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# Chapter 1 Small arms and light weapons

## Section 1 Background

The weapons mainly used and responsible for killing people in today's conflicts are small arms and light weapons (SALW) such as automatic rifles and small-size missiles, and most civilian casualties in conflicts are said to be killed by SALW. SALW have caused not only the extension or intensification of conflicts but also hindered efforts for humanitarian aid operations and post-conflict reconstruction and development by the United Nations and other bodies, as well as re-ignited conflicts and facilitated crimes. Anti-government militants, irregular forces (guerillas), crime syndicates and terrorist groups are said to be using all types of SALW and thus end up creating a vicious cycle whereby the general public feel compelled to acquire similar weapons to defend themselves against the threat posed by such groups. Against this background, the problem of collecting and destroying SALW that have been illegally circulated and excessively accumulated, and controlling illegal circulation of SALW have become urgent tasks for the international community.

### (Reference 1)

According to the Report of the UN Panel of Governmental Experts on Small Arms, "small arms and light weapons" cover weapons that are "actually being used in conflicts being dealt with by the United Nations" and that are manufactured specially for military purpose, including the following three types: (1) "small arms" that are portable and usable by a single soldier, (2) "light weapons" that are portable and usable by several soldiers, and (3) ammunitions and explosives. In general, these are collectively called "small arms and light weapons."

### (Reference 2)

Although most “small arms and light weapons” used in the conflict areas are secondhand, new small arms and light weapons are produced in more than 70 countries. According to research by a private research institution, 55 million to 72 million automatic rifles, including AK47 (Kalashnikov) and M16, were produced between 1945 and 1990.

## Section 2 United Nations’ efforts

The first significant international-level initiative to raise the issue of SALW is said to have been made by then UN Secretary-General Boutros-Boutros Ghali, who appealed the necessity of “micro-disarmament” in his report “Supplement to the Agenda for Peace” in 1995. “Micro-disarmament” means “practical disarmament in the context of the conflicts the United Nations is actually dealing with, and of the weapons, most of them light weapons, that are actually killing people in the hundreds of thousands.” The United Nations subsequently displayed active initiative in dealing with the issue of SALW, and established the “UN Panel of Governmental Experts on Small Arms” in 1996 and the “UN Group of Governmental Experts on Small Arms” in 1998. The Panel and Group examined the overview of the issue of SALW and submitted the reports. Based on these reports, the UN Conference on Small Arms (officially entitled “The United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects”) was convened in July 2001, and adopted the “Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects.” In addition, the United Nations First Biennial Meeting of States to Consider the Implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects was convened in 2003 to review the implementation of the Programme of Action, increasing momentum toward the efforts of the international community to deal with this issue.

### **(Reference) Overview of the Programme of Action adopted at the UN Conference on Small Arms**

The contents of the Programme of Action are roughly divided into (1) prevention and (2) reduction of illegal circulation of SALW. Prevention measures include enacting relevant laws and regulations, establishing the secure management and the marking system, improving relevant data, applying strict export standards, and mutual cooperation between customs and the authorities in charge of border control. Possible reduction measures are collecting and destroying SALW, carrying out “Disarmament, Demobilization, and Reintegration (DDR),” providing assistance for democratization and development, reforming the public order, and collecting SALW.

### **Section 3 UN First Biennial Meeting of States on Small Arms**

1. The United Nations Biennial Meeting of States on Small Arms was convened at the UN Headquarters in New York from July 7 to 11, 2003, with the aim of considering the implementation of the “Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects” that was adopted by the UN Conference on Small Arms in 2001. The Biennial Meeting was also convened according to the Programme of Action, and was significant in preparing for the UN Second Conference on Small Arms scheduled to be held in 2006. Japan acted as the chair of this Biennial Meeting.
2. The Biennial Meeting had great significance in strengthening UN efforts and actively contributing to Japan’s efforts to deal with the issue of SALW. From the viewpoint of strengthening UN efforts, the Biennial Meeting was the first UN conference convened after the UN Conference on Small Arms, and promoted the efforts of the international community to deal with the issue of SALW. The Biennial Meeting received 98 participating countries and contributions from civil society including NGOs, showing the strong will of the international community to implement the Programme of Action. In particular, in the latter half of the Meeting, active discussions were held on the implementation status and future

measures with respect to each of the following important matters in the Programme of Action: (1) collection and destruction of arms, (2) assistance to affected countries, (3) marking, (4) link to organized crimes, (5) import/export control, and (6) relationship to human rights. The process towards the UN Second Biennial Meeting of States on Small Arms to be convened in 2005 and the UN Second Conference on Small Arms to be convened in 2006 is expected to start in the near future.



