVERNMENT FOR GERMANY (U.S.)

4031C-1
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一九三八年（昭和十三年）七月六日ベルリンニテ

覚 書

一九三八年（昭和十三年）七月六日ノ日本大使トノ會談ニ就テ

東郷（大使）ハ予メ私ニ通知シ、六月二十九日ノ會談ヲ獨逸國務大臣ガ未ダ決定シテニナイ經濟交渉ノ細目ニ關シテ私ノ所へ問指示シタト申述ベタ。先ゾ彼ハ日獨通商條約交渉ノ現況ニ就イテ語り更ニ大使館付商務官首藤トエム・デー・ヴォオルタート及ビエル・アル・フオストノ最近ノ會談ヲ吾々ガ日本ノ提案シタ一億六千萬圓ノ金額ノ範圍内ヲ獨逸ノ商品ヲ正規ノ輸出トシテ日本ニ受ケ入レテ貰ヒタイトイフ或ル希望ヲ表明シ且若シ日本政府ガコノ希望ニ滿足的配慮ヲシテ呉レルナラバ、半分ハ日本ノ商品ヲ支拂ヒ半分ハ借款トスル一億五千萬圓ノ追加輸出ノ協定ヲシヨウトイフ日本側ノ提議ヲ考慮スル事ニモ應ジヨウト述ベタ。彼ハ此ノ大使館付商務官ノ會談ノ結果ヲ東京へ打電シ、獨逸側ノ希望ヲ願慮スル様ニ勸告シタ。訓令ヲ受取ツタラ又彼ハ私ノ所へ連絡ニヤツテ來ルデアラウ。

ソレカラ同大使ハ再ビ中華民國ニ於ケル日獨
 經濟提携ニ就イテノ覺警ニ觸レ彼ガ六月二十
 九日ニ獨逸外務大臣ニ手交シ同大臣ガ既ニ不
 滿ノ意ヲ表明シタ彼ノ反對草案ヲ詳細ニ又頑
 強ニ主張シタ。見解ノ相違ハ次ノ諸點ニ關ス
 ルモノデアル。

(一) 吾々ノ提案ニ從ヘバ此ノ覺警ハ「日本ノ勢力
 下ニ在ル中華民國ノ地域」ニ關スル管デアツ
 タ。同大使ハ之等ノ語全部ヲ單ニ「中華民國」
 ト置キ換ヘント欲シ、其ノ理由トシテ日本政
 府ハ其ノ勢力ヲ全中華民國ニ及ボサント希望
 シソノ爲此ノ文管ニ於テ中華民國ヲ日本ノ勢
 力下ノ地域ト然ラザル地域トノ二ツニ分ケ得
 ル可能性ノアル事ヲ承認サスノハ一般的ナ理
 由カラ好マシクナイトイフ事ヲ持出シタ。之
 ニ答ヘテ私ハ、吾々ニハ單ニ原文ノ規定ニ從
 ツテ此ノ協定ガ結局ハ日本ノ勢力ニ入ラナイ
 テ中華民國側ニ殘ルデアラウ所ノ地域ニハ適
 用シナイトイフ事ヲ明確ニシ度イノダトイフ
 事ヲ強調シタ。ソレ自体トシテハ日本政府ハ
 勿論其ノ勢力下ノ地域ノミ責任ヲ持チ得ルノ
 テアルカラ此ノ事ハ當然デアル。ソレ故私ハ
 自ラ進ンデ獨逸國務大臣ニ彼ガ此ノ覺警ノ問

題ノ所ヲ單ニ「中華民國」トスルトイフ日本ノ提案ニ賛成ガドウカノ決定ヲ聞ク積リデアルト。

(一) 日本ノ反對草案ハ獨逸例カ種々ノ場所デ言ツテキル中華民國ニ於ケル「獨逸貿易」ナル語ヲ「獨逸對外貿易」トイフ語ニ換ヘタイノデアル、私ハ大使ニ此ノ事ニハ贊成出來ナイト言明シタ。中華民國ニ於ケル獨逸商會ノ商業活動ノ再建ト保全トハ吾々ニトツテ兩國政府ガ希望シテキル中華民國ニ於ケル經濟的提携ノ絶對必要ノ前提デアル。併シ乍ラ此ノ商業活動ハ單ニ之等ノ商會ガ獨逸ヘ又ハ獨逸カラ獨逸ノ商品ヲ輸出入スル事バカリデハナク中華民國内ノ取引及ビ中華民國ノ商品ヲ第三國ヘ例ヘバ米國、英國ヘ輸出スルヲ仲介スル事ヲモ含ムモノデアル。結局同大使ハ讓歩シテ數字(I)ノ終リ及ビ數字IIニ於テ文字(a)ノ前ニ「對外貿易」トイフ句ガ唯一「中華民國ニ於ケル獨逸ノ貿易」ト置換ヘラレルベキトイフ事ニ同意シタ。

(三) (a) 及ビ (b) ノ下ニアル日本側ノ修正提案ハ第一一ノ懸案ヲ提起シタ。同大使ハ日本政府ハ我

々ニ第三國ニ對シヨリ良イ地位ヲ與ヘ且ツ稅
 金、賦課、手数料、運賃等ニ就テ日本ト
 同等ノ待遇ヲスル事ハ約束出來兼ネルト固執
 シタ。之ニ答ヘテ私ハ非常ナ犠牲ヲ拂ツテ遂
 行サレタ中華民國ニ於ケル日本ノ行動援助ノ
 吾々ノ立場カラスレバ吾々ニハ單ニ日云テ援
 助シナイノミナラズ亦出來得ル限り日本ノ妨
 害ヲシテキル事ナラズヨリモ其イ地位ヲ與ヘ
 ラレル權利ガアルト思フト繰返シ述べタ。
 何レニシテモ私獨逸國外務大臣ノ訓令ニ拘束サ
 レテキルカラ此ノ要求ヲ放棄スル權利ヲ持ツ
 テキナイト。更ニ同大使ハソレ一モ拘ラズハ私
 ニ國務大臣ノ意見ヲモウ一度聞イテ吳レル様
 ニ頼ミ又フオン・ラウメル氏ガ法律的立場ニ
 ラ吾々ノ案トハ違ツタ彼ノ大使ノ提議ヲ別ニ
 吟味スル事ヲ彼ニ約束シタトソレニモ言及シ
 タ。最後ニ私ハ私自身外務大臣ノ決定的態度
 ト此ノ法律的吟味ノ最終結果トヲ、彼ニ告ゲ
 ル用意ガアルト云ツタ。

(四) 最後ニ同大使ハ彼ハ本國政府カラ相互ノ假署
 名ニヨツテ此ノ計畫サレタ覺書ニ法律的ニヨ
 リ義務ツゲラレタ形式ヲ與ヘル様ニ委任ヲ受
 ケテ亦ノダト私ニ告ゲタ。私ハ此ノ事ヲ獨逸

4031e-5

國務大臣ニ知ラセテ置キマセウト答ヘタガ、
既ニ承知ノ如ク初遠國務大臣ガフオン・ラウ
メル氏ヲ通ジテ覺警ヲ交換スルトイフ形式ヲ
提案シタ事ヲ指摘シタ。同大使ハ必要デアル
ガ困難デ時ノカ、ル秘密院ノ贊同ノ爲本國
政府ハ此ノ覺警交換ノ形式ヲ不適當ト考ヘテ
キルトイフ意見デアツタ。

ヴァイール 署名

「二三五八五一三」

供 述 書

余、W. P. P. Cumming
カミングハ正ニ宣誓シテ次ノ諸項ヲ
証言ス

一 余ハ合衆國國務省附、同國獨逸關係事項政治顧問部員タル事、及右ニ據リ余ハ（合衆國）獨逸軍政部代表ノ一員タルコト、且如上表明セル資格ニ於テ、余ハ獨逸柏林所在、柏林文書本部ニ於ル國務獨逸外務省集綴文書並ニ文庫、原本ノ占有、保管、管理ニ任シアル事。

二 上述獨逸外務省集綴文書並ニ文庫ノ原本ハ聯合國遠征軍最高司令部ノ指揮下ニ在ル軍隊ニヨリテ國務取得セラレ、其確保ノ下ニ、初メ獨逸國マールブルグニ於テ該軍隊ニヨリテ軍文書本部ニ蒐集セラレ、後該聯合軍擔任官ヨリ上述セル／＼柏林ノ文書本部ニ移管セラレタルモノナル事

三 余ハ一九四五年八月十五日、獨逸マールブルグニ於テ、上述文書本部擔當ヲ命セラレタル事。是ニ仍リテ該國務獨逸外務省集綴文書並ニ文庫原本ハ、余ハ獨逸マールブルグ駐在當時、初メテ余ノ占有、保管、管理ニ歸シ、爾來引續キ余ノ占有、保管、管理ノ下ニアル事

四余ノ此供述書ノ添附セララル、所ノ文書ハ上述ノ
獨逸外務省集綴文書並ニ文庫トシテ、自發セラ
レ、余ノ占有、保管ニ歸シ、且余ノ管理ノ下ニ
置カレタル、獨逸外務省文書原本ノ、真正精確
ナル直接復寫寫真ノ謄本タル事

茲ニ添附セラレタル直接復寫寫真謄本ノ文書原
本ハ、余ノ保管、留保ノ下ニ、各方面代表者ノ
歸檢閱覽ニ資スル如クナシアリ、爲ニ該原本ヲ
流用ナシ得サルガ故ニ、該原本ノ寫真謄本ヲ提
供シ且ツ之ガ證明ヲナスモノナル事

ダブルユー・ビー・カミング

(W. P. Cummings)

一九四六年四月二十三日余ノ面前ニ於テ署名且
宣誓ス

中佐 ジー・エツテ・ガード

Ct. H. Garde

高級副官事務取扱

H. Colonel, AGD

Acting Adjutant General

(合衆國) 獨逸軍政部

Ex 593

Berlin, 6 July 1938

MEMORANDUM

ON A CONVERSATION WITH THE JAPANESE AMBASSADOR, ON 6
JULY 1938

TOGO, who had announced himself, made reference to the fact that the Reichminister in the conversation of 29 June had referred him to me regarding details of the pending economic negotiations. At first he spoke about the present situation of the German-Japanese negotiations for the trade agreement and said that, in the last conversation of his Commercial Attache SHUDO with M. D. WOHLTHUT and L. R. VOSS, we had expressed certain wishes for the acceptance of German goods by Japan up to the amount of 160 million yen, suggested by Japan, for normal export, and had declared ourselves willing to take into consideration the Japanese suggestion for an agreement regarding an additional export of 150 million yen, half against Japanese goods, half on credit, in the event of the Japanese government considering our wishes favorably. He had telegraphed this outcome of the conversation of his Commercial Attache to Tokyo and had recommended consideration of our wishes. After having received instructions he would again contact me.

Then the Ambassador again spoke about the Pro Memoria on German-Japanese economic cooperation in China and insisted particularly and obstinately on his counterplan which he had handed to the German Foreign Minister on 29 June and which the Reichsminister had already declared unsatisfactory. The differences of opinion referred to the following points:

(1) According to our suggestion the Pro Memoria was to refer to "the areas of China which are under Japanese influence". The Ambassador wishes to replace these words throughout merely by "China" and brought up as a reason that the Japanese government hoped to extend its influence over all of China, therefore it was for general reasons undesirable to acknowledge in this document the possibility of a division of China into areas which either were or were not under Japanese influence. In answering this I stressed that, with our stipulation of text, we merely wished to clarify that the agreement did not apply to such areas which finally would remain of China without being under Japanese influence. In itself this was natural because the Japanese government could of course only take over responsibilities for such areas in

which it had influence. Therefore I was willing to ask for the Reichsminister's decision whether he approved of the Japanese suggestion, to put only "China" in the parts of the Pro Memoria concerned.

(2) The Japanese counterdraft wishes to put the words "German foreign trade" where, in various parts, it says "German trade" in China. I declared to the Ambassador that we could not agree to this. The reconstruction and securing of the commercial activity of German firms in China was for us an unavoidable prerequisite for the economic cooperation in China desired by both governments. This commercial activity, however, not only consisted of the import and export of German goods by these firms to or from Germany, but also of trade within China and of mediation for export of Chinese goods to third countries for instance America and England. At last the Ambassador conceded this and consented that at the end of (I) and in (II) before the letter (a), just "Germany's trade in China" should be put in place of "foreign trade".

(3) The Japanese suggestions for changes under the letters (a) and (b) present the main difficulty. The Ambassador persisted that the Japanese government could not promise us a better position than third powers and equal treatment with Japan regarding taxes, revenues, duties, traffic fees, etc. In answering I declared to him again and again that, in view of our support of the Japanese action in China rendered with considerable sacrifices, we felt entitled to a better position than such powers which not only did not support Japan but laid, wherever they could, obstacles in her way. In any case I did not have the right to leave off from this demand in view of the binding instructions of the Reichsminister. Still the Ambassador asked me to again obtain the opinion of the Reichsminister and also referred to the fact that VON RAUMER had promised him another examination, from the legal standpoint of the suggestions which differed from our version. At last I declared myself ready to report to him the final attitude of the Reichsminister and the eventual outcome of this legal examination.

(4) Finally the Ambassador told me that he had been empowered by his government to give the planned Pro Memoria a legally more binding form by a mutual provisional signing. I responded that I would bring this to the notice of the

Reichsminister but pointed out that the Reichsminister, as was known, had proposed through VON RAUMER the form of an exchange of notes. The Ambassador was of the opinion that his government considered the form of an exchange of notes impractical on account of the necessary but difficult and time consuming consent of the Privy Council.

Signed WIEHL

/135851-3/

AFFIDAVIT

I, W. P. Cumming, being first duly sworn on oath, depose and say:

1. That I am an Attache of the United States Department of State on the Staff of the United States Political Adviser on German Affairs, and as such I am a representative of the Office of Military Government for Germany (U.S.). That in my capacity as above set forth, I have in my possession, custody, and control at the Berlin Documents Center, Berlin, Germany, the original captured German Foreign Office files and archives.

2. That said original Foreign Office files and archives were captured and obtained by military forces under the command of the Supreme Commander, Allied Expeditionary Forces, and upon their seizure and capture were first assembled by said military forces at a Military Document Center at Marburg, Germany, and were later moved by authorized personnel of said Allied forces to said central documents center, above referred to, and known as the Berlin Documents Center.

3. That I was assigned to said document center at Marburg, Germany, on August 15, 1945; and said captured German Foreign Office files and archives first came into my possession and control while I was stationed at Marburg, Germany, and that thereafter the same have continued in my possession and custody and under my control.

4. That the document to which this affidavit is attached is a true and correct photostatic copy of an original German Foreign Office document which was captured from said Germany Foreign Office files and archives, and which came into my possession and custody and under my control in the manner above set forth.

5. That said original document, of which the attached is a photostatic copy, is being held and retained by me in order that it may be examined and inspected by various interested agencies, and a photostatic copy of said original is hereby furnished and certified to because of the unavailability of said original for the reasons above set forth.

s/ W. P. Cumming
W. P. CUMMING

Subscribed and sworn to before me this 23rd day of April 1946.

s/ G. H. Garde
G. H. GARDE
Lt. Colonel, AGD
Acting Adjutant General

OFFICE OF MILITARY
GOVERNMENT FOR GERMANY (U.S.)

