

Doc 3128 (1) + (2) a-e

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Copy Mr. Tavenner,  
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INTERNATIONAL PROSECUTION SECTION

Doc. No. 3128 - (2) ~~a~~ a-e

Date 26 August 1947

ANALYSIS OF DOCUMENTARY EVIDENCE

DESCRIPTION OF ATTACHED DOCUMENT

Title and Nature: Japanese file of mimeographed Pamphlets  
on Minimum Japanese Demands, Japs - American Negotiations, 1941

(No date but probably  
Date: Nov. 1941) Original ( ) Copy ( ) Language: Japanese

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

LOCATION OF ORIGINAL

IPS Document Division

SOURCE OF ORIGINAL:

PERSONS IMPLICATED:

Japanese Foreign Ministry  
TOJO, Hideki; KASE, ToshiKazu  
(= Shunichi); TOBO, Shigenori

CRIMES OR PHASE TO WHICH DOCUMENT APPLICABLE:

Relations with U.S. - Japanese - American negotiations ~~1941~~

SUMMARY OF RELEVANT POINTS

Following documents are included, ~~and~~ some of which  
have been analyzed, in which case appropriate notation is  
given.

3128 - (2) a : American Proposal for  
15 Nov. 1941 The Joint Declaration on Economic  
Policy

3128 - (2) b : (Japanese translation of above)

( See book, Foreign  
Relations, Japan  
1931-1941, Vol. II )  
pp 736 - 737 )

Analyst:

E. T. Garden

WAG

Doc. No. 3128 (2) a-e

(Cont on next page)

3128-(2) C:  
~~NO. 10-(1)~~  
(30 Oct-1941)

NO. 10-(1), "Do there Any Hope of Carrying through, in the Shortest Possible Period, Our minimum Demands, as decided at the Cabinet Meeting in the Imperial Presence 7 6 Sept., by Continuing the JAP-AMERICAN negotiations?"

(previously analyzed.  
See I PS Doc. 3109)

3128-(2) d.  
~~NO. 10-(2)~~  
~~(See Summary)~~  
undated

NO. 10-(2) - "To what Degree Can we Alleviate Our minimum Demands?"

(see also I PS Doc. 3210)

Summary: The scope of JAPAN's eleventh-hour concessions on the following points are indicated:

1. ~~Withdrawal~~ and stationing of Jap. troops in CHINA, ~~alternation is advised~~

"... Those stationed in specified areas in NORTH CHINA and INNER MONGOLIA, and in HAINAN Island shall remain posted therein for a required period, after the conclusion of the SINO-JAP. Peace Treaty, but the remainder of the said troops shall begin evacuation with the conclusion of peace, according to the agreement to be concluded between JAPAN and CHINA, and the evacuation shall be completed within 2 years."

(Note) "In case AMERICA inquires about 'a required period', the answer is to be that about 25 years is the intention."

## 2. Withdrawal and stationing of JAP. troops in F.I.C.

"In view of AMERICAN suspicion about JAPAN'S territorial ambition, Japanese contention shall be alleviated to the following degree:

"The Japanese government respects the territory & sovereignty of F.I.C. JAP. troops stationed at present in F.I.C. shall immediately be withdrawn in case the CHINA Incident is settled on fair peace is established in the FAR EAST."

## Non-discrimination

3. ~~Discriminatory treatment~~ in CHINA trade

....." In case no settlement can be expected on our ~~part~~ <sup>proposal</sup> of 25 Sept., we are to meet the situation with the following proposal:

"The Jap. government, in case the principle of non-discrimination is applied to the whole world, admits the application of the said principle to the whole PACIFIC area, consequently to CHINA."

## 4. Interpretation and Implementation of the Tri-Partite Pact

"As far as this matter, we will further make it clear that we have no intention of extending the interpretation of the right of self-defense, and will ~~continue~~ <sup>counter</sup> the AMERICAN contention with the assertion that, regarding... the TRI-PARTITE PACT, JAP. government will act, as has often been explained

before, on its own decision, and that JAP. government considers AMERICAN understanding has already been obtained on this point."

5. The so-called 4 Principles, as propounded by AMERICA "..... Their inclusion in the agreed items to be concluded between JAPAN and AMERICA (whether the ~~items~~ document /items/ in question is an understanding or one of the other announcements) shall be avoided to the utmost."

3128 - (2) e : NO. 10 - (3) - "In case the AMERICAN Memorandum of 2 Oct. is accepted in toto, how will the status of JAPAN, with regard to the world and especially with regard to CHINA, change, compared with JAPAN's status prior to the Incident?"