Ambassador Inoguchi, Permanent Representative to the Conference on Disarmament serving as the Chairman of the UN Biennial Meeting of States on Small Arms (July 2003, New York: Person pictured left is Mr. Abe, Under Secretary-General, UN Department for Disarmament Affairs)

## Section 4 Japan's efforts

### 1. Activities through the United Nations

(1) Since the issue of SALW was brought up in the international community, Japan has played a leading role in dealing with this issue through the framework of the United Nations. Specifically, Japan has presented the draft resolution on SALW to the UN General Assembly almost every year since 1995 to promote international public awareness as well as presenting prescriptions to solve the issue. Based on the resolutions on SALW presented by Japan are establishment of the “UN Panel of Governmental Experts on Small Arms (1996)” and the

“UN Group of Governmental Experts on Small Arms (1998)” and convening of the UN Conference on Small Arms (2001) and the UN First Biennial Meeting of States on Small Arms (2003). From 2001, Japan started to present draft resolutions on SALW jointly with South Africa and Columbia, and the resolutions were adopted by consensus or by the overwhelming majority.

- (2) Japan also has played an important role in the expert meetings and international conferences related to SALW held by the United Nations, and has been making active efforts for this issue. Japan is considered to be capable of leading the international community since, in principle, it does not export arms and does not have the arms industry for export. Specifically, Japan acted as the chair of the “UN Panel of Governmental Experts on Small Arms” and the “UN Group of Governmental Experts on Small Arms” (Mr. Donowaki, Special Assistant to the Minister of Foreign Affairs served as the chairman for both) and as the vice chair of the UN Conference on Small Arms (Mr. Donowaki, Special Assistant to the Minister of Foreign Affairs served as the vice-chairman), thereby contributing to arranging negotiations on the instruments adopted at the meetings.
- (3) In 2003, Ambassador Inoguchi, Permanent Representative to the Conference on Disarmament, served as the chairman of the UN Biennial Meeting of States on Small Arms, and brought the meeting to success by widely working with participating countries and the United Nations at the meeting and during its preparatory process. The adoption of a report to which the Chairman’s Summary is attached on the last day of the meeting is considered to have consolidated Japan’s leading role in dealing with the issue of SALW.

## **2. Practical activities (collecting SALW, etc.)**

SALW are weapons that actually produce victims in the conflict areas, causing 0.5 million casualties annually. They are thus called “de facto weapons of mass destruction.” Japan has been carrying out the “project for collecting small arms and light weapons,” in which the collection of SALW is combined with development, as specific support to countries affected by SALW and carried out,

in cooperation with related organizations. This is a comprehensive activity that aims not only to collect SALW but also to eliminate reasons for holding SALW. Japan has already implemented the “Peace Building and Comprehensive Small Arms Management Program in Cambodia” in cooperation with the Government of Cambodia and local governments (¥450 million). This project centers on development in return for collection of arms, destruction of arms, support for registration of SALW, and education activities. Under the project, more than 1,000 of the SALW that were collected were destroyed on September 21, 2003. In Kosovo, Japan is also implementing the project for collecting small arms and light weapons in coordination with the United Nations Department Programme (UNDP) (\$1 million).



Disposal process for SALW in Cambodia

## Chapter 2 Landmines

### Section 1 Present status of landmine issue

Anti-personnel mines emplaced especially in regions where conflicts have occurred or are occurring, including Cambodia, Bosnia-Herzegovina, Mozambique, Angola, and Afghanistan, are causing extremely serious humanitarian problems by inflicting injury and death on non-combatant civilians in an indiscriminate manner. Those mines also pose major impediments to reconstruction and development after conflicts have come to an end.

According to data from the International Committee of the Red Cross (ICRC) in 1996, the number of people injured or killed by landmines amounted to 24,000 per year. It is also believed that more than 110 million landmines are left emplaced in 70 countries around the world, which means it would take 1,100 years to clear all landmines even if we could clear 100,000 landmines a year (data: United Nations 1997). Once emplaced, it will be a long time before a landmine becomes harmless as they are corrosion-resistant (50 to 100 years). In addition, while landmines are easily produced, inexpensive (\$3 to 10 per mine), and easy to emplace, their clearance is costly (\$100 to 1,000 per mine). Accordingly, a tremendous amount of money is needed to completely clear landmines, causing an extremely serious problem.