Ex 592-4031A-1

R・M・二四〇

私ノ許ニ通告シタ上テ日本大使東郷ハ本日午
後一時三十分私ヲ訪問シタ。

彼ハ同封付屬ノ覺書 (Pro Memoria) ヲ私ニ手交
シタ。説明トシテ彼ハ、日本政府ハ斯カル覺書
(Pro Memoria) ニ於テ「北支那」ナル概念ヲ避ケ
テソノ代リニ常ニ「支那」ヲ露ヒタイト附ケ加
ヘタ。更ニ、日本政府ハ遺憾ナガラ、獨逸ニ他
ノ諸國ヨリモ良イ地位ヲ條約ニヨリ保證スル事
ハ出來ナイト。故ニ、我々希望ニ出來ルダケ應
ズルタメニ、覺書 (Pro Memoria) ノ終ニ引用サレ
タ公式ガ選バレタノデアル。私ハコノ公式ニ滿
足シテキナイ旨ヲ言明シタ。中就私ハ日本大使
ニ、覺書 (Pro Memoria) ノ (A) 項中ノ公式ハ次ノ様
ニ修正サレ得ナイカドウカ 説 明シタ。即チ「獨
逸ノ權益ヲ出來ルダケ助長スル」ノ代リニ「獨
逸ノ權益ヲ全ク特別ナ程度ニ助長スル」ト。

日本大使ニハコノ様ナ修正ハ可能ノ様ニ思ハ
レタ。是ト關聯シテ彼ハ更ニ美辭麗句ヲ交ヘテ
長時間日本政府ハ獨逸ノ權益ノ確保ニ必要ナル
凡テノ事ヲ爲シタイト力説シタ。彼ノ詳論ノ意

4031A-2

味ハ私ニ實際ニ於テ我々ニ彼ノ凡テノ國民ヨリ
モ良イ地位ヲ認メ、ソシテ之ノ事ハ出來ルダケ
原文ノ中ニ表現シタイト思ツテキルガ然シ乍ラ
明白ナ條約ノ形骸デハ承認シタクナイトイフ様
ニ思ハレタ。更ニ日本大使ハ覺書 (Pro Memoria)
ニ關スル獨逸側カラノソシ以外修正動議ニハ喜
ンデ應ズルダラウト言明シタ。

私ハ日本大使ニ、覺書 (Pro Memoria) ノ形式ニ
關シテハ目下ノ所態度ヲ決定出來ナイト言明シ
タ。草案ハ、最取扱ヲ越エテキナイ様ニハ思ハ
レ獨逸ノ特殊狀態ニ鑑ミ不満足ノモノデアル。
私ハ然シコノ草案ヲ徹底的ニ吟味サセテコノ調
査ノ結果ヲソレカラ彼ニ報告スルダラウト。

更ニ日本大使ハ日獨通商條約交渉ノ現在ノ事
情ニ簡單ニ觸レタ。遺憾ナキニ日本ハ現在ノ處
廣範圍ニ外國爲替ヲ支拂フ事ガ出來ナイト。

私ハソノ詳細ニ就イテ何モ報告ヲ受ケテ居ラ
ナイト言明シテ彼ヲウイノル局長ニ照會シタ。

日本大使ハ、更ニオウールヴァート局長ガロン
ドンノ捕鯨會議ニ於テ彼ニ與ヘラレタ援助ニ對
シ感謝ノ意ヲ表シタ。

4031A-3

更ニ私ハ日本大使ニ、我が軍事顧問ハ恐ラク
七月五日ニ漢口ヲ去ルデアラウト告ゲタ。彼等
ノ出發ヲ遂行スルノハ全ク容易ナ事デハナカツ
タト。日本ノ全新聞ニハ、トラウトマン大使ノ
召喚ト關聯シテ對支關係ノ斷絶及ビ北京政府ノ
承認ニツイテノ數個ノ揣摩臆測ノ（記事）ガ載
ツテキタ。若シ日本ノ全新聞ニコノ様ナ揣摩臆
測ノ記事ヲ遠慮スル様ニ働キカケテ貰ヘルナラ
バ私有難イト。

更ニ日本大使ハ**軍事作戰ノ將來發展**ニツキ、樂
觀的ニ表現シタ。漢口占領後蔣介石ハソノ地位
ハ長持セヌ様ニ彼ニハ思ハレテキタ。

ベルリン、一九三八年（昭和十三年）六月二九日

署名

リツベ、トロツプ

供 述 書

余、W. W. P. Cumming
カミングハ正ニ宣誓シテ次ノ諸項ヲ
證言ス

一 余ハ合衆國國務省附、同國獨逸關係事項政治顧問部員タル事、及右ニ叙リ余ハ（合衆國）獨逸軍政部代表ノ一員タルコト、且如上表明セル資格ニ於テ、余ハ獨逸柏林所在、柏林文書本部ニ於ル函件獨逸外務省集綴文書並ニ文庫、原本ノ占有、保管、管理ニ任シアル事。

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四 余ノ此供述書ノ添附セララル、所ノ文書ハ上述ノ
獨逸外務省集綴文書並ニ文庫トシテ、函達セラ
レ、余ノ占有、保管ニ歸シ、且余ノ管理ノ下ニ
置カレタル、獨逸外務省文書原本ノ、眞正精確
ナル直接復寫寫眞ノ贗本タル事

三 茲ニ添附セラレタル直接復寫寫眞贗本ノ文書原
本ハ、余ノ保管、暫保ノ下ニ、各方面代表者ノ
點檢閱覽ニ資スル如クナシアリ、爲ニ該原本ヲ
流用ナシ得サルガ故ニ、該原本ノ寫眞贗本ヲ提
供シ且ツ之ガ證明ヲナスモノナル事

ダブルユー・ピー・カミング

(W. P. Cumming)

一九四六年四月二十三日余ノ面前ニ於テ署名且
宣誓ス

中佐 ジー・エツテ・ガード

G. H. Garde

高級副官事務取扱

Lt. Colonel, AGD

Acting Adjutant General

(合衆國) 獨逸軍政部

EXHIBIT NO. 592

Doc. No. 4031A

Page 1

R.N. 240

The Japanese Ambassador TOGO, who had announced himself, visited me today at 13.30 hours.

He handed me the Pro Memoria attached in the enclosure. As an explanation he added that the Japanese Government would like to avoid the expression "North China" in such a Pro Memoria and would like to put "China" in its place. Furthermore the Japanese Government was not able to assure Germany a better position than all other powers in a treaty form. Therefore the formula mentioned at the end of the Pro Memoria had been chosen in order to meet our wishes as far as possible. I declared myself not satisfied with the formula.

Among other things I explained to the Japanese Ambassador whether the formula in paragraph a.) of the Pro Memoria could not be changed in such a way so that it would read: "to further German interests to a specially great degree" instead of "to further German interests as far as possible."

The Japanese Ambassador seemed to consider a change of that sort possible.

After that he once more emphasized in epic verbosity that the Japanese Government would do everything necessary to secure the German interests. The idea of his statements seemed to be that one was, to be sure, in practice willing to grant Germany a better position than all the other nations and to express this in the text as far as possible, but that one would not agree to commit oneself in a definite treaty form. The Japanese Ambassador further declared that he would also willingly accept further German proposals for modifications regarding the Pro Memoria.

I explained to the Japanese Ambassador that at present I could not take up a standpoint regarding the text of the Pro Memoria. To me it seemed that the draft did not go further than the most preferential treatment which, in view of Germany's special situation, was not satisfactory. However I would have this plan thoroughly examined and would then give him a report regarding the outcome of this examination.

The Japanese Ambassador then briefly mentioned the present situation of the German-Japanese negotiations for the commercial treaty. Unfortunately Japan was at present not capable of paying foreign bills of exchange to a greater extent.

FILE COPY
RETURN TO ROOM 361

I declared that I was not informed about details and referred him to Min. Dir. WITHL.

The Japanese Ambassador then expressed his thanks for the support which Min. Dir. WOHLTAT had given him at the whaling conference in London.

I then informed the Japanese Ambassador that our military advisors would probably leave Hankow on 5 July. It had not been altogether easy to effect their departure. In connection with the recall of Ambassador TRAUTMANN a number of combinations regarding severing of German-Chinese relations and the recognition of the Peking Government had been in the Japanese press. I would be thankful if the Japanese press could be influenced in such a way that it would refrain from such combinations.

The Japanese Ambassador then expressed himself optimistically regarding the further development of the military operations. After a capture of Hankow the position of CHIANG KAI-SHEK seemed to him untenable.

Berlin, 29 June 1938

Signed RIBBENTROP

/135844-6/

AFFIDAVIT

I, W. P. Cumming, being first duly sworn on oath, depose and say:

1. That I am an Attache of the United States Department of State on the Staff of the United States Political Adviser on German Affairs, and as such I am a representative of the Office of Military Government for Germany (U.S.). That in my capacity as above set forth, I have in my possession, custody, and control at the Berlin Documents Center, Berlin, Germany, the original captured German Foreign Office files and archives.

2. That said original Foreign Office files and archives were captured and obtained by military forces under the command of the Supreme Commander, Allied Expeditionary Forces, and upon their seizure and capture were first assembled by said military forces at a Military Document Center at Marburg, Germany, and were later moved by authorized personnel of said Allied forces to said central documents center, above referred to, and known as the Berlin Documents Center.

3. That I was assigned to said document center at Marburg, Germany, on August 15, 1945; and said captured German Foreign Office files and archives first came into my possession and control while I was stationed at Marburg, Germany, and that thereafter the same have continued in my possession and custody and under my control.

4. That the document to which this affidavit is attached is a true and correct photostatic copy of an original German Foreign Office document which was captured from said Germany Foreign Office files and archives, and which came into my possession and custody and under my control in the manner above set forth.

5. That said original document, of which the attached is a photostatic copy, is being held and retained by me in order that it may be examined and inspected by various interested agencies, and a photostatic copy of said original is hereby furnished and certified to because of the unavailability of said original for the reasons above set forth.

s/ W. P. Cumming
W. P. CUMMING

Subscribed and sworn to before me this 23rd day of April 1946.

s/ G. H. Garde
G. H. GARDE
Lt. Colonel, AGD
Acting Adjutant General

OFFICE OF MILITARY
GOVERNMENT FOR GERMANY (U.S.)

寫

ベルリン、一九三八年（昭和十三年）六月二十九日

秘！

覺 卷 (Photo Memos)

獨逸國外務大臣リツペントロツプ氏ガベルリン
 駐劄日本大使東郷氏ト支那ニ於ケル經濟建設ニ關シ
 ナシタル致次ノ會談ニ於テ、獨逸國外務大臣ハ、日
 本ガ支那ニ於テ有シテキル特殊地位ヲ承認シ、日本
 ト獨逸ハ兩國間ニ締結サレタル防共協定ノ精神ニ於
 テ支那ニ於テ經濟的ニモ益々緊密ニ提携シナケレバ
 ナラヌトノ意見ヲ大使ト共ニ持ツタ。獨逸國外務大
 臣ハ大使ニ對シソレ以上ニ支那ニ於テ日本トノ經濟
 的、技術的提携ノタメ最善ヲ盡サウトイフ獨逸政府
 ノ熱意ヲ言明シタ。彼ハ同時ニ、日本政府ハ自分ノ
 方テモ同様ナ態度ヲトリ特ニ支那ニ於ケル獨逸ノ貿
 易ニ對シ特ニ寛大ナ歡迎的立場ヲ取ルデアラウトイ
 フ願望ヲ表明シタ。

○大使ガ日本政府ニコノ會談ノ上述ノ經過ト結果
 トヲ報告シタル後、大使ハ帝國政府ニヨリ獨逸政府
 ニ今ヤ次ノ事ヲ傳ヘル様ニ指令ヲ受ケタ、即チ日本
 政府ハ(一)ニ述ベラレタル諸點ニ贊成シ、將來經濟的
 活動即チ支那ニ於ケル獨逸ノ貿易ニ關シテハ次メ方
 針ヲ守ル積リデアルト

REFILE COPY

RETURN TO ROOM 361

(a) 日本政府ハ將來支那ニ於ケルソノ經濟活動ニ於テ
 獨逸ヲ特ニ好意的ニ考慮シ、第三國（滿洲國ヲ除ク）
 ガ享受スルデアラウ、而シテ少クトモ最モ有利ナ取
 扱ヲ許容シ且ツソレ以上ニ、將來ドイツ側カラノ其
 ニ對スル提議ガ爲サレル個々ノ場合ニ出來ルダケ獨
 逸ノ權益ヲ促進スル用意ガアルト。獨逸ノ優位ナ地
 位ハ第三國トノ日本ノ經濟提携ヲ勿論除外シナイノ
 デアル。

(b) 日本政府ハ、支那ニ於ケルドイツノ貿易ハ根本的
 ニ日本ノ（立場）ト同一ノ基礎ニ立タナケレバナラ
 ヌトイフ見解デアアル。

日本政府ハ從ツテ最善ヲ盡シテ兩國ガ關稅ニ關シ
 テ同様ノ取扱ヲ受ケ、更ニソレ以上ニ、何カ特別ノ
 輸出入調整、外國爲替管理及ビ商品並ビ爲替取引調
 制ノタメノ他ノ措置一例ヘバ獨逸ト日本ノ爲替相場
 ノ相異ノタメ獨逸ノ同一地位ヲ實際上不可能ニスル
 ガ如キ一ガ認ゼラレル様ナ場合ニハ、獨逸ノ權益ヲ
 特ニ好意的ニ考慮シソレニ對シ、他ノ國家（日本ト
 滿洲國ヲ除ク）ガ受ケルデアラウ少クトモ最モ有利
 ナ取扱ガ與ヘラレルデアラウト。

供 述 書

余、W. P. Cumming
W. P. Cumming
カミングハ正ニ宣誓シテ次ノ諸項ヲ
證言ス

一 余ハ合衆國國務省附、同國獨逸關係事項政治顧問部員タル事、及右ニ據リ余ハ（合衆國）獨逸軍政部代表ノ一員タルコト、且如上表明セル資格ニ於テ、余ハ獨逸柏林所在、柏林文書本部ニ於ル國務獨逸外務省集綴文書並ニ文庫、原本ノ占有、保管、管理ニ任シアル事。

二 上述獨逸外務省集綴文書並ニ文庫ノ原本ハ聯合國遠征軍最高司令部ノ指揮下ニ在ル軍隊ニヨリテ直接取得セラレ、其確保ノ下ニ、初メ獨逸國マールブルグニ於テ該軍隊ニヨリテ軍文書本部ニ蒐集セラレ、後該聯合軍擔任官ヨリ上述セル／柏林／文書本部ニ移管セラレタルモノナル事

三 余ハ一九四五年八月十五日、獨逸マールブルグニ於テ、上述文書本部擔當ヲ命セラレタル事。是ニ仍リテ該國務獨逸外務省集綴文書並ニ文庫原本ハ、余ハ獨逸マールブルグ駐在當時、初メテ余ノ占有、保管、管理ニ歸シ、爾來引續キ余ノ占有、保管、管理ノ下ニアル事

四余ノ此供述書ノ添附セララル、所ノ文書ハ上述ノ
獨逸外務省集綴文書並ニ文庫トシテ、白獲セラ
レ、余ノ占有、保管ニ歸シ、且余ノ管理ノ下ニ
置カレタル、獨逸外務省文書原本ノ、真正精確
ナル直接復寫寫眞ノ謄本タル事

五茲ニ添附セラレタル直接復寫寫眞謄本ノ文書原
本ハ、余ノ保管、留保ノ下ニ、各方面代表者ノ
斷檢閱覽ニ資スル如クナシアリ、爲ニ該原本ヲ
流用ナシ得サルガ故ニ、該原本ノ寫眞謄本ヲ提
供シ且ツ之ガ證明ヲナスモノナル事

ダブルユー・ビー・カミング

(W. P. Cummings)

一九四六年四月二十三日余ノ面前ニ於テ署名且
宣誓ス

中佐 ジー・エツテ・ガード

Cf. H. Garde

高級副官事務取扱

Lt. Colonel AGD

Acting Adjutant General

(合衆國) 獨逸軍政部

EXHIBIT NO. 591

Doc. No. 4031B

Page 1

Copy

Secret!

Berlin, 29 June 1938

Pro Memoria

I.) In the repeated discussions which Reich Minister for Foreign Affairs von RIBBENTROP had with the Japanese Ambassador in Berlin, TOGO, over the economic construction /Aufbau/ in China, the Reich Minister recognized the special position which Japan holds in China and shared the view with the Ambassador that Japan and Germany must cooperate economically still more closely in China in the spirit of the Anti-Comintern Pact which had been concluded between the two countries. Accordingly, the Reich Minister declared to the Ambassador the willingness of the German Government to try to do its best for economic and technical cooperation with Japan in China. He at the same time expressed the wish that the Japanese Government for its part would proceed in the same manner and that in particular it would take an especially generous and considerate attitude especially as regards German foreign trade in China.

II.) After the Ambassador had informed the Japanese Government of the course and result of the conversations as depicted above, the Ambassador was then instructed by the Imperial Government to communicate the following to the German Government:- The Japanese Government is agreed with the points mentioned in I.) and accordingly intends, with regard to the economic activity concerning Germany's foreign trade in China to observe the following lines in future.

a.) In future the Japanese Government will consider Germany particularly benevolently in her economic activities in China and will at least grant her the most favorable treatment that third powers (excepting Manchuo) will enjoy, and is accordingly prepared in individual cases, in which future proposals will be made by Germany with a bearing on this, to promote German interests where possible by benevolent treatment of Germany of course does not exclude Japan's economic cooperation with third powers.

b.) The Japanese Government is of the opinion that German foreign trade in China has to stand fundamentally on the same footing with the Japanese. It will consequently do its best for both countries to enjoy the same treatment as regards customs and accordingly in the event of any special

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RETURN TO ROOM 361

import and export regulations, management of foreign bills of exchange or other measures for the control of goods and payment arrangements being met with, which make the position of equality of Germany practically impossible, for example concerning the different nature of German or Japanese currencies. German interests will be particularly benevolently considered and at least the most favorable treatment, that other powers (excluding Japan and Manchukuo, enjoy, will be granted to her.

AFFIDAVIT

I, W. P. Cumming, being first duly sworn on oath, depose and say:

1. That I am an Attache of the United States Department of State on the Staff of the United States Political Adviser on German Affairs, and as such I am a representative of the Office of Military Government for Germany (U.S.). That in my capacity as above set forth, I have in my possession, custody, and control at the Berlin Documents Center, Berlin, Germany, the original captured German Foreign Office files and archives.

