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HIRANUMA WAS J. PRIME MIN.
FROM 5/JAN. 1939 TO 30 AUG. 39

DOC. NO. 4043 B & D

Page 1

Telegram (Secret Cipher Process)

Tokyo, 4 May 1939
Arrival: 4 May 1939

2200 hours
2200 hours

No. 184 of 4 May

Most urgent

Top Secret:

For the Reich /Foreign/ Minister personally.

The Foreign Minister called me and communicated the following: The negotiations taking place in Berlin and Rome on the Anti-Comintern Pact came to a deadlock 10 days ago. To continue them, Prime Minister MIRANUMA directed a statement to the Fuehrer and German Chancellor, which the Foreign Minister read and herewith handed over to me for further transmission. I accepted the statement, compiled in Japanese and French text, with the reference that I would communicate them by telegraph to the German Foreign Minister, and I refrained from giving any opinion. The same statement was previously communicated and just delivered to the Italian Ambassador for MUSSOLINI.

Text in translation:

"I cherish great admiration for the lofty wisdom and the iron will with which His Excellency, Chancellor of the German Government, HITLER, is working at the noble task of the reconstruction of his country and at the establishment of an international peace founded upon principles of justice.

"I, for my part, as Japanese Prime Minister, am likewise occupied with the strengthening of peace and with the maintenance of a New Order in East Asia founded on the principles of justice and morality.

"In this splendid hour it is a confirmed joy to me how effective the Anti-Comintern Agreement between our two countries proves itself in the execution of the tasks placed before them. And today if I have in view the conclusion of an agreement, to strengthen the Anti-Comintern Pact and to make closer the co-operation between Japan, Germany and Italy, this does not occur just out of a consideration of the more expediency/Zweckmassigkeit/ of it, but in the hope that in that way we may contribute to the consolidation of a world peace founded upon justice and morality in consciousness of our common tasks now. As far as the strengthening of our relations is concerned, I can affirm that Japan is firmly and steadfastly resolved to stand at the side of Germany and Italy even if one of those two powers were attacked by one or several powers without the participation of the Soviet Union and to afford them political and economic aid, to the extent possible to her power, military assistance.

"In spite of this Japan is ready, in accordance with the provisions of such an agreement to take up the military support of Germany and Italy; however, Japan is, in view of the situation in which it now finds itself, neither presently nor in the near future able to extend to them in a practical manner any effective military aid. However, it goes without saying that Japan would gladly grant this support if it should become possible through a change in the circumstances.

"I should especially like to receive Germany's and Italy's express consent to the foregoing point.

"Furthermore, in consequence of the international situation which confronts it, Japan would be compelled to exercise the greatest caution in regard to the explication which it would give at the time of the publication of this agreement. I would be glad to receive the unequivocal assent of Germany and Italy on this point also.

"I may add that the planned agreement rests upon the foundation of mutual confidence, and that to doubt the sincerity of my country in the slightest would be tantamount to destroying the real basis of the agreement and would make its execution impossible.

"The thoughts which I have just portrayed arise from reflections of a moral and spiritual nature and can not be influenced by reasons of expediency /Zweckmassigkeit/. If I undertook to express them with all frankness, it was because I was guided exclusively by the sincere desire to bring out endeavors to a satisfactory conclusion.

"4 May 1939

(without signature)

Close of the statement.

I hear from army circles that the Prime Minister took this surprising course to personally counteract any doubts that may have risen in Berlin and Rome concerning the situation and readiness of Japan and to arrive at a compromise as far as possible.

The Foreign Minister when he handed over the statement was visibly in a bad mood. Will try to clarify unobtrusively the Army's interpretation.

OTT

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.)

5148
538

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2200 hours
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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.)

Telegram (Secret Cipher Process)

Tokyo, 6 May 1939
Arrived, 6 May 1939

1400
1415

No. 187 of 6 May

MOST URGENT
VERY SECRET!

Top Secret -- For State Secretary

Annex to telegram of fourth, No. 184.

Declarations of various General Staff officers, among them that of my former confidant who is working in direct accordance with instructions from the War Minister, as well as a talk of the War Vice Minister with the Italian Military Attache, reveal the following viewpoint of the army, which I consider official.

The Prime Minister has obtained a compromise, which the army indicates as the highest possible offer under present conditions, in the conflict of the five-minister conference (War Minister and Finance Minister against the Foreign Minister and Navy Minister).

Concerning the main points of the declaration, the army explained:

1). Regarding obligatory aid, the army had further proposed to lay down more clearly the "change in circumstances" which would later make effective aid possible, and to declare in short that the neutrality of Japan would not in any way enter into the question. The army attributed the present wording to the Foreign Minister. The War Vice Minister declared that the treaty bound Japan definitely to the Axis Powers. We must, however, understand that Japan was isolated in the Far East and was in a considerably worse position than the Axis bloc in Europe which could cooperate directly. In case of war, however, independent of the outbreak and extent of Japanese acts of war, just the plain fact of the treaty would exert effective pressure on the enemy.

2). Re the "Explanation," the army emphasizes that the present proposal was more elastic, contained no specific formulation, and left open negotiations for which there were supposed to be favorable prospects, according to OSHIMA's telegram received yesterday.

3). Explanations concerning "Sincerity of my Country" were indicated as a particularly important personal word of honor of the Prime Minister, after I had referred to the wording which could be easily misunderstood.

The whole statement had been delivered to the Emperor by the Foreign Minister, which fact also follows from the indications made in the

press. In case an agreement is not reached, the army expects a resignation of the cabinet, which would be quite undesirable at the present time for foreign and domestic reasons.

Declarations from navy circles not yet obtainable. Main opposition of the navy comes evidently from Navy Vice Minister YAMAMOTO.

From the Foreign Ministry a senior official, who stands especially close to Ambassador SHIRATORI, let me know personally that in the entire government a deep cleft between friends and enemies of the alliance had formed. The situation was very serious and complicated. By his personal initiative, the Prime Minister had achieved a declaration of compromise which accepts the principle of an unlimited alliance, limiting this, however, by two significant reservations. This attitude of Japan must, it is true, astonish the Axis Powers, who are accustomed to unequivocal decisions, but it arises necessarily from the lack of unified leadership. Should negotiations collapse, cabinet crisis is threatening with serious consequences.

General impression is that most active preliminaries of the treaty idea stress extraordinary difficulties and (one word apparently lacking) urgently hopes that HIRANUMA's declaration would offer the opportunity for the final conclusion of the treaty.

OTT

/135921-135922/

AFFIDAVIT

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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.)

Memorandum about the conference between the
General Field Marshal Goering and the Duce
in presence of Count Ciano in Rome on 16
April 1931.

1939

* * * The Duce declared that a rapprochement between the Axis powers and Russia naturally depended on Japan's attitude. If Japan had no objections, this rapprochement could be accomplished with relative ease, as Count CIANO had already said. . .

* * *

Referring to the political situation, the Duce declared in addition that he considered a general war unavoidable. He only asked himself when the most favorable moment for it as far as the Axis powers were concerned would have arrived and who would seize the initiative in such a conflict.

Marshal GOERING was of the opinion that the Axis powers should still wait a bit until their armaments compared more favorably with those of the democracies. The Duce, once again and in a more precise form, asked about the most favorable moment for such a conflict. Upon which Marshal GOERING pointed out that the armaments ratio between Germany and England, particularly in the naval field, would be considerably more favorable in 1942-43, that France's arming was hampered by a shortage of men, so that France's preparations already today were all directed on the defensive side.

The Duce next asked, 'What are we to do until this favorable moment for a general conflict?' Marshal GOERING answered that the Axis powers must arm themselves to the utmost and maintain even now a state of mobilization. This was already the case in Germany. He (Marshal GOERING) based all his measures on the supposition that mobilization was already under way, even if it hadn't been publicly announced yet. There were only three limitations on German arming, production capacity, stock of raw materials, and the number of available workers. Germany would under no circumstances abandon (for financial reasons) any armament measure considered essential by him.

The Duce confirmed that the same was true for Italy and summed up his impression of the discussion to the effect that the Axis powers still needed two or three years to be well armed for a general conflict and to be able to enter with prospects of victory.

* * *

General Situation: Germany and Italy will not let themselves be provoked into a conflict but will wait for what they consider the opportune moment. They will further strengthen their armaments and with a view to later joint ventures will enter into talks on the synchronization of self-sufficiency as well as the cooperation of air and naval forces. In the meantime they will continue more vigorously than ever the "war in the press," but will not undertake anything bigger. (When the Marshal said in this

connection that Germany had recently acquired a whole series of territories and only needed peace to digest them, the Duce agreed most emphatically.)
'To speak of peace and to prepare for war, that is to say, for victory'
shall be the motto for the behavior of both countries.

On the wish of the Duce the above summation was read out loud once more by me in French and met with the approval of those taking part in the talk.

At the close the Duce remarked that both countries would maintain a lucid attitude and untroubled nerves and with a superior smile would dispose of all foolish attempts to discover disunity among the Axis powers.

Berlin, 18 April 1931.

1939

I, Paul O. Schmidt, being first duly sworn on oath, depose and say:

1. That from 1923 to the collapse of the German Reich in May 1945, I was Chief Interpreter for the German Foreign Office, and as such was personally present and acted as interpreter and/or secretary at all important Foreign Office and other conferences between German Government leaders and representatives of foreign governments.

2. That in addition to being Chief Interpreter for the German Foreign Office as aforesaid, I was also after the year 1939 the Head of the Secretariat General of the German Foreign Office and that my latest government rank was that of a Minister in the German Foreign Office.

3. That while acting as interpreter and/or secretary at such meetings above referred to, it was my official duty to (and I did) take notes concerning the conversations that took place, and at the conclusion of each such meeting, I prepared from such notes a complete and detailed record of what was said and transpired at such meetings.

4. That the records prepared by me became the official German Government records of what was said and transpired at such meetings. That one copy of the record was filed with the Ministers Office Section of the German Foreign Office, which office acted in the capacity of secretary to said Foreign Office. That another copy of the record of each of such meetings was filed with the Private Secretariat of the German Foreign Minister. That a third copy of the record of each of such meetings was retained by me.