#### **(Reference) Number of anti-personnel mines possessed, according to research by NGOs**

As of 2003, a total of 200 million to 215 million anti-personnel mines are estimated to be possessed by 78 countries. The major countries and the number of landmines possessed are as follows.

1. Estimated number of landmines possessed by countries that have neither signed nor acceded to the Convention of the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and On Their Destruction



(1) China:	110,000,000
(2) Russia:	50,000,000
(3) United States:	10,400,000
(4) Pakistan:	6,000,000
(5) India:	4,000,000-5,000,000
(6) Belarus:	4,500,000
(7) ROK:	2,000,000
(8) Serbia-Montenegro:	1,300,000

Other than those countries, Myanmar, Egypt, Finland, Iran, Iraq, Israel, North Korea, Syria, Turkey, and Vietnam are believed to possess anti-personnel mines.

## 2. Estimated number of landmines possessed by countries that have signed but have not acceded to the Convention of the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and On Their Destruction

(1) Ukraine:	6,350,000
(2) Poland:	More than 1,000,000
(3) Greece:	More than 1,000,000

Other than those countries, Indonesia, Ethiopia, Sudan, Brunei, Burundi, and Guyana are believed to possess anti-personnel mines.

(Source) "Landmine Monitor Report 2003" compiled mainly by international NGOs

## Section 2 Efforts of the international community

### 1. Starting point

Concerns about the anti-personnel mine issue in the international community grew since early 1990s, and the ICRC, then Secretary General of the United Nations Boutros-Boutros Ghali, and then US President Bill Clinton, among others, called for increased efforts to deal effectively with the issue.

### 2. Control by the Amended Protocol II of the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects (CCW)

Protocol II on Mines, Booby-traps and Other Devices of the CCW adopted in 1980 provided the legal framework to control anti-personnel mines. Protocol II, however, contained several problems. For example, the protocol was not applied to civil wars where anti-personnel mines are mainly used, and it did not ban the use of undetectable mines. In response to growing concern from the international community on the landmine issue, the protocol was amended in May 1996 to become the Amended Protocol II. It incorporated a number of reinforced provisions. For example, the Amended Protocol II is applied to civil wars, bans anti-personnel mines of a vicious nature (such as undetectable anti-personnel mines or those that lack a self-destruction mechanism) in principle, and restricts their transfer. The Amended Protocol II was concluded by 70 states, including Japan, as of the end of October 2003. On the other hand, the Amended Protocol II has not yet reached banning “production” and “stockpiling” of anti-personnel mines and bans the “use” and “transfer” of vicious nature only.

### **Section 3 Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and On Their Destruction (Ottawa Convention)**

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#### **1. Background and overview**

(1)Based on international criticism that a partial prohibition by the CCW would not result in a fundamental solution to the issue of anti-personnel mines and that the total ban of the use, stockpiling, production and transfer thereof is necessary, a path to the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and On Their Destruction was opened through the activities of NGOs, headed by the International Campaign to Ban Landmines (ICBL), and cooperation from various states in favor of the total ban of anti-personnel mines. The Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and On Their Destruction (Ottawa Convention) was prepared through the so-called Ottawa process, which originated from an

international conference convened in Ottawa under the auspices of the Government of Canada in October 1996. It fundamentally prohibits the use, stockpiling, production, or transfer of anti-personnel mines, requires all stockpiled anti-personnel mines in each country to be destroyed within four years and emplaced landmines to be cleared within ten years and, at the same time, calls for international cooperation and assistance to clear landmines and assist the victims of landmines. The convention was opened for signature in Ottawa in December 1997 and entered into force on March 1, 1999. As of the end of November 2003, 141 states including Japan have concluded the convention.