2. That said original Foreign Office files and archives were captured and obtained by military forces under the command of the Supreme Commander, Allied Expeditionary Forces, and upon their seizure and capture were first assembled by said military forces at a Military Document Center at Marburg, Germany, and were later moved by authorized personnel of said Allied forces to said central documents center, above referred to, and known as the Berlin Documents Center.

3. That I was assigned to said document center at Marburg, Germany, on August 15, 1945; and said captured German Foreign Office files and archives first came into my possession and control while I was stationed at Marburg, Germany, and that thereafter the same have continued in my possession and custody and under my control.

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s/ W. P. Cumming

W. P. CUMMING

Subscribed and sworn to before me this 23rd day of April 1946.

s/ G. H. Garde

G. H. GARDE
Lt. Colonel, AGD
Acting Adjutant General

OFFICE OF MILITARY
GOVERNMENT FOR GERMANY (U.S.)

Doc. 4031 Evid.

Folders

(85)

R.M. 246.

St.S.
Dg. Pol.
Dir. W.
Hn. Leg. R. Voß.

Der japanische Militär-Attaché Oshima suchte mich heute um 20 Uhr auf. Er teilte mir mit, dass der aus Sibirien geflohene G.P.U. Chef sich inzwischen in Tokio aufhalte. Nach seinen Aussagen ^{sei die staatliche Organisa-} ~~sei die Verhältnisse~~ ^{tion} in der Sowjetunion in zunehmendem Masse zerrüttet. Ausserdem sei er in der Lage, über die Ukraine, wo er früher G.P.U. Chef gewesen sei, interessante Mitteilungen zu machen. ~~XXX~~ General Oshima habe bereits mit der Abwehr das Erforderliche zur Vernehmung des Sowjetbeamten durch einen deutschen Offizier verabredet.

General Oshima teilte mir weiter mit, dass der Abschluss des Luftabkommens demnächst zu erwarten sei. Noch in diesem Jahre wolle man die Flugverbindung aufnehmen, und zwar über die Südlinie, Eine mehr nördliche Linie werde man wählen, sobald die Japaner in der Provinz Singkiang Ordnung geschaffen hätten.

Ich erklärte dem japanischen Militärattaché, dass ich mit der von Botschafter Togo übergebenen Formel hinsichtlich der wirtschaftlichen Erschliessung Nordchinas nicht einverstanden sei. Ich müsse weiterhin auf einer Besserstellung Deutschlands gegenüber allen anderen Mächten bestehen; mit einer blossen Meistbegünstigung könnten wir uns nicht zufriedengeben.

Der japanische Militärattaché versprach, mit dem Generalstab Fühlung zu nehmen.

Berlin, den 5. Juli 1938.

Gen. Ribbentrop.

135854

ml 8/7
Pol
Hn. Leg. R. Voß
1938

- 1.) St. S. 11
2.) Dir. W.

R.M. 210.

Aktennotiz über die Besprechung des Reichsaussenministers
mit Exzellenz T o g o am 8. April 1938, 17 Uhr.

MR
N. K. 1938

Ich gab dem Japanischen Botschafter zunächst in allgemeiner Form Kenntnis von den vier Punkten, die die Grundlage für einen vertraulichen Notenwechsel zwischen der deutschen und der japanischen Regierung bilden sollten. Der Japanische Botschafter erhob Einwendungen gegen unseren Wunsch, vollständige Parität mit Japan zu erhalten, da später im Falle der Vergebung von Meistbegünstigungen sämtliche anderen Staaten diese Gleichstellung mit Japan fordern könnten.

Ich entgegnete ihm, dass wir selbstverständlich Verständnis für seine Auffassung hätten und dass wir auch bereit seien, die vor allem militärischen und etwa sonstigen besonderen Interessen Japans in den chinesischen Gebieten zu berücksichtigen, dass wir aber eine gewisse Gleichstellung mit Japan und eine Vorzugsstellung gegenüber allen anderen Staaten in Anbetracht unserer sonstigen guten Beziehungen auf Grund des Antikomintern-Abkommens und der evt. notwendigen späteren engeren Zusammenarbeit wünschten.

Ich sagte dann dem Japanischen Botschafter, dass er diese Einzelheiten doch morgen mit Gesandten von Raumer noch näher besprechen möchte.

135842

Anschliessend daran fragte mich der Japanische
Botschafter

Botschafter über das gegenwärtige Verhältnis zur Tschechoslowakei. Ich sagte ihm, dass unsere weiteren Beziehungen von der Entwicklung des Loses der Sudetendeutschen abhängig seien, und dass zurzeit Verhandlungen über die Gewährung der Selbstverwaltung schwebten. Ich drückte die Hoffnung aus, dass eine Klärung und Bereinigung zwischen den Tschechen und Sudetendeutschen gefunden würde.

Berlin, den 8. April 1938.

gez. Ribbentrop.

1) 次官

2) 経済局長

大臣カニヨシ

一九三八年(昭和十三年)四月八日十七時、ドイツ外相、東郷閣

下ト、会議ニシテ、文書手記

余ハ先ヅ、ドイツ及ビ日本政府内ヲ行ハルニ内容一覽書交換ノ事
ノ基礎トナル可キ四長ヲ一般ノ形ニ於テ日本大使ニ知ラセ
タ。日本大使ハ、日本ト、完全平等ヲ得ルニシテ我々、希望ニ
対シテ異議ヲ申シ立テタ。何トシハ將來^{兩國}平等^{地位}ヲ得ルニシテ
全部一他ノ国ニモ亦日本ト、同等地位ヲ享セシ得ルカウガ
コト。

余ハ此ニ、我々が勿論、結一是解ニ對シテ理解ヲ有スルコト。又、我々
が支那領域ニ於テ日本ノ何ヨリモ先ヅ、軍事上、更ニ何モカソ
他、特別ノ利害ヲ顧慮スル用意アリコト。併シ又我々ハ防
共協定及ビ或ヒハ必要トナルカモ知シテ、將來、他、緊密ニ協
力ノ上ニ立ツ我々、良好ノ関係ニ鑑ミテ、日本ト、或ハ種一平
等地位及ビ他、全テノ国々ニ對スル優先的地位ヲ為スルコト
ヲ答ヘテ置ク。

余ハ先ヅ、日本大使ニ、結ハルニ詳細ニ長クシテ、明カニナリ、シテ、

公使ト立テ入ッテ話サレ度イト言ッタ

ソレヲ引キ續キ日本大使ハ左ツコノロフキヤコトニ現在一國條
コソイテ余ノ實意向シタ。余ハ我々ノ將來一國條ハズルテ一
トクソノ人ノ運命ヲ一展南ニ依存スルコト。且下。自治ノ保證コソ
テ一國條ハズルヲサシキルニトテ細ニ語ッタ。余ハ左ツコトヲ一
テ一國條ハズルノ人ノ問題ヲ一國條ヲ一國條ニ解決サシルニトテ
言フ

一九三八年(昭和十三年)四月

リッ
ト
ロー
ノ
(署名)

Berlin, den 2. Juni 1938.

G e h e i m !

A u f z e i c h n u n g

über eine Besprechung zwischen Herrn Reichsaussenminister und dem japanischen Botschafter am 20. Mai 1938 (nach Mitteilungen des Herrn Reichsaussenministers).

Der japanische Botschafter nahm Bezug auf die früheren Besprechungen mit dem Herrn Reichsaussenminister über die deutsch-japanische wirtschaftliche Zusammenarbeit in Nordchina und übergab dem Herrn Reichsaussenminister das den Beteiligten bereits abschriftlich zugegangene "Pro Memoria". Der japanische Botschafter bemerkte dabei, dass dieses Pro Memoria keinen formellen Vertrag darstellen solle, sondern lediglich eine Fixierung der gegenseitigen mündlichen Mitteilungen. Einen formellen Vertrag abzuschliessen, empfehle sich wegen des dafür notwendigen umständlichen Verfahrens mit dem japanischen Geheimen Kabinettsrat nicht. Hinter den in dem Pro Memoria enthaltenen japanischen Zusicherungen stehe indessen auch ohne einen formellen Vertrag das Ehrenwort der japanischen Regierung.

Zum Inhalt des Pro Memoria bemerkte der Botschafter, dass es ein Maximum darstelle, was er aus Tokio habe heraus holen können.

Herr Reichsminister hat dem Botschafter zugesagt, dass das Pro Memoria geprüft werden würde und dass der Botschafter wegen etwaiger Abänderungswünsche eine Mitteilung erhalten würde. Der Botschafter hat sich bereit erklärt, solche Abänderungswünsche entgegenzunehmen, allerdings dazu bemerkt, er glaube nicht, dass an dem Wortlaut noch viel geändert werden könnte.

Der Herr Reichsminister hat angeordnet, dass das Pro Memoria als "Geheim" behandelt und im Verein mit den bisher zugezogenen Herren (v. Raumer, Wohlthat, Schlotterer) geprüft werden sollte. Bei den Besprechungen mit dem japanischen Botschafter über die Abänderungswünsche soll auch darauf hingewirkt werden, dass dieser sich mit einer ~~formellen~~ formellen Form (Notenwechsel zwischen Botschaft und AA.) einverstanden erklären möge.

Durchdruck an:

EM

St. S.

u. t. S.

St. Pol.

St. H.

135831
gez. Diehl.

Berlin, den 2. Juni 1938.

A u f z e i c h n u n g
- - - - -

über ein Gespräch zwischen dem Herrn Reichsaussenminister und dem japanischen Botschafter vom 20. Mai 1938. (Nach Mitteilungen des Herrn Reichsaussenministers).

Der Herr Reichsaussenminister machte Ausführungen auf folgender Linie:

- 1) Deutsche Leistungen für Japan: Anerkennung Mandschukuo; Militärberater; Unterbindung der Kriegsgeräteausfuhr
- 2) Schaden Deutschlands im Verhältnis zu China: Devisenrückzahlungen; Verlust von Kriegslieferungsverträgen; voraussichtliche Zahlungsverweigerung Chinas; Boykot gegen deutsche Waren in China,
- 3) Mangelndes japanisches Entgegenkommen: ungenügende Freigabe eingefrorener Forderungen; weniger günstige Behandlung bei Erteilung von Devisen genehmigungen; ungünstige Behandlung gegenüber anderen Ländern bei Regierungsaufträgen in Mandschukuo; Unterbindung deutschen Handels in Nordchina; schlechtere Behandlung bei Regelung der deutschen Kriegsschadensforderungen.
- 4) Allgemeine Erwartung grösseren japanischen Entgegenkommens in Wirtschaftsfragen: Festlegung der mehrfach zugesagten bevorzugten Stellung in der japanischen Westlandsphäre; Ankündigung des Verlangens grösserer Devisenerträge im deutsch-japanischen Handel im Hinblick auf die Ausfälle im deutsch-chinesischen Handel. Ein entsprechender Vorschlag werde dem japanischen Verhandlungsführer demnächst übermittelt werden.

Der japanische Botschafter hat

- 1) die deutschen Leistungen für Japan dankbar anerkannt,
- 2) zu den wirtschaftlichen Schädigungen in Deutschlands in China bemerkt, der Gf.habe bereits an General Oshima einen diesbezüglichen Brief geschrieben und den Schaden wegen Unterbindung der Kriegsgeräteeieferungen auf 100 Mill. RM beziffert. Bei dieser Schadensforderung sei den Japanern erst richtig

135832 zum

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zum Bewusstsein gekommen, wie enorm die deutschen Kriegslieferungen an China bisher gewesen sein müssten. Dieser Folgerung trat Herr Reichsaussenminister entgegen und klärte den japanischen Botschafter darüber auf, dass die 100 Mill. RM Ziffer nicht den Schaden aus bereits getätigten und jetzt aufzuhaltenden Verträgen betrafen, sondern auch den entgangenen Gewinn umfassen, der sicher aus den ^{zukünftigen} Verträgen zu erwarten gewesen wäre.

3) Diskussion zu den einzelnen Punkten mangelnden japanischen Entgegenkommens:

Wegen Freigabe eingefrorener Forderungen wies der Botschafter daraufhin, dass hier in letzter Zeit schon beträchtliche Beträge freigegeben worden wären. Der Herr Reichsaussenminister bestand jedoch darauf, dass unbedingt noch weitere Freigaben erfolgen müssten. Dass Deutschland bei Erteilung von Devisengenehmigungen weniger günstig behandelt werden solle als z.B. Amerika, konnte der Botschafter sich nicht vorstellen und versprach deswegen in Tokio nachzufragen. Wegen Vergebung der Regierungsaufträge in Mandschukuo redete sich der Botschafter darauf hinaus, dass die japanische Regierung darauf keinen unmittelbaren Einfluss habe.

Wegen der Unterbindung des deutschen Handels in Nordchina durch japanische Monopolgesellschaften antwortete der Botschafter ausweichend.

Wegen der deutschen Kriegsschädenforderung versprach er, die Angelegenheit mit seiner Regierung aufzunehmen.

4) Was die Erwartung grösseren japanischen Entgegenkommens in Wirtschaftsfragen anlange, so verwies der Botschafter hinsichtlich des Verlangens einer bevorzugten wirtschaftlichen Stellung Deutschlands in China auf sein gleichzeitig übergebenes Pro Memoria (vgl. darüber besondere Aufzeichnung). Hinsichtlich des deutschen Bestrebens, ein grösseres Devisenergebnis aus dem deutsch-japanischen Warenverkehr zu erzielen, verwies der Botschafter darauf, dass diese Frage in den schwebenden Handelsvertragsverhandlungen weiter behandelt werden müsse. Er gab dabei dem Wunsch Ausdruck, dass diese Verhandlungen nach Möglichkeit beschleunigt werden möchten. Der Herr Reichsaussenminister bestätigte ihm, dass er diesen Wunsch durchaus teile.

Durchdruck an:

RM

St. 3.

U. t. .

H. W. . VIT

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res. iehl

Berlin, den 2. Juni 1938.

A u f z e i c h n u n g

Über eine Besprechung zwischen dem Herrn Reichsaussenminister
und dem japanischen Botschafter vom 28. Mai 1938.

Der japanische Botschafter hatte sich beim Herrn Reichsaussenminister angekündigt. Das Gespräch betraf die deutsch-japanischen Wirtschaftsverhandlungen. Der Botschafter nahm Bezug auf das deutsche Memorandum, das seit seiner letzten Besprechung mit dem Herrn Reichsaussenminister von Herrn Wohlthat dem japanischen Verhandlungsführer übergeben worden ist und worin für das in Aussicht genommene zusätzliche Warenkompensationsgeschäft die Forderung von hälftiger Bezahlung in Devisen erhoben wurde. Er machte hiergegen zunächst geltend, es gehe nicht an, in dieser Weise plötzlich die Verhandlungen über den deutsch-japanischen Warenverkehr mit der chinesischen Frage zu verknüpfen. Nach japanischer Auffassung sollte vielmehr der deutsch-japanische Warenverkehr von Verhandlungen deutsch-japanischer wirtschaftlicher Zusammenarbeit in China vollkommen getrennt gehalten werden. Es wurde ihm geantwortet, dass auch von deutscher Seite weder eine formelle noch sachliche Verbindung dieser beiden Fragenkomplexe geplant sei. Wenn in Verbindung mit dem neuen deutschen Vorschlag auf grössere Devisenerträge aus dem deutsch-japanischen Warenverkehr auf die deutschen Devisenverluste auf Grund der gegenwärtigen Situation in China hingewiesen worden sei, so habe damit nur das Motiv betont werden sollen, das dem neuen deutschen Vorschlag zugrunde liege. Die deutschen Devisenverluste in China seien so ernst, dass unter ihrem Druck ganz allgemein bei allen schwebenden und zukünftigen Verhandlungen, nicht nur bei denen mit Japan, von deutscher Seite auf grösseres Deviseneinkommen mehr als bisher Wert gelegt werden müsse. Daraus, dass die neuen den Devisenverlust in China ausserordentlich steigenden Massnahmen (Militärberater, Unterbindung der Kriegsermittellieferungen) mitten im Laufe der Verhandlungen mit Japan getroffen worden seien, wäre der neue deutsche Vorschlag ohne weiteres verständlich, ohne dass daraus auf die von dem Botschafter beanstandete Verbindung der beiden Fragenkomplexe geschlossen werden könne.

135834

sachlich

Sachlich wandte der Botschafter dem neuen deutschen Vorschlag gegenüber ein, dass Japan darauf schlechterdings schon deshalb nicht eingehen könne, weil es einfach die dafür notwendigen Devisen nicht aufbringen könne. Als Deutschland vor 2 Jahren in einer besonders kritischen Devisensituation sich befand, habe Japan dafür volles Verständnis gezeigt. Die japanische Regierung könne deshalb erwarten, dass heute Deutschland der auf Grund des Krieges in China noch viel gespannteren Devisenlage Japans das gleiche Verständnis entgegenbringe.