5. That said meetings, concerning which I made a record as aforesaid, were of historical importance and that such records were also prepared by me for the express purpose of maintaining and preserving a record of such meetings for historical purposes.

6. That the document attached hereto is a true and correct photostatic copy of the original record, prepared personally by me in the manner herein set forth and concerning a conference held on April 16th 1939 in Rome between General Field Marshal Goering and the Duce in the presence of Count Ciano.

7. That I personally attended and acted as interpreter and/or secretary at the conference last above mentioned and that the record prepared by me, and of which the attached document is a photostatic copy, is a true and accurate account of what was said and transpired at said conference.

8. That I have been advised and am aware of the fact that the herein affidavit and the document attached hereto may be used in connection with the prosecution of Japanese War Criminals and make this affidavit freely and voluntarily and with knowledge of the above facts.

/s/ Dr. Paul O. Schmidt
PAUL O. SCHMIDT

Subscribed and sworn to before me at Nurnberg, Germany, this
third day of May 1946.

/s/ Smith W. Brookhart Jr. Lt. Col. IGD
SMITH W. BROOKHART, JR.,
LT. COLONEL, IGD
O-508524

AFFIDAVIT

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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.

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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

11/25/1936

5-50

C E R T I F I C A T E

W.D.C. No. _____

I.P.S. No. 885

Statement of Source and Authenticity

I, HAYASHI Kaoru hereby certify that I am officially connected with the Japanese Government in the following capacity: Chief of Archives
Section, Japanese Foreign Office
and that as such official I have custody of the document hereto attached consisting of _____ pages, dated _____, 19____, and described as follows: Pact of 24 February 1939 between Japan, Germany, Italy and Manchukuo

I further certify that the attached record and document is an official document of the Japanese Government, and that it is part of the official archives and files of the following named ministry or department (specifying also the file number or citation, if any, or any other official designation of the regular location of the document in the archives or files):

Signed at Tokyo on this 22nd day of August, 1946.

/s/ K. Hayashi
Signature of Official

SEAL

Witness: Nagaharu Odo

Official Capacity

Statement of Official Procurement

I, Richard H. Larsh, hereby certify that I am associated with the General Headquarters of the Supreme Commander for the Allied Powers, and that the above described document was obtained by me from the above signed official of the Japanese Government in the conduct of my official business.

Signed at Tokyo on this 24 day of Aug, 1946

/s/ Richard H. Larsh
NAME

Witness: Edward P. Monaghan

Investigator IPS
Official Capacity

885

PROTOCOL

THE IMPERIAL JAPANESE GOVERNMENT, THE ITALIAN GOVERNMENT, THE GERMAN GOVERNMENT, on the one side, and THE GOVERNMENT OF MANCHUKUO, on the other side, enter into an agreement through their undersigned plenipotentiaries as follows:

ARTICLE I

Manchukuo joins the Pact against the Communist-Internationale, consisting of the Accord and the Supplementary Protocol of 25 November 1936 and the protocol of 6 November 1937.

ARTICLE II

Methods of bringing about the cooperation of the competent authorities of the participating states, as provided in the above-mentioned Supplementary Protocol, shall be decided in the future by agreement among the authorities concerned.

ARTICLE III

The text of the Accord and of the Supplementary Protocol of 25 November 1936 and also the text of the Protocol of 6 November 1937 are attached as annexes to this Protocol.

This Protocol is written in Japanese, Italian, German and Chinese languages, each of which text shall be considered as authentic. This Protocol shall become effective from the day it is signed.

In witness whereof, the undersigned, duly authorized by their respective governments, have signed this Protocol and affixed their seals thereon.

Drawn up in quadruplicate in Hsinking on the 24th day of February in the 14th year of Showa, or 1939, corresponding to the 24th day of February in the XVIIIth year of the Fascist Era, and the 24th day of February of the 6th year of Kangte.

UEDA KIMICHI	(SEAL)
LINGI CORPESE	(SEAL)
DR. WILHELM WAGNER	(SEAL)
CHANG CHING-HUI	(SEAL)

ACCORD AGAINST THE COMMUNIST-INTERNATIONALE

THE IMPERIAL JAPANESE GOVERNMENT and THE GERMAN GOVERNMENT, recognizing that the aim of the Communist-Internationale (so-called "Comintern") lies in the destruction and oppression of the existing states by all possible means,

firmly believing that to overlook the interference of the Communist-Internationale in the domestic affairs of the various countries would not only endanger the domestic tranquility and their social well-being, but also threaten the general peace of the world, have, in their wish to cooperate with each other in defending themselves against the ravages of communism, entered into the following accord:

ARTICLE I

The High Contracting States promise to keep each other informed of the activities of the Communist-Internationale, to consult each other in regard to necessary defense measures, and to achieve these measures through close cooperation.

ARTICLE II

The High Contracting States shall jointly invite third countries, whose tranquility is threatened by the destructive activities of the Communist-Internationale, to adopt defense measures in accordance with the purport of this Accord or to participate in this Accord.

ARTICLE III

This Accord is written in the Japanese and German languages, both of which shall be considered as authentic.

This Accord shall become effective from the day it is signed and shall remain in force for a period of five years. At a suitable time before the expiration of this Accord the High Contracting States shall reach an agreement in regard to the form of co-operation thereafter.

In witness whereof, the undersigned, duly authorized by their respective governments, have signed this Accord and affixed their seals thereon.

Drawn up in duplicate in Berlin on the 25th of November in the 11th year of Showa, corresponding to the 25th of November 1936.

Viscount Kintomo Mushakoji (Signed and Sealed)
Envoy Extraordinary and Ambassador Plenipotentiary of the Imperial Japanese Government.

Joachim von Ribbentrop (Signed and Sealed)
Envoy Extraordinary and Ambassador Plenipotentiary of the German Government

SUPPLEMENTARY PROTOCOL TO THE ACCORD AGAINST THE COMMUNIST-INTERNATIONALE

In signing today the Accord against the Communist-Internationale, the

undersigned plenipotentiaries have entered into an agreement as follows:

a) The competent authorities of the Two High Contracting States shall closely cooperate with each other in regard to the exchanging of information on the activities of the Communist-Internationale and in regard to measures of enlightenment and defense against the Communist-Internationale.

b) The competent authorities of the Two High Contracting States shall take strict measures, within the scope of the existing laws, against those who at home or abroad, take service, directly or indirectly, under the Communist-Internationale, or assist its destructive activities.

c) In order to facilitate the cooperation mentioned in (a) above between the competent authorities of the Two High Contracting States, a permanent commission shall be established. The commission shall study and discuss further measures necessary to prevent the destructive activities of the Communist-Internationale.

In Berlin, the 25th of November in the 11th year of Showa, corresponding to the 25th of November 1936.

Viscount Kintomo Mushakoji (Signed and Sealed)
Envoy Extraordinary and Ambassador Plenipotentiary of the Imperial
Japanese Government

Joachim von Ribbentrop (Signed and Sealed)
Envoy Extraordinary and Ambassador Plenipotentiary of the German
Government.

PROTOCOL

THE IMPERIAL JAPANESE GOVERNMENT, THE ITALIAN GOVERNMENT, THE GERMAN GOVERNMENT, considering the fact that the Communist-Internationale threatens constantly the civilized world in the Occident and the Orient, disturbing and destroying its peace and order, firmly believing that only close cooperation among all the states who are interested in maintaining peace and order will be able to reduce and remove this peril, considering that Italy, which since the advent of the Fascist Regime has combatted with indomitable determination such peril and has driven out the Communist-Internationale from her territory, has decided to fight against this common enemy with Japan and Germany, which adhere closely to the same will to defend themselves against the Communist-Internationale, have entered into the following agreement in accordance with the provisions of Article II of the Accord against the Communist-Internationale, which was concluded on 25 November 1936 in Berlin between Japan and Germany:

ARTICLE I

Italy shall participate in the Accord and Supplementary Protocol which

were concluded on 25 November 1936 in Berlin between Japan and Germany, the text of which Accord and Supplementary Protocol are attached as appendices to this Protocol.

ARTICLE II

The Three High Contracting States of this Protocol agree that Italy shall be considered as an original Signatory of the Accord and the Supplementary Protocol mentioned in the preceding Article, the signing of this Protocol being equivalent to the signing of the original text of the Accord and of the Supplementary Protocol.

ARTICLE III

This Protocol shall constitute an integral part of the above-mentioned Accord and Supplementary Protocol.

ARTICLE IV

This Protocol is written in Japanese, Italian and German languages, each of which text shall be considered as authentic. This Protocol shall become effective from the day it is signed.

In witness whereof, the undersigned, duly authorized by their respective governments, have signed this Protocol and affixed their seals thereon.

Drawn up in triplicate, in Rome on the 6th of November in the 12th year of Showa, or 1937, corresponding to XVIIIth year of the Fascist Era.

MASAKI HONMA

CIANG

JOACHIM VON RIBBENTROP

3/27/1939

551

Spain

Exhibit 494

PROTOCOL

The Japanese Imperial Government, the Italian Government, the German Government, on the one side, and the Spanish Government, on the other, enter into an agreement through the undersigned plenipotentiaries as follows:

ARTICLE I

Spain will join in the pact against the Communist Internationale consisting of the Accord and the Supplementary Annexed Protocol of November 25, 1936, and the Protocol of November 6, 1937.

/p.2/

ARTICLE II

The form which will facilitate, as provided in the above-mentioned Supplementary Protocol, the cooperation of the competent authorities of the participating states shall be decided by future agreement among the authorities concerned.

ARTICLE III

The texts of the Accord and of the Supplementary Protocol, of November 25, 1936, and also the text of the Protocol of November 6, 1937, are attached as appendices to this Protocol.

This Protocol is drawn up in Japanese, Italian, German and Spanish, each of which text shall be considered as authentic. This Protocol shall take effect from the day it is signed.

In witness whereof, the undersigned, duly authorized by their respective governments, have signed this Protocol and affixed their seals thereon.