- (2) Following the entry into force of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and On Their Destruction, the First Meeting of States Parties to the Convention was convened in Maputo, Mozambique in May 1999. The “Maputo Declaration,” which calls on all countries to accede to the convention, to promote victim assistance, and to carry out inter-sessional activities toward the next Meeting of States Parties, was adopted at the conference. The Third Meeting of States Parties was convened in Managua, the capital of Nicaragua, in September 2001, and adopted the “Managua Declaration” covering major issues to solve anti-personnel mines problems, confirming the strong political will of the states parties toward solving the problems. At the Fourth Meeting of States Parties convened in Geneva in September 2002, active discussions were held to ensure the concrete implementation of the destruction of stockpiled anti-personnel mines because the time limit for the destruction of stockpiled anti-personnel mines would run out in February 2003 for many of the states parties to the convention, including Japan, which became a state party to the convention in 1999. The states parties were reminded of the importance of their compliance with the convention. In 2003, the Fifth Meeting of States Parties was convened in Bangkok, the capital of Thailand, as the first of its kind in Asia, and it adopted the “Bangkok Declaration,” which included the convening of the First Review Conference in Nairobi from November 29 to December 3, 2004.

## 2. Major countries that have not acceded to the convention and reasons thereof

The United States has not yet acceded to this convention, among others, because of security concerns regarding the Korean Peninsula, and Russia has also not taken this step as it feels it must protect its national nuclear power plants. China maintains the position not to accede to this convention because it considers anti-personnel mines to be a necessary weapon for a state with long land borders. The ROK has not acceded to the convention because it considers landmines to be necessary for its defense against a potential invasion by North Korea. India and Pakistan have not acceded to this convention, among others, because of security concerns. That said, however, the United States, China, the ROK, India, and Pakistan have already acceded to the Amended Protocol II of the CCW mentioned above, while Russia is now in the process of its accession to the protocol.

### **(Reference) Number of anti-personnel mines destroyed**

A total of 69 states have destroyed about 52 million anti-personnel mines so far since 1992. Of these, 30 million were destroyed by 63 states parties to the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and On Their Destruction. The following shows major states that have destroyed anti-personnel mines from May 2002 onwards and the number of mines destroyed.

#### 1. Number of anti-personnel mines destroyed by the States Parties to the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and On Their Destruction that have achieved their destruction targets

- (1) Italy: About 7,100,000
- (2) Japan: About 1,000,000
- (3) Turkmenistan: About 700,000
- (4) Thailand: About 340,000
- (5) Portugal: About 230,000

Other than these, Croatia (about 200,000), Slovenia (about 170,000), Nicaragua (about 130,000), Jordan (about 90,000), and Macedonia and Mozambique (about 40,000 for each country), etc. destroyed anti-personnel mines.

2. Number of anti-personnel mines destroyed by the States Parties to the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and On Their Destruction other than those mentioned in 1 above

(1) Romania: About 490,000

(2) Chile: About 190,000

Other than these, Argentina (about 90,000), etc. destroyed anti-personnel mines.

3. Number of anti-personnel mines destroyed by States not party to the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and On Their Destruction

(1) Russia: About 640,000 (in 2002)

(Note: Russia reported to have destroyed 16,800,000 anti-personnel mines between 1996 and 2002.)

(2) Ukraine: About 410,000 (signed but not acceded to the convention)

Other than these, Belarus (about 20,000), etc. destroyed anti-personnel mines.

(Source) "Landmine Monitor Report 2003" compiled mainly by international NGOs

## Section 4 Japan's efforts

At the signing ceremony of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and On Their Destruction held in Ottawa in December 1997, then Foreign Minister Keizo Obuchi proposed the "Zero Victims Program", with the aim of solving the issue of anti-personnel mines, and stated that a comprehensive approach is indispensable, based on the realization of the universal and effective prohibition of anti-personnel mines and strengthening of assistance for mine clearance and victim assistance. Japan has been actively promoting that policy. In addition, Japan announced its assistance for mine clearance and victim assistance, which amounted to some 10 billion yen over five years from 1998, and accomplished it by October 2002. At the First Meeting of States Parties to the Convention on the Prohibition of the

Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and On Their Destruction convened in Maputo, Mozambique in May 1999, Mr. Keizo Takemi, then Parliamentary Vice-Minister of Foreign Affairs, who headed the Japanese Delegation to the Meeting, announced Japan's decision to provide active assistance based on three principles, namely: ownership (the importance of self-help efforts by the mine affected states), partnership (the collaboration between the donor states associated with the UN and the mine affected states), and human security. Japan's proposal was highly appreciated by the states parties.



Minister for Foreign Affairs Yoriko Kawaguchi inspecting mine clearance operation in Angola (August 2002)

## 1. Accession to relevant conventions by Japan

### (1) Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects (CCW)

Japan ratified the Amended Protocol II on mines, booby-traps and other devices of the CCW on June 10, 1997.