Der Herr Reichsaussenminister erwiderte, dass es uns an diesem Verständnis sicher nicht fehle und dass wir selbstverständlich von Japan nicht erwarten könnten, dass es uns mehr Devisen zahle als es tatsächlich habe. Wohl aber könnten wir erwarten, dass die Japaner uns bei der Verteilung der tatsächlich zur Verfügung stehenden Devisen nach besten Kräften bedächten und uns auf alle Fälle gegenüber solchen Ländern bevorzugen, die sich nicht selbst in einer solch gespannten Devisensituation befinden wie Deutschland.

Der japanische Botschafter erkannte dies an und meinte, Japan würde selbstverständlich Deutschland soviel Devisen zukommen lassen wie irgend möglich sei. Die beiden Herren verblieben so, dass bei den schwebenden Verhandlungen die Devisenfrage eingehend geprüft und untersucht werden solle, was tatsächlich Japan im Waren Austausch mit Deutschland an Devisen leisten könne.

Der japanische Botschafter übergab darauf dem Herrn Reichsminister als Antwort auf das deutsche Memorandum eine Aufzeichnung, die den beteiligten Ressorts bereits in Abschrift zugegangen ist. Der Herr Reichsaussenminister er sagte Prüfung der darin enthaltenen Ausführungen zu. 135835

Der Botschafter kam darauf noch auf die bei der Unterredung vom 20. Mai vom Herrn Reichsminister vorgebrachte Beanstandung zu sprechen, dass Deutschland bei den japanischen Devisenzuteilungen schlechter als z. B. Amerika behandelt werde. Er teilte mit, dass er hierzu aus Tokio die Nachricht erhalten habe, dass diese Annahme irrig sei und dass diese Angelegenheit mit dem zuständigen Herren der Japanischen Ausenants mit dem Handelsattaché unserer Botschaft, Dr. v. Spindler, besprochen worden sei. rez. iehl.

Durchdruck an:

RM

St. S.

U. St. S.

Da. Pol.

n VII

Berlin, den 3. Juni 1938.

G e h e i m !

A u f z e i c h n u n g .

Ich besuchte heute zusammen mit Herrn Gesandten von Raumer den japanischen Botschafter, um mit ihm unsere Wünsche nach Abänderungen in der Fassung des Pro Memoria zu besprechen, das er am 20. Mai dem Herrn Reichsaussenminister übergeben hatte.

Der Botschafter war hauptsächlich mit 2 Abänderungen nicht einverstanden :

a) in dem Eingangssatz des Pro Memoria hätten wir die Worte "über den wirtschaftlichen Aufbau der Gebiete von China, die unter japanischem Einfluss stehen" eingefügt, um von vornherein klarzustellen, worauf sich die ganze Abmachung beziehen sollte und im weiteren Verlauf des Pro Memoria die mehrfach wechselnden Worte "in China" oder "in Nordchina" zu vermeiden. Wir stellten dem Botschafter vor, dass man zurzeit den Geltungsbereich der Abmachung geographisch nicht abgrenzen könne, da noch nicht abzusehen sei, wie weit Japan in China vordringen werde. Die von uns vorgeschlagene Fassung decke dagegen sowohl sachlich wie räumlich dasjenige, was abgemacht werden sollte, nämlich die Stellung, die Japan Deutschland einräumen werde, wo immer es Einfluss habe und wie weit immer dieser Einfluss reiche. Der Botschafter sträubte sich jedoch gegen das Wort Einflussgebiete, da angeblich seine Regierung dieses Wort vermieden haben wolle.

b) In den Ziffern a) und b) widersetzte sich der Botschafter den Worten "Vorzugsstellung" oder "Besserstellung" Deutschlands. Wir stellten ihm vor, dass doch gerade er auf unser ursprüngliches Verlangen nach Parität immer davon gesprochen habe, dass zwar Parität nicht möglich sei, dass aber Deutschland eine vor 3. Mächten bevorzugte Stellung eingeräumt werden sollte. Er gab dies zu, behauptete aber, dass seine Regierung die ausdrückliche Zusage einer bevorzugten Stellung in das Pro Memoria nicht aufgenommen haben wolle. Wir stellten ihm vor, dass seine Formulierung, wonach Deutschland nicht in

die

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die zurückstehende Stellung 3. Mächte gesetzt werden solle, auf das gleiche hinauslaufe. Er wollte dies nicht zugeben und sprach hartnäckig davon, dass Japan bereit sei, Deutschland "bestmöglich" zu behandeln. Er erklärte bestimmt, dass die japanische Regierung einer ausdrücklichen Vorzugsstellung in dem Pro Memoria nicht zustimmen werde und bat uns, eine andere Fassung zu überlegen. Nach einer zweistündigen Unterredung sagten wir Prüfung zu, ob eine Fassung etwa in dem Sinne möglich sei, dass Deutschland zum Unterschied von dritten Mächten eine Behandlung erfahren solle, die den besonderen freundschaftlichen Beziehungen zwischen Deutschland und Japan entspreche. Wir sagten zu, dem Botschafter das Ergebnis unserer Prüfung nach Pfingsten mitzuteilen.

Im übrigen wies der Botschafter daraufhin, dass die in Ziffer b) von uns vorgeschlagene sachliche Erweiterung der japanischen Zusagen (Gleichbehandlung, auch bei Steuern, Abgaben, Verkehrstarifen; bevorzugte Behandlung bei Ein- und Ausfuhrregelung usw.) zwar sehr schwierig sein würde, jedoch nahm er hier keinen ablehnenden Standpunkt ein.

Als ich den Wunsch nach beiderseitigem Austausch der in dem Pro Memoria enthaltenen Zusicherungen zur Sprache brachte, erwähnte der Botschafter von sich aus, dass der Herr Reichsaussenminister vorgeschlagen habe, das Pro Memoria in zwei Ausfertigungen mit dem Botschafter zu paraphieren. Der Botschafter sagte, er sei damit für seine Person einverstanden und beabsichtige, die Zustimmung seiner Regierung dazu einzuholen.

gez. Niehl.

Durchdruck an:

RA
St. S.
U. St. S.
Dg. Pol.
Dg. W.
VII.

135837

シエリイ、一九三八年(昭和十三年)六月三日

和

手記

余の本日の五月二十日日本大使がトイツ外相と手交した協定書、
 本文が変更したトイツの我々の欲望が亦出た事とメロノポド、ラウ
 コー公使ト一読して日本大使が訪問した事。 . . .
 大使がトイツに于て、変更と同意した事。

(a)

協定書の第一節「我々の」日本、協定書ト「我々の」支那領域の
 経済的建設の「我々の」ト「我々の」支那の「我々の」支那の「我々の」
 協定全体が如何に利を計るに始まるか、明らかなる「我々の」支那の「我々の」
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解し

「アムステルダム」大使ハ執力地域ニ設け拒むが所ナラズ此
政府ハ「アムステルダム」條約ヲ欲しキカラ「アムステルダム」條約ニ

(七) (a) 及び (b) 一環ニ於テ大使ハ「アムステルダム」條約ニ對シテ「或レハ」ニ

「良イ地位」ト云フ事ヲ「或レハ」ニ對シテ「或レハ」ニ對シテ

ノ本来ノ要求ニ對シテ「或レハ」ニ對シテ「或レハ」ニ對シテ

國ニ對シテ「或レハ」ニ對シテ「或レハ」ニ對シテ「或レハ」ニ對シテ

條約ニ對シテ「或レハ」ニ對シテ「或レハ」ニ對シテ「或レハ」ニ對シテ

地位ヲ「或レハ」ニ對シテ「或レハ」ニ對シテ「或レハ」ニ對シテ

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「アムステルダム」條約ニ對シテ「或レハ」ニ對シテ「或レハ」ニ對シテ

アソウが紙の係に、コ、テ、ハ、拒、否、時、場、子、取、リ、メ、ト、指、摘、シ、タ、

余が、夏、入、事、ニ、今、今、サ、シ、キ、ニ、保、証、ヲ、オ、ル、コ、ト、又、英、ノ、リ、ン、ト、キ、キ、
ヲ、述、ビ、タ、時、ニ、大、使、ハ、自、カ、ノ、カ、ラ、シ、ト、イ、フ、外、相、ガ、御、入、事、ヲ、二、用、意、シ、テ、
大、使、ト、共、ニ、花、押、シ、テ、コ、ト、ヲ、疑、案、シ、タ、ト、述、ビ、タ、大、使、ハ、結、固、ト、シ、テ、
ハ、ソ、コ、ニ、同、意、ス、ル、決、シ、テ、海、外、政、府、一、同、意、ヲ、得、ル、シ、キ、モ、リ、テ、
コ、ト、ヲ、行、フ、コ、ト、ナ、ル、

ハ、マ、ー、ニ、(A. S. 24)

Vom japanischen Botschafter
übergeben.

G e h e i m !

Pro memoria. Aufgestellt am 20. Mai 1938

I. In den mehrmaligen Unterredungen, die der Reichsminister des Auswärtigen Herr von Ribbentrop mit dem Japanischen Botschafter in Berlin Herrn Togo gehabt hat, hat der Herr Reichsminister die Sonderstellung, welche Japan in China einnimmt, anerkannt, und mit dem Herrn Botschafter die Meinung geteilt, dass Japan und Deutschland im Geiste des Antikomintern-Abkommens, welches zwischen den beiden Ländern geschlossen worden ist, in China auch wirtschaftlich immer enger zusammenarbeiten müssten. Darüber hinaus hat der Herr Reichsminister dem Herrn Botschafter gegenüber die Bereitwilligkeit der Deutschen Reichsregierung erklärt, zur wirtschaftlichen und technischen Zusammenarbeit mit Japan in Nordchina ihr bestmöglichstes tun zu wollen, und hat zugleich dem Wunsch Ausdruck gegeben, dass die Japanische Regierung ihrerseits die japanisch-deutsche wirtschaftliche Zusammenarbeit und den Schutz des deutschen Aussenhandels in China besonders großzügig und wohlgeneigt in Betracht ziehen werde.

II. Nachdem der Herr Botschafter darauf der Japanischen Regierung von dem vorstehend geschilderten Verlauf und Ergebnis dieser Unterredungen berichtet hat, ist dem Herrn Botschafter nunmehr von der Kaiserlichen Regierung eine Antwort darauf zugegangen. Danach ist die Japanische Regierung mit den in I. genannten Punkten einverstanden, und beabsichtigt demgemäss, in Zukunft hinsichtlich der wirtschaftlichen Betätigung beziehungsweise des Aussenhandels Deutschlands in China folgende Richtlinien zu beachten:

a)

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- a) Die Japanische Regierung wird in Zukunft Deutschland nicht nur in seiner wirtschaftlichen Betätigung in Nordchina nicht in die zurückstehende Stellung dritter Mächte setzen, sondern vielmehr in den einzelnen Fällen, in welchen künftig von der deutschen Seite Vorschläge gemacht werden sollten, die Interessen Deutschlands möglichst zu dessen Gunsten in Betracht ziehen. Es sei jedoch zu bemerken, dass diese wohlwollende Behandlung selbstverständlich keine, den Charakter einer Ausschliessung von Zusammenarbeit mit dritten Mächten tragende sein könnte.
- b) Die Japanische Regierung denkt, dass der deutsche Aussenhandel auf dem chinesischen Markt grundsätzlich auf gleichem Fuss mit dem japanischen zu stehen hat, und wird infolgedessen ihr Bestes tun, dass beide Länder gleiche Behandlung in Bezug auf die Zollmassnahmen in China geniessen, und dass darüber hinaus in dem Fall, dass irgend eine besondere Ein-oder Ausfuhrregelung getroffen werden sollte, die Interessen der deutschen Seite genügend geachtet und möglichst vorteilhaft in Betracht gezogen werden. Es sei jedoch zu bemerken, dass die Wahrung derjenigen japanischen Sonderstellung, welche z.B. aus der Notwendigkeit der Aufrechterhaltung des Geldwesens in Nordchina folgt, das in untrennbarem Zusammenhang mit dem japanischen Geldwesen steht, notwendig sein soll.

秘!

日本大使ヨリ午文サレ

入建

一九三三年(昭和十三年)五月二十日ニ提出サレタ

- (一) ドイツ外相フオーリッヒトロープ氏がベルリンニ日本大使東郷氏トナシ
タ度タリ会谈ス能クイテ、ドイツ外相ハ日本が支那ヲ有スル特別ノ
地位ヲ認メ、然レテハ日本トドイツノ間自由ニ結バシラ防共協定ノ
精神ニ於テ支那ヲ経済的ニモイコノ緊密ニ協力セズバナラ
ヌト云フ事見テ大使ニ致シテ、更ニソレト外相ハ大使ニ
対シテ、ドイツ政府ガ支ニ能クイテ日本トノ経済的技術的協力
ヲメクニ望ム。又同ノ用事ニテハ、其ノ同様に日本
政府側カ、日独経済協力及ビ支那ニ於テハ、Equalノ
保護ヲ與ヘタル事、其ノ以テ其ノ望ム所ニ至ルカカ
(二) コニ於テ大使ハユー会議トシテ、Equalノ結果ヲ日本政府ニ
報告シタリ。今日日本政府ヨリ大使ニ返答カ、Equalノ事
ニシテ日本政府ハ、(一) 此ノ諸事トシテ、其ノ望ム所ニ至ルコト
結束、支那ニ於テハ、Equalノ経済的行動或ハEqualノ間、Equal
スルカ針ヲ導ク事トシテ、其ノ望ム所ニ至ルコト

G e h e i m !

Vorzuschlagende abgeänderte Fassung des
"Pro Memoria", das der japanische Botschafter am
28. Mai 1938 übergeben hat.

- - - - -

I. In den mehrmaligen Unterredungen, die der Reichsminister des Auswärtigen Herr von Ribbentrop mit dem japanischen Botschafter in Berlin Herrn Togo gehabt hat, hat der Herr Reichsminister die Sonderstellung, welche Japan in China einnimmt, anerkannt und mit dem Herrn Botschafter die Meinung geteilt, dass Japan und Deutschland im Geiste des Antikominternabkommens, welches zwischen den beiden Ländern geschlossen worden ist, in China, soweit dort der japanische Einfluß reicht, auch wirtschaftlich immer enger zusammenarbeiten müssten. Darüber hinaus hat der Herr Reichsminister dem Herrn Botschafter gegenüber die Bereitwilligkeit der Deutschen Regierung erklärt, zur wirtschaftlichen und technischen Zusammenarbeit mit Japan in Nordchina ihr bestes tun zu wollen. Er hat zugleich dem Wunsch Ausdruck gegeben, daß die japanische Regierung ihrerseits ebenso verfahren werde und dass sie insbesondere gegenüber dem deutschen Handel in China eine besonders grosszügige und entgegenkommende Haltung einnehmen werde.

II. Nachdem der Herr Botschafter der Japanischen Regierung von dem vorstehend geschilderten Verlauf und Ergebnis dieser Unterredungen berichtet hat, ist dem Herrn Botschafter nunmehr von der Kaiserlichen Regierung eine Antwort darauf zugegangen. Danach ist die Japanische Regierung mit den in I. genannten Punkten einverstanden und beabsichtigt demgemäss, hinsichtlich der wirtschaftlichen Betätigung bzw. des Handels

Deutschlands in China, soweit der japanische Einfluss reicht, in Zukunft folgende Richtlinien einzuhalten:

- a) Die Japanische Regierung wird in Zukunft Deutschland in seiner wirtschaftlichen Betätigung in China, soweit ihr Einfluss reicht, grundsätzlich besser stellen als dritte Mächte und ist darüber hinaus bereit, in den einzelnen Fällen, in welchen künftig von deutscher Seite dahingehende Vorschläge gemacht werden, die deutschen Interessen nach Möglichkeit zu fördern. Diese Vorzugsstellung Deutschlands schliesst selbstverständlich die wirtschaftliche Zusammenarbeit Japans mit dritten Mächten nicht aus.
- b) Die Japanische Regierung ist der Auffassung, dass der deutsche Handel in China, soweit dort der japanische Einfluss reicht, grundsätzlich auf gleichem Fusse mit dem japanischen zu stehen hat. Sie wird infolgedessen ihr Bestes tun, dass beide Länder hinsichtlich der Zölle, Steuern, Abgaben, Gebühren, Verkehrstarife u. dergl. in China die gleiche Behandlung geniessen und dass darüber hinaus für den Fall, dass irgendeine besondere Ein- und Ausfuhrregelung, Devisenbewirtschaftung oder sonstige Massnahme zur Regelung des Waren- und Zahlungsverkehrs getroffen wird, welche die Gleichstellung Deutschlands, z. B. wegen der Verschiedenartigkeit der deutschen und der japanischen Währung, praktisch unmöglich macht, die deutschen Interessen wenigstens gegenüber denen dritter Mächte bevorzugt behandelt werden.

