

Exhibit 2646

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From the Diary of Comrade M. M. LITVINOV

COPY:  
/T.N. One Line Erased/  
Page 141RECORD OF A CONVERSATION WITH SHIGEMITSU ON  
31 AUGUST 1938

In the beginning of the conversation I told SHIGEMITSU that I had been expecting the Ambassador to give me an answer on the basic point at issue, but had learned from MIYAKAWA's talk with TSARAPKIN that the Ambassador had been expecting me to call him. In this way a misunderstanding had arisen.

SHIGEMITSU asked whether he might learn the Soviet view regarding the proposals submitted the previous time on the setting-up of a Redemarcation Commission.

I transmitted to SHIGEMITSU in written form "Soviet Amendments to the Japanese Proposals" /See Annex/ remarking at the time that Article 1 might be considered as agreed to: we are introducing into Article 2 a minor amendment, namely: we propose not 10, but 5 persons; I repeat Article 4 in the form that I explained it the previous time and am awaiting the Ambassador's reply; regarding Articles 5 and 6 there are no objections; in Article 7 a minor amendment is entered underlined in pencil; with regard to Article 8 we consider that there can be no common expenses of the commission and propose that "each party assumes the expenses of its own part of the commission"; only an ending is added to Article 9, namely that "in case of appearance in print of reports, thanks to the indiscretion of members of one part of the commission, the other party shall be free to release for publication any declaration whatsoever without agreement within the commission." This addition, I explained, is necessary for the prevention of cases of insertion by correspondents in the newspapers of any communications whatsoever after a meeting of the commission. It may well be that members of the commission will not say anything to the correspondent officially, but in an unofficial way the correspondent may learn /T.N. almost/ anything from a member of the commission. Such cases have occurred in the past, hence for their prevention, we deem it necessary to insert this addition. Article 10 is new and was added so the commission might know for its guidance that it was to complete its labor within two months. I should like to have the Ambassador's agreement to Article 4, since this point is the most important and without agreement on this point all the remaining points will be without significance.

SHIGEMITSU asked how the amendment to Article 7 was to be understood. Did this amendment not constitute a contradiction of what is set forth in Article 7? For example, if there are regulations forbidding the bearing of arms or the exemption from taxes, these regulations may be extended to the members of the commission.



I explained that we were talking about regulations on the spot. For example, on the occasion of the Japanese party crossing to our side, it is not possible to permit it to observe everything it may take a notion to. This will be handled on the spot. Furthermore, both sides will be required to notify each other of boundary crossings. This is just what I mean by "regulations on the spot." Thus this amendment does not contradict the content of Article 7.

SHIGEMITSU said that, speaking more simply, it was a matter of settling these cases by both sides.

I said that that was just what I had in mind.

Regarding Article 8 /common expenditures/ SHIGEMITSU said that by "common expenditures" he had in mind, for example, such a case as when for the setting up of a new boundary marker or stone joint expenses of both sides are necessary.

I said that those were indeed expenses of redemarcation. Such expenses, were, of course, in common. But in the Japanese proposals the joint expenses of the commission are referred to. The commission, however, cannot have joint expenses. It seemed to me that in Article 8 common expenses for the support of the commission were referred to. That is why I objected to it.

Then SHIGEMITSU asked how he should understand the two-month period provided under Article 10. Does this mean two months from the moment of initiating the labors of the commission?

I said that this referred to two months from the moment of beginning the works of the commission.

After that SHIGEMITSU made the following report regarding Article IV:

Last time I told him that as a basis for the labors of the commission there should be taken all the treaties, agreements, and also protocols and maps signed by the representatives of China and Russia. As for other matter, it was as he, SHIGEMITSU, had understood me, other material might be submitted by both sides for examination by the commission. Regarding this, I told him last time that this was a matter of course and that it was not necessary to write it down in the protocol. He had transmitted to his government the point of view of the Soviet Government along with my explanations. Now he had an answer. The answer of the Japanese Government states that it is prepared to meet the Soviet proposal in Article 4. The Japanese Government gives its agreement on this point appreciating my efforts and wishing to ameliorate the mutual relations of the two countries.



In this connection SHIGEMITSU remarked that he was happy to accept my proposal, bearing in mind that both sides could submit to the commission the material which they might possess in order that the work of the commission might be more successful.