## **(2) Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and On Their Destruction**

Japan ratified the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and On Their Destruction under the leadership of then Prime Minister Keizo Obuchi on September 30, 1998. At the same time, the “Law on the Prohibition of the Manufacture of Anti-Personnel Mines and Regulation of the Possession of Anti-Personnel Mines” was enacted to guarantee execution of this convention within Japan. Japan completed the destruction of about 1 million stockpiled anti-personnel mines, as the convention required, on February 8, 2003.

From the perspective that the ratification of this convention by as many states as possible will contribute to solving the issue of anti-personnel mines, Japan has been urging in every occasion the governments of non-party states, especially those in Asia and those which have many landmines, to ratify the convention, and also has been assisting in holding landmine-related seminars.

Japan served as the co-chair of the Standing Committee on Victim Assistance, Socio-Economic Reintegration and Mine Awareness, which was part of the inter-sessional activities between 2000 and 2001. Japan also attended the Third Meeting of States Parties, which was convened in Managua, the capital of Nicaragua, in September 2001, as the vice chair, and served as the co-chair of the session on assistance to landmine victims. Moreover, Japan is serving as the co-chair of the Standing Committee on Mine Clearance, Mine Awareness and Mine Action Technologies, which is part of the inter-sessional activities between 2003 and 2004, with Cambodia.

## **2. Strengthening of mine clearance and victim assistance**

**(1)**As described above, Japan announced assistance of some 10 billion yen over five years from 1998 to promote concretely mine clearance and victim assistance based on the “Zero Victims Program,” with this amount being disbursed by October 2002.

## **(2) Exceptions to the Three Principles on Arms Exports and relevant regulations**

As a measure to further strengthen the efforts on the anti-personnel mines issue, it was decided not to apply the Three Principles on Arms Exports under specific conditions to the export of equipment needed for mine clearance, (announcement by the Chief Cabinet Secretary on December 2, 1997). In August 2002, vehicles and mine detectors used only for the disposal of anti-personnel mines were exempted from export licensing since their specifications do not correspond to the definition of weapons as defined by the principles?weapons that are used by military forces and employed directly in combat.

## **(3) Recent efforts—assistance to Afghanistan**

The Japanese Government considered its support for anti-landmine measures as one of the major pillars of its support for reconstruction in Afghanistan, and has provided more than 2.5 billion yen mainly for mine clearance, victim assistance, and mine risk education.



Mine clearing operation in Afghanistan



### 3. Future efforts

It is necessary to promote the universalization of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and On Their Destruction and to develop an international environment that makes it much harder to emplace anti-personnel mines. Japan will endeavor to provide “visible assistance” including dispatch of personnel and development of de-mining technologies by using Japan’s advanced technology, in addition to continuing to provide conventional assistance based on financial aid through international organizations, Grant Aid for Humanitarian Demining and Victim Assistance, and Grant Assistance for Grass-roots Human Security

#### Record of assistance (as of the end of July 2003)

##### 1. General anti-landmine measures: \$2.87 million

(1) Assistance through international organizations:	\$ 2.5 million
(2) Others:	\$ 0.37 million

##### 2. De-mining: \$108.99 million

(1) Bilateral assistance:	\$31.66 million
(2) Assistance through international organizations:	\$67.94 million
(3) NGO Projects Subsidy:	\$ 0.02 million
(4) Grant Assistance for Grass-roots Projects:	\$ 9.07 million
(5) Others:	\$ 0.3 million

##### 3. Victim assistance: \$10.17 million

(1) Bilateral assistance:	\$ 0.96 million
(2) Assistance through international organizations:	\$ 7.48 million
(3) NGO Projects Subsidy:	\$ 0.77 million
(4) Grant Assistance for Grass-roots Projects:	\$ 0.86 million
(5) Others:	\$ 0.1 million

##### 4. Mine risk education: \$3.3 million

(1) Assistance through international organizations:	\$ 3.15 million
(2) NGO Projects Subsidy:	\$ 0.09 million
(3) Grant Assistance for Grass-roots Projects:	\$ 0.06 million

##### 5. Others: \$2.59 million

(1) Assistance through international organizations:	\$ 1.6 million
(2) Grant Assistance for Grass-roots Projects:	\$ 0.009 million
(3) Others:	\$ 0.98million

## Chapter 3 Convention on Prohibition or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects (CCW)

### Section 1 Overview of the Convention

In October 1980, the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects (CCW) and the following Protocols I-III were adopted to prohibit or restrict the use of certain conventional weapons which may be deemed to be inhumane.

