

Intervention on Definitions
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Meeting of the Group of Governmental Experts of the High Contracting Parties 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

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Mr. Chairman,

Please allow me to briefly go back to the topic of “identification of key issues and notions.”

Yesterday, some of our colleagues expressed that we need clear definitions and we agree with this. However, an attempt to define “cluster munitions” or their “sub-munitions” while at the same time considering specific ways to restrict certain types of them is difficult at this moment. We are yet to discuss specific measures to address humanitarian concerns posed by cluster munitions or their sub-munitions.

We may, therefore, for the moment discuss what can be “basic” or “generic” definitions of cluster munitions and their sub-munitions for the purpose of our discussion. After we deliver on various measures to tackle with humanitarian concerns posed by cluster munitions or their sub-munitions, we may add or subtract certain elements to or from