日本大使が一九三〇年(昭和十三年)五月二十一日に文書として
「通商手続の簡便化」を提出した。

- (一) トインフ外相がオーストリアとプロシヤがブルジョア駐在大使東郷氏
ト幾度か交渉した事がある。トインフ外相は日本が支那に有るこ
特殊地位を認め、日本とドイツの二国間の協定は協定は
精神に於いて支那に於いて、日本勢力が及ぶ限り範圍が純
潔的でも亦ドイツの緊密な協力とセネバ協定のノットが大使ト
意見が一致した。トインフ外相は大使ト、トインフ政府は此を
於て日本ト一時的な協力の協力とセネバ協定のノットが大使ト
かして、声明した。彼は同時に、日本政府ノ側からも同協定ト
か行ハレント、日本政府は特ニ支那に於てトインフ外相の
此の特ニ、トインフ外相トの協定トの態度ヲ採レントヲ希望スルコト
(二) 大使ハノー会談ノ上ト一筆ト結果ヲ日本政府ニ報告シ
タガ、今、日本政府より大使トの對此に返答を乞ふ事、
トインフハ日本政府ハ「通商手続の簡便化」ト同意スルコト

之従つて、日本ノ執力が及ばざれば、支那に於てドイツノ経済
行動或ヒハ商業ニ関シテ将来ハ方針ヲ守ルべき固キ有
ス。

2) 日本政府ハ将来ドイツ支那、日本ノ執力及ばざれば、支那に
於て経済行動ニ際シテ原則ナルドイツノカニ國ニシテ長イ
地位ヲ与ヘ、更ニ、将来ドイツ側ニ於テ採案カナサシタ個々ニ場
合ニハドイツノ利害ヲ出サズシテ経済ニ用ミテカニドイツノ
一ニ優先的地位ハカ論、日本ガカニ國ト経済的ニ協力スル
ニトテ用メ出サナイニテ。

6) 日本政府ハ、支那に於テ、其処ニ日本ノ執力及ばざれば、
ドイツノ商業ハ原則的ニ日本ノシト同位ニセシコキモ、ドイツ
ノ見解ヲ有スル、ソレ故ニ日本政府ハ、西國ガ支那に於て
関稅、税金、賦課金、料金、
軍艦ノ入港ニ関シテ同等ニ取
リ扱フ事トシテ、ナポレオンノ條約ノ交流、支那ノ交流、
禁止ノタメニ同等カノ輸入及ビ輸出ノ統制、
外貨ノ管理、
ハソレ他ノ処置ガ講ビラレシ場合ニ、
カニハドイツノ日本ノ用
益ノ相害ヲ与ヘズ、
同位ニ事實上不可能ノ場合
ハ、
ナポレオンノ利害ガカニ國ノシト同位ニシテ優先ニ取
扱フ事トシテ、
カニハドイツノ日本ノ用益ノ相害ヲ与ヘズ、

Anliegende Aufzeichnung über eine Unterredung mit
dem j a p a n i s c h e n Botschafter

dem

Herrn Reichsaussenminister

über

Herrn Staatssekretär

vorzulegen.

Ich bitte um Genehmigung, dem japanischen Botschafter mitzuteilen, dass der Herr Reichsminister an dem Verlangen einer "Besserstellung" gegenüber dritten Mächten (ausgenommen Mandschukuo) festhalte, und dabei zu erwähnen, dass, wie der Botschafter ja bereits wisse, auch Herr Botschafter Ott anlässlich seines Hierseins über diese Fragen unterrichtet wordensei, um gegebenenfalls auch in Tokio Besprechungen darüber führen zu können.

Mit dem am Dienstag, den 12. Juli, abgehenden Kurier, der Ende Juli, etwa gleichzeitig mit Herrn Botschafter Ott

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in Japan eintrifft, würde dann die Botschaft Tokio über den hiesigen Stand der Dinge unterrichtet werden.

Zu überlegen wäre, von der Besserstellung ausser Mandschukuo auch diejenigen Mächte auszunehmen, die, wie Italien, Mitglieder des Antikominternpaktes sind. Auf eine entsprechende Bemerkung, die ich dem Botschafter machte, ging dieser nicht ein. Ich halte es deshalb nicht für zweckmässig, Herrn Togo gegenüber darauf zurückzukommen, jedoch könnte Herrn Ott diese Einschränkung unseres Verlangens an die Hand gegeben werden.

gez. Wiehl.

W

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d. 14.5.39

In den zur Zeit verhandelten Entwurf eines Konsultations- und Beistandspaktes zwischen Japan, Italien und Deutschland wäre vor dem Schlußartikel IV ein neuer Artikel folgender Fassung einzurücken:

"Die Deutsche Regierung und die Italienische Regierung stellen im Einvernehmen mit der Japanischen Regierung fest, daß der am 22. Mai 1939 unterzeichnete Freundschafts- und Bündnisakt zwischen Deutschland und Italien, der aus der Nachbarschaft dieser beiden Länder und ihrer besonderen Lage in Europa hervorgegangen ist, durch den gegenwärtigen Pakt nicht berührt wird, und daß deshalb der gegenwärtige Pakt im Verhältnis zwischen Deutschland und Italien nur insoweit zur Anwendung gelangt, als nicht der Pakt vom 22. Mai 1939 weitergehende Verpflichtungen enthält."

~~SECRET~~

135930

Berlin, den ^{15.} Mai 1939.

Deutsche Botschaft

T o k i o

Nr. ^{158.}

Telegramm in Ziffern
(Geheimes Chiffr.Verf.)

Ausschließlich für Botschafter persönlich
Auf Telegramm Nr.197.

Ich habe in diesen Tagen im Einvernehmen mit Italienischer Regierung Botschafter Oshima über deutschen und italienischen Standpunkt in folgendem Sinne verständigt :

- 1.) Deutsche und Italienische Regierung sind gewillt, ihre bisherige politische Linie gegenüber Japan ohne jede Änderung weiterzuverfolgen.
- 2.) Die beiden Regierungen haben sich entschlossen, zweiseitigen Bündnispakt noch im Laufe dieses Monats zu unterzeichnen, weil sie es für angebracht halten, der von Westmächten zu propagandistischen Zwecken entfalteteten politischen Aktivität schnell mit einer Gegenaktion zu begegnen.
- 3.) Dreiseitige Verhandlungen Berlin-Rom-Tokio werden durch vorweggenommenen deutsch-italienischen Bündnispakt in keiner Weise beeinträchtigt. Dieser Bündnispakt wird für unerschütterliche Festigkeit der Achse Berlin-Rom auch vom juristischen Standpunkt engültigen Beweis erbringen. Es kann Japanern, wenn sie Dreierpakt wünschen, nur willkommen sein, internes Verhältnis ihrer beiden europäischen Partner so zweifelsfrei geklärt und jede Möglichkeit in-

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terner

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terner Divergenzen zwischen diesen Partnern ausgeschaltet zu sehen.

4.) Es liegt im übrigen nicht an Deutscher und Italienischer Regierung, daß Abschluß Dreierpakts sich so lange verzögert. Ich habe Japaner seit langem darauf hingewiesen, daß bei längerem Hinausschieben Abschlusses Dreierpakts Notwendigkeit vorherigen Abschlusses deutsch-italienischen Pakts sich ergeben könnte.

5.) Daß deutsch-italienischer Pakt in gewisser Hinsicht engere Bindungen als jetzt vorliegender Entwurf Dreierpakts enthalten wird, ist für Japaner gleichfalls kein störendes Element. Es ist doch ganz natürlich, daß sich politische und militärische Zusammenarbeit zwischen den beiden europäischen Nachbarländern, die sich Frankreich und England unmittelbar gegenübergestellt sehen, intensiver gestaltet als Zusammenarbeit mit dem weit entfernten Japan. Wenn also dieser Unterschied zwischen den beiden Pakten in die Erscheinung tritt, so wird dadurch Japan von Deutschland und Italien nicht etwa politisch auf niedrigeres Niveau der Freundschaft herabgedrückt. Die Weltöffentlichkeit, für die die Achse Berlin-Rom seit langem ein fester Begriff ist, wird einen solchen Unterschied als ganz selbstverständlich empfinden. Außer-

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Berdem ist es ja Japan gewesen, das stets auf vorsichtige Formulierung der Verpflichtungen im Dreierpakt gedrängt hat. Deutschland und Italien würden es ihrerseits nur begrüßen, wenn sich Japan den engeren Bindungen des deutsch-italienischen Paktes anschließen wollte. Japan kann aber nicht verlangen und hat auch kein Interesse daran, daß sich Deutschland und Italien für ihr internes Verhältnis dem von Japan für Dreierpakt gewünschten Niveau anpassen.

6.) Das Nebeneinanderbestehen des deutsch-italienischen Pakts und des Dreierpakts bringt sachlich und technisch keinerlei Schwierigkeiten mit sich. Die einzelnen Bestimmungen des des vorliegenden japanischen Entwurfs Dreierpakts können völlig unverändert bleiben. Es braucht nur zum Schluß ein rein formaler Artikel eingeschoben zu werden, der das Verhältnis der beiden Pakte zueinander juristisch klarstellt. Ich habe Oshima Entwurf entsprechenden Artikels ausgehändigt.

7.) Deutsche und Italienische Regierung haben den dringenden Wunsch, daß Japanische Regierung ihren endgültigen Entschluß jetzt schnell faßt, damit Dreierpakt gleichzeitig mit Unterzeichnung deutsch-italienischen Pakts geheim paraphiert werden kann. Dieser Wunsch zeigt aufs neue, daß ihnen jeder Ge-

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danke einer politischen Geringschätzung ihrer Beziehungen zu Japan fernliegt.

Ich bitte Sie, vorstehende Gesichtspunkte gegenüber Ihrem Vertrauensmann und, wenn möglich, auch direkt gegenüber Kriegsminister zu verwerten und so auf schnelle positive EntschlieÙung dortiger Regierung hinzuwirken. Dabei bitte ich in geeigneter Weise folgendes einfließen zu lassen :

Wenn Deutsche und Italienische Regierung, wie vorstehend schon betont, fest entschlossen sind, an ihrer bisherigen Politik gegenüber Japan festzuhalten, so kann andererseits nicht verschwiegen werden, daß ganze bisherige Haltung Japanischer Regierung in Rom und Berlin allmählich gewisse Skepsis zu erzeugen beginnt. Mussolini hat letzt-~~hin~~ Besorgnis geäußert, ob man die bisherige Behandlung der Angelegenheit in Tokio nicht doch dahin deuten müsse, daß Japanische Regierung schließlich nicht die Kraft zu einem positiven Entschluß finden werde. Ferner hat Führer mir in letzten Tagen wiederholt erklärt, daß japanische Haltung ihm immer weniger verständlich werde. Japan müsse doch von seinem Standpunkt aus erkennen, daß seine großen politischen Interessen mit denen Deutschlands und Italiens

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konform lägen, und daß sein Platz daher an der Seite dieser beiden Mächte sei.

Ferner bitte ich Ihrem japanischen Gesprächspartner ~~klar~~ klarzumachen, daß Japans Furcht vor Anschluß Amerikas an England und Frankreich im Kriegsfall in keinem Fall Argument gegen Abschluß Dreierpakts ist, da dieser Pakt das beste Mittel sein wird, Amerika von Krieg fernzuhalten. Andererseits muß sich Japan darüber klar sein, daß die Sicherung seiner Position in Ostasien, insbesondere in China, in erster Linie von der Überlegenheit der Achsenmächte über die Westmächte abhängt. Bestände diese Überlegenheit nicht, so würde Japan die Folgen davon sehr schnell zu spüren bekommen. Japan hat also zweifellos jedes Interesse daran, diese Überlegenheit durch seinen Beitritt zu verstärken, ~~und~~ ^{und} bei den Westmächten nicht etwa den Eindruck aufkommen zu lassen, als ob sie bei Konflikt mit Deutschland oder Italien mit Neutralität Japans rechnen können.

Yage Kaitakusho und F
gegen gemeinsame Position
nahezu zu Japan gegenüber
Informationen beider
Lauter gedruckt.

(R.A.M.)

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B
Ex 591

Doc. 4031, Item 9

Copy

Secret!

Berlin, 29 June 1938

Pro Memoria

I.) In the repeated discussions which Reich Minister for Foreign Affairs von RIBBENTROP had with the Japanese Ambassador in Berlin, TOGO, over the economic construction /Aufbau/ in China, the Reich Minister recognized the special position which Japan holds in China and shared the view with the Ambassador that Japan and Germany must cooperate economically still more closely in China in the spirit of the Anti-Comintern Pact which had been concluded between the two countries. Accordingly, the Reich Minister declared to the Ambassador the willingness of the German Government to try to do its best for economic and technical cooperation with Japan in China. He at the same time expressed the wish that the Japanese Government for its part would proceed in the same manner and that in particular ~~it would adopt an attitude on an especially grand scale and in a helpful manner as regards German foreign trade in China.~~

II.) After the Ambassador had informed the Japanese Government of the course and result of the conversations as depicted above, the Ambassador was then instructed by the Imperial Government to communicate the following to the German Government:- The Japanese Government is agreed with the points mentioned in I.) and accordingly intends, with regard to the economic activity concerning Germany's foreign trade in China to observe the following lines in future.

a.) In future the Japanese Government will consider Germany particularly benevolent in her economic activities in China and will at least grant her the most favorable treatment that third powers (excepting Manchukuo) will enjoy, and is accordingly prepared in individual cases, in which future proposals will be made by Germany with a bearing on this, to promote German interests where possible. This benevolent treatment of Germany of course does not exclude Japan's economic cooperation with third powers.

b.) The Japanese Government is of the opinion that German foreign trade in China has to stand fundamentally on the same footing with the Japanese. It will consequently do its best for both countries to enjoy the same treatment as regards customs and accordingly in the event of any special import and export regulations, management of foreign bills of exchange or other measures for the control of goods and payment arrangements being met with, which make the position of equality of Germany practically

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Three Way Check

impossible, for example concerning the different nature of German or Japanese currencies. German interests will be particularly benevolently considered and at least the most favorable treatment, that other powers (excluding Japan and Manchukuo) enjoy, will be granted to her.

~~/135817-8/~~

Three Way Check

A
Ex. 592

Doc. No. 4031, ~~Item 8A~~

29 June 1934

R.M. 240

The Japanese Ambassador TOGO, who had announced himself, visited me today at 13.30 hours.

He handed me the Pro Memoria attached in the enclosure. As an explanation he added that the Japanese Government would like to avoid the expression "North China" in such a Pro Memoria and would like to put "China" in its place. Furthermore the Japanese Government was not able to ~~promise~~ Germany a better position than all other powers in a treaty form. Therefore the formula mentioned at the end of the Pro Memoria had been chosen in order to meet our wishes as far as possible. I declared myself not satisfied with the formula.

assure

Among other things I ^{explained to} ~~asked~~ the Japanese Ambassador whether the formula in paragraph a.) of the Pro Memoria could not be changed in such a way so that it would read: "to further German interests to a specially great degree" instead of "to further German interests as far as possible." The Japanese Ambassador seemed to consider a change of that sort possible.

After that he once more emphasized in epic verbosity that the Japanese Government would do everything necessary to secure the German interests. The idea of his statements seemed to be that one was to be sure, in practice to grant Germany a better position than all the other nations and to express this in the text as far as possible, but that one would not ~~like to~~ agree to commit oneself in a definite treaty form. The Japanese Ambassador further declared that he would also willingly accept further German proposals for modifications regarding the Pro Memoria.

*willing

I explained to the Japanese Ambassador that at present I could not take up a standpoint regarding the text of the Pro Memoria. To me it seemed that the draft did not go further than the most preferential treatment which, in view of Germany's special situation, was not satisfactory. However I would have this plan thoroughly examined and would then give him a report regarding the outcome of this examination.

The Japanese Ambassador then briefly mentioned the present situation of the German-Japanese negotiations for the commercial treaty. Unfortunately Japan was at present not capable of paying foreign bills of exchange to a greater extent.

I declared that I was not informed about details and referred him to Min. Dir. WIEHL.

Three Way Check

The Japanese Ambassador then expressed his thanks for the support which Min. Dir. WOHLTAT had given him at the whaling conference in London.

I then informed the Japanese Ambassador that our military advisors would probably leave Hankow on 5 July. It had not been altogether easy to effect their departure. In connection with the recall of Ambassador TRAUTMANN a number of combinations regarding severing of German-Chinese relations and the recognition of the Peking Government had been in the Japanese press. I would be thankful if the Japanese press could be influenced in such a way that it would refrain from ~~neglecting~~ such combinations.

The Japanese Ambassador then expressed himself optimistically regarding the further development of the military operations. After a capture of Hankow the position of CHIANG KAI-SHEK seemed to him untenable.

Berlin, 29 June 1938

Signed RIBBENTROP

/135844-6/

Berlin, 6 July 1938

MEMORANDUM

ON A CONVERSATION WITH THE JAPANESE AMBASSADOR, ON 6 JULY 1938

TOGO, who had announced himself, made reference to the fact that the Reichminister in the conversation of 29 June had referred him to me regarding details of the pending economic negotiations. At first he spoke about the present situation of the German-Japanese negotiations for the trade agreement and said that, in the last conversation of his Commercial Attache SHUDO with M. D. WOHLTHAT and L. R. VOSS, we had expressed certain wishes for the acceptance of German goods by Japan up to the amount of 160 million yen, suggested by Japan, for normal export, and had declared ourselves willing to take into consideration the Japanese suggestion for an agreement regarding an additional export of 150 million yen, half against Japanese goods, half on credit, in the event of the Japanese government considering our wishes favorably. He had telegraphed this outcome of the conversation of his Commercial Attache to Tokyo and had recommended consideration of our wishes. After having received instructions he would again contact me.