- Protocol on Non-Detectable Fragments (Protocol I)
- Protocol on Prohibitions or Restrictions on the Use of Mines, Booby Traps (Note: meaning bombs laid in harmless-looking objects such as food and toys) and Other Devices (Protocol II)
- Protocol on Prohibitions or Restrictions on the Use of Incendiary Weapons (Protocol III)

Subsequently, the Protocol on Blinding Laser Weapons (Protocol IV) was adopted in October 1995. Furthermore, in response to the international public opinion calling for stronger international control over mines and other weapons, the Amended Protocol II was adopted in May 1996, which extended the scope of application to armed conflicts not of an international character and considerably strengthened restrictions on the use of landmines. Japan has ratified the convention itself and all protocols including the Amended Protocol II, as well as the Amended Convention.

Armed conflicts not of an international character had been included in the scope of application only in the Amended Protocol II, but at the Second Review Conference of the CCW convened in December 2001, it was adopted to amend the convention to extend its scope of application to armed conflicts not of an international character.

## Section 2 Recent situation (efforts to deal with explosive remnants of war and anti-vehicle mines)

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Since unexploded ordnance and anti-vehicle mines cause damage to civilians especially after the end of the war, their inhumanity has come to be contested. In response to this, negotiations on an instrument about explosive remnants of war mainly composed of unexploded ordnance started in 2003 under the framework of the CCW. At the Meeting of States Parties to the CCW in November 2003, the Protocol on Explosive Remnants of War was adopted as Protocol V. The said protocol stipulates post-conflict remedial measures of a generic nature in order to minimize the risks and effects of explosive remnants of war other than mines, booby-traps and other devices. In addition, the meeting reached an agreement on a mandate for 2004 when all proposals for control over anti-vehicle mines will be considered.

## Chapter 4 UN Register of Conventional Arms

### Section 1 Background and overview

1. The United Nations Register of Conventional Arms is an arrangement established by the UN General Assembly resolution entitled “Transparency in Armaments,” which was jointly submitted by Japan and the member states of EC and adopted by an overwhelming majority in 1991. It was a groundbreaking arrangement that increases transparency and openness in regard to armaments, mainly in the area of the international transfer of conventional arms, with the aim of building confidence among countries and preventing an excessive accumulation of arms, while considering the fact that the excessive accumulation of arms by Iraq led to the destabilization of the region and culminated in the Gulf War in 1991.
2. This arrangement calls upon the UN member states to keep a record of imports and exports during the preceding year of the seven categories of conventional arms listed below, specifically, the quantity transferred within the year and the names of the importing and exporting countries, and to provide the record in a designated form to the UN Secretariat by the end of May every year. In addition, the UN member states are invited to provide data on their military holdings, procurement through national production, and relevant policies. Weapons subject to register under this arrangement were changed as follows in 2004: (1) lowering the bore diameter of “large caliber artillery systems” to be registered from 100mm to 75mm, and (2) adding man-portable air defense system (MANPADS) to “missiles and missile launchers” as a sub-category (for the status of possession and export of conventional arms based on reports of member states, see Material 16 “UN Register of Conventional Arms”).

### **Seven categories of conventional arms that should be reported**

- Battle tanks
- Armored combat vehicles
- Large caliber artillery systems
- Combat aircraft
- Attack helicopters
- Warships
- Missiles and missile launchers

3. In 2002, 120 of the UN member states participated in this arrangement. The register covers most international transfers of arms since the major arms exporting states provide data for the register. However, it is important to promote further understanding of and participation in the register in African and Middle Eastern countries, in view of their low rate of participation.
4. China participated in the register from 1992 to 1996, but has not been providing data since 1997 reacting to the US commencing to report its exporting to Taiwan. It remains unresolved to date as the United States keeps insisting on the legitimacy of including arms exports to Taiwan in its report.

## **Section 2 Japan's policy**

1. The establishment of this register was triggered by the fact that Japan announced (Kaifu cabinet) the "Immediate Measures against Problems in the Middle East after the Gulf Crisis" in the wake of lessons learned in the Gulf War at the beginning of 1991, and called for (1) self-restraints of arms export by the major arms exporting states and (2) establishment of a UN register of conventional arms. Subsequently, Japan and then EC states jointly prepared a draft UN resolution to establish the arrangement.
2. Consequently, Japan has been urging the governments of the UN member states to submit data in order to universalize the register arrangement, as well as contributing to strengthening the register, including support for holding workshops. In addition, Japan has participated in and played a central role in

every Group of Governmental Experts meeting, which has been held every three years in principle to discuss the implementation status of the register.

