

Doc. 4076 Evid.

Folder 10

(4)

INTERNATIONAL PROSECUTION SECTION

Doc. No. 4016

29 May 1946

ANALYSIS OF DOCUMENTARY EVIDENCE

DESCRIPTION OF ATTACHED DOCUMENT

Title and Nature: Copy, Prolongation of Anti-Comintern Pact

Date: 25 Nov 41 Original ( ) Copy (x) Language: German, Italian, Japanese

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

LOCATION OF ORIGINAL (also WITNESS if applicable)

IMT (Nurnberg); O.C.C.

SOURCE OF ORIGINAL:

PERSONS IMPLICATED: OSHIMA

CRIMES TO WHICH DOCUMENT APPLICABLE: Conspiracy; relations Jap-Germany; relations with USSR.

SUMMARY OF RELEVANT POINTS (with page references):

1. The document which is signed by the Ministers of Foreign Affairs of the above named countries, contains the minutes of the extension of the Anti-Comintern Pact.
2. In the introduction, Section 3, it is stated that the corresponding interests of the countries involved require further close collaboration against the common enemy.
3. The pact is extended for five years as of Nov. 25, 1941 (Art. 1).

/A.N.: Nurnberg Doc. #3778-PS; cf: Our Docs. #1072, 921 and 1561.

Analyst: C.W.J.Phelps

Doc. No. 4016

4016  
OFFICE OF U. S. CHIEF OF COUNSEL  
FOR THE PROSECUTION OF AXIS CRIMINALITY  
DOCUMENTATION DIVISION

Doc. No. 3778-PS

19 March 1946

*Photostat*

STAFF EVIDENCE ANALYSIS

DESCRIPTION OF ATTACHED DOCUMENT (under following headings):

Title and Nature: Prolongation of the agreement between Germany, Italy, Japan, Mandshukuo, Hungary and Spain against the Communist Internationale (Photostat)

Date: 25 November 1941. Copy X. Language: German. Italian Japanese.

LOCATION OF ORIGINAL (also WITNESS if applicable) as of 19 March 1946:  
OCC Files Nurnberg

SOURCE OF ORIGINAL: - D-8

PERSONS AND ORGANIZATIONS IMPLICATED:

RIBBENTROP

REFERENCES TO INDEX HEADINGS (key to par. nos. of summary below):

TREATIES. TEXTS\*\*\*

NECESSARY PROCESSING TO PUT IN EVIDENTIARY FORM: LEADS:

OSHIMA, SUNER

SUMMARY OF RELEVANT POINTS (with page references):

1. The document which is signed by the Ministers of Foreign Affairs of the above named countries, contains the minutes of the extension of the Anti-Comintern Pact.
2. In the introduction, Section 3, it is stated that the corresponding interests of the countries involved require further close collaboration against the common enemy.
3. The pact is extended for five years as of November 25, 1941 (Art. 1).

SCHONFELD

3778-PS

III. (Photostatic copy in Doc. Rm.) AFFIDAVIT

I, GERARD SCHAEFER, being first duly sworn on oath, depose and say:

1. That I am Chief of the Documentation Division of the Office of the United States Chief of Counsel, Nurnberg, Germany, and as such have possession, custody and control of true and accurate photostatic copies of a certain original captured enemy document. That said photostatic copies have been numbered **3778-PS** by said Documentation Division.

2. That said above referred to original document was captured and obtained by military forces under the command of the Supreme Commander, Allied Expeditionary Forces, from **German Foreign Office Files and Archives.**

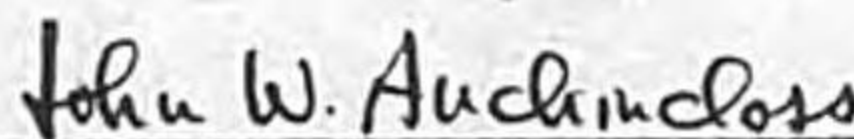
3. That said original captured enemy document after its seizure was retained by the United States Army Document Center at **Marburg, Germany,** and such above mentioned photostatic copies were delivered to, filed, numbered and processed by the Documentation Division of said Office of the United States Chief of Counsel at Nurnberg, Germany, in the manner set forth and described in detail by me in a certain affidavit made by me and dated the 15th of April 1946 captioned, "Affidavit Concerning the Capture, Processing and Preservation of German Documents", and which said affidavit I hereby verify, ratify and affirm and make a part of the herein affidavit by reference.

4. That the document to which this affidavit is attached is a true and correct photostatic copy of said original captured enemy document above referred to.

5. That said above referred to original captured enemy document is, to the best of my knowledge and belief, being held and retained by the United States Army Document Center Sub-Section in charge of captured German foreign office papers and now located in Berlin, Germany, for inspection by various authorized agencies, and that a photostatic copy of said original is hereby furnished and certified to because of the unavailability of said original document for the reasons above set forth.

  
Gerard Schaefer

SUBSCRIBED AND SWORN TO before me this **16th** day of **April** 1946.

  
John W. Auchincloss  
0-2052152  
Capt., JAGD

AFFIDAVIT

I, W. F. 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.

W. F. Cumming  
W. F. CUMMING

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

G. H. Garde  
G. H. GARDE  
Lt. Colonel, AGD  
Acting Adjutant General *OMGWS*