

最高裁秘書第1660号

令和3年5月28日

林弘法律事務所

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最高裁判所事務総長 中 村



司法行政文書開示通知書

令和3年4月26日付け（同月28日受付、第030115号）で申出のありました司法行政文書の開示について、下記のとおり開示することとしましたので通知します。

記

1 開示する司法行政文書の名称等

- (1) 平成29年3月6日付け「Co-operation between the Supreme Court of Japan and the European Court of Human Rights」と題する書簡（片面で2枚）
- (2) 平成29年3月16日付け「First, allow me to extend my appreciation」で本文が始まる書簡（片面で1枚）

2 開示しないこととした部分とその理由

1の各文書には、個人識別情報（自筆署名）が記載されており、この情報は、行政機関情報公開法第5条第1号に定める不開示情報に相当することから、この情報が記載されている部分を開示しないこととした。

3 開示の実施方法

写しの送付

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#5645131

The President – Le Président

Mr Justice M. Ikegami
Supreme Court of Japan
4-2 Hayabusa-cho
Chiyoda, Tokyo
JAPAN

Strasbourg, 6 March 2017

Subject: Co-operation between the Supreme Court of Japan and the European Court of Human Rights

Dear Mr Justice Ikegami,

I refer to your visit to Strasbourg in November last year and, in particular, to your dinner at Consulate General of Japan, which much to my regret I could not attend but which was attended by a number of my colleagues including Judge Pinto de Albuquerque.

I am now delighted to write to you to follow-up on your visit and on the later contacts by Mr Nakagawa, your Chief of Liaison Office, with this Court and, notably, with Judge Pinto de Albuquerque. In particular, I should like to propose elements for developing the co-operation between our two Courts as envisaged during your visit and as discussed in subsequent exchanges. From our side, I propose to provide your Supreme Court, on a systematic basis, with the following publications on the case-law of the European Court:

(i) **The case-law updates** that are issued on the day that decisions and judgments of major interest are published. These documents are written by the Court's Jurisconsult and circulated internally among Judges and Registry lawyers. They indicate in a succinct fashion the points of particular jurisprudential interest in new cases decided.

(ii) **The case-law information note (CLIN)**. This is a monthly publication containing detailed summaries of a selection of decided cases, and other important information about the Court's activities. It is a public document, published on the Court's internet site and integrated into the HUDOC database. The proposal is to forward each edition to the Supreme Court on the day of publication.

(iii) **The case-law overview**. This overview provides a useful review of case-law developments every six months. Here too it is proposed to send the publication to you as soon as it appears.

(iv) The Weekly Tables. These are weekly tables containing the Jurisconsult's selection of noteworthy judgments/decisions which have been delivered during the week.

Another aspect of our co-operation could be the use of video-conferencing to allow contacts and discussions among members of the two Courts and their respective staff members. This Court would be willing, for instance, to provide distance training on the use of the HUDOC database and our other case-law resources, which is something that is often requested by other courts.

We would appreciate if, on your side, you could consider sending this Court the main Supreme Court judgments and decisions (if translated into English, French or German) or any other materials on the work of the Supreme Court which you consider relevant, especially in the field of international law.

Finally, I propose to designate one of the Judges of this Court to act as a point of contact, so that there is a direct channel of communication between the two Courts. On this side, my colleague Judge Paulo Pinto de Albuquerque has indicated his willingness to take on such a role. I also understand from Mr Makagawa that he would act as your court's point of contact.

Should these ideas be acceptable to you, they could be put in place immediately.

Yours sincerely,



Guido Raimondi

Cc: Mr Masataka Nakagawa, Counsellor, Chief of Liaison Office, Secretary Division, General Secretariat, Supreme Court of Japan

[By post and by e-mail]

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Tokyo, 16 March, 2017

The Honorable Guido Raimondi
President
European Court of Human Rights
Council of Europe
67075 Strasbourg Cedex
France

Dear President Raimondi,

First, allow me to extend my appreciation to you for your letter to Justice Ikegami dated 6 March, 2017 regarding cooperation between the European Court of Human Rights and the Supreme Court of Japan.

We would certainly welcome the idea of exchanging information of the judgments and decisions of our two Courts which must be strengthening the relationship between the two legal spheres. We would be pleased to provide you with future selected judgments and decisions after their translations into English are completed.

In addition, I would also welcome your proposal with respect to the points of contact which would enable us to communicate each other more frequently.

In closing, I avail myself of this opportunity to wish you continued good health and prosperity.

Yours sincerely,



Itsuro Terada
Chief Justice
Supreme Court of Japan