

Exchange of national practices on possibilities for the Ministry of Foreign Affairs to raise public international law issues in procedures pending before national tribunals and related to States' or international organisations' immunities

JAPAN

- 1. Delegations are invited to provide information on any domestic legislation existing on this particular issue.**

There is no such domestic legislation in Japan.

- 2. Delegations are invited to inform the Committee as to whether there are any other means for the Ministry of Foreign Affairs of communicating information to national courts and how the Ministry of Foreign Affairs perceives the scope of international legal obligations in this field.**

There are no other means for the Ministry of Foreign Affairs of communicating information to national courts in Japan.

The Ministry perceives the scope of international legal obligations in this field on the basis of principles of general international law and the international agreements to which Japan is a contracting party.

- 3. Delegations are invited to precise whether there are any prohibitions or stated limits in domestic law, which would prevent the transmission of information to national courts by the Ministry of Foreign Affairs. In this regard, are there, in your domestic legal order, any relevant legislation or national practices (any reference of case-law would be appreciated)?**

There are no such prohibitions or stated limits in domestic law in Japan.

- 4. From a broader perspective, delegations are called upon to express their views as to whether the Ministry of Foreign Affairs can communicate with the Parties engaged in procedures before national courts and, if so, as to how it can proceed.**

If the Party engaged in procedures in national court (State or international organisation) requests in writing (usually by Note Verbale) the Ministry's opinion on the immunities which the Party enjoys under international law, the Ministry provides the answer to the Party by Note Verbale when appropriate.