(previously analyzed. See IPS DOC. NO. 3111)

A.N. NOTE: The following information is found on the envelope and paper pasted to envelope containing the above documents:

In envelope: "10 - (3) - 20 copies" (May refer to 10 - (3) alone; see IPS 3111).

In paper pasted to envelope: (In blue pencil) - "added to the last part of the judgment by the minister himself. (signed) KASE"

(In red pencil): "not distributed yet"

(In black pencil): "must be revised" / is crossed out

Analyst: E.T. Gardner

Doc No. 3128-(2) a-e

Delivered to  
Vault 29 Aug

3128 - (2) a-e

3121 - (1)

3112 - (1) to 3112 - (4)

D

- 3128-(2) c: No 10-(1). "Is There any Hope of Carrying Through, in the Shortest Possible Period, Our Minimum Demands, As Decided At The Cabinet Meeting in the Imperial Presence, 6 Sept., by Continuing the JAP-AMERICAN Negotiations?" (Previously analyzed See IPS Dec. 3109)
- 3128-(2) d No. 10-(2) - "To What Degree Can We Alleviate Our Minimum Demands?" (See also IPS Dec. 3110)

Summary: The scope of JAPAN's eleventh-hour concessions on the following points are indicated:

1. Withdrawal and stationing of Japanese troops in CHINA.  
" . . . . These stationed in specified areas in NORTH CHINA and INNER MONGOLIA, and in HAINAN Island shall remain posted therein for a required period, after the conclusion of the SINO-JAPANESE Peace Treaty, but the remainder of the said troops shall begin evacuation with the conclusion of peace, according to the agreement to be concluded between JAPAN and CHINA, and the evacuation shall be completed within 2 years."  
(NOTE) "In case AMERICA inquires about 'a required period,' the answer is to be that about 25 years is the intention."
2. Withdrawal and stationing of JAPANESE troops in F.I.C. - "In view of AMERICAN suspicion about JAPAN's territorial ambition, Japanese contention shall be alleviated to the following degree:  
"The Japanese Government respects the territory and sovereignty of F.I.C. Japanese troops stationed at present in F.I.C. shall immediately be withdrawn in case the CHINA Incident is settled or fair peace is established in the FAR EAST."
3. Non-discrimination in CHINA trade  
" . . . . "In case no settlement can be expected on our proposal of 25 Sept., we are to meet the situation with the following proposal:  
"The Japanese Government, in case the principle of non-discrimination is applied to the whole world, admits the application of the said principle to the whole PACIFIC area, consequently to CHINA."
4. Interpretation and Implementation of the Tri-Partite Pact  
"As for this matter, we will further make it clear that we have no intention of extending the interpretation of the right of self-defense, and will counter the AMERICAN contention with the assertion that, regarding . . . . the



3128

H. ITOH

3128-(2)  
a-e

PAGE 1  
JAPANESE FILE NO. 28-2  
PERIOD COVERED 15 Nov. 1941

DATE	TEL. NO.	TITLE (If Note or Memo)	FROM	TO	IPS NO.
1-a 15 Nov. 1941		American proposal for the joint declaration on economic policy.			
		Do No. 3128-(2)a			
1-b	3128-(2)b	(JAP. translation of the above)			

(See foreign relations Japan Vol. II. 144-4)

3128-(2)c

2.  
4 copies of the same document.  
No date.

No. 10-(1), Is there any hope of carrying through, in the shortest possible period, our minimum demands, as decided on at the Cabinet Meeting in the Imperial Presence as of 6 Sept., by continuing the JAP.-AMERICAN negotiations?

(previously analyzed.)

See IPS. Doc. 3109.

~~The answer is "no." There is some suspicion of AMERICA resorting to procrastination to gain time for the completion of military preparations.~~

3128-(2)d

3.  
4 copies of message document.  
No date.

No. 10-(2), To what degree can we alleviate our minimum demands?

The scope of JAPAN'S eleventh-hour concessions on the following points are indicated:

(see notes attached for analysis).

1) Stationing of JAP. troops in CHINA and their withdrawal therefrom.

DATE      TEL. NO.      TITLE (If Note or Memo)      FROM      TO      IPS NO.

- (2) Stationing of JAP. troops in F. I. C. and their withdrawal therefrom.
- (3) Indiscriminate treatment in CHINA trade.
- (4) Interpretation and implementation of the Tri-Partite Pact.
- (5) The so-called 4 principles as propounded by AMERICA.

3128-(2)e - Title: mimeographed Pamphlet

NO. 10.-(3), In case the AMERICAN Memorandum as of 2 Oct. is accepted in toto, how will the status of JAPAN, with regard to the world and especially with regard to CHINA, change, compared with prior to the Incident?