3. For example, at the 10th anniversary of the establishment of the register, Japan served as one of the sponsors of the “Workshop on Transparency in Armaments,” which had been held in Ghana, Namibia, Peru, and Indonesia between 2002 and 2003, and made efforts to universalize the register and increase its number of participating states. At the Group of Governmental Experts meeting in 2003, seven categories of conventional arms that needed to be reported were successfully reviewed for the first time due to Japan’s efforts.

## Chapter 5 Circumstances of other conventional arms

Conventional arms cover a wide range of weapons. Of which, discussions have recently been arising on the security of special bombs, such as cluster bombs and depleted uranium munitions.

### Section 1 Cluster bombs

#### (1) Characteristics and problems of cluster bombs

Although there is not always a clear definition of cluster bombs, cluster bombs generally refer to bombs based on the following mechanism: a large container of a large amount of sub-munitions is dropped from the air and the container is opened at a certain altitude above the ground to scatter the sub-munitions. While a cluster bomb can dissipate the explosive power of one bomb and affect a wide range, which cannot be done with a conventional bomb, it is said that the probability to leave unexploded bombs is higher. It has been pointed out that bombings by cluster bombs conducted by the United States and other countries in Kosovo and Afghanistan as well as unexploded cluster bombs are causing harm to civilians.

#### (2) Efforts under the framework of the Convention on Prohibition or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects (CCW)

There are no international laws and regulations that restrict and prohibit the production and use of cluster bombs. However, efforts have been made on the issue of cluster bombs under the framework of the CCW. At the Second Review Conference of the CCW convened in December 2001, it was decided that discussion should continue on the issue of explosive remnants of war, including unexploded cluster bombs, in 2002. Based on discussions in the Group of

Governmental Experts for this purpose, it was decided, at the Meeting of States Parties to the CCW in December 2002, that negotiations would be conducted on an instrument related to post-conflict measures to minimize risks to civilians and humanitarian problems due to explosive remnants of war, in 2003. As a result of the negotiations, the “Protocol on Explosive Remnants of War” was adopted in November 2003 at the said Meeting of States Parties (see Chapter 3). This protocol does not control cluster bombs but includes voluntary generic preventive measures in terms of management and manufacturing of munitions with a focus on post-conflict remedial measures of a generic nature such as the record keeping and provision of information necessary to eliminate explosive remnants of war and promote such elimination.

## **Section 2 Depleted uranium munitions**

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### **(1) Characteristics of depleted uranium and depleted uranium munitions**

Depleted uranium refers to a byproduct occurring in the process of producing enriched uranium from natural uranium, of which the content rate of fissionable uranium-235 is lower than that of natural uranium. Since depleted uranium is in high density and has very high gravity, it is used for balance weights on the aircraft tails, military armors, and piercing projectiles, etc.

A depleted uranium munition is a shell that has high penetrating power against the armor of battle tanks, etc., using depleted uranium as penetrator by taking advantage of its characteristics—high density and hardness.

### **(2) Discussions on the security of depleted uranium munitions**

A definite conclusion about the effect that the use of depleted uranium munitions would cause on the human body has not yet drawn internationally, and close attention has to be continuously paid to the trend of future research by international organizations, etc. The following have been pointed out so far by international organizations, etc.



- (a) It has been alleged that US soldiers involved in the Gulf War in 1991 have been showing aftereffects caused by depleted uranium munitions. But the Final Report issued by the US President's Advisory Commission states that exposure to depleted uranium during the Gulf War is less likely to be a cause of the health problems claimed by soldiers demobilized from the Gulf War.
- (b) Cancer and leukemia arose among soldiers dispatched to the Balkan Peninsula in 1999 and the relation of these diseases with depleted uranium munitions used by the US military was suspected. However, for example, as a result of study conducted by the United Nations Environment Programme (UNEP) in Kosovo in November 2000, UNEP did not find significant risks of depleted uranium to the environment or human body.
- (c) According to the report on research by the World Health Organization (WHO) in Kosovo published in March 2001, depleted uranium is only weakly radioactive, and no convincing evidence is available to indicate any health impacts to the Kosovo population associated with the use of depleted uranium.