Then the Ambassador again spoke about the Pro Memoria on German-Japanese economic co-operation in China and insisted particularly and obstinately on his counterplan which he had handed to the German Foreign Minister on 29 June and which the Reichminister had already declared unsatisfactory. The differences of opinion referred to the following points:

1) According to our suggestion the Pro Memoria was to refer to "the areas of China which are under Japanese influence." The Ambassador wishes ~~merely~~ to replace these words throughout by "China" and brought up as a reason that the Japanese government hoped to extend its influence over ~~all~~ China, therefore it was for general reasons undesirable to acknowledge in this document the possibility of a division of China into areas which either were or were not under Japanese influence. In answering this I stressed that, with our stipulation of text, we merely wished to clarify that the agreement did not apply to areas which finally would remain of China without being under Japanese influence. In itself this was natural because the Japanese government could of course only take over responsibilities for such areas in which it had influence. Therefore I was willing to ask the Reichminister whether he approved of the Japanese suggestion, to put only "China" in the parts of the Pro Memoria concerned.

2) The Japanese counterplan wishes to put the words "German foreign trade" where, in various parts, it says "German trade". I declared to the Ambassador that we could not agree to this. The reconstruction and securing of the commercial activity of German firms in China was for us an unavoidable prerequisite for the co-operation in China desired by both governments. This commercial activity, however, not only consisted of the import and export of German goods by these firms to or from Germany, but also of trade within China and of mediation for export of Chinese goods to third countries for instance America and England. At last the Ambassador ~~permitted~~ this and consented that at the end of I) and II) before the letter a), "Germany's trade with China" should be put in place of "foreign trade".

3) The Japanese suggestions for changes under the letters a) and b) present the main difficulty. The Ambassador persisted that the Japanese government could not promise us a better position than third powers and equal treatment with Japan regarding taxes, revenues, duties, traffic tariffs, etc. In answering I declared to him again and again that, in view of our support of the Japanese action in China rendered with considerable sacrifices, we felt entitled to a better position than such powers which not only did not support Japan but laid, wherever they could, obstacles in her way. In any case I did not have the right to leave off from this demand in view of the binding instructions of the Reichminister. Still the Ambassador asked me to again obtain the opinion of the Reichminister and also referred to the fact that VON RAUMER had promised him another examination, from the legal standpoint, of the suggestions which differed from our version. At last I declare myself ready to report to him the final attitude of the Reichminister and the eventual outcome of this legal examination.

4) Finally the Ambassador told me that he had been empowered by his government to give the planned Pro Memoria a legally more binding form by a mutual provisional signing. I responded that I would bring this to the notice of the Reichminister but pointed out that the Reichminister, as was known, had proposed through VON RAUMER the form of an exchange of notes. The Ambassador was of the opinion that his government considered the form of an exchange of notes impractical on account of the necessary but difficult and time consuming consent of the Privy Council.

Signed WIEHL.

/135851-3/

INTERNATIONAL PROSECUTION SECTION

Doc. No. 4031

30 May 1946

ANALYSIS OF DOCUMENTARY EVIDENCE

DESCRIPTION OF ATTACHED DOCUMENT

Title and Nature: Photostats: File of telegrams between German Embassy in Tokyo and Foreign Ministry in Berlin.

Date: Apr 1938- Original () Copy (x) Language: German
May 1939

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

LOCATION OF ORIGINAL (also WITNESS if applicable)

Document Division

SOURCE OF ORIGINAL: Nuremberg

PERSONS IMPLICATED: TOGO, Shigenori

CRIMES TO WHICH DOCUMENT APPLICABLE: Conspiracy for aggressive warfare.

SUMMARY OF RELEVANT POINTS (with page references):

Item 1: Memo about conference between German Foreign Minister and TOGO on 8 April 1938, re: economic cooperation in China: Ribbentrop informed Japanese Ambassador on 4 points forming the basis of a confidential exchange of notes between German and Japanese Governments. TOGO objected to the German demand for equality with Japan as other nations would then demand identical status. Ribbentrop insisted on equality with Japan and preference against other countries because of the good relations on the basis of the Anti-Comintern Pact and future closer cooperation which might be necessary. Details could be discussed with Von Raumer. In answer to TOGO's question about Czechoslovakia, Ribbentrop informed him that the question of self-government for the Sudetens was still in the air but he hoped that the position would be clarified. /135842-3/

Item 2: Memo on conversation between German Foreign Minister and Japanese Ambassador on 20 May 1938 (as communicated by the German Foreign Minister) dated 2 June 1938.

Item 3: Memo about conversation between German Foreign Minister and Japanese Ambassador on 20 May 1938 (as communicated by German Foreign Minister) dated 2 June 1938.

Item 4: Memo about conversation between German Foreign Minister and Japanese Ambassador on 28 May 1938, dated 2 June 1938. Subject -- Japanese and German trade negotiations. This is identical with Item 13 in file of Section Ha Pol; IPS Doc.4024./135834-5

Item 5: Memo about discussion with TOGO about changes in the "Pro Memoria" delivered to German Foreign Minister on 20 May, dated June 3, 1938. 135838-37

Item 6: Secret: Pro Memoria delivered by Japanese Ambassador on 20 May 1938.

I. Japanese special position in China acknowledged by Ribbentrop. Closer economic collaboration in China between Japan and Germany agreed upon in accordance with the Anti-Comintern Pact German commerce in China to be given favorable consideration.

II. Japanese Answer: a) Germany will not be put into the remote position of third power. Japanese Government will in certain instances give favorable attention to German interests but other states cannot be included. b) German and Japanese export trade to be treated equally in regards to customs rules but Japan's special position resulting e.g. from the undivisible connection of Chinese and Japanese currency systems will be maintained./135838-135839/

Item 7: Proposed changed formulation of Pro Memoria delivered by Japanese Ambassador on 28 May 1938. Changes consist mainly in insertion of the words "as far as Japanese influence reaches" after the word "China" in Articles I and II.

In Article IIa the new version provides that Germany "be, in principle, put in a better position than third powers" and refers later to "this preferred position of Germany."

In Article IIc equal treatment to Germany and Japan is extended also to matters concerning taxes, revenues, fees, tariffs, etc., and provides for the case of changes in the present export and import regulations, etc. 135840-41

Item 8: Ribbentrop's memo on conversation with TOGO on 29 June 1938. The Japanese government wishes to replace "North China" by "China" in the Pro Memoria. "Priority" for Germany as opposed to all other nations not possible. Ribbentrop gets the impression that Japan is ready to give a preferred treatment to Germany as compared with all other powers, but that she does not want to state this fact clearly in an agreement. In regard to Jap-German trade negotiations TOGO points out that Japan cannot pay in foreign currency, thanks Ribbentrop for support given to him by Wohltab at the London Conference re whale fishery. Ribbentrop informs TOGO that German military advisors will leave HANKOW on 5 July. He complains about Jap press reports in connection with recall of Ambassador TRAUTMANN, about an impending break into German-Chinese relations and German recognition of the Peking Government. /135846-7/

135844-46

Item 9: Text of Pro Memoria dated 29 June 1938. This is a new version of Item 6, proposed by TOGO. Has a "most favored treatment clause" in favor of Germany (Manchukuo being an exception) as a minimum; it provides for favorable attention above this in certain cases. Attached are notes by WIEHL re German line re preferential treatment. /135847-50/

Item 10: Notes by WIEHL dated 6 July 1938, on conference with TOGO re German-Jap economic cooperation in China. According to TOGO, (1) Japanese Government wants wording of Pro Memoria changed from "areas in China which come under Japanese influence" to "China." Reasons are "the Japanese Government hopes to extend its influence throughout the whole of China and it is, therefore, not desired for general reasons to acknowledge in this document the possibility of a portion of China into areas which would or would not come under Japanese influence." (2) Another change desired by TOGO is from "German trade" to "German export trade" but Ribbentrop insists on the former phrasing. (3) The question of preferential treatment is again discussed. Ribbentrop stresses "assistance to Jap actions in China, rendered by Germany under considerable sacrifices" as opposed to difficulties by which other powers obstruct Japan. Raumer to examine Pro Memoria. The Jap Government finds the form of an exchange of notes impractical, because it necessitates agreement by Privy Council (?) which is difficult and takes a great deal of time. /135851-3/

Item 11: Ribbentrop's memo about a conference with OSHIMA, dated BERLIN, 5 July 1938. OSHIMA informed Ribbentrop that Chief of G.P.U., who had flown from Siberia was now in Tokyo and that he (OSHIMA) has arranged for his interrogation by a German officer for information on the UKRAINE: that the air-agreement may be expected soon, that flights by the southern route will be started in the course of this year and, as soon as SINGKLANG was put in order, a more northerly airline would be established. Ribbentrop declared his dissatisfaction with TOGO's formulae re economic cooperation in N. China. OSHIMA promised to take it up with General Staff. /135854/

Item 12: Telegrams from Ribbentrop to Ott, dated 15 May 1938, re German-Italian Assistance Pact. This is identical with IPS Doc 1382, part 1, and is fully translated in the analysis of said document.

Item 13: Tel from WEISZLAECKER to OTT, dated 15 May 1938, identical with IPS Doc. 1382, part 2; partially translated in analysis of said document.

Item 14: These are the annexes mentioned in Item B, which are not enclosed in IPS Doc. 1382:

They are: 1) Pact of consultation and assistance between Japan, Italy and Germany.

2) Ratification protocol.

3) Secret attached protocol.

4) Attached papers 2, 3, 4. /135937-43/

(135930 is identical with 135941.)

(A thorough translation of these annexes is attached.)

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日本大使ニヨツテ手交サレタルモノ。

覽 書 (Pro Memoranda)

一九三八年(昭和十三年)五月二十日起草

(一) 獨逸國外務大臣リッペントロップ氏カベルリン駐荷日本

大使東郷氏ト爲シタル数次ノ會談ニ於テ、獨逸國外務

大臣ハ、日本ガ支那ニ於テ有シテキル特殊地位ヲ承認シ

日本ト獨逸ハ西島間ニ締結サレタル防共協定ノ精神ニ

於テ支那ニ於テ其經濟的^{モチ}利益ニ緊密ニ^{提携}協力セ

ネハナラヌトノ意見ヲ共ニ持ツタ。ソレ以上ニ獨逸早

務大臣ハ大使ニ對シ、此支ニ於ケル日本トノ經濟的・技術的

Three Way Check

提携
出果ル外最善ヲ盡^{サシ}ス 独逸^ノ政府

熱意ヲ言明シ、同時ニ、日本政府ハ自分ノ方テモ日独

経済的^{提携}協^力ヲ注ニ支那ニ於ケル独逸^ノ对外贸易ノ

保護ヲ特ニ寛大具好意的一考慮スルデアラウト

イフ^{和願}ヲ表明シタ。

(二) 大隈カ日本政府ニコノ会谈ノ上座ノ経過ト結果

トヲ報告シタル後、大隈^今ハ^中日^中政府ニヨリソレニ対スル

解答ヲ受ケタ。ソレニ依リハ、日本政府ハ(一)ニ座バラレタル

諸點ニ賛成シ、^{將來}支那ニ於ケル独逸^ノ経済的^{提携}貿易^{即チ}ヲ提携

的^{提携}事業ニ関シテハ、次ノ方針ヲ守ル種リデアルト

(三) 日本政府ハ^{將來}北支ニ於ケル^{提携}経済的^{提携}活動ニ於テ亦三子

Three Day Check

ニ劣レル立場ニ独逸ニ還カナイノミナラズ、寧ロ、将来

独逸ノ倒カラウ動議カ为サレル^極個々場合ニ於テモ、独逸ノ

独逸ノクニ

利益ヲ出来ルダケ有利ニ考慮スルデアラウ。併シ

コノ好意的取扱ヒガ決シテ亦三島トノ^{提携}ヲ除外ス

ル性質ヲ有スルモノデアリ得ナイトイフ事、注意ス

ハキデアラウ。

(*) 日本政府ハ、支那ノ市場ニ於ケル独逸ノ外

貿易ハ根本的ニ日本ト同一ノ基底ニ立タナケレバ

ナラズ、從ツテ両者ガ支那ニ於ケル尙稅措置ニ

由シテ同一ノ取扱ヲ享ケル為、ソレテ更ニソレ以上ニ

何カ特別ノ輸出入調整ガ講セ^{ラレル様ナ}ル場合ニハ、

Three Way Check

狭義側、利益ヲ充分尊重シ出ルルカケ有利

ニ考慮サレル様最善ヲ盡ステアラウ。然レ、

~~日本貨幣制度ノ不可分由線ナル~~

例ハ北支、兌換制度確立、必然性ナラザル

日本、特殊地位、維持ハ必然的ナルトイフ事

ハ注意サルハキテアル。

Three Way Check

秘！

一九三八年(昭和十三年)五月二十八日 平交シタ

日本大使館

賞書日 (Pp. Memoranda) 修正 提案文

(一) 獨逸國外務大臣リッパントロップ氏ガベルリン駐劄日本大使東郷

氏ト為シタル数次ノ會談ニ於テ、獨逸國外務大臣ハ、日本ガ支那

ニ於テ有ニテナル特殊地位ヲ承認シ、日本ト獨逸ハ兩國間ニ

締結サレタル防共協定ノ精神ニ於テ、支那ニ於テ日本ノ利

カノ及テ限リテハ經濟的ニモ亦益々緊密ニ 提携 協カマネハナラ

又トノ意見ヲ、大使ト共ニ持ツタ。ソレ以上ニ獨逸國外務大

臣ハ大使ニ對シ、此文ニ於ケル日本トノ經濟的、技術的

提携ノ多ク 最善ヲ盡ス 獨逸國政府、映諾ヲ言明シタ。總ハ

Three Way Check

同時ニ、日本政府ハ自分ノ方デモ同様ノ態度ヲとり而シテ
特ニ支那ニ於ケル独逸ノ貿易ニ對シ特ニ寛大ナク歡迎的
立場ヲ取ルテアラウトイフ希願ヲ表明シタ。

(二) 大隈ガ日本政府ニコノ會談ノ上述ノ經過ト結果トヲ
報告シタル後、大隈ハ市島政府ヨリソレニ對スル解答ヲ

受ケタ。ソレニ依レバ日本政府ハ(一)ニ述ベラレタル諸點

ニ賛成シ、支那ニ於ケル^{経済的活動}獨逸ノ貿易^{即チ}ニ對シ

ニ賛成シ、日本ノ勢力カノ及ブ範圍ニ於テハ、將來次ノ方針

ニ從フ轉リテアルト。

(1) 日本政府ハ、ソノ勢力カノ及ブ限り、將來支那ニ於ケル

獨逸ノ經濟活動ニ於テ亦モヨリ根本的ニ良ク

Three Ways check

待遇ニシテ以上ニ、将来特恵異カラテ勅諭が出サレル固々

ノ場合ニハ、特恵ノ権益ヲ出来ルタテ助長スル用意

優位ノ地位

明ニ示ス

カアル。之ノ特恵 ~~ハ~~ 特別特恵 ~~ハ~~ 亦ニ早ト、日本、

各情 ~~ハ~~ 提携 ~~ハ~~ 除外スルモノトイハナイ。

(二) 日本政府ハ、支那ニ於ケル特恵ノ貿易ハ、日本ノ

勢力ノ及ガザ範圍内ニ於テハ、根本的ニ日本ト同一ノ

基礎ニ立 ^{タスハナラヌト} ~~テ~~ 見解ヲテタル。從ツテ

両方ガ肉税、租税、賦課金、手数料、^{運賃} 通関費等ニ

肉ニテハ支那ニ於テ同一ノ取扱ヲ享ケ、更ニソレ以上ニ

何カ特別ノ輸出入調整、為替管理及ヒ高品質ニ求

為替取引調劑 ~~ハ~~ 抑止 ~~ハ~~ 禁制 ~~ハ~~ 之ヲ ~~ハ~~ 措置 ~~ハ~~ 例 ~~ハ~~ 特恵ト日本ノ為替

Three Way Check

相場ノ相異ノタメ 独逸ノ同一 地位 事柄ノ 実現之 不可能

ニスルガ如キ一ノガ講ゼラレル 標ナ場合ニハ 独逸ノ一 权

先

益ヲ少クトモ 利三子ノ 权益ニ比シテノ 優待的ニ取扱

ハレル様 最善ヲ 盡スニオラウト。

Doc, 403/B

True Day Check

8/17

書類番号 403/B

ベルリン一九三三年(昭和十三年)六月二十九日

秘!

