

CHARGE OUT SLIP

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DATE SEP 25 1946

EVIDENTIARY DOC. NO. 2373

TRIAL BRIEF _____

EXHIBIT NO. 747

BACKGROUND DOC. NO. _____

SIGNATURE W. Col. Sarason

ROOM NO. _____

翻譯ノ寫ノ寫

口頭通牒

「ソヴイエト」政府ニヨツテ提案サレタ日「ソ」不可侵條約ノ問題ニ就テ、昨年十二月十三日外務大臣カラ「ソヴイエト」大使ニ手渡サレタ口頭通牒ニ對スル回答トシテ、一月四日同大使カラ外務大臣ニ手交サレタ通牒ニハ、日本政府ノ見解ヲ誤解セルニ甚ク證據ガ含まレテアリ、又同通牒ニハ兩國間ノ友好關係ノ利益トイフ見地カラシテ好マシカラヌ語句ガ含まレテ居ル。其ノ後行ハレタ外務次官ト大使閣下トノ間ノ會談中テ外務次官ハ、此ノ事實ニ大使ノ注意ヲ促シ、且「ソヴイエト」政府ハコレニ對シテ深甚ナル注意ヲ拂フベキデアルトイフコトヲ勸告シタ。

日本政府ハ此ノ新ナル機會ヲ利用シテ「ソヴイエト」政府ニ此ノ問題ニツキ更ニ考慮センコトヲ申し込ムノ必要ヲ感ズルモノデアル。

一月四日附ノ「ソヴイエト」政府ノ覺書ニハ日本政府ガ此ノ問題ニ關シ主張スル「コ」ノ證據ヲ首尾一貫シテ押シ進メテ行クト必然的ニ不可侵條約ト云フ觀念及ビ「ケログ・ブリアンド」協定中ニ包含サレタ理念ノ完全ナル否定トイフ結果ニ終ラザル

ヲ得ナイデアラウ」トイフコト、並ニ「不可侵條約ノ締結ハ、何等紛議ヲ有シナイ二國間ニ於テノミ適切デアルトイフ意見ヲ日本政府ハ明ラカニ固持シテキル」トイフコトガ述べテアル。カ、ル觀念ヲ反駁スルタメニハ、日本政府ハ次ノヤウナコトガ記サレテイル日本政府ノ、口頭通牒中ニ包含セラレテキル言葉ヲ「ソヴイエト」政府ニ於テ充分検討センコトヲ強硬ニ主張スルノ外ナイノデア

ル。該口頭通牒ニ曰ク「要約スレバ、コノ場合兩政府間ノ交渉ヲ正式ニ始メルコトハ時期尙早ノ様デア

ル」ソシテ「兩國ガ直面シテキル諸問題ノ解決ヲ試ミ且ツ達成スルコトガ寧ろ好マシイデアラウ。前述ノ交渉ニ關シテハ、暫時猶豫シテ、ヨリ好適ナ状態ガ作り出サレル迄ノバシタ方ガ良イデアラウ」ト。

「現存紛議ノ解決ハ、將來ニ於テ新タナル紛議ガ發生スルコトヲ防止スルモノデハナイ。モソソノ國ノ政策ガ侵略ト勢力圍ノ擴張トイフ線ニ沿ツテ俾展シテキル場合特ニサウデアル」トイフ趣旨ノ、「ソヴイエト」覺書中ニ記載サレテキル陳言ハ、日本政府ノコノ上ナイ重大關心ヲ惹イタノデア

日本政府ハ「ソノ國」トイフ言葉ハ日本ヲ暗示ス
ルモノテナイトイフ趣意ノ「ソヴィエト」大使ノ
辨解ヲ容認スルモノデアアル。

ソノ確固不動ノ正義感ノ命ズル所ニ從ツテキル日
本ニ武力侵略ノ意圖ガナイト云フガ如キコトヲ言
フ必要ガアラウカ。實際、我々ハ上述口頭通牒ニ
於テ日本政府ハ本協定ノ締結後起リ得ベキ總テノ
觀點カラ明カナル如ク日本ト「ソヴィエト」聯邦
ハ相互ニオ互ノ主權ヲ誠實ニ尊重シ、且ツオ互ノ
國境ノ如何ナル侵犯モ嚴ニ之ヲ慎ムノ用意アルコ
トハ明白デアアル」旨ヲ主張シテ居ルノデアルト言
フ事ヲ指摘シ得ルノデアアル。