I told SHIGEMITSU that, as I had explained to him the last time, we could not settle in advance what sort of material would be studied by the commission, what sort of arguments would be advanced by the commission and what the members of the commission would say. But it was important that the members of the commission should have at their disposal such materials as those enumerated in Article 4.

## REVISED PROSECUTION EXHIBIT 759

SHIGEMITSU stated that the Japanese side had no objection to taking as a basis the treaties concluded by the representatives of China and Russia, but that, in addition, the Japanese side understood that auxiliary material might be submitted to the commission which would examine it with a view to making more successful the work of the commission.

SHIGEMITSU said that on the whole he had no objection to leaving Article 4 in the form in which it was now explained by the Soviet side. As for the auxiliary material he had referred to, he thought there could be no objection to their use.

I stressed: Only as arguments. Whether the commission will accept them or not is a matter for the commission.

SHIGEMITSU repeated that he had no objection to leaving the formula of Article 4 in its present form, but repeated that when speaking of the utilization of auxiliary materials he had in mind what I had told him last time and what had been drawn from the contents of today's conversation. Thus, he, SHIGEMITSU, considered that both sides understood this point in the same way.

To that I replied: "Let us hope that both sides understand it the same."

I immediately told SHIGEMITSU that for greater clarity I could make this point still more precise. The Hunch'un Agreement and other documents signed by representatives of Russia and China must necessarily be examined by the commission. The Japanese-Manchurian side cannot say: We cannot accept such and such a treaty. As for the other documents submitted by one side or other, the other side may say that it cannot accept such and such a document. Herein lies the difference between the nature of the agreements signed by the representatives of Russia and China and other documents. I think I made myself clear and the Ambassador probably understood me.



SHIGEMITSU answered that he understood it thus: The treaties and agreements concluded between Russia and China are made the basis of the work of the commission and other, auxiliary matter is /to be/ considered. Just how it is /to be/ considered is a matter for the commission /to decide/. All this considered, he states that we had no differences.

(The preceding seven paragraphs from Revised Prosecution Exhibit 759)

Passing further to Article 2, SHIGEMITSU said that he, too, did not know how many persons were needed in the commission, 5 or 10, but he believed that the fewer the amendments made in the Japanese proposals the sooner they might be agreed upon. Therefore, particularly with the aim of simplifying the settlement of the question, he requested leaving the number of members of the commission as before. He would like to know what our considerations were when we proposed 5 persons.

I said that in our opinion 5 were enough and if 5 were enough for us, that number should be enough for the other side too.

SHIGEMITSU referred to the statement in Article 2 that there should not be more than 10 members of the commission. In practice this means that there might also be fewer than 10.

Whereupon I pointed out that in our proposal it says that there should not be more than 5 members of the commission.

Then SHIGEMITSU stated that the Japanese-Manchurian side should have double the number of translators, since there are required translators from Manchurian into Japanese and from Japanese into Manchurian;/ representatives of three powers are assembled in the commission.

Whereupon I pointed out that there would be representatives of only two sides gathered in the commission and that obviously it would be necessary to agree that negotiations should be conducted only in two languages, in Russian and Japanese or Manchurian. When the commission meets and decides that 5 members are too few, it may request the governments to increase their figure.

SHIGEMITSU stated that he would be very grateful if the Soviet side would consider his wishes on this point, in view of the fact that it was essentially a minor question and because much time would be required to adjust it with the Japanese Government.

I pointed out that it would be necessary for me too to confer with the government. The figure which I named had been reached by the department concerned. I could only take on my own responsibility an increase of the number of the members of the commission to 6 persons.



SHIGEMITSU said that he would like to leave this question till the end and would now state his own opinion regarding Article 7.

Although he understood from my explanation how it was necessary to interpret the amendment inserted in this article, he considered it perhaps expedient, in order that it not be misunderstood by others, that instead of the words "in each case with the permission of the other country and in keeping with established principles" should be written: "in each case after clearing with the other side."

I stated that the amendment inserted would be formulated also: "in keeping with principles agreed to by both countries."

After receiving this reply, SHIGEMITSU said that perhaps this article might be considered as settled. As far as Article 8 was concerned SHIGEMITSU felt that it was possible to add to it that the two sides would bear the expenses for redemarcation equally.

I answered that in such a case it would be better to formulate Article 8 in the following manner: "The two sides will each bear half of the expenses incident to the technical accomplishment of the redemarcation."

SHIGEMITSU agreed to that addition to Article 8.