JAPAN'S advantages and disadvantages are enumerated under the following 3 heads:

- 1) Matters relative to CHINA & MANCHUKOU
- 2) Matters relative to F. I. C., THAILAND, N. E. I., & other areas.
- 3) Others.

~~(Previously analyzed; See IPS No. 3107)~~

(Previously analyzed.)

See IPS 1201

No. 3111

~~3128-(2)e~~  
 Copies of the same document.  
 No date.

Undated, but probably Oct. 1941

on envelope: 10 - (3). 20 copies.  
on paper pasted to envelope:  
(In blue pencil):

" added to the last part of  
the judgement by the minister  
himself

(signed) KASE "

(In Red pencil):

" not distributed yet "

(In black pencil):

~~must be revised~~  
(crossed out)

I. P. S. 3128-(2) JAP. Foreign Ministry Doc. No. 10 -(2)

To What Degree Can we Alleviate our Minimum Demands?

Regarding the most important items in the JAP.-AMERICAN negotiations, alleviations to the following degree may be made:

- 1) The issue of JAP. troops stationing in CHINA and their withdrawing therefrom.

In view of AMERICAN objection to stationing of JAP. troops in CHINA for an indefinite period, the following alleviation will be advisable:

" As for the JAP. troops dispatched to CHINA in the SINO-JAP. Incident, those stationed in specified areas in NORTH CHINA and INNER MONGOLIA, and in HAINAN Island shall remain posted therein for a required period after the conclusion of the SINO-JAP. Peace Treaty, but the remainder of the said troops shall begin evacuation with the conclusion of peace, according to the agreement to be concluded separately between JAPAN and CHINA, and the evacuation shall be completed within 2 years.

(Note) In case AMERICA inquires about 'a required period,' the answer is to be that about 25 years is the intention."

(2) Stationing of JAP. troops in F. I. C. and withdrawing them therefrom.

In view of AMERICAN suspicion about JAPAN'S territorial ambition, Japanese contention shall be alleviated to the following degree:

"The JAP. government respects the territory & sovereignty of F. I. C. JAP. troops stationed at present in F. I. C. shall immediately be withdrawn in case the CHINA Incident is settled on fair peace is established in the FAR EAST."

(3) The issue of indiscriminate treatment in CHINA trade.

"As for this matter, in case no settlement can be expected on our proposal as of 25 Sept., submitted already, we are to meet the situation with the following proposal;

"The JAP. government, in case the principle of non-discrimination is applied to the whole world, admits the application of the said principle to

the whole Pacific area, consequently to CHINA."

(4) The issue of interpretation and implementation of the Tri-Partite Pact.

" As for this matter, we will further make it clear that we have no intention to extend the interpretation of the right of self-defense, and <sup>will</sup> counter the AMERICAN contention with the assertion that, regarding the interpretation and implementation of the Tri-Partite Pact, JAP. government will act, as has often been explained before, on its own decision, and that JAP. government considers AMERICAN understanding has already been obtained on this point. "

(5) " As for the so-called 4 Principles as propounded by AMERICA, their inclusion in the agreed items <sup>to be</sup> concluded between JAPAN and AMERICA

(whether the document in question is an understanding or one of other announcements) shall be avoided to the utmost.

3128-(1) - This Index takes the place of  
the Original.

Please file this Index with  
3128-(2) since this file does not contain  
anything original. It has been returned  
to the Foreign Ministry and may be obtained  
on demand.

WHW  
5 Sept 47

(original doc. returned 3178-(1))

~~Short analysis~~  
~~just saying items such as~~  
~~from April to Dec 1941~~

to Foreign Ministry

PAGE \_\_\_\_\_  
JAPANESE FILE NO. 28-1  
PERIOD COVERED 16 Apr - 17 July

DATE TEL. NO. TITLE (If Note or Memo) FROM TO IFS NO.

- ① 16 Apr. 1941 American draft for joint declaration regarding the resumption of JAPANESE-AMERICAN friendly relations. (English) Index with document.

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- ② 17 May Oral statement of JAP. Foreign Minister re above (English)

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- ③ 11 May Japanese draft on the same subject as ① (English)

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- ④ 21 June American draft on the same subject as ③ (English)

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- ⑤ 21 June American oral statement. American Secretary of State is dubious of JAPAN's sincerity. (English)

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- ⑥ 16 July AMERICAN reply to the Japanese note of 17 July, indicating AMERICA may resort to measures of self-defence in the face of NAZI provocation. (English)

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- ⑦ 17 July Draft of oral statement, in reply to the above. It shows JAPAN's intention not to pass unnoticed the suggestion of unlimited invocation of right of self-defence. (English)



PAGE 2  
JAPANESE FILE NO. 28-1  
PERIOD COVERED 12 NOV. - 26 NOV.