Memoria
覚書 (Pro Memoranda)

[一] 獨逸國外務大臣リツペントロップ氏がハルリン駐劄

日本大使東郷氏ト支那ニ於ケル經濟建設ニ関

シナシタル數次ノ會談ニ於テ、獨逸國外務大臣ハ、

日本ガ支那ニ於テ有シテキル特殊地位ヲ承認シ、

日本ト獨逸ハ兩國間ニ締結サレタル防共協定ノ

精神ニ於テ支那ニ於テ經濟的ニ利益ヲ緊密ニ

提携シナケレバナラヌトノ意見ヲ大使ト共ニ

持ツタ。獨逸國外務大臣ハ、以上ニ支那ニ

於テ日本ト、經濟的、技術的、
提携ヲ最善

Three Day Check

ラ其^サ獨逸政府ノ熱意ヲ言明シタ。彼ハ
同時ニ、日本政府ハ自分ノ方デモ同様ノ態度ヲ
トリ特ニ支那ニ於ケル獨逸ノ此ノ貿易ニ
對シ特ニ寛大ヲ歡迎的立場ヲ取ルデアラウ
トイフ^願弗望ヲ表明シタ。

(二) 大隈ガ日本政府ニユ、會談ノ上球ノ經過

ト結果トヲ報告シタル後、大隈ハ帝國政府ニ

ヨリ獨逸政府ニ次^今ノ事ヲ傳ヘル様ニ指令^{ヲ受ケタ}

即チ日本政府ハ「一」ニ述ベラレタル諸點ニ賛

成シ、將來支那ニ於ケル獨逸ノ外國貿易ノ

經濟的活^{經濟的的活動}算ニ関シテハ次ノ方針ヲ守ル

積リテアルト

Three Way Check

(a) 日本政府ハ将来支那ニ被ケルソノ経済活

動ニ於テ獨逸ヲ特ニ好意的ニ考慮シ、第

三國(滿洲國ヲ除ク)ガ享受スル取扱中、最

又有利ヲ取扱フハ、且ツソレ以上ニ、

将来ドイツ側ハ提議ガ急サレル個々ノ場合

ニ出果ルダケ獨逸ノ^権利益ヲ促進スル用意

ガアルト。獨逸ニ對スル子ノ好意的取扱ハ

第三國トノ日本ノ経済^{提携}協力ヲ除外シナイ

ノテアル。

(b) 日本政府ハ支那ニ被ケルドイツノ外國

貿易ハ根本的ニ日本ノ立場ト同一ノ基礎ニ

立^{タナケレハナラヌト}キキル^{イフ}見解テアル。

Three Way Check

日本政府ハ從ツテ最善ヲ其意ニテ兩國

ノ國稅ニ與シテ同様、取扱ヲ受ケ、更ニ

ソレ以上ニ何カ^{特別}輸出入調整、外國為替管理

及ビ商品^{為替}並ニ^{取引}協定^{調制}、^{統制}、^{タメ}、^他、^{措置}

例ハ、獨逸ト日本、為替相場、相異、タメ、獨逸ノ

同^{地位}市場ヲ實際上不可能ニスルカ如キ一々

カ講ヤラレル様ナ場合ニハ、獨逸ノ利益ヲ

特ニ好意的ニ考慮シソレニ對シ、他ノ國家

日本ト滿洲^ニ除リ、^カ受ケル^{取扱}中

最モ有利ナ取扱カ得ハラレルテアラハト。

4031C-1

4031C

4031C

文書 四〇三十一

第十項

一九三八年（昭和十三年）七月六日ベルリンニテ

覺 書

以下別行ニスルニト

一九三八年（昭和十三年）七月六日ノ日本大使ト
 ノ會談ニ就テ東京「大使」ハ私ニ通知シ、北
 丑八年（昭和十三年）六月二十九日ノ會談デ國務
 大臣ガ未ダ決定シテキナイ經濟交渉ノ細目ニ關シ
 テ私ノ所ヘ^問ヒ合セニ行ク様ニ^指示シタ^指下申述ベ
 タ。先ゾ彼ハ日獨通商條約交渉ノ現況ニ就イテ語
 リ更ニ大使館付商務官首藤トエム。デー。オ^ワルト^オト
 ト及ビエ^提ル。アル。オ^提オ^提トノ最近ノ會談デ吾々
 ガ日本ノ^提承シタ^提一億六千萬圓ノ金額^提獨逸ノ商
 品ヲ正規ノ輸出トシテ日本ニ受ケ入レテ貰ヒタイ
 トイフ^提。希望ヲ表明シ且若シ日本政府ガ獨逸
 ノ希望ニ賛成シテ吳レルナラバ、半分ハ日本ノ商
 品デ支拂ヒ半分ハ借款トスル一億五千萬圓ノ追加
 輸出ノ協定ヲシヨウトイフ日本側ノ提議ヲ考慮ス
 ル事^提ヲ^提快諾シタト述ベタ。彼ハ北^提ノ大使館付商
 務官ノ會談ノ結果ヲ東京ヘ打電シ、獨逸側ノ希望
 ヲ願ハスル様ニ勸告シタ。訓令ヲ受取ツタラ又彼
 ハ私ノ所ヘ連絡ニヤツテ來ルデアラウ。

Three Way Check returned 1/15

403R2

First day check

ソレカラ同大使、再々中華民國ニ於ケル日領經濟
提携^ニ謀^ルニ期シ、彼ガ六月二十九日ニ對シテ外務
大臣ニ手交シ、同大臣ガ既ニ不滿ノ意ヲ表明シタ、彼
ノ詳^ニ察^スヲ詳細ニ又強調ニ主張シタ。京譯ノ相違ハ
次ノ諸點ニ關スルモノデアアル。

(一) 吾々ノ提議ニ從ヘバ此ノ^覺諒^書ヲ採^ルハ「日本ノ勢

力下ニ在ル中華民國ノ地域」ニ關スル等デアツ
タ。同大使ハ之等ノ語全部ヲ單ニ「中華民國中

」ト置キ置ヘント欲シ、其ノ理由トシテ日本政
府ハ其ノ勢力ヲ全中華民國ニ及ボサント欲シソ

ノ爲^此ニ於テ^{中華}中華民國ノ勢力下ノ地域ト
然ラザル地域トニツニ分ケ得ル可能性ノアル

事ヲ示スノハ一般的ナ理由カラ好マシクナイト
イフ事ヲ持出シタ。之ニ答ヘテ私ハ、吾々ニハ

單ニ原文ノ規定ニ從ツテ此ノ協定ガ結局ハ日本
ノ勢力下ニ入ラナイデ中華民國側ニ屬ルデアラ

ウ所ノ地域ニハ適用シナイトイフ事ヲ明確ニシ
度イノニ過ギナイノダトイフ事ヲ強調シタ。ソ

レ自体トシテハ日本政府ハ勿論其ノ勢力下ノ地
域ニ其ノ責任ヲ持チ得ルデアラ、此ノ事ハ

當然デアアル。ソレ故私ハ自ラ進^独進^進シテ國務大臣ニ
彼ガ此ノ^覺諒^書ノ問題ノ部分ヲ單ニ「中華民

國」トスルトイフ事ヲ贊成ガドウカラ聞ク後リ
アルト

デヤルト。

Three way check

(二)

日本ノ對英ハ對逸側力種々ノ場所デ言ツテキル
 中華(國)ニ於ケル
 獨逸對外貿易トイフ
 語ニ換ヘタイノデアル、私ハ大使ニ此ノ事ニハ
 贊成出來ナイト言明シタ、中華民國ニ於ケル獨
 逸商會ノ商業活動ノ再建ト保全トハ吾々ニトツ
 テ兩國政府ガ希望シテキル中華民國ニ於ケル
 擧ノ經營必以ノ前提デアル。併シ乍ラ此ノ商業
 活動ハ單ニ之等ノ商會ガ發達ヘ又ハ獨逸カラ、
 獨逸ノ商品ヲ輸出スル事バカリデハナク中華
 民國内ノ取引及ビ中華民國ノ商品ヲ第三國ヘ例
 ヘバ米國、英國ナドヘ輸出スルノヲ仲介スル事
 ヲ包含ムモノデアル。結局同大使ハ讓歩シテ文
 字(前ノ數字)ニ於テ「對外貿易」ト置換ヘラ
 易「トイフ前ガ唯一獨逸ノ對非貿易」ト置換ヘラ
 レルベキダトイフ事ニ同意シタ。

(三)

(a) 及ビ (b) ニ關スル日本側ノ修正提案ハ主ク懸案
 ヲ提起シタ。同大使ハ日本政府ハ「對外貿易」ト置換ヘラ
 ヲリモ良イ地位ヲ與ヘ「對外貿易」ト置換ヘラ
 非、取等ニ就テ日本ト同條ノ待遇ヲスル事ハ
 約束出來兼ネルト書ヒ張ツタ。之ニ答ヘテ私ハ
 非常ナ犧牲ヲ拂ツテ中華民國ニ於ケル日本ノ行
 動ヲ助ケテキル吾々ノ立場カラスレバ吾々ニハ
 單ニ日本ヲ援助シナイミナラズ出來得ル限り
 日本ノ邪謀ヲシテキルヨリモ良イ地位ヲ與ヘ
 妨害

4031-4

権利カアル
Three Way Check

ラレルノハ當然ノ事ト思フト繰返シ述ベタ。如
何レシテモ
備オル場合ニモ私ハ國務大臣ノ訓令カテ此ノ要
求ヲ放棄スル權利ヲ持ツテキナシト更ニ再々同大
使ハ私ニ國務大臣ノ意見ヲ聞イテ呉レル様ニ願
ミ將又フオン^彼ヲウメルカ法律的立場カラ吾々
ノ案トハ違ツタ提案ヲ別ニ吟味スル事ヲ彼ニ約
束シタト通ベタ。最後ハ私ハ私自身外務大臣ノ兼
断的^決態度ト此ノ法律的吟味ノ最終結果トヲ、彼
ニ告ゲル用意ガアルト云ツタ。

(四)

最後ニ同大使ハ彼ハ本國政府カラ相互ノ^假署名
ニヨツテ此ノ計畫サレタ^覚諸^書項ヲ法律的ニヨ
リ拘束力ノアルモノニスル様ニ委任ヲ受ケテキ
ルノダト私ニ告ゲタ。私ハ此ノ事ヲ同務大臣ニ
注意^{知ラセ}シテ置キマセウト答ヘタガ、既ニ承知ノ如
ク^加務大臣ガフオン。ラウメルヲ通ジテ覺書ヲ
交換スルトイフ形式ヲ提案シタ事ヲ指摘シタ。
同大使ハ必要デアアルガ困難デ時間ノカ、ル樞密
院ノ贊同ノ爲本國政府ハ此ノ覺書ノ交換ヲ不適
當ト考ヘテキルトイフ意見デアツタ。

ヴァイール 署

二三五八五一三

~~The Day Book~~ 513

40319

書類番号 40319 第 8 頁

R.M. 200.

私、許ニ通告シタ上デ、日本大使東郷ハ本日午後一時

三十分私ヲ訪問シタ。

彼ハ^{同封}勅付展ノ覚書 (Pro Memoria) ヲ私ニ手交シタ。説明

トシテ彼ハ、日本政府ハ斯カル覚書 (Pro Memoria) ニ於テ北支那

ナル概念ヲ避ケテソノ代リニ常ニ支那ヲ便ヒタイト附テ加ヘ

タ。更ニ日本政府ハ遺憾ナガラ、^{獨逸ニ}他ノ諸國^{ヨリモ良イ}

特別地位ヲ條約ヨリ保證スル事ハ出来ナイト。故ニ、

我々、希望ニ出来ルカテ應ズルタメニ、覚書 (Pro Memoria)

ノ終ニ引用サレタ公式ガ選バレタノテアル。和ハコノ公式

ニ満足^{シテナシ}非来^{ナシ}ナ旨ヲ言明シタ。

Three My check

中執

私ハ日本大使ニ、覚書 (Pas Memorandum) 、

(a) 項中、公式ハ次ノ様ニ^{修正}変更サレ得タイカトウカ
説明スル

孰ク、昂テ「獨逸ノ權益ヲ出来ルカケ助長スル」

ノ代リニ、「獨逸ノ權益ヲ全ク特別ノ程度ニ助長

スルト。

日本大使ニハコノ様ニ^{修正}変更ハ可能ノ様ニ思ハレタ。

是辭條句ヲ文ニテ長時間

是上同聯シテ彼ハ更ニ^溜ト、日本政府ハ^{獨逸ノ權益}

ノ確保ニ必要ナル凡テノ事ヲ為^シキヤ^キト力説シタ。彼ノ

詳論^{コト}ノ意味ハ私ニハ、^{實際ニ於テ}我々ニ他ノ凡テノ國民^{ヨリモ}ニ^特

判^明地位ヲ^認メ^テシテ之ノ事ハ出来ル^ルト^テ原文ノ

中ニ表現シタイト思フテ中ルガ然レテ^テ明白ノ條約

Three Day Check

約形式 ^{テハ承認シ} シクタイトイフ様ニ思ハレタ。更ニ日本

大俣ハ覚書 (Pap Pneumonia) ニ因スル 猪逸 働カラ

將来 ^{ソレ以外} 修正 東勸議ニ喜ミテ應カラルタラウト言明シタ。

和ハ日本大使ニ、覚書 (Pap Pneumonia) ノ形式ニ因シテ

目下ノ所態度ヲ決定出来タイト言明シタ。 ^{草案} 和来

優遇

最特惠 取扱ヲ越エテ中 ^{タイ} 様ニ思ハレ来

猪逸ノ特殊状況ニ鑑ミ不協定ノモトニアル。 ^{和リ} 是レ

徹底的ニ吟味

草案ヲ詳細ニ調査テ之ノ調査ノ結果ヲ

ソレカラ ^報 報告スルダラウト。

更ニ日本大使ハ日独通商條約交渉ノ現在

事情ニ簡單ニ觸レタ。遺憾ナ事ハ日本ハ

Three Day Check

現在、^{廣野田}知本規模、外平為替日支拂、事分出。

来ナイト。

和ハ詳細ニ接イテ何モ報告ヲ受ケテ居ラナイト

言明シテ彼ヲウイロル局長ニ照会シタ。

日本大使ハ、更ニオウルトリート局長カロントニ

捕鯨會議ニ於テ彼ニ与ヘラレタ援助ニ対シ感謝

意ヲ表シタ。

更ニ和ハ日本大使ニ、我が軍事顧問ハ恐ラク七月

五日ニ横口ヲ去ルテアラウト告ゲタ。彼等、出發ナ

遂行 業行スルハ全ク容易ナ事ニハナカッタト。日本ノ全

新聞ニハ、トラウトマン大使ノ召喚ト由駢シテ獨支

~~Three Day Check~~

南條、断絶及北京政府ノ承認ニツイテノ
數個ノ揣摩臆測ノ記事

無数ノ記事ヲ載セテナリ。若シ日本全新尙ニ
揣摩臆測ノ

コノ様ヲ記事ヲ遠慮スル様ニ働キカケルハ
テ貴ハ

有難イト。

更ニ日本大軍ノ事ニ
作戦
結果ノ継続
ニツキ樂觀的

ニ表現シタ

ノ地位ハ

ナ意見ヲ述ベタ。漢口占領後蔣介石ハ存続
長持セヌ

ニ得テノ様ニ思ハシキナリタ。

ベルリン、一九三八年(昭和十三年)六月二十九日

署名
リッベントロップ?

~~リッベントロップ~~

copy.

d. 14.5.39

identical with paper 2

" In the draft, just discussed, of a Pact of Consultation and Assistance between Japan Germany and Italy a new article of the following composition would have to be inserted before the final article 4:

The German Government and the Italian Government state in agreement with the Japanese Government, that the Pact, ratified on 22 May 1939, of Friendship and Alliance between Germany and Italy, which was the result of the ^{neighborship} vicinity of these two countries and their special position ^{in Europe}, is not affected

by the present fact, and that therefore the present-
fact is only applicable in the relations between
Germany and Italy when the pact of 22 May 1939
does not contain further obligations."

