

**FIFTH ANNUAL CONFERENCE OF THE
STATES PARTIES TO AMENDED
PROTOCOL II TO 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/AP.II/CONF.5/NAR.18
20 October 2003

ENGLISH ONLY

Geneva, 26 November 2003

JAPAN

National annual report

Submitted in accordance with Article 13, para. 4 of the
Protocol on Prohibitions or Restrictions on the Use of Mines,
Booby-Traps and Other Devices
as Amended on 3 May 1996 to the CCW

PROTOCOL ON PROHIBITIONS OR RESTRICTIONS ON THE USE OF MINES,
BOOBY-TRAPS AND OTHER DEVICES AS AMENDED ON 3 MAY 1996 ANNEXED
TO 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

(PROTOCOL II AS AMENDED ON 3 MAY 1996)

Provisional Reporting Formats for Article 13 para 2 and Article 11 para 2.

NAME OF HIGH CONTRACTING PARTY	<u>JAPAN</u>
DATE OF SUBMISSION	<u>10 October, 2003</u>
NATIONAL POINT(S) OF CONTACT	CONVENTIONAL WEAPONS DIVISION, FOREIGN POLICY BUREAU, MINISTRY OF FOREIGN AFFAIRS (TEL: 03-6402-2042, FAX: 03-6402-2147, E- MAIL: yukiko.tominaga@mofa.go.jp) <u>(Organization, telephones, fax, email)</u>

Form A Dissemination of informationArticle
13 / 4 / a

“The High Contracting Parties shall provide annual reports to the Depositary
... on:

(a) dissemination of information on this Protocol to their armed forces and
to the civilian population;”

Remark:

High
Contracting
Party

JAPAN

reporting for time October
period from 16, 2002

to

July 31, 2003

Information to the armed forces

The significance and outline of this Convention and Protocol are dealt with in various educational courses for Self-Defense Forces personnel. Specific obligations are also instructed to the personnel concerned.

Information to the civilian population

The official web site and the annual diplomatic bluebook of the Japanese Foreign Ministry provide the information of the Convention and the Protocol.

Form B Mine clearance and rehabilitation programmes

Article “The High Contracting Parties shall provide annual reports to the Depositary
13 / 4 / b ... on:

(b) mine clearance and rehabilitation programmes;”

Remark:

High
Contracting reporting for time October 16,
Party JAPAN period from 2002 to July 31, 2003

Mine clearance programmes

Japan does not need such programs since there is no mined area under the control of the Government of Japan.

Rehabilitation programmes

Japan does not need such programs since there is no mined area under the control of the Government of Japan.

Form C Technical requirements and relevant information

Article “The High Contracting Parties shall provide annual reports to the Depositary
13 / 4 / c ... on:

(c) steps taken to meet technical requirements of this Protocol and any
other relevant information pertaining thereto;

Remark:

High Contracting Party	<u>JAPAN</u>	reporting for time period from	<u>October 16, 2002</u>	to	<u>July 31, 2003</u>
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Technical requirements

No additional measures were taken during the reported period.

Any other relevant information

Fulfilled technical requirements of the Amended Protocol II. Current status is as follows.

1. Recording : Japan conforms to Technical Annex ‘1. Recording’.
 2. Specification on detectability : No measures are necessary for Japan, because
‘Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-
personnel Mines and on Their Destruction’ came into effect for Japan on 1st March
1999.
 3. Specification on self-destruction : The same as ‘2. Specification on detectability’.
 4. International signs for minefields and mined areas : Japan conforms to Technical Annex
‘4. International signs for minefields and mined areas’.
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Form D Legislation

Article “The High Contracting Parties shall provide annual reports to the
13 / 4 / d Depositary ... on:

(d) legislation related to this Protocol;

Remark:

High Contracting		reporting for time	October 16,	July 31,
Party	JAPAN	period from	2002	to 2003

Legislation

Paragraph 1, Article 48 of the Foreign Exchange and Foreign Trade Law (and Paragraph 1, Article 1 of the Export Trade Control Order)

Outline

The Ministry of Economy, Trade and Industry controls Japan's arms export, based on the Foreign Exchange and Foreign Trade Law.

The exports of arms and equipment for arms production listed in the Export Trade Control Order (see Annex 1) require export licenses to all destination.

(Reference)

The Three Principles

Outline

The Government of Japan has been dealing carefully with arms exports in accordance with the policy guideline named the Three Principles on Arms Exports (hereinafter referred to as "the Three Principles") in order to avoid any possible aggravation of international conflicts.

Under the Three principles, arms exports to the following countries or regions shall not be permitted:

- (1) communist bloc countries;
- (2) countries subject to arms exports embargo under the United Nations Security Council's resolutions; and
- (3) countries involved in or likely to be involved in international conflicts.

The Three Principles have been the basic policy for Japan's arms exports since they were declared in the 1967 Diet session.

Subsequently, in February 1976, the Government of Japan announced the collateral policy guideline according to which

arms exports to other areas not included in the Three Principles will also be restrained, in conformity with Japan's position

as a peaceful nation. In other words, the collateral policy guideline declared that the Government of Japan shall not promote arms exports, regardless of the destinations.

Paragraph 2, Article 88 of the Self-Defense Forces Law :

Outline

‘In using force when the SDF is ordered to be in operation, international statute and/or customs will be adhered to, when so required, and the limit as legitimately adjudged necessary for meeting the prevailing situation will not be exceeded.

Law on the Prohibition of the Manufacture of Anti-personnel Mines and the Regulation of the Possession of Anti-personnel

Mines:

(See attached).

Form E International technical information exchange, cooperation on mine clearance, technical cooperation and assistance

Article “The High Contracting Parties shall provide annual reports to the Depositary
13 / 4 / e ... on:

(e) measures taken on international technical information exchange, on international cooperation on mine clearance, and on technical cooperation and assistance;

Remark:

High Contracting Party JAPAN reporting for time period from October 16, 2002 to July 31, 2003

<u>International technical information exchange</u>
See attached
<u>International cooperation on mine clearance</u>
See attached
<u>International co-operation on technical co-operation and assistance</u>

Purpose	US\$
Dispatches a retired SDF officer as a technical adviser in the framework of Japan International Cooperation Agency's (JICA) Experts Dispatch Program from December 2002 to December 2004.	
The Research Project for Developing Mechanical Demining Machines in Afghanistan	\$590,164
The Project to Support Humanitarian Mine Action Project in Pursat Province	\$288,510
The Project to Support Humanitarian Mine Action Project in Battambang	\$679,273
The Project to Support the Field Evaluation Test of Brush Cutting Machine for Acceleration of Humanitarian Demining	\$63,754
The Project to Support Humanitarian Marking Teams in Northwestern Cambodia	\$318,034
The Project to Support Humanitarian Mineclearance in Northwestern Cambodia Phase II	\$538,157
The Project for Mechanical Assistance for the Mine Clearance in Vanni Area	\$353,536
The Project for Transport for the Mine Clearance in Vanni Area	\$463,647
Support for the Purchase of the Equipments for the Mine Clearance in Jafna Area	\$353,800
Contribution to support mine clearance activities	\$1,922,637
Land Mine Clearance	\$3,782,772
Mine Clearance/Awareness in Eastern Afghanistan	\$818,638
Mechanical Mine Clearance in Central Region, Afghanistan	\$818,500
Support to Emergency Mine Action Coordination at Provincial Level	\$649,000

Project for Mine Clearance on the Plan Alto	\$702,354
Inhambane Mine Clearance Project	\$160,067
Zambezia Province Humanitarian Demining Project	\$530,206
Contribution to support OAS's Assistance Program for Demining Program in Central America	\$17,000
Assistance for Mine Action in Dalmatia and Kariovac Region	€72,585
The Project to Provide Demining Equipment to Civil Protection of Bosnia and Herzegovina	€595,862

Form F**Other relevant matters**Article
13 / 4 / f

“The High Contracting Parties shall provide annual reports to the Depositary
... on:

(f) other relevant matters.

Remark:

High
Contracting
Party

JAPAN

reporting for time
period from

October 16,
2002

to July 31, 2003

Other relevant matters

The destruction of stockpiled anti-personnel mines began on January 17, 2000, and in accordance with the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction, all stockpiled anti-personnel mines were destroyed with the exception of a minimum necessary number by February 8, 2003.

Information to the UN-database on mine clearance

“The High Contracting Parties shall provide information to the database on mine clearance established within the United Nations System, especially.....on:

- information concerning various means and technologies of mine clearance, and lists of experts, expert agencies or national points of contact on mine clearance

to July 31, 2003

<u>Means and technologies of mine clearance</u>
<u>Lists of experts and experts agencies</u>
<u>National points of contact on mine clearance</u>

Annex I
(Form D)

Arms and Arms Production-related Equipment as Listed Item 1
of the Annexed List 1 of the Export Trade Control Order

- (1) Firearms and cartridges to be used therefor (including those to be used for emitting light or smoke), and accessories thereof as well as parts thereof.
- (2) Ammunition (excluding cartridges), and equipment for its dropping or launching, and accessories thereof, as well as parts thereof.
- (3) Explosives (excluding ammunition) and military fuel.
- (4) Explosive stabilizers.
- (5) Directed energy weapons and parts thereof.
- (6) Kinetic energy weapons (excluding firearms) and equipment for their launching, as well as parts thereof.
- (7) Military vehicles and accessories thereof, as well as parts thereof.
- (8) Military vessels, and hulls and accessories thereof, as well as parts thereof.
- (9) Military aircraft and accessories thereof, as well as parts thereof.
- (10) Anti-submarine nets and anti-torpedo nets as well as buoyant electric cable for sweeping magnetic mines.
- (11) Armor plates and military helmets, as well as bullet-proof jackets and parts thereof.
- (12) Military searchlights and control equipment thereof.
- (13) Bacterial, chemical, and radio-active agents for military use, as well as equipment and parts thereof for dissemination, protection, detection, or identification thereof.
- (14) Biopolymers for detection and identification of chemical agents for military use and cultures of cells for production thereof, as well as biocatalysts for decontamination and degradation of chemical agents for military use and expression vectors, viruses or cultures of cells containing the genetic information necessary for production thereof.
- (15) Equipment and parts thereof for the production or testing of military explosives.
- (16) Equipment for the production or testing of arms, as well as parts and accessories thereof.

Law on the Prohibition of the Manufacture of Anti-personnel Mines and
the Regulation of the Possession of Anti-personnel Mines
(Abstract)

1. Purpose (Article 1)

The objective of this law is to enable the government to take necessary measures in order to secure appropriate enforcement of the "Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction".

2. Definitions (Article 2)

"Anti-personnel mine" in the Law is defined as a mine designed to be exploded by the presence, proximity or contact of a person.

3. Prohibition of the Manufacture of Anti-personnel Mines (Article 3)

No person shall manufacture anti-personnel mines.

4. Regulation of the Possession of Anti-personnel Mines (Article 4 & 5)

No person shall possess anti-personnel mines except for the purposes which are permitted under the Convention.

A person who intends to possess anti-personnel mines shall obtain a permit from the Ministry of Economy, Trade and Industry.

5. Notification of the Possession or Destruction of Anti-personnel Mines (Article 11 & 14)

A permitted possessor of anti-personnel mines shall notify the Minister of Economy, Trade and Industry about the detail of anti-personnel mines under his possession according to the regulation provided for by the Ministry of Economy, Trade and Industry.

A permitted possessor of anti-personnel mines shall notify the Minister of Economy, Trade and Industry in case he intends to destruct or handed over anti-personnel mines under his possession.

6. Keeping a Ledger (Article 15)

A permitted possessor of anti-personnel mines shall keep and update a ledger which contains information about types and quantity of the anti-personnel mines under his possession.

7. Fact-finding Mission appointed by the Secretary General of the United Nations (Article 16)

Members of a fact-finding mission shall be entitled to enter into relevant facilities, inspect documents and other materials and ask questions to persons concerned within the mandate provided for in the Convention.

8. Collection of Reports and on the Spot Inspection (Article 17 & 18)

The Minister of Economy, Trade and Industry requires a permitted possessor to report any detail of his activities related to the Law.

The Minister of Economy, Trade and Industry may, to the extent necessary for the implementation of this Law, have his staff member enter into relevant facilities, inspect documents and other materials and ask questions to persons concerned.

9. Penalties (Article 22 to 28)

10. Entry into Force

This Law enters into force on the date of the entry into force of the Convention for Japan.