<u>DATE</u>	<u>TEL. NO.</u>	<u>TITLE (If Note or Memo)</u>	<u>FROM</u>	<u>TO</u>	<u>IPS NO.</u>
(8) 12 NOV.		AMERICAN oral statement (A), asking if the new JAP. Cabinet will pursue the same policy as the preceding one. (English)			
(9) 12 NOV.		AMERICAN oral statement (B), saying that JAPAN'S withdrawal of troops from CHINA will enhance her prestige on the moral basis instead of harming it as is feared by the JAP. government. (English)			
(10) 15 NOV.		AMERICAN proposal, for economic cooperation. (English)			
(11) 16 NOV.		AMERICAN reply, regarding the application of unconditional most-favored-nation clause (English)			
(12A) 26 NOV.		Counter-proposal by AMERICA, for mutual declaration of policy (English)			
(12B) 26 NOV.		Japanese translation of the above			
(13) 26 NOV.		Oral statement of AMERICA, saying that <sup>an</sup> AMERICAN proposal is presented in order to bridge the gap between AMERICAN draft of June 21, 1941, and JAP. draft of Sept. 25. (English)			

<u>DATE</u>	<u>TEL. NO.</u>	<u>TITLE (If Note or Memo)</u>	<u>FROM</u>	<u>TO</u>	<u>IPS NO.</u>
(14) 2 Dec.		AMERICAN memorandum, protesting against continuing JAPANESE troop movements to southern INDO-CHINA. (English)			
(15) (16)		} Documents marked (15) and (16) are not found in the envelope.			
(17A) no date		JAPANESE memorandum, in which JAPAN accuses AMERICA of scheming for the extension of the War. (English)			
(17B) (17C)		} Japanese translation of the above.			
(18A) (18B)	8 Dec.	} Summary of the JAP. - AMERICAN negotiations, in which the development of the negotiations is summed up from the JAP. point of view.			
unnumbered,	6 Dec.	President's ROOSEVELT's personal letter to the Emperor			
unnumbered,	undated,	Annex and Supplement on the part of JAP. government, and on the part of the AMERICAN government, in which both governments' contentions with regard to the Pacific area are set forth.			

INTERNATIONAL PROSECUTION SECTION

Doc. No. 3128-(2) a-c

Date 26 August 1947

ANALYSIS OF DOCUMENTARY EVIDENCE

DESCRIPTION OF ATTACHED DOCUMENT

Title and Nature: Japanese file of mimeographed Pamphlets on  
Minimum Japanese Demands, Jap-American Negotiations, 1941

Date: (No date but probably Nov. 1941) Original ( ) Copy ( ) Language: Japanese

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

LOCATION OF ORIGINAL

IPS Document Division

SOURCE OF ORIGINAL:

Japanese Foreign Ministry

PERSONS Implicated:

TOJO, Hideki; KASE, Teshikazu; TOGO, Shigemori  
(or Shunichi)

CRIMES OR PHASE TO WHICH DOCUMENT APPLICABLE:

Relations with U. S. - Japanese-American negotiations

SUMMARY OF RELEVANT POINTS

Following documents are included, some of which have been analyzed,  
in which case appropriate notation is given.

3128-(2) a: American Proposal for the Joint  
15 Nov. 1941 Declaration on Economic Policy

(See book, Foreign  
Relations, Japan  
1931-1941, Vol. II)  
(pp. 736-737)

3128-(2) b: (Japanese translation of above)

Analyst:  
E. T. Garden

Doc. No. 3128-(2) a-c

TRI-PARTITE PACT, JAPANESE Government will act, as has often been explained before, on its own decision, and that JAPANESE Government considers AMERICAN understanding has already been obtained on this point."

5. The so-called 4 Principles, as propounded by AMERICA

" . . . . Their inclusion in the agreed items to be concluded between JAPAN and AMERICA (whether the document /items/ in question is an understanding or one of the other announcements) shall be avoided to the utmost."

3128-(2) a:  
Undated

No 10-(3) - "In case the AMERICAN memorandum of 2 Oct. is accepted in toto, how will the status of JAPAN, with regard to the world and especially with regard to CHINA, change, compared with /Japan's/ status prior to the Incident?"

(Previously analyzed  
See IPS Dec. No. 3111)

/A.M./! The following information is found on the envelope and paper pasted to envelope containing the above documents:

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(In black pencil): "Must be revised" /is crossed out/

Doc. No. 3128-12  
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IPS 3128-1(2)a-e

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Foreign Office memo

July 1951