尙「ソヴィエト」政府ハ、日本政府ノ承諾ヲ得ル
前ニ本問題ニ關スル交渉ノ詳細ヲ發表シテシマツ
タトイフコトヲ附言シテオク必要ガアル。外務次
官ガ本件ニ關シ「ソヴィエト」大使ニ説明シタ如
ク、原則トシテ日本政府ハ、「ソヴィエト」政府
ガ之ヲ必要ト認メルナラバ、之ガ發表ニ反對スル
モノデハナカツタガ、シカシ事實ハ、發表ノ時ヤ
方法ニ關シテ、何等兩國政府間ニ一致シタ意見ガ
成立シタワケデモナイノニ、「ソヴィエト」政府
ガ突如トシテ發表ヲ爲シタト云フノデアアル。
「ソヴィエト」政府側ノ國際慣習ニ相反スルコノ

2373-4

ヤリ方ハ、日本政府ニ不意打ヲ喰ハセタモノデ、
日本政府ハ、ドウイフ考ヘテ「ソヴィエト」政府
ガソナコトヲシタノカ了解ニ苦シムコトヲ告白
セザルヲ得ナイノデアル。

一九三三年二月十三日内田外務大臣ノ委任ニ依リ、
歐米局第一課長「スゲシダ」ヨリ、大使宛「ソヴ
イエト」大使館参事館「スピリヴァネヨーク」氏
ニ手交セラル。此ノ寫シハ正確ナリ。

「ソヴィエト」社會主義共和國聯邦

國立中央歴史記録文書保管局長

「マクサコフ」教授 署名

一九四六年五月二十一日

2373-5

書類第二三七三號

證

余、中山登ハ余ガ日本語及ビ露西亞語
ニ精通セル者ナルコト並ニ露西亞語原
文及ビ日本語原文ヲ對照ノ上右ハ本書
類ヲ眞實ニ且正確ニ翻譯セルモノナル
ヲ確證セルコトヲ茲ニ證ス

署名

中山

登

昭和二十一年九月六日

2373-6

證 明 書

余、「ソヴキエツト」社會主義共和國聯邦軍人中
佐タラネンコ・G・I・ハ爰ニ一九三三年二月十
三日内田外務大臣ノ命ニヨリ「スゲシダ」ヨリ全權大
使ニ傳達ノ爲大使館參事官ニ手交セラレタル口頭
通牒ノ翻譯謄本三葉ガ一九四六年六月七日「ソヴ
キエツト」聯邦外務省ニ依リ余ニ傳達セラレタル
モノニシテ、該文書原本ハ「モスコウ」所在、國
立中央記録保管局ニ於テ見出シ得ベキ事ヲ證明ス

官等及署名 中佐 タラネンコ

一九四六年七月二日、日本、東京ニ於テ

*Copy from the copy
of the translation*

~~S.S.R. No. 230-3~~

Verbal Note

~~Verbal note delivered on February 13, 1933 by
Sugesida by the order of Uchida Foreign Ministry
to the Plenipotentiary~~

The note delivered on January 4 to the Foreign minister by the Soviet ambassador in reply to the verbal note of December 13 last year presented by the Foreign Minister to the ambassador on the question of the conclusion of a non-aggression pact between Japan and the USSR, which was proposed by the Soviet Government, contains an argument based on the misinterpretation of the viewpoint of the Japanese Government; besides, it contains expressions hardly desirable in view of the interests of the friendly relations between both countries. In the course of conversation between the Vice-Foreign Minister and His Excellency which took place after that the former brought this fact to the attention of the Ambassador and recommended that the Soviet Government should pay its serious attention to it.

The Japanese government feels it necessary to take the advantage of this new opportunity to propose that the Soviet Government further deliberate this problem.

In the note of the Soviet government dated January 4 it is stated that, "the consistent development of this argument, will inevitably result in the complete negation both of the idea of non-aggression pacts and those contained in the Kellog-Briand pact," and that "the Japanese Government evidently believes that the conclusion of non-aggression agreements is pertinent only between the two states which have no controversies." To refute this idea the Japanese government can only insist upon the Soviet Government's thorough deliberation of the statement contained in the verbal note of the Japanese Government which reads: "To sum up, the formal beginning of the negotiations between the two governments in this case seems to be untimely," and "it will be preferable to try and achieve the solution of various problems facing both nations: as to the negotiations mentioned above, it will be better to wait for a while and take time until the proper conditions are created."

The statement contained in the Soviet note to the effect that "the Solution of now existing disputes does not prevent from breaking out new ones in the future, particularly if the policy of the state develops along the line of aggression and extension of its sphere of influence," attracted most serious attention of the Japanese Government.

