

## 司法共助ニ關スル交換公文

昭和十一年 七月 一六日 東京で  
二三日  
昭和二十七年 八月 一一日 効力の確認

### 丁抹國公使ヨリ外務大臣宛來翰

(仮訳)

以書翰啓上致候。陳者、丁抹國又ハ日本國裁判所ニ於ケル民事及商事ノ事件ニ關スル司法手續ヲ容易ナラシメンカ爲、本使ハ茲ニ、本國政府ノ訓令ニ依リ、左ノ如ク申進スルノ光榮ヲ有シ候。

丁抹國政府ハ丁抹國及日本國裁判所間ニ民事及商事ノ事件ニ關スル書類ノ送達及證據調ニ付相互條件ニ依リ司法共助ヲ開始セムコトヲ提議致候。若シ斯カル司法共助ノ開始セラルルニ於テハ、司法上ノ囑託ノ施行ノ爲丁抹國又ハ日本國裁判所ニ於テ要シタル費用ハ斯カル囑託ヲ爲シタル裁判所ノ屬スル國ノ政府ニ依リ辨償セラルヘキモノト致度候。

丁抹國政府ハ日本國政府カ右提議ニ同意セラルルニ於

デンマーク 司法共助ニ關スル交換公文

(条・五)

## EXCHANGE OF NOTES CONCERNING RECIPROCAL JUDICIAL ASSISTANCE.

*Dated at Tokyo, July 16 and 23, 1936*

*Validity confirmed, August 11, 1952*

Tokyo, July 16th 1936.

Monsieur le Ministre,

With a view to facilitating the judicial procedure concerning cases in civil and commercial matters in Danish or Japanese courts, I have the honour, under instructions from my Government, to state as follows:

The Danish Government propose to institute, between the Danish and Japanese courts mutual judicial aid on reciprocal terms regarding delivery of documents and taking of evidence in civil and commercial matters. If such mutual judicial aid be instituted, the expenses incurred in Danish or Japanese courts in the execution of judicial commissions shall be refunded by the Government of that country to which the court issuing such commission belongs.

The Danish Government will institute the above

テハ直ニ右司法共助ヲ開始スルコトト致度候。

本使ハ本國政府ノ右提議ヲ開示スルト共ニ、日本國政府ニ於テハ右ヲ受諾セラルルヤ否ヤ閣下ノ御回示ヲ得度此段申進スルノ光榮ヲ有シ候。

右申進等本使ハ茲ニ重ネテ閣下ニ向テ敬意ヲ表シ候。

敬具

千九百三十六年七月十六日

ルドルフ・ベルトウーシュ・リーヌ

外務大臣 有田八郎閣下

外務大臣ヨリ丁抹國公使宛往翰

以書翰啓上致候。陳者、本大臣ハ左ノ如キ本月十六日附貴翰ヲ受領スルノ光榮ヲ有シ候。

mentioned mutual judicial aid so soon as the Japanese Government agree to the above proposal.

In bringing forward the above proposal of my Government, I beg to request that your Excellency would be good enough to state whether the Japanese Government accept the same.

I avail myself of this opportunity to renew to your Excellency the assurance of my highest consideration.

(Signed) Rud. Bertouch-Lehn

His Excellency

Monsieur H. Arita,

Minister for Foreign Affairs

etc., etc., etc.

(Translation.)

Tokyo, July 23rd, 1936.

Monsieur le Ministre,

I have the honour to acknowledge the receipt of your Excellency's note of the 16th inst. which reads as follows:

丁抹國又ハ日本國裁判所ニ於ケル民事及商事ノ事件ニ關スル司法手續ヲ容易ナラシメンカ爲、本使ハ茲ニ、本國政府ノ訓令ニ依リ、左ノ如ク申進スルノ光榮ヲ有シ候。

丁抹國政府ハ丁抹國及日本國裁判所間ニ民事及商事ノ事件ニ關スル書類ノ送達及證據調ニ付相互條件ニ依リ司法共助ヲ開始セムコトヲ提議致候。若シ斯カル司法共助ノ開始セラルルニ於テハ、司法上ノ囑託ノ施行ノ爲丁抹國又ハ日本國裁判所ニ於テ要シタル費用ハ斯カル囑託ヲ爲シタル裁判所ノ屬スル國ノ政府ニ依リ辨償セラルヘキモノト致度候。

丁抹國政府ハ日本國政府カ右提議ニ同意セラルルニ於テハ直ニ右司法共助ヲ開始スルコトト致度候。

本使ハ本國政府ノ右提議ヲ開示スルト共ニ、日本國政府ニ於テハ右ヲ受諾セラルルヤ否ヤ閣下ノ御同示ヲ得度此段申進スルノ光榮ヲ有シ候。

本大臣ハ丁抹國政府ノ右提議ハ明治三十八年法律第六十三號ノ規定ニ適合スルニ依リ日本國政府ハ之ヲ受諾

With a view to facilitating the judicial procedure concerning cases in civil and commercial matters in Danish or Japanese courts, I have the honour, under instructions from my Government, to state as follows:

The Danish Government propose to institute between the Danish and Japanese courts mutual judicial aid on reciprocal terms regarding delivery of documents and taking of evidence in civil and commercial matters. If such mutual judicial aid be instituted, the expenses incurred in Danish or Japanese courts in the execution of judicial commissions shall be refunded by the government of that country to which the court issuing such commission belongs.

The Danish Government will institute the above mentioned mutual judicial aid so soon as the Japanese Government agree to the above proposal.

In bringing forward the above proposal of my Government, I beg to request that your Excellency would be good enough to state whether the Japanese Government accept the same.

I beg to state that the above proposal of the Danish Government being in conformity with the stipulations of

スルト共ニ本日ヨリ日本國及丁抹國裁判所間ニ民事及  
商事ノ事件ニ關スル書類ノ送達及證據調ニ付司法共助  
ヲ開始スルコトニ同意スル旨申進スルノ光榮ヲ有シ  
候。

右申進旁本大臣ハ茲ニ重ネテ閣下ニ向テ敬意ヲ表シ  
候。

昭和十一年七月二十三日

敬具

外務大臣 有田八郎

丁抹國特命全權公使

男爵 ルドルフ・ベルトウ・シュ・リース閣下

the Law No. 63 of the 38th Year of Meiji the Japanese Government accept the same and agree to institute on this date between the Japanese and Danish courts mutual judicial aid regarding delivery of documents and taking of evidence in civil or commercial matters.

I avail myself of this opportunity to renew to Your Excellency the assurance of my highest consideration.

(Signed) Hachiro Arita,  
Minister for Foreign Affairs.

His Excellency  
Baron Rudolph Bertouch-Lehn,  
Envoy Extraordinary and Minister  
Plenipotentiary of Denmark.