Drawn up in quadruplicate in BURGOS on March 27, Showa 14, or 1939, corresponding to March 27 in the 17th year of the Fascist Era, March 27 of the 3rd year of victory of New Spain.

Makoto YANO (Seal)
Viola di CAMPALTO (Seal)
Eberhard von STOHRER (Seal)
JORDAN (Seal)

ACCORD AGAINST THE COMMUNIST INTERNATIONALE

The IMPERIAL JAPANESE GOVERNMENT and the GERMAN GOVERNMENT, Recognizing that the aim of the Communist Internationale (so-called "Comintern") lies in the destruction and oppression of the existing states by all possible means, firmly believing that to overlook the interference of the Communist-Internationale in the domestic affairs of the various countries, would not only endanger the

domestic tranquility and the social well-being, but also threaten the general peace of the world, have, in their wish to cooperate with each other in defending themselves against the Communistic destruction, entered into the following Accord:

ARTICLE I

The High Contracting States promise to keep each other informed of the activities of the Communist Internationale, to consult each other in regard to necessary defense measures, and to achieve the foregoing measure through close cooperation.

ARTICLE II

The High Contracting States shall jointly invite third countries, whose tranquility is threatened by the destructive activities of the Communist Internationale, to adopt defense measures in accordance with the purport of this Accord or to participate in this Accord.

ARTICLE III

This Accord is written in the Japanese and German languages, both of which shall be considered as authentic. This Accord shall become effective from the day it is signed, and shall remain in force for a period of five years. At a suitable time before the expiration of this Accord the High Contracting States shall reach an agreement in regard to the form of cooperation thereafter.

In witness whereof the undersigned, dually authorized by their respective governments, have signed this Accord and affixed their seals thereon.

Drawn up in duplicate in Berlin, on the 25th of November, in the 11th year of Showa, corresponding to the 25th of November, 1936.

Viscount Kintomo MUSHAKOJI (Signed and sealed)
Envoy Extraordinary and Ambassador Plenipotentiary of the Imperial
Japanese Government.

Joachim von RIBBENTROP (Signed and sealed)
Envoy Extraordinary and Ambassador Plenipotentiary of the German
Government.

SUPPLEMENTARY PROTOCOL TO THE ACCORD AGAINST THE COMMUNIST INTERNATIONALE

In signing today the Accord against the Communist-Internationale, the undersigned plenipotentiaries have entered into an agreement as follows:

(a) The competent authorities of the Two High Contracting States shall closely cooperate with each other in regard to the exchanging of information on the activities of the Communist-Internationale, and in regard to measures

of enlightenment and defense against the Communist-Internationale.

(b) The competent authorities of the Two High Contracting States shall take strict measures within the scope of the existing law against those who at home or abroad, take service, directly or indirectly, under the Communist-Internationale, or assist its destructive activities.

(c) In order to facilitate the cooperation mentioned in (a) above between the competent authorities of the Two High Contracting States, a permanent commission shall be established. The commission shall study and discuss further measures necessary to prevent the destructive activities of the Communist-Internationale.

In Berlin, the 25th of November in the 11th year of Showa, corresponding to the 25th of November, 1936.

Viscount Kintomo MUSHAKOJI (signed and sealed)
Envoy Extraordinary and Ambassador Plenipotentiary of the Imperial
Japanese Government

Joachim von Ribbentrop (signed and sealed)
Envoy Extraordinary and Ambassador Plenipotentiary of the German
Government.

PROTOCOL

The IMPERIAL JAPANESE GOVERNMENT, the ITALIAN GOVERNMENT, the GERMAN GOVERNMENT, Considering the fact that the Communist-Internationale constantly threatens the civilized world in the Occident and the Orient, disturbing and destroying its peace and order, firmly believing that only close cooperation among all the states who are interested in maintaining peace and order will be able to reduce and remove this peril, considering that Italy, which since the advent of the Fascist Regime has combatted with indomitable determination such peril and has driven out the Communist-Internationale from her territory, has decided to fight against this common enemy with Japan and Germany which adhere closely to the same will to defend themselves against the Communist-Internationale, have entered into the following agreement in accordance with the provisions of Article II of the Accord against the Communist-Internationale which was concluded on November 25, 1936 in Berlin between Japan and Germany.

ARTICLE I

Italy shall participate in the Accord and Supplementary Protocol which were concluded on 25 November 1936 in Berlin between Japan and Germany, the text of which Accord and Supplementary Protocol are attached as appendices to this Protocol.

ARTICLE II

The Three High Contracting States of this Protocol agree that Italy shall be considered as the original signer of the Accord and the Supplementary Protocol mentioned in the preceding Article, the signing of this Protocol being equivalent to the signing of the original text of the Accord and of the Supplementary Protocol.

ARTICLE III

This Protocol shall constitute an integral part of the above-mentioned Accord and Supplementary Protocol.

ARTICLE IV

This Protocol is written in Japanese, Italian and German languages, each of which text shall be considered as authentic. This Protocol shall become effective from the day it is signed.

In witness whereof, the undermentioned, duly authorized by their respective governments, have signed this Protocol and affixed their seals thereon.

Drawn up in triplicate in Rome, on the 6th of November in the 12th year of Showa, or 1937, corresponding to the 16th year of the Fascist Era.

Masaaki Hotta

Ciano

Joachim von Ribbentrop

C E R T I F I C A T E

W.D.C. No. _____

I.P.S. No. 1452Statement of Source and Authenticity

I, HAYASHI Kaoru, hereby certify that I am officially connected with the Japanese Government in the following capacity: Chief of Archive Section, Japanese Foreign Office, and that as such official I have custody of the document hereto attached consisting of _____ pages, dated _____, 19____ and described as follows: Agreement between Japan, Germany, Italy and Spain providing for the participation of Spain in the Anti-Comintern Pact signed 27 March 1939.

I further certify that the attached record and document is an official document of the Japanese Government, and that it is part of the official archives and files of the following named ministry or department (specifying also the file number or citation, if any, or any other official designation of the regular location of the document in the archives or files): Foreign Ministry.

Signed at Tokyo on this
22nd day of August, 1946

/s/ K. HAYASHI
Signature of Official

SEAL

Witness: /s/ Nagaharu Odo

Official Capacity

Statement of Official Procurement

I, Richard H. Larsh, hereby certify that I am associated with the General Headquarters of the Supreme Commander for the Allied Powers, and that the above described document was obtained by me from the above signed official of the Japanese Government in the conduct of my official business.

Signed at Tokyo on this
24 day of Aug., 1946

/s/ Richard H. Larsh
NAME

Witness: /s/ Edward P. Monaghan

Investigator IPS
Official Capacity

PROTOCOL FOR THE EXTENSION OF THE PERIOD
OF VALIDITY OF THE AGREEMENT AGAINST THE
COMMUNIST INTERNATIONAL.

PROTOCOL

The Government of the German Reich, the Royal Italian Government and the Imperial Japanese Government, and further the Royal Hungarian Government, the Imperial Government of Manchukuo and the Spanish Government, in the cognition that the agreements made by them for the defense against the activities of the Communist International have proven most useful, as well as in the conviction that the common interests of their countries necessitate their further close cooperation against the common enemy, have decided to extend the period of validity of the said agreement and for this purpose have agreed on the following stipulations:

Article 1

The Pact against the Communist International, which follows from the agreement and the appended protocol of 25 November 1936 as well as the protocol of 6 November 1937 and which was joined by Hungary by the protocol of 24 February 1939, by Manchukuo by the protocol of 24 February 1939, and by Spain by the protocol of 27 March 1939, will be extended for five years, effective from 25 November 1941.

Article 2

The countries, which on the invitation of the government of the German Reich, the Royal Italian Government and the Imperial Japanese Government as the original signatories of the pact against the Communist International, consider joining this pact, will transmit in writing their declaration of accession to the Government of the German Reich, which will in turn inform the remaining contracting countries of the receipt of this declaration. The accession becomes effective on the day of the receipt of the declaration of accession by the Government of the German Reich.

Article 3

The submitted protocol is drawn up in the German, Italian, and Japanese languages, wherein each text is considered as the original. The protocol goes into effect on the day it is signed.

The High Contracting Parties will confer on the future form of their cooperation in time before the expiration of the period of five years stipulated in Article 1. As proof of this, the signatories, well and properly authorized by their respective governments, have signed this protocol and affixed their seals to it.

Thus done in six copies in Berlin, on 25 November 1941, in XX year of the Fascist era, that is on the 25th day of the 11th month of the 16th year of the Showa era.

(L.S.) signed VON RIBBENTROP
(L.S.) signed CIANO
(L.S.) signed OSHIMA
(L.S.) signed VON BARDOSSY
(L.S.) signed LIU J. WEN
(L.S.) signed SUNER

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.)

553

OFFICIAL ANNOUNCEMENTS CONCERNING FOREIGN
RELATIONS

Sixteenth Year of Showa (1941)

Board of Information

LXXXVIII. ANNOUNCEMENT OF THE BOARD OF INFORMATION
CONCERNING THE NEW PARTICIPANTS IN THE
ANTI-COMINTERN PACT,

November 25, 1941.

In accordance with the procedure for adherence, newly provided in Article 2 of the Protocol concerning the extension of validity of the Anti-Comintern Pact, which was signed and sealed by the Plenipotentiaries of the six countries, namely, Japan, Germany, Italy, Manchoukuo, Hungary and Spain, at Berlin, on the 25th of November, 1941; seven countries, namely, China, Rumania, Bulgaria, Finland, Slovakia, Croatia and Denmark, have joined the Pact under today's date (November 25).

DIARY OF COUNT CIANO

* * * *

January 7, 1939

Attolico reports on his conversation with Ribbentrop. He was enthusiastic about our decision. However, Attolico went a bit too far in making the economic question and the question of the Alto Adige appear to be conditions of the alliance. While, in reality, the first question interests us greatly, especially for its political effect on public opinion, the second question must be solved quietly without any excessive and useless publicity. It will suffice that the Germans, who, at this time are hungry for men, take the Germans who do not wish to remain on Italian territory south of the Alpine circle. I telegraphed Magistrati to this effect.