The Japanese Government accepts the explanation of the Soviet Ambassador to the effect that the phrase "the country" did not imply Japan. Need it be said that following the dictates of her constant feeling of justice, Japan has no designs of armed aggression. Indeed, we must say that in the above verbal note the Japanese Government maintained that "It is clear both from the basic agreement between the two states and from all that has taken place since the conclusion of same, that Japan and the Soviet Union are mutually ready to scrupulously respect the Sovereign rights of one another and punctually refrain from any violation of each others border."

It is necessary to add that the Soviet Government published the details of the negotiation prior to having received an acquiescence of the Japanese Government. As a matter of principle the Japanese Government had no objections to this being published since the Government of the USSR would consider it necessary to do so, as vice-Foreign Minister made clear to the Soviet Ambassador. But the fact is that the Soviet Government unexpectedly did it though no definite agreement of the opinions of both governments had been effected as to the time and methods of publishing.

This step on the part of the Soviet Government, contradictory to the international custom, took the Japanese Government un-awares and it must confess, that it finds it difficult to understand what considerations made the Soviet Government do so.

Delivered February 13, 1933 by Sugeshida, Director of the First Section of the European-American Department p. proc. Foreign Minister Uchida to Counsellor of the Soviet Embassy Spilvanek to be forwarded to the Ambassador.

The copy is correct: Director of the State Central Record office of the USSR.

Professor Maksakov.

May 21/1946

CERTIFICATE OF TRANSLATION OF THE ABOVE DOCUMENT:

I, Kaplan, B.A., hereby certify that I am thoroughly conversant with the Russian and English languages: and the above is a correct and true translation of the indicated Document

Signature s/ V. Kaplan

C E R T I F I C A T E

I, Lt. Colonel TARANENKO G. I., a member of the military forces of the U. S. S. R., do hereby certify that copy of the translated text of the Verbal note delivered on February 13, 1933 by Sugesda by the order of Uchida Foreign Ministry to the counsellor of the Embassy for delivery to the Plenipotentiary, on 3 sheets was delivered to me by the Foreign Ministry of the U.S.S.R. on or about June 7, 1946, and that the original of the said document may be found in the State Central Record Office in Moscow.

I do further certify _____

(signed) Lt. Col. Taranenko
Signature and rank.)

Tokyo, Japan,

July 2, 1946.

書類第二、三七三號

證

余 平野英雄 ハ余ガ 露西吾 語及ビ

日本 語ニ精通セル者ナルコト並ニ

露語原文及ビ 日本 語原文ヲ對照

ノ上右ハ本書類ヲ眞實ニ且正確ニ翻譯セ
ルモノナルヲ確證セルコトヲ茲ニ證ス

署名 平野英雄 (平野)

INTERNATIONAL PROSECUTION SECTION

Doc. Nos. 2369 to 2373 inclusive

3 July 1946

ANALYSIS OF DOCUMENTARY EVIDENCE

DESCRIPTION OF ATTACHED DOCUMENT

Title and Nature: Official communiques, verbal reports, and diary extracts of high officials revealing progress of Japanese-Russian relations

Date: (see below) Original () Copy (x) Language:

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

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

LOCATION OF ORIGINAL

Document Division

SOURCE OF ORIGINAL: Russian Division

PERSONS IMPLICATED: YOSHISAWA, Kenichi; OSHIMA, Hiroshi; HIROTA, Koki

CRIMES TO WHICH DOCUMENT APPLICABLE: Japanese relations with USSR

SUMMARY OF RELEVANT POINTS

Doc. No. 2369

Excerpts from M. M. LITVINOV's diary recording his talk with YOSHISAWA, Japanese Foreign Minister on 31 Dec 31 re possible Japanese-Russian non-aggression pact.

Doc. No. 2370

Extracts from record of talk between German Foreign Minister RIBBENTROP, and OSHIMA, Japanese Ambassador to Germany in Fuschl on 23 Feb 41. (5 sheets with 20 photostat sheets attached) (German)

Doc. Nos. 2369 to 2373 incl - Page 2 - SUMMARY Cont'd

Doc. No. 2371

Copy of verbal note delivered by UCHIDA to TROYANOVSKY on 13 Dec 32 re mutual respect of border and sovereign rights.

Doc. No. 2372

Note delivered by TROYANOVSKY to UCHIDA on 4 Jan 33 re conclusion of Soviet-Japanese Non-aggression Pact. (Russian)

Doc. No. 2373

Verbal note delivered on 13 Feb 33 by SUGESIDA by order of UCHIDA, of the Foreign Ministry to the Plenipotentiary.

Analyst: 2d Lt Blumhagen

Doc. Nos. 2369 to 2373 incl
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