[135930]

~~For reference only~~

Special 7/17

Document No. 4031

Translated by Yoshiaki OTANI

Checked by e. Uehara

RUSH

文書 四〇三一

第十項

一九三八年(昭和十三年)七月六日ベルリンにて

見書

一九三八年(昭和十三年)七月六日の日本大使との會談に就て

東郷大使は私に刺を通じ、一九三八年(昭和十三年)六月二十九日

の會談で國務大臣が未だ決定しないう經濟交渉の細目に

関して私の所へ向ひ合せに行く様に指示したと申述べた。先づ

彼は日独通商條約交渉の現況に就いて語り更に大使館

付商務官首藤とエムデー・ヴァールタート及びエル・アルブレスとの

最近の會談で吾々が日本の示した一億六千萬圓の金額迄の

独乙
の商(独)品を正規の輸出として日本に受け入れて貰いたいと云ふ確定なる希望を

を表明し、且若し日本政府が独乙の希望に賛成して呉れるならば、半分

は日本の商(日)品で支拂ひ、半分は借款とする。一億五千萬円の追加輸出

協定としようといふ日本側の提議を考慮する事を独乙側が承諾したと述べた。

彼は此の大使館付商務官の會談の結果を東京へ打電し、独乙側の

希望を顧慮する。様(独)に勧告した。訓令を受取つたら又独乙は私の

所へ連絡にやつて来るであらう。

それから同大使は再び中華民國に於ける日独經濟提携は觸れ

彼が六月二十九日に独乙外務大臣に手交し同大臣が既に不満の意を

表明した彼の~~對~~對案を詳細に又頑強に主張した。見解の相違は次

の諸点に由るものである。

諸解東京

詔解事項

(一) 吾々の提案に従へば此の~~書~~書は「日本の勢力下に在る中華民国の

地域」に属す。若くは「中華民国」

と置き換へんと欲し、其の理由として日本政府は其の勢力を全中華民国

に及ぼさんと欲しその名此の文書に於て中華民国を日本の勢力下の

地域と然らざる地域との二つに分け得る一の能性のあることを示すの

は一般的な理由から好ましくないとふるを提出した。之に答へて

私は、吾々は^{單に}原文の規定に従つて此の協定が結局は日本の勢力下

に入らないうで中華民国側に残るであらう所の地域には適用しないといふ

るを明確にし度いのに過ぎないのだといふ事を強調した。それ自体とし

ては此の書は日本政府は勿論其の勢力下の地域に之が責任を持ち

得るのであるから當然である。それ故私は自ら進んで國務大臣に彼が

訪鮮事項

此の~~書~~の向題の部分を單に「中華民國」とする。といふ事に賛成の
どうかを聞く積りでゐた。

(二) 日本は~~對~~對安宋は独乙側か種々の場所を言つてゐる「独乙貿易」なる語
を「独乙對外貿易」とし語に換へたりありある。私は大使に此等には

賛成出来ないと言明した。中華民國に於ける独乙商會の再建と

(商業活動の)

保全とは吾々にとって兩國政府が希望してゐる中華民國に於ける

提携の絶対必要の前提である。併し乍ら此の商業活動は單に

此等の商會が独乙へ又は独乙から、独乙の商品を輸出入

するばかりではなく中華民國内の取引及び中華民國の商

品を第三国へ例へば米國・英國などへ輸出するのを仲介する。

るをも含むものである。結局同大使は讓歩して文字上の前の

数字(Ⅰ)及び(Ⅱ)の終りに於て「対外貿易」と云句が「独乙の対華貿易」と
換置
換へられるべきだと云ふ事に同意した。

(三) (a) 及び (b) に同じ。日本側の修正提案は主なる懸念案を提起した。

同大使は日本政府は独乙に第三国よりも良い地位を與へる事や。

又税金所得義務取引等に就て日本と同等の待遇とする事。

は約束出来兼ねぬと云い張つた。之に答へて私は非常な犠牲を

拂て中華民国に於ける日本の行動を助けたる吾々の立場からす

れば吾々の~~立場~~ ~~立場~~ 單に日本を援助しなりのみならず出来る限り日本に

邪魔をせざる国よりも良い地位を與へられる事は當然の事と思ふ

と編譯返し結譯返し述べた。

如何なる場合でも私は~~私~~ ~~私~~

國務大臣の訓令の立場から此の要求を放棄する権利を持つてゐない。

更に再び同大使は私に~~事務~~^国務大臣の意見を聞いて呉れる様に頼み、~~再~~^{將又}

フオン、ラウメルが法律的地位から互々の安本とは違つた提本安本を別に

吟味する事を彼に約束したと述べた。且最後の私は私自身~~は~~

外務大臣の且最後の決心すると此の法律的地位の最終結果とも~~裁~~^裁

~~彼は~~彼に~~裁~~^裁意があると言つた。

(四) 最後に同大使は彼は本國政府から相互の假署名によつて

此の計画^{された}~~は~~法律的に^{あり}拘束力のあるものにする様

に委任を受けてゐるのだと私に告げた。私は此の事を~~外務大臣に~~^国

注意し~~置~~^置きませうと答へたが、既に承知の如く~~外務大臣が~~^国フオン、

ラウメルを通じて意見書と交換する形式を提本したるを指

摘した。同大使は本國政府は此の意見書の交換を~~件~~^不通過する

不通過する

「~~初~~も困難では向う... 社務公院。賛同を得なければ...」

~~初~~と考へてゐるといふ意見であつた。

ウィール 署名

「三五八五一一三」

~~Three Way Check~~

40510

B.S.
1.

Item 6

SECRET!

Presented by the Japanese Ambassador.

Pro Memoria

Set up 20th May, 1938

I. In the repeated discussions which Reichs
Minister for Foreign Affairs von Ribbentrop had
with the Japanese Ambassador in Berlin, the
Reichs Minister recognized the special position
which Japan ^{holds} held in China and shared the
opinion with the Ambassador, that Japan
and Germany, in the spirit of the Anti Comintern
Pact, which had been concluded between the
two countries should also cooperate economically
more and more closely. Besides this, the Reichs

~~Three Way Check~~

7.5.
2

Minister expressed to the Ambassador the willingness of the German Government to do its best for economic and technical cooperation with Japan in North China and, at the same time, expressed his desire that the Japanese Government ~~would~~, on its part ^{especially} would, generously and favorably ~~so~~ take into consideration the Japanese - German ^{economic} cooperation and the security of German ^{foreign} trade in China.

II. ~~When~~ ^{After that} the Ambassador had then informed the Japanese Government of the course of the

Three Way Check

73.5,
3

discussion described above and of its result,
^{an answer to it}
the Ambassador now received ~~an answer~~,
from the Imperial Government, ~~an answer~~
~~to it~~. According to this, the Japanese Govern-
^{agreed}
ment, with the points mentioned in I.
and accordingly intends to observe, ^{in future} the follow-
^{broad principles}
ing ~~general directions~~ regarding Germany's
economic activity, ^{that is,} ~~that is to say~~ and, ~~in certain~~
~~cases~~ her foreign trade in China.

a) In ^{the} future the Japanese Government
will not only not ^{place} ~~put~~ Germany into the ^{inferior} position.

Three Way Check

B.S.
4

of third powers ~~in the background~~ ⁱⁿ regarding her economic activity in North China, but will rather consider German interests as much as possible in her favor ^{in the} individual cases in which proposals are ^{in the future} made on the part of Germany. However, it is to be noted that this favorable treatment would, ^{of course} not be one which had the ^{characteristic} character of a cooperation which ~~excluded~~ of an exclusion of cooperation with third powers.

b) The Japanese Government thinks that the German foreign trade on the Chinese market

Three Way Check

B.S.
5

~~should~~ ^{must} ~~principally be~~ ^{has got to be} on the same footing with the Japanese Trade and will therefore do its best that both countries enjoy equal treatment regarding customs regulations in ^{in addition,} China, and that ~~nevertheless~~; in case ~~that~~ any special import or export regulation should be made, German interests ^{will} ~~would~~ be sufficiently considered respected and considered as favorably as possible. However it is to be noted that the maintaining of ^{Japanese} that special position which followed, for instance, from the necessity of ^{the} main-

Three Way Check

B.S.
6

system

Monetary ~~matters~~

Maintenance of ^{the} currencies in North China, which
is ~~is~~ inseparably ^{connected} ~~connected~~ with the Japanese
monetary ^{system} ~~matters~~, is ^{supposed} to be necessary.

40,311 D

Three Way Check

B.S.
1

Item 7

Revised composition

Secret!

~~changed setting~~ of the "Pro Memoria" which is to be proposed, ~~and~~ which the Japanese Ambassador presented on 28 May 1938.

In the repeated discussions which Reich Minister ~~for~~ Foreign Affairs, von Ribbentrop, had with the Japanese Ambassador ⁱⁿ Berlin, Togo, the Reich Minister recognized the special ~~situation~~ ^{position} which Japan ~~entertains~~ ^{entertains} in China, and ~~was of one opinion~~ ^{shared the view} with the Ambassador, that

Japan and Germany, in the spirit of the Anti Comintern Pact, which had been concluded between the two countries, should ^{also} cooperate ^{and more} economically ^{more closely} ^{in CHINA} as far as the Japanese influence there extends. Besides this, the Reich Minister

Three Way Check

expressed to the Ambassador the willingness of the German Government to do its best ~~by~~ regarding for economic and technical cooperation with Japan in North China. At the same time he expressed the desire that the Japanese Government would, on its part, ~~would~~ act in the same way and that it would take ~~up~~ a especially generous and considerate attitude especially towards German trade in China.

II. ^{After} When the Ambassador had reported to the Japanese Government on the ~~above~~ ^{described} ~~mentioned~~ ^{shown}

Three Way Check

B.S.
3

course and the result of this discussion, ^{described above} ~~an~~
~~answer~~ the Ambassador ^{has} now received an answer
to it from the Imperial Government. According
to that, the Japanese Government agrees with the
points mentioned ⁱⁿ ~~under~~ ^{accordingly} and intends to main-
tain ^{in the future} ~~the~~ ^{Guiding Principles,} ~~General directions~~ the following ~~lines~~, ~~as far as the Japanese~~
~~influence extends~~, regarding ^{Germany's} economic activities, ~~that~~
~~and that is~~
~~or, in certain cases~~, trade in China, as far as Japanese influence ^{extends.}
a) ^{the} In the future the Japanese Government will ^{place} ~~put~~
^{principally} Germany ~~basically~~ into a better position ^{than} ~~as~~ third
powers ^{regarding} ~~its~~ its economic activities in China as far
as Japanese interests ^{extend.}

Three Way Check

B.S.
4

and ~~is~~ beyond that ^{is} prepared to promote German
as much as possible
interests in individual cases in which ~~from now~~ ^{in future}
to that effect
An ~~from~~ proposal ~~in that direction~~ will be made
~~the~~ in future from the German side. This ^{preferential} ~~preferred~~

position of Germany of course does not exclude economic cooperation of Japan with third powers.

1.) The Japanese Government is of the opinion
~~the~~ that German trade in China, as far as ~~the~~
Japanese influence extends there, ^{principally} ~~basically~~ ~~has~~
~~must~~
~~to~~ be on the same footing ^{as} ~~with~~ the Japanese trade.

Therefore it (the Japanese Government) will do

Three Way Check

B.S.
5

at most
its ~~best~~ that in China, both countries will
receive equal treatment as regards to ^{duties} ~~customs~~,
~~taxes~~
Asses, tributes, fees, traffic transportation fees and
others, and, ^{that in addition to} ~~exceeding~~ this, in case ~~that~~ some special
import or export regulation, ^{management} ~~arrangement~~ of foreign bills
of exchange or other measures for the control of goods
and payment arrangements ^{are} be made, which ~~would~~,
for instance, because of the differences of the German
and Japanese currencies would make, ^{practically} impossible
the position of equality of Germany, German
interests at least ^{receive preferential} ~~be treated~~ ^{over} ~~in regards to~~ third powers.

秘

日本大使ニヨリテテ交サレタルモノ。

覺書 (Pro Memoria)

一九三八年(昭和十三年)五月二十日起草

(一) 独逸國外務大臣ヨリベントワパルオベルリン駐劄
日本大使東郷氏ト爲シタル數次ノ会谈ニ於テ、独逸
國外務大臣ハ、日本ガ支那ニ於テ有シテキル特殊地
位ヲ承認シ日本ト独逸ハ兩國間ニ締結サレタル防共
協定ノ精神ニ於テ支那ニ於テ經濟的ニモ亦益々緊
密ニ提携セバナラストノ意見ヲ共ニ持ツタソレ以上
ニ独逸國務大臣大使ニ對シ、北支ニ於ケル日本トノ
經濟的、技術的提携ノタメ出来ルダケ最善ヲ
盡シサウトイフ独逸國政府ノ熱意ヲ言明シ同時に
日本政府ハ自分ノ方デモ日独ノ經濟的提携並ニ支
那ニ於ケル独逸貿易ノ保護ヲ特ニ寛大且ツ好
意的ニ考慮スルデアラウトイフ願望ヲ表明シタ。

(一) 大使が日本政府よりノ会談ノ上述ノ経過ト結果トヲ報告シタル後、大使は今ヤ帝國政府ニヨリソレニ対スル解答ヲ受ケタ。ソレニ依レバ日本政府ハ(一)ニ速ベラレタ
 ル諸島ニ發展成シ經濟的活動即チ將來支那ニ於ケル独逸ノ貿易ニ關シテハ、次ノ方針ヲ守ル積リデアルト。

日本政府ハ將來帝國ニ北支ニ於ケル独逸ノ經濟的活動ニ於テ亦三國ニ劣レル立場ニ独逸ヲ置カナイノミナラス、寧ろ、將來独逸ノ側カラ勳議カ爲サレル様ナ個々ノ場合ニ於テモ、独逸ノ權益ヲ独逸ノためニ出表スル有利ニ考慮スルデアラウ。併シコノ好意的取扱ヒガ勿論決シテ亦三國トノ提携ヲ除外スル性質ヲ有スルモノデハアリ得ナイトイフ事ハ注意スベキデアラウ。

No. 2 B. 日本政府ハ支那ノ市場ニ於ケル独逸ノ貿易ハ根本的ニハ日本ト同一ノ基礎ニ立タナケレバナラス、従ッテ兩國ガ支那ニ於ケル関稅措置ニ關シテ同一ノ取扱ヲ享スル爲、ソシテ更ニソレ以上ニ何カ特別ノ輸出入調整

No 3

4031 D

か講ぜられル様ナ場合ニ、独逸側ノ權益ヲ充分
尊重シ出ルダル有利ニ考慮サレル様最善ヲ盡
スデアラウ。然シ、例ヘバ日本ノ貨幣制度上不可分ノ
關係ニル北支ノ貨幣制度確立ノ必然性カラ生
ズル日本ノ特殊地位ノ維持ハ必然的デアルトイフ
事ハ注意サルベキデアル。

秘！

一九三八年（昭和十三年）五月二十一日日本大使が支那
 覚書（Page Memorial）ノ修正提案文

（一）獨逸國外務大臣リッペンとワグネルがベルリン駐劄
 日本大使東郷氏ト爲シタル數次ノ会谈ニ於テ獨逸
 國外務大臣ハ、日本ガ支那ニ於テ有シテキル特殊
 地位ヲ承認シ、日本ト獨逸ハ兩國間ニ締結サレタル防
 共協定ノ精神ニ於テ、支那ニ於テ日本ノ勢力ノ及テ限
 リデハ經濟的ニモ亦益々緊密ニ提携セシメバナラヌト意
 見ヲ大使ト共ニ持ツタソレ以上ニ獨逸國外務大臣
 ハ大使ニ對シテ北支ニ於ケル日本ト經濟的、技術的提
 携メタム最善ヲ畫シサントイフ獨逸國政府ノ快諾ヲ言
 明シタ。彼ハ同時ニ、日本政府ハ自分ノ方デモ同様ナ
 態度ヲトリ而シテ特ニ支那ニ於ケル獨逸ノ貿易ニ
 對シ特ニ寛大ヲ歡迎的立場ヲ取ルデアラウトイフ
 願望ヲ表明シタ。

(一) 大使が日本政府ヨリ會談ノ上述ノ經過ト結果トヲ報告シタル後、大使ハ帝國政府ニヨリ、今ヤソレニ對スル解答ヲ受ケタリソレニ依レバ日本政府ハ(一)ニ述ベラレタル諸點ニ賛成シ經濟的活動即チ支那ニ於ケル獨逸ノ貿易ニ齒シテ、日本ノ勢力ノ及ブ範圍ニ於テハ、將來次ノ方針ニ從フ積リデアルト。

(二) 日本政府ハソノ勢力ノ及ブ限り將來支那ニ於ケル獨逸ノ經濟活動ニ於テチ三國ヨリ根本的ニ良ク待遇シソレ以上ニ、將來獨逸側カラコレニ對スル勸議が出サレル個々ノ場合ニハ、獨逸ノ權益ヲ出來ルダケ助長スル用意ガアル。コノ獨逸ノ優位ナ地位ハ明ラカニチ三國トノ日本經濟提携ヲ除外スルモノデハナイ。

(三) 日本政府ハ、支那ニ於ケル獨逸ノ貿易ハ、日本ノ勢力ノ及ブ範圍内ニ於テ、根本的ニ日本ト同一ノ基礎ニ立タネバオラヌトイフ見解デアアル。從ツテ兩國ガ関稅、租稅、賦課金、手数料、運賃等ニ關シテ支那ニ於テ同一ノ取扱ヲ享ケ更ニソレ以上

ニ何カ特別ナ輸出入調整爲替管理及ビ商品
並ビニ爲替取引調劑ノタメ他ノ措~~置~~一例ハバ独逸
ト日本ノ爲替相場ノ相異~~ト~~多~~ク~~独逸ノ同一地位ヲ實際上
不可能ニスルガ如キ——ガ講ゼラレル様ナ場合ニハ独
逸ノ權益ヲ少クトスルガ三國ノ權益ニ比シテ優先
的ニ取扱ハレル様最善ヲ冀望スデアラハト。