Prepared a very modest welcome for Chamberlain's visit. I do not think that the situation warrants much loss of useless words.

I see the Japanese Ambassador who speaks to me of the alliance. He is afraid that the new foreign minister, Arita, will be rather cold toward the idea, but says that the Premier is openly in favor of it. This will not influence the conclusion of the pact but might postpone the date of the signing. Therefore, the Ambassador wishes to be received by the Duce, so that he can send a telegram promptly. The Ambassador is greatly in favor of the alliance which he regards as a weapon to force Great Britain to concede "the many things she owes to us all." Ribbentrop sends me the text of the pact, as well as the text of the secret conversation for the use of the military commissions.

* * * *

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40 29A
24B Eugene
1590 C Eugene

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Telegram (Secret Cipher Process)

Tokyo, 18 February 1939 1410 hours
Arrival: 18 February, 1939 1310 hours

TOP SECRET!

No. 70 of 18 February

For the State Secretary personally.

In annex to telegram of the first, No. 44.

Further news concerning Anti-Comintern Pact gives the following picture:-

Japanese Cabinet is supposed to have finally decided upon an intensification of the pact, in opposition to the Anglo-phile ideas, especially of the court circle. The British Ambassador, greatly agitated, depicted Japanese pact policy to me recently as the wrong road, which would strain relations with England extraordinarily. Likewise, the former Japanese Ambassador to Washington urgently warned the Government in the Diet of alienating the Anglo-Saxon powers and succeeded in bringing about a one-hour review of Anti-Comintern policy which was not published. Other Diet members, on the other hand, repeatedly strengthened the government in its pact policy.

Consul General ITO is to be sent to Europe with the special mission of instructing the opposing chiefs of /diplomatic/ missions / abroad /.

The Polish Ambassador and Reuters Agency are spreading the news here that a military alliance has been concluded, which I privately considered /to be/ fabricated. These rumors preoccupy diplomatic and Japanese circles as well as the international press, especially in connection with the intensification of the situation in Europe. In this connection the younger officers and active circles are expressing the hope for a conflict in Europe which might remove the pressure of the great powers in the Far East.

OTT

/135899/

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.)

DIARY OF COUNT CIANO

* * * *

February 6, 1939

Ribbentrop telephones to tell me that a Frenchman, a certain de Brinon, has been to see him and mentioned the possibility of a diplomatic agreement between Rome and Paris. It seems that he is also informed of Baudoin's trip. Ribbentrop seemed to wish to encourage us to negotiate. I said that we are not taking any actions of this nature. But this is proof that even this most secret mission of Baudoin is known. It becomes increasingly difficult to work with the democracies. Ribbentrop also speaks optimistically of the triple alliance with Japan, as well as of the Yugoslav crisis. He claims that the new Foreign Minister leans toward the Axis.

At the Nuncio's palace, I see Poncet. He makes some allusions to his unproductive sojourn in Rome, but I give him no encouragement and speak of sports and art. The Japanese Ambassador is sceptical about the possibility of an early conclusion of the triple alliance. He believes that the Japanese counter-proposal will be a compromise proposal which he himself advises us not to accept.

I see the Duce at Palazzo Venezia. He claims that the liquidation of Stoyadinovich was a real coup d'etat by the Regent who wished to prevent the establishment of a Fascist dictatorship in Yugoslavia. I present my point of view to the Duce on speeding up the Albanian action. He agrees. We will begin immediately to recall forces and to concentrate aircraft. We will intensify the preparation for local revolution. Time of action: Easter week.

* * * *

March 6, 1939

Yesterday evening, in Casa Colonna, a telephone call from Pietromarchi informing me of the revolt of Cartagena and of the flight of the Red Fleet. He also told me of Franco's request for air and naval support from us to find the eleven ships crossing the Mediterranean, and prevent them from going through the Straits of Sicily should they plan to go to Odessa, as has been reported. I gave the necessary instructions to the Air and Navy Departments and this morning at eight informed the Duce who approved what I

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had done. During the day the fleet was followed; it tried to put in at Algiers, but was denied a permit. Now it seems to be going toward Bizerta.

A large number of candidates for appointment to the National Council of Corporations. The name is changed but not the spirit, nor is the love of the Parliament suppressed in the heart of the Italian people even though they are Fascist. News from Berlin confirms that the Japanese government objects to the signing of the Tripartite Pact. Oshima plans to resign. He says that the Cabinet would fall. And then what? I do not see clearly. It is really possible to involve distant Japan deeply in European political life, a life which is becoming increasingly complicated and uncertain, and which is subject to change, from one moment to the next, by a simple telephone call?

* * * *

March 8, 1939

At the Palazzo Venezia, meeting of the Central Corporative Committee for the standardizing of salaries on the twentieth anniversary of the creation of the Fasci. The Duce is very pleased with the measure and tells me: "With this we will equalize the social differences between the classes. Socialism said: All equal and all rich. Experience has proved that this is impossible. We say: All equal and all rather poor."

I see the Japanese Ambassador. He confirms what Attolico wrote concerning the Japanese reply on the Tripartite Alliance. Many reservations and the intention of regarding the Pact as exclusively anti-Russian; a reply so unsatisfactory as to render very doubtful the possibility of actually concluding this alliance. Oshima and Shiratori have refused to communicate through official channels. They asked Tokyo to accept the Pact of Alliance without reservation, otherwise they will resign and bring about the fall of the Cabinet. A decision will be made within the next few days. Shiratori claims that if it is favorable the signing can take place in Berlin during March, otherwise it will all be postponed till doomsday. The delay and the entire Japanese procedure make me very skeptical of the possibility of an effective collaboration of Fascist and Nazi dynamism with the phlegmatic slowness of the Japanese.

* * * *

TELEGRAM FROM RIBBENTROP DATED 26 APRIL 1939

Copy

Top Secret

Berlin, 26 April 1939

Diplogerma

Telegram in Cipher
(Secret Cipher Process)

Tokyo

No. 136

Most urgent!

Exclusively for the ambassador personally!

Top secret discussions between Berlin, Rome and Tokyo on the conclusion of a defensive alliance have been in progress for some time. They have for special reasons and in accordance with agreements made with the other partners been conducted outside usual diplomatic channels.

In the summer of 1938 General OSHIMA, still military attache at that time, gave the information that the time had come in the opinion of the Japanese army to conclude a general defensive alliance between Germany, Italy and Japan. He gave the contents of the alliance pact as follows:

- 1.) Consultation of the three powers in case one of them should get into political difficulties;
- 2.) Political and economic support in case one of the three powers should be threatened from outside;
- 3.) Granting of help and assistance in case one of the three powers should be attacked without provocation by another power.

At the time of the Munich Conference at the end of September the matter was discussed with MUSSOLINI and Count CIANO. This discussion was resumed during my visit to Rome at the end of October with the result that the Duce declared his fundamental agreement but still made a reservation with regard to fixing the date for the conclusion of the pact. Then the Italian Foreign Minister made know at the beginning of January that the Duce was now ready for the signing.

The text of the pact was worked out by direct consultation between me, OSHIMA and CIANO. Besides the above three points it also contained the obligation that in the event of a war waged in common an armistice and a peace would only be concluded jointly, and the duration of the agreement was set at ten years. The treaty draft was further supplemented by the draft of two secret protocols, which provided for immediate consultation on the execution of the obligation of assistance in the various

cases coming into consideration and in addition special measures for mutual treatment of questions on propaganda and press. Drafts were sent by OSHIMA to Tokyo by special courier where they were made the subject of cabinet deliberations.

At the beginning of March, OSHIMA as well as Ambassador SHIRATORI in Rome received instructions, according to which the Japanese Government agreed, it is true, with the idea of the pact in general, but, wished to limit mutual obligations of assistance only to the case of a war with Russia. Both ambassadors informed me and CIANO only confidentially and personally of this, but, on the other hand, immediately refused Tokyo on their own accord to present such a fundamental change of the German-Italian draft in Berlin and Rome. They once more stood up for the acceptance of the original suggestion and declared that they would have to resign from their posts in the event of a different decision of the Japanese cabinet.

Subsequently at the beginning of April a Japanese draft arrived from Tokyo which fundamentally corresponded to the German and Italian draft but, however, reduced the duration of the agreement to five years. The earlier Japanese wish to limit the obligation of assistance only to the case of Russia was, however, still retained in a weakened form, that the Japanese asked for our express approval to be able to give, after the signing and publication of the pact, a declaration to the English, French and American ambassadors with roughly the following contents: The pact had developed from the Anti-Comintern Pact; the partners had looked upon Russia as being the enemy; England, France and America had no need to feel that they were meant by it. The Tokyo cabinet gave as a reason for the necessity of such a limited interpretation of the pact the fact that Japan, for political and in particular, for economic reasons, was at the moment not yet in a position to come forward openly as the opposer of the three democracies. OSHIMA and SHIRATORI have indicated to Tokyo that this wish of the Japanese Government was also impossible and have informed CIANO and myself again purely confidentially regarding the proceedings. CIANO as well as I left no doubt that the conclusion of an agreement with this interpretation, which is in direct contradiction to the text of the agreement, is quite out of question for us. Further I have, in order to hasten a final clarification, informed OSHIMA and SHIRATORI who was in Berlin on the occasion of the Fuehrer's birthday, that I must, before the Fuehrer's speech on 28 April, know the final positive or negative decision of the Japanese cabinet. Both Ambassadors have wired this to Tokyo.

The above information is meant exclusively for your personal information. I ask you to keep it strictly secret, and for your part, not to allude to this topic in your conversations there until later and, in case you are spoken to by another party about it, not to give any recognition whatsoever of the fact of having been informed of the fact. That applies also to the Italian Ambassador there, who according to information given by CIANO has not been informed up to now. On the other hand I ask you to observe carefully developments there and to keep me continuously informed upon the matter by wire.

RIBBENTROP

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.)