SHIGEMITSU continued to object regarding the addition to Article 9, pointing out that the giving out of joint communiques excluded the possibility of one side putting any information into print. In the interest of the speediest agreement on the question as a whole, he asked /us/ not to include such additions. However, he had no objections to both sides interpreting this article as I had explained it to him.

I pointed out to SHIGEMITSU that if this addition were not included in the protocol, then the journalists would not know about it. Knowing about this addition, however, Japanese journalists would be careful. If anything of the work of the commission appeared in the Japanese or Manchurian press, the members of the commission would disclaim /responsibility/, but we would know that the guilty ones were members of the committee from whom the journalists had obtained this or that information.

SHIGEMITSU continued to insist that this addition not be included, stating that insofar as this question would be understood on both sides, there was no need for a special clause, all/more because the inclusion of such an addition in the protocol would be even inconvenient.



I repeated to SHIGEMITSU that the expediency of such an addition was obvious from the fact that if journalists knew about this, they would be restricted and would not be able to write anything.

SHIGEMITSU stated that journalists were already restricted by what had been written concerning joint communiques.

I pointed out that only the members of the commission were restricted and not journalists. However, even from the practice which existed at Geneva, I knew that journalists were unofficially given this or that information which leaked out into print.

SHIGEMITSU stated that he could by no means agree to such an addition being written into the protocol. He fully agreed with what I had told him. The Japanese side itself proposed that the meetings of the commission take place behind closed doors. For this reason there was no need for it to be written in the protocol that both sides foresee a violation of something upon which they were both agreed.

After these explanations of SHIGEMITSU, I said that this question would have to be left open.

Turning to Article 10, SHIGEMITSU asked what would be done if the commission did not finish its work within the two-month period.

I answered that in such a case either the commission would announce that it could not agree and considered its further existence useless or it would ask for an extension of the period of work and the governments of both sides would give approval to this.

Summing up his remarks on the amendments which I had offered, SHIGEMITSU said that Article 10 was a new one. He would have to ask his government concerning this point.

He would like to have the approval of the Soviet Government on his remarks on Article 9.

He had no objection to asking Tokyo about Article 2 also, but he thought that Tokyo would continue to insist on 10 members. For this reason he asked /us/ to meet the Japanese side half way on this question.

I told SHIGEMITSU that I had already met /them/ half way in that I had on my own responsibility agreed to the increase of the number of members to 6. I thought that the government would not go any higher either. Concluding with this, the conversation on the question of redemarcation, SHIGEMITSU said that he would visit me again upon receiving an answer from the Japanese Government.



At this point SHIGEMITSU asked how much time would elapse between the naming of the Soviet members of the commission and the beginning of the work of the commission.

I answered that more than anything else that depended on whether the members would be named here or on the spot. Even if the members were named on the spot, it would be necessary for someone to take documents with him from here, and that generally took two weeks. However, the faster agreement was reached on the commission for redemarcation the faster the naming of the members would take place and, consequently, the beginning of the work of the commission.

Before leaving SHIGEMITSU said that, taking advantage of this opportunity, he would like to ask me to hasten the delivering of the visas for the Japanese naval attache and for the embassy physician.

I said that I knew only about the visa for the naval attache. We were waiting for an answer from our naval authorities.

SHIGEMITSU said that the naval attache had already been waiting for a visa a month and his predecessor had had to go away to another post in the meantime.

I remarked to SHIGEMITSU that Japanese diplomats and military and naval attaches talked a good deal about the politics of other countries. There had been cases in the past when Japanese diplomats and attaches had spoken ill of our own country, and it was not infeasible to remove such people.

SHIGEMITSU stated that the newly appointed Japanese attache never came out with such statements. He had been here before and was a person friendly inclined to the USSR.

I said that we would inform the Embassy when we received an answer.

SUPPLEMENT: Soviet amendments to the Japanese proposals of 21 August 1938.

LITVINOV

Copy of seven sheets made from the original diary recording the conversation of M. M. Litvinov with Shigemitsu of 31 August 1938.

The original diary recording the conversation of M. M. Litvinov with Shigemitsu of 31 August 1938 is preserved in the files of the Central Government Historical Archives of the City of Moscow.

Chief of the Central Government  
Historical Archives of the City of Moscow.

/signature illegible/

(Seal of the Central Government, Historical Archives in Moscow - Ministry of Internal Affairs USSR)

3 December 1946