Doc. No. 1382

Page 1

Berlin, 15 May 1939
German Embassy

TOKYO
No. 158

Telegram in Ciphers
(Secret Cipher Process)

Exclusively for the Ambassador personally in answer
to telegram No. 197

The other day I informed Ambassador OSKIMA in agreement
with the Italian Government regarding the German and Italian
viewpoint as follows:

"(1) The German and Italian Governments are willing to
continue political line they had followed up to the present
toward Japan unchanged.

"(2) The two Governments have decided to sign a bi-
lateral pact of alliance during this month because they find
it proper to counter the political activities displayed by
the Western Powers for propaganda purposes with a quick
counter-action.

"(3) Tri-lateral negotiations Berlin-Rome-Tokyo are not
in any way prejudiced by the anticipated German-Italian pact
of alliance. This pact of alliance will definitely prove
from a legal point of view the unshakable firmness of the
Berlin-Rome Axis. The Japanese can only welcome it to see
the internal relationship between their two European partners
cleared of any doubt and to see that any possibility of
internal divergences between these partners is excluded, if
they want a tripartite pact.

"(4) Moreover the fact that the conclusion of the tri-
partite pact is delayed so long is not the fault of the
German or Italian governments. For a long time I have pointed
out to the Japanese that there might be a necessity of a
prior conclusion of a German-Italian pact if the conclusion
of the Tripartite Pact is postponed for a longer period of
time.

"(5) For the Japanese, it is also not a disturbing
element that the German-Italian pact will contain in some
respects closer ties than the present draft of the Tripartite
Pact. It is quite natural that the political and military
cooperation between the two European neighboring countries
which find themselves directly face to face with France and
England is more intensive than the cooperation with the far-

away Japan. If therefore the difference in the two pacts, becomes apparent, it does not mean that Japan is pressed down politically to a lower level of friendship by Germany and Italy. The world public for whom the Axis Berlin-Rome has been a firm concept for a long time will feel that such a difference is a matter of course. Besides, it was Japan which always urged a cautious formulation of the obligations in the Tripartite Pact. Germany and Italy would only welcome it if Japan would participate in the closer connections of the German-Italian Pact. Japan, however, can not demand and has no interest in the fact that Germany and Italy accommodate themselves to the level desired by Japan for the Tripartite Pact as far as their internal relationship is concerned.

"(6) A parallel existence of the German-Italian pact and the Tripartite Pact involves no difficulties in the matter itself or from technical viewpoint. The various provisions of the present Japanese draft for a Tripartite Pact may remain entirely unchanged. It is only necessary to insert at the end an entirely formal article clarifying the relationship between the two pacts from a legal viewpoint. I handed a draft of the respective article to OSHIMA.

"(7) The German-Italian governments have the urgent wish that the Japanese Government reach its final decision quickly so that it would be possible to formulate secretly the Tripartite Pact simultaneously with the signing of the German-Italian Pact. This wish shows again that any thought of a political disregard of their relations to Japan is far from them.

"I request of you to utilize the above viewpoints toward your confidant and if possible also toward the war minister directly and thus to work for a quick and positive decision of the Government here. In doing so I ask you to mention casually and in a fitting manner the following: If the German and Italian governments, as stressed above, are finally determined to keep to their previous policy toward Japan, it is on the other hand, impossible to conceal that the entire previous attitude of the Japanese government is gradually beginning to create a certain skepticism in Rome and Berlin. MUSSOLINI gave expression to anxiety the other day whether the manner in which the matter was dealt with in Tokyo up until now should not be interpreted as meaning that the Japanese Government would in the end not find the strength for a positive decision. Furthermore the Fuehrer declared within the last few days repeatedly in talking to me that the Japanese attitude was becoming less and less comprehensible.

Mussolini

Keller

#

Japan must recognize from her viewpoint that her great political interests conform with those of Germany and Italy and that, therefore, her place was of the side of these two powers.

"Furthermore, I ask you to make it clear to your Japanese partner in conversation that Japan's fear that America might join England and France in the case of war is by no means an argument against the conclusion of the Tripartite Pact, since this pact will be the best means to keep America out of the war. On the other hand it must be clear to Japan that the consolidation of her position in East Asia and particularly in China depends first on the superiority of the Axis powers over the Western powers. If this superiority did not exist Japan would soon feel the consequences. It is, therefore, without a doubt completely in Japan's interest to strengthen this superiority by participating and not allowing the impression to rise among the Western powers as if they could count on Japanese neutrality in case of a conflict with Germany or Italy. Text of the draft of the pact and the appertaining papers will be telegraphed to you for your personal information †specially.

(Foreign Minister of the German Reich.)

C E R T I F I C A T E

I, E. E. DANLY, hereby certify:

1. That I am Chief of the Document Division of the International Prosecution Section, G.H.Q., S.C.A.P., and as such have possession, custody and control of original or copies of captured enemy documents obtained by the said Section.

2. That the attached document was delivered to me by the United States War Department as being a print of a microfilm in the files of the Department of State, which was made of a German document captured by American military forces in Europe, and such document has been continuously in my custody since such delivery.

E. E. DANLY

Doc. No. 1381

Telegram (Secret Cipher Process)
Tokyo, 25 August 1939, 8:40 o'clock
Arrival: 25 August 1939, 2130 o'clock

No. 363 of 25 August - Urgent!

In Answer to Tel. No. 260* of 22 August
*Pol. VIII 1377

For the State Secretary
Secret

Today I visited the Foreign Minister, after the Japanese press and public opinion had been severely shaken by the text of the Non-Aggression Pact. Explained the German desire to further preserve friendly relations with Japan, and the reasons and advantages of the German action, according to guidance given in Telegram No. 260. The Foreign Minister followed with particular attention my explanation of eventual German influence on the stabilizing of Russo-Japanese relations, reserved /his/ taking of an attitude for a later discussion.

He handed me copies of the following instructions he had today sent to OSKILL:

1) To inform the German government that the Japanese government had interpreted the conclusion of the Non-Aggression Pact as finally terminating the present negotiations between Japan and Germany for a Tripartite Pact with Italy;

2) The Japanese government declares that the German act of making a non-aggression pact with Russia constitutes a serious violation of the secret agreement attached to the Anti-Comintern Pact between Japan and Germany. Therefore she files a solemn protest with the German government.

The Foreign Minister added, that Japan had been forced to make the enclosed declaration, but that she was willing to continue friendship for Germany and was seeking a suitable way.

OTT

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E. E. DANLY

Item 44

Berlin, 18 September 1939

St. S. No. 734

The Japanese Ambassador today had me inform him in detail about the situation, talked about USHI, Take's visit, congratulated us on the progress of the Polish campaign, etc. Finally slightly bashful he came out with the enclosed paper, which is dated 26 August, and regarding which he said the following:

As everybody knows, I dissuaded OSHIMA at the end of August from the idea of making the sharp protest with which he had been ordered by the Japanese Government, in regard to the inconsistency of the German-Russian Non-Aggression Pact with the secret treaty between Germany and Japan. He followed my advice out of consideration for the German Government in the critical phase of that time. But it had not been possible for him to act directly contrary to his Government. Therefore, he merely telegraphed to his government, saying he had followed its order. But in fact he - OSHIMA - had postponed the fulfillment of the demarche till now. He had waited until the end of the Polish campaign, and he believed the step would be not so grave any more now, especially after he had arbitrarily deprived the order from Tokyo of its severity. So he asked /me/ to take note of the enclosed memorandum.

I read the memorandum which is indeed no longer very important, but still accepted it only personally and not officially for information. OSHIMA wishes to explain this matter himself if he meets the Reich Foreign Minister in the near future. Then he will add that this paper could disappear in our documents according to our judgment. He thought an explanation, especially of a legal nature would not be good nor well-timed.

Finally, I told the Ambassador that his conception, as everybody knows, does not agree with ours and I had hoped that the matter was finally concluded. However, I am still ready to prepare the Reichs Foreign Minister for the fact that he - OSHIMA - considers it his duty to put a formal end to this matter in some form or other.

I did not consider it right to refuse the Ambassador the study of the note since OSHIMA is evidently honestly endeavoring to put an end to the matter.

(signed) WEIZSAECKER
/136134-5/

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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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.)

Copy

9 September 1939

Telegram in cipher (Secret Cipher Process)

Diplogerma Tokyo, No. 335

Exclusively for the Ambassador personally.

These days I had a confidential, detailed discussion with Ambassador OSHIMA regarding the future development of German-Japanese relations. On that occasion I portrayed our standpoint and our aims in the following sense:

Japan's fate is, as ever, linked with Germany's fate. If Germany were defeated in this war, an extensive world coalition of Western democracies would quickly form itself which would oppose any expansion of Japan and would in particular again take away her position in China. On the other hand, Japan's position would be ultimately secured by the German victories which we expect with certainty, should Japan maintain the existing relations with Germany and further enhance them.

As our agreement and understanding with Russia constitutes an important factor in the present balance of powers, this approach is also in the well-understood interest of Japan, which should welcome every strengthening of the German position. This was even more the case as we ~~are~~ quite capable and if desired also ready to mediate for a settlement between Japan and Russia. If that should succeed, Japan would be able to freely extend her power in East Asia toward the south and there penetrate further. According to our firm conviction this is the direction in which Japan's vital interests lie. It is quite in accordance with the idea of our approach to Russia and I openly emphasized it in Moscow, that we, on our part, are intent on further fostering our relations to Japan.

The idea of close cooperation between Germany, Italy and Japan was therefore not in the least dead. Such cooperation, combined with a Japanese-Russian understanding would, according to the world situation direct itself exclusively against England and thus bring the policy of the three powers as well as of Russia into a uniform line which accords with the real interests of all parties concerned. It is then to be considered that the present attitude of Italy has been stipulated in all details and in complete agreement by the Fuehrer and Duce.

It was my intention to first work with emphasis and every possible haste above all else for the realization of an understanding between Japan and Russia and I hoped that now the same political conception would also /prevail/ in Japan. Of course it was important that this should happen quickly so that the mentioned power constellation might yet be realized during our present conflict with England which is decisive for the whole world politics of the future.

OSHIMA agreed to all points of my statement. He said that the Japanese Army doubtlessly appreciates the idea of an understanding with Russia and that therefore there is certainly a prospect of these ideas soon finding acceptance in the Japanese foreign policy. SHIRATORI, who will soon return to Tokyo from his post of Ambassador in Rome, will also work in this idea.

I ask you, on your part, to represent by suitable means the foregoing lines of thought in the discussions there and upon my request to talk quite openly about it with Prince KANIN.

I ask you, furthermore, to express by suitable means /the fact/ that I deem it to be of great importance for the policy I have in mind that OSHIMA remain Ambassador in Berlin. I had worked very closely with him during the last year and had always openly initiated him into the aims of our policy, so that he was better in the position to represent the Japanese interests in Berlin than a new ambassador. He still enjoys also the complete confidence of the Fuehrer and the German Army.

Signed RIEBENTROP

/136111-136113/

AFFIDAVIT

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

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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.)

Telegram

(Secret Cipher Process)

Tokyo, 8 September 1939
Arrival -----"-----15.25 hours
9.45 hours

No. 417 of 8 September

*: RAM Reference No. 261 of 22 August. *)
For the State Secretary. Secret.

At the reception yesterday of the Foreign Minister ABE, I gave my personal opinion to the General, whom I know well, that the continued labours of Ambassador OSHIMA to foster German-Japanese friendship would certainly be very valuable; he had the full confidence of the German Government. The Foreign Minister declared he would examine the question favorably. The Army, on which I had repeatedly worked similarly, and leading quarters of the Foreign Ministry indicated that OSHIMA's position was secure for the present. The Ambassador in Moscow, SHIRATORI, will return from Rome, since at that time he had taken up the post of Ambassador, purely in the expectation that he would succeed in concluding an Italian-Japanese-German military alliance.

OTT

TOP SECRET !

AFFIDAVIT

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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.)

Item 29

Berlin, 27 October 1939

e.o. Pol. VIII g. Rs.

State Affairs - TOP SECRET

DIPLOGERMA; Tokyo

St. S.

No. 501.

Telegram in code

(Secret Cipher Process)

For the Ambassador personally!

✓
The Reich Foreign Minister requests to support in all respects Ambassador OSHIMA, who after his return, will work further for German-Japanese friendship. He requests to transmit in code /and/ without changes telegrams, delivered there by OSHIMA to the Reich Foreign Minister personally and to take care of the forwarding of letters addressed to the Reich Foreign Minister, unopened, in so far as they are sealed, by sure and speedy route.

WOERMANN

Before Transmission

To Reich Foreign Minister's Office for information.

NOTE: - On instructions of Reich Foreign Minister.

AFFIDAVIT

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

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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.)

567

MEMORANDUM

The Japanese general, Count TERAUCHI, was received in Zoppot on 20 September 18 o'clock by the Reichs Foreign Minister and at 18.30 o'clock by the Fuehrer.

I. Conversation with the Reichs Foreign Minister.

At first TERAUCHI expressed his thanks for the invitation to Germany and for the permission to visit the front, and the thanks of the Japanese Army for the understanding attitude of Germany in the China conflict. Then he expressed his hearty congratulations to the German military successes in Poland. The Reichs Foreign Minister regretted not to have been able to welcome the Count in Berlin and Nuremberg, and gave a short description of the course of military events since 1 September.

Going over to the German-Japanese relations, the Reichs Foreign Minister said he had talked over these questions with the Fuehrer last night and the Fuehrer had said;

1.) Germany and Japan were the only two major powers between whom there existed no divergence of political interests.

2.) Moreover these two states were, as well as Italy, young nations striving upwards, whom England grudged the advances. The Reichs Foreign Minister added that it was his firm conviction that Japan was being most strongly influenced by Germany's fate. If Germany fared well in Europe, Japan would also fare well in East Asia, but if Germany was badly off, Japan would also be badly off. On the other hand Germany was equally interested in Japan's prosperity in East Asia. He had (already) had this conviction for a long time and still had it today.

3.) Both peoples were soldier nations and the link of the soldierly spirit facilitated the understanding.

TERAUCHI was mainly receptive and limited himself to saying that this was also his conviction.

The Japanese Ambassador, the Japanese Military Attache, Mr. STAMMER and the undersigned were present.

II. Conversation with the Fuehrer.

The conversation with the Fuehrer ran quite similarly to that with the Reichs Foreign Minister. In connection with TERAUCHI's congratulations, the Fuehrer talked more extremely about the reasons for Germany's advance against Poland, about the teamwork of the

various weapons in the Polish war and about the success of the German Army. Regarding German-Japanese relations the Fuehrer said the same as the Reichs Foreign Minister, almost word by word.

The Reichs Foreign Minister and those mentioned under I. were present.

III. Conversation of the German Foreign Minister after dinner.

At 7:30 o'clock the Reichs Foreign Minister gave a dinner for Count TERAUCHI, at which also Major General KEHREL took part. After the meal the German Foreign Minister again took up the political conversation with TERAUCHI. He enlarged upon the statements under No. I above, and then spoke about the German-Russian Non-Aggression Pact. He said that the necessity of a German and a Japanese understanding with Russia had been clear to him for a long time, and that he would have strived for it even in the case of the conclusion of a German-Japanese-Italian Pact. This he had already said to OSHIMA more than a year ago and he /OSHIMA/ had, probably, reported it to Tokyo. In the meantime he as well as OSHIMA had strained all efforts to bring about the German-Japanese-Italian Pact. That it did not succeed was regrettable, but could not be helped. Now Germany on her part had to seek the understanding with Russia by herself, but he was of the conviction that this understanding would also have a favorable effect on Japan. This he had already told the press in Moscow. He had also talked with Stalin about this question, who had answered, "If the Japanese desire war, they can have war, if they desire an understanding, they can have that, too." The situation of the Japanese interests, which the Reichs Foreign Minister again depicted as in No. I, remained the same. TERAUCHI confirmed again that he shared this opinion fully. Ambassador OSHIMA, who, before dinner, and until now had only listened, now said he believed that Japan, especially the Japanese Navy, would be perfectly ready for an advance in South East Asia, i.e., also against Hongkong. He himself had also proposed this by telegraph. The Reichs Foreign Minister asked him, "How far can you go?" OSHIMA replied that he believed that Japan could go rather far in South Asia. He did not go into details concerning a military advance. He was of the opinion that one should try to tear the Netherlands from England and to propose a non-aggression pact to them. Then one could, at the same time, reach an agreement with the Netherlands which would allow Japan to exploit raw materials of the Netherlands Indies "in an entirely decent way." Japan needed tin, rubber and oil from the Netherlands Indies, cotton from British India, and wool from Australia. If it got all this it would be self-sufficient and very strong. OSHIMA's statements were very unprecise and uncertain. They only put forth his personal opinion. The Reichs Foreign Minister acknowledged

these statements without commenting on them. He did also not make any proposals on his part, but let it be understood in his further statements that Germany was quite ready and willing to collaborate with Japan against England.

OSHIMA did not mention the forming of a new Chinese central government.

Berlin 25 September 1939

Herewith presented to the State Secretary according to instructions.

/signed/ KNOLL

Copies received:
U. St. S.
Dg. Pol.

AFFIDAVIT

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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.)

Memorandum

VB

During the trip to the East Front, Count TERAUCHI kept a very reserved attitude towards political conversations. But one remark was noteworthy: On the evening of 23 September, Lieutenant General Count BROCKDORFF and I talked with TERAUCHI about his experiences in the China war and a few military questions connected with it. I asked Count BROCKDORFF of his own accord, as a soldier, to ask: "Wouldn't it then be much smarter from the Japanese standpoint to end the prospectless war with China by a bearable settlement and to utilize the strength of the Japanese Army and fleet more in the south, where, in the economic field, there are much greater successes to be gained?" Count TERAUCHI answered as if he regarded this as a consequence of his statements: "Certainly that would be much better." While I had the impression that in TERAUCHI's answers to the statements of the Reichs Foreign Minister and of the Fuehrer he only consented in a polite way to evade a political conversation, I had, at this opportunity, the impression that the Count had really said what he meant.

Berlin, 25 September 1939

Herewith presented to the State Secretary.

/signed/ KNOLL

Copies received:

U. St. S.
DG. Pol.

AFFIDAVIT

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

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

569

"Official Announcements of Foreign Office,
Vol. 18"

"STATEMENT OF THE FOREIGN OFFICE CONCERNING THE
ADMINISTRATIVE JURISDICTION OVER SHINNAN GUNTO.

March 31, 1939.

"Shinnan Gunto (or the Spratley Islands) are a group of small reefs lying in the South China Sea, off the Coast of French Indo-China. These reefs had long been known as ownerless. However, in 1917 Japanese began, before the nationals of any other country, to embark upon the economic development of the reefs, which has continued ever since, by investing a considerable amount of capital and erecting various permanent establishments. The Japanese Government, officially recognizing the activities of these nationals, have on several occasions since sent warships to the reefs and been giving them various aids as occasion demanded. But the absence of administrative jurisdiction over the reefs has caused not only inconveniences with regard to the protection and regulation of the lives, property and enterprises of the Japanese nationals there, but has been liable to give rise to unnecessary disputes with France. Accordingly, the Japanese Government, in order to eliminate such inconveniences and disadvantages, have decided to place the reefs under the jurisdiction of the Government-General of Taiwan, and having published the fact under date of March 30, 1939, the Vice Minister for Foreign Affairs, Mr. Renzo Sawada, notified the French Ambassador in Tokyo, Mr. Charles Arsene-Henry, to this effect on March 31."

12 June 1940

TREATY BETWEEN JAPAN AND THAILAND CONCERNING THE CONTINUANCE OF FRIENDLY RELATIONS AND THE MUTUAL RESPECT OF EACH OTHER'S TERRITORIAL INTEGRITY.

His Majesty the Emperor of Japan and His Majesty the King of Thailand,

being equally animated by the earnest desire of reaffirming and further strengthening the traditional bonds of friendship between Japan and Thailand, and

being convinced that the peace and the stability of East Asia is the common concern of the two States,

have resolved to conclude a treaty, and for that purpose have named as their Plenipotentiaries, that is to say:

His Majesty the Emperor of Japan:

Hachiro Arita, Zyosanmi, Grand Cordon of the Imperial Order of the Rising Sun, His Imperial Majesty's Minister for Foreign Affairs;

His Majesty the King of Thailand:

Phya Sri Sena, Knight Grand Cross of the Most Noble Order of the Crown of Thailand, His Majesty's Envoy Extraordinary and Minister Plenipotentiary at the Court of His Majesty the Emperor of Japan;

Who, after having communicated to each other their respective full powers, found to be in good and due form, have agreed upon the following articles:

Article 1.

The High Contracting Parties shall mutually respect each other's territorial integrity and hereby reaffirm the constant peace and the perpetual friendship existing between them.

Article 2.

The High Contracting Parties shall mutually maintain friendly contact in order to exchange information, and to consult one another, on any question of common interest that may arise.

Article 3.

In the event of one of the High Contracting Parties suffering an attack from any third Power or Powers, the other Party undertakes not to give aid or assistance to the said Power or Powers against the Party attacked.

Article 4.

The present Treaty shall be ratified and the ratifications thereof shall be exchanged at Bangkok, as soon as possible.

Article 5.

The present Treaty shall come into effect on the date of the exchange of ratifications and shall remain in force for five years from that date.

In case neither of the High Contracting Parties shall have given notice to the other six months before the expiration of the said period of five years of its intention to terminate the Treaty, it shall continue operative until the expiration of one year from the date on which either Party shall have given such notice.

In witness whereof the respective Plenipotentiaries have signed the present Treaty and have hereunto affixed their seals.

Done in duplicate, at Tokyo, this twelfth day of the sixth month in the fifteenth year of Syowa, corresponding to the twelfth day of the third month in the two thousand four hundred and eighty-third year of the Buddhist Era, and the twelfth day of June in the nineteen hundred and fortieth year of the Christian Era.

(SEAL) /s/ HACHIRO ARITA

(SEAL) /s/ PHYA SRI SENA

C E R T I F I C A T E

W.D.C. No. _____

I.P.S. No. 865

Statement of Source and Authenticity

I, HAYASHI Kacru, hereby certify that I am officially connected with the Japanese Government in the following capacity: Chief of Archives Section, Japanese Foreign Office, and that as such official I have custody of the document hereto attached consisting of _____ pages, dated _____, 19____, and described as follows: Treaty between Japan and Thailand concerning the continuance of friendly relations and the mutual respect of each other's territorial integrity. Dated June 12, 1940. I further certify that the attached record and document is an official document of the Japanese Government, and that it is part of the official archives and files of the following named ministry or department (specifying also the file number or citation, if any, or any other official designation of the regular location of the document in the archives or files):

Foreign Ministry.

Signed at Tokyo on this
22nd day of August, 1946

/s/ K. HAYASHI
Signature of Official
SEAL

Witness: Nagaharu Odo

Official Capacity

Statement of Official Procurement

I, Richard H. Larsh, hereby certify that I am associated with the General Headquarters of the Supreme Commander for the

Doc. No. 865

Allied Powers, and that the above described document was obtained by me from the above signed official of the Japanese Government in the conduct of my official business.

Signed at Tokyo on this
24 day of Aug., 1946

/s/ Richard H. Larsh
NAME

Witness: /s/ Edward P. Monaghan Investigator, IPS
Official Capacity

Top Secret!

Telegram (Secret Cipher Process)

Tokyo, 23 February 1940 0845 hours
Arrival: 23 February 1940 1755 hours

No. 143 of 23 February 1940

For the State Secretary personally.

After my arrival here I found such Japanese already known to me as OSHIMA, SHIRATORI, TERAUCHI, ISHI, etc. in an unchanged friendly attitude and ready for every support. I have the following impression of the political situation: at present domestic political difficulties mainly occupy all groups and parties.

In foreign politics the government is trying not to be led into the European confederation. Friendly attitude towards England and America. Before the military actions in Europe have any effect, no important decisions are to be expected.

The influence of the Army, greatly weakened since the last summer session, is already growing again. Further increase may be counted on. Well known pro-German officials of the Foreign Ministry and corresponding officers of the General Staff and the War Ministry have, for several months, been systematically transferred to foreign posts, i.e., China. A cancellation of this measure is being pursued here with all means.

I got into contact with the circles in question and agreed to continue the work after my return from America.

Public opinion is, to a large extent, pro-German and likewise anti-British. Consequently, a favorable basis for our political aims. At present public opinion is not yet too active against court and financial circles. It would be advantageous if Russian readiness for an understanding with Japan could be made more strongly noticeable. Apart from an improvement of the political atmosphere, the endeavors for an improvement of a German-Japanese exchange of goods via Siberia, which are under way, could be favorably influenced hereby.

STAHMER

OTT

/136247-8/

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.)

Item 29

Berlin, 27 October 1939

e.o. Pol. VIII g. Rs.

State Affairs - TOP SECRET

DIPLOGERMA; Tokyo

St. S.

No. 501.

Telegram in code

(Secret Cipher Process)

For the Ambassador personally!

The Reich Foreign Minister requests to support in all respects Ambassador OSHIMA, who after his return, will work further for German-Japanese friendship. He requests to transmit in code /and/ without changes telegrams, delivered there by OSHIMA to the Reich Foreign Minister personally and to take care of the forwarding of letters addressed to the Reich Foreign Minister, unopened, in so far as they are sealed, by sure and speedy route.

WOERMANN

Before Transmission

To Reich Foreign Minister's Office for information.

NOTE: - On instructions of Reich Foreign Minister.

AFFIDAVIT

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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.)

Item 12

Secret Telegram No. 255 of 23.3.40

Tokyo, 23 March 1940 09.45

Arrived, 23 March 1940 17.20

The political development of the last few days reveals a certain stiffening between Japan and England, America, which has come to light in an obvious move of protest by the British Ambassador against the formation of the Central Government, the sudden announcement of the American Ambassador's proceeding to America, and a debate in the Diet. Diet members from several parties simultaneously pressed the Foreign Minister to a strengthening of contact with the friendly countries - Germany and Italy. The Foreign Minister emphasized the friendly relations existing towards the Axis powers, but described the solution of the China conflict as a most pressing problem, which necessitated the pursuit of a policy of non-intervention.

Noteworthy is the report of strong words by the spokesman of the army in the Diet and statements by the War and Navy Ministers that Japan's progress in China cannot be stopped by the obsolete Nine Power Treaty. This attitude has obviously been influenced by the opposition of the Anglo-Saxon powers to the New Chinese Central Government.

The same message is being sent to Shanghai and Hsinking.

OIT

/136270/

AFFIDAVIT

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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

573

Item 4

Telegram (Secret Cipher Process)

TOKYO: 10 May 1940 1327 hours

Received: 10 May 1940 1020 hours

Very Urgent.

No. 416 of 10.5

For the Reich Foreign Minister

Numerous conversations during my fourteen day stay in Tokyo with authoritative personalities in political, military, naval and economic spheres give the following picture:

X
The YONAI-ARITA government is striving for further agreement with England and America. I consider the realization of this thoroughly unlikely in view of America's stubborn attitude, and the markedly stronger Anti-British opinions in the Army, the people and some economic circles. The most recent German successes have created a great impression here, and have decreased England's importance in the Far East. The Russian ambassador expressed to me his readiness for a Russo-Japanese agreement, but stressed the mutual distrust. Our Embassy is endeavoring to advance personal feelers /FUEHLUNGNAHME/ between the Russian Embassy and influential Japanese so as to overcome this.

Konoye
As regards domestic politics, difficulties for the cabinet, whose economic policies are inadequate, are increasing again. The conference of provincial governors now in session confirms the widespread distress and discontent. The eventual new government which, it is hoped, will be under the leadership of Prince KONOYE, of the group friendly to us, will have to restrict itself, first of all to the solution of the China conflict, and urgent domestic relief measures.

With regard to foreign policy, apart from an eventual cabinet change, it is to be presumed that the tension with England will increase or at least continue. The same holds good for relations with America, both sides are seeking to avoid their leading to war.

STAHRER.

OTT

(Frame 136304)

AFFIDAVIT

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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.)

To be kept in
locked file

Telegram

(Secret Cipher Process)

TOKYO 12 June 1940 2140 hours
 Arrival 12 June 1940 2000 hours

No. 560 of 12 June

Re Telegram No. 483 of the 9th BRAM/Bureau German Foreign Ministry/
 and 477 x) of 8 June.

x) Pw 955

By the known attitude of the YONAI-ARITA Cabinet and press chief Sumatra, who is fully orientated towards China and Japan, the Italian protest will doubtless have a contrary effect. Present Government clique had quietly hoped that as a consequence of the German action against Holland and Belgium, America would enter the war and thereby be forced to alleviate pressure on Japan. As variously reported, this line of thought has also found a place in the press closely connected with the government. The fact that America not only is remaining out of the European war, but has even increased pressure on Japan through maintenance of the fleet at Hawaii, continued financial aid to Chiang Kai Shek and above all through the embargo on material and machines vitally necessary to Japan, has greatly disturbed the government. (Compare telegram No. 548 of 8 June concerning action of KUHARA) and press campaign against America newly stimulated. Even attempts of certain American politicians to become friendly after the entry of Italy into the war, which was reported in full in the press here, could not, as various leading articles prove, change the suspicious attitude of the press here against American aims in East Asia.

Each German or Italian move which reveals the concern over American attitude in the near future would only be a cue to the government and the press which is close to it to make new courtship of America. The government would further try, as in the case of the Asama Maru, to impute to us the intention of using Japan as a tool of our policy, an argument which would not be ineffective with the known suspicion of the Japanese.

The embassy is still endeavoring to stir up Japanese ill feeling against America by influencing the press and leading political personalities in a way deemed proper. I myself have expressed the thought in many discussions with leading political personalities as for example

Futaba - Wood

KONOYE, SUETSUGU, and KUHARA that the interests and activity of America-... (one group garbled) in the Pacific area and therefore a conflict between Japan and America is in the long run unavoidable.

A confidential cooperation with the embassy, ambassadors OSHAIR and SHIRATOUT / OSHIMA and SHIRATORI / and circles closely connected with them are operating in the same direction.

Italian charge d'affair will inform his government of the above arguments.

OTT

/136337 - 136338/

AFFIDAVIT

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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.)

Berlin, May 1940
German Embassy, Tokyo
No.

Telegram in Code
(Secret Cipher Process)

For Ambassador Ott in answer to telegram No. 450. The following is to be immediately established concerning the declaration of the Japanese Foreign Minister ARITA:

After depar-) 1). According to your report on the conversation with the
ture W.V) Japanese Foreign Minister he has, at that time, merely given you
to me) notice of his press interview, without attaching to it any request
early on) for the taking of an attitude.
May 21.)

2). It has since been declared in the Japanese press and also in the Foreign Ministry's press conference that a declaration of assent to the standpoint of the Japanese Government has been given by the other countries, while no expression of attitude by Germany has yet been received.

Signing) 3). Meanwhile the Japanese Ambassador in Berlin has been in
will be) the Foreign Office and has explained that he was called upon by his
done) Government to have a conversation in the Foreign Office on the ques-
later) tion of the Netherlands Indies; and in the course of the conversation,
which he described as unofficial, he expressed to the State Secretary
that his Government would welcome a German declaration on the question.

I ask you therefore to make roughly the following exposition at your next visit to the Japanese Foreign Minister:

The Reich's Government has, at the time, taken note of the interview of the Japanese Foreign Minister, /the account of/ which was given to you by him. As a declaration by Germany has not been requested and there has been no cause for Germany to take up any attitude on this question, such a step has not ensued. It is only from press reports of the last few days and through a visit of the Japanese Ambassador in Berlin to the Foreign Office that the Reich's Government has understood that the Japanese would welcome a German declaration on the question. The Reich Government would therefore like to make the following observations on this affair from their standpoint:

The German-Dutch conflict arose from the fact that Britain and France were planning to carry out an advance on the Ruhr District through Dutch and Belgian territory. This advance had been prepared on the part of the Anglo-French General Staff in conjunction with the Dutch military /authorities/. To meet this threatened invasion, the Fuehrer had quickly decided to occupy Holland and safeguard the defence of Dutch neutrality through the German Wehrmacht against Anglo-French encroachment during this war.

In this German-Dutch conflict, it is a question of an exclusively European affair which has nothing to do with overseas questions. Germany therefore has no interest to occupy herself with such overseas problems, in which she considers herself interested, now as before. For the rest you can interweave into your conversation the statement that Germany thoroughly understands Japan's anxiety over the developments in the Netherlands Indies. The action of the forces of the Western Powers against Dutch possessions in the West Indies has certainly, since the outbreak of hostilities between Germany and Holland, proved ample justification for mistrust of the Western Powers and their collaboration with the United States. In contrast to this policy of the other great powers, Germany has always pursued a policy of friendship with Japan and believes that this policy has been only advantageous to Japanese interests in East Asia in the past few years.

I ask you to give these explanations verbally to the Japanese Foreign Minister. A detailed public announcement is out of place, but with respect to the recent inquiries in the press conference, there is no objection to the Japanese arriving at the certainty that Germany has declared her disinterestedness in the Netherlands Indies question.

Ribbentrop

/136313-5/

AFFIDAVIT

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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.)

Item 15

Telegram (Secret Cipher V)

TOKYO: 22 May 1940, 2110 hours

Received: 22 May 1940, 1850 hours

No. 474 of 22.5

Re telegram No. 412 (held by Reich Foreign Minister) of 20 May.

Today I have informed the Japanese Foreign Minister of the operative effect of the latest German victories, and in passing, made the previously written explanations contained in the telegram release, concerning the German attitude to the Netherlands Indies. The Foreign Minister requested me to convey his gratitude to the Reich government for this declaration. The spokesman of the Foreign Ministry issued during today's press conference, a communique according to which Germany has declared her disinterestedness in the Netherlands East Indies problem.

OTT

(Frame 136320)

AFFIDAVIT

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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. No. 4026-D

Telegram (Secret Cipher Process)

TOKYO: 23 May 1940, 0800 hours

Received: 23 May 1940, 1625 hours

No.479 of 23.5 Supplement to Telegram No. 474 of 22 May

All the press has given great publicity to yesterday's
communique from the spokesman of the Foreign Office on the
declaration of German disinterestedness in the Netherlands
East Indies question. The papers emphasize consistently
 that the German attitude is entirely different to the
 declarations of England, France and Holland, who had given
 their assent to the Japanese government's viewpoint on the
 protection of the status quo in the Netherlands Indies. In
 contrast to this, German disinterestedness is considered as
a sort of carte blanche for Japan. Germany has thereby
 stated that she will also support Japan in the future. See
 DNB-Tokyo 187 and 191.

OTT

(Frame 136322)

AFFIDAVIT

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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.)

To be kept in locked file

Telegram (Secret Cipher Process)
Tokyo, 19 June 1940 - 10.18 S
Arrival: 19 June 1940 - 21.30

FALL of FRANCE

Item 1
No. 594 of June 19
Secret

Very Urgent!

(KONOYE 11 PM.)

To: Reichs Chancellery

The head of the European Department of the Japanese Foreign Ministry declared confidentially that the Japanese Ambassador to Berlin had received the direction today to express congratulations of the Japanese government to the Reich government to the German success and to point out at this opportunity Japan's special interest in the future fate of French Indo-China. The Ambassador is to reiterate Japan's thanks for the friendly German attitude in the China conflict, and at the same time stress the fact that Japan believes she has rendered Germany essential services in the European war by tying down American forces in the Pacific Ocean. The Ambassador is instructed to suggest that the German government make some friendly gesture on the subject of Indo-China in appreciation of Japan's attitude. Asked what such a gesture might be the confidant said the Foreign Ministry is thinking of a German declaration according to which Japan would receive a free hand in Indo-China. According to newspapers, the Japanese Ambassador had received identical instructions.

Since, as a result of the collapse of France, the pressure of the activistic public opinion on the cabinet became increasingly stronger, the Foreign Minister evidently decided on this step, in order to save his policy and to keep the cabinet from the otherwise inevitable collapse. There is no doubt about the existence of the danger that the Foreign Minister would make tactic use of possible German blanc authorization concerning Indo-China in his attempt to bring about a compromise with America. Characteristic for the basically unchanged attitude of the Foreign Minister is the elsewhere reported fact, that he concluded friendly agreement on (one group of letters garbled) . . . at the same day with France and England in Tientsin. As viewed from Tokyo, a strengthening of the Japanese position of power in East Asia through annexation of Indo-China would, in itself, be doubtlessly in German interest. In this way the chances for an early end of the China conflict would be increased on the one hand, and on the other hand, the differences between Japan and the Anglo-Saxon powers would be intensified to such an extent that the danger of an agreement would be eliminated for a long time. If, therefore, a consideration of the Japanese request should be intended, a formula would have to be found which would fix Japan's course definitely along the German lines. This could, first of all, be achieved if Japan would have to obligate herself to the immediate occupation of Indo-China. In this connection, I was confidentially told by army circles that

there the idea of occupying the strategically important Yun-ann railway is being propagated. If the government should evade a correspondingly formulated offer for leaving Indo-China to them, one would have to calculate at least with a severe blow to their position in case this were published and probably with replacement by a cabinet which would be close to us.

OTT

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.)

To be kept in locked file

Telegram (Secret Cipher Process)
Tokyo, 19 June 1940 - 10.18 S
Arrival: 19 June 1940 - 21.30Item 1
No. 594 of June 19
SecretVery Urgent!

To: Reichs Chancellery

The head of the European Department of the Japanese Foreign Ministry declared confidentially that the Japanese Ambassador to Berlin had received the direction today to express congratulations of the Japanese government to the Reich government to the German success and to point out at this opportunity Japan's special interest in the future fate of French Indo-China. The Ambassador is to reiterate Japan's thanks for the friendly German attitude in the China conflict, and at the same time stress the fact that Japan believes she has rendered Germany essential services in the European war by tying down American forces in the Pacific Ocean. The Ambassador is instructed to suggest that the German government make some friendly gesture on the subject of Indo-China in appreciation of Japan's attitude. Asked what such a gesture might be the confidant said the Foreign Ministry is thinking of a German declaration according to which Japan would receive a free hand in Indo-China. According to newspapers, the Japanese Ambassador had received identical instructions.

Since, as a result of the collapse of France, the pressure of the activist public opinion on the cabinet became increasingly stronger, the Foreign Minister evidently decided on this step, in order to save his policy and to keep the cabinet from the otherwise inevitable collapse. There is no doubt about the existence of the danger that the Foreign Minister would make tactic use of possible German blanc authorization concerning Indo-China in his attempt to bring about a compromise with America. Characteristic for the basically unchanged attitude of the Foreign Minister is the elsewhere reported fact, that he concluded friendly agreement on (one group of letters garbled) . . . at the same day with France and England in Tientsin. As viewed from Tokyo, a strengthening of the Japanese position of power in East Asia through annexation of Indo-China would, in itself, be doubtlessly in German interest. In this way the chances for an early end of the China conflict would be increased on the one hand, and on the other hand, the differences between Japan and the Anglo-Saxon powers would be intensified to such an extent that the danger of an agreement would be eliminated for a long time. If, therefore, a consideration of the Japanese request should be intended, a formula would have to be found which would fix Japan's course definitely along the German lines. This could, first of all, be achieved if Japan would have to obligate herself to the immediate occupation of Indo-China. In this connection, I was confidentially told by army circles that

there the idea of occupying the strategically important Yun-ann railway is being propagated. If the government should evade a correspondingly formulated offer for leaving Indo-China to them, one would have to calculate at least with a severe blow to their position in case this were published and probably with replacement by a cabinet which would be close to us.

CTT

AFFIDAVIT

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s/ W. P. Cumming

W. P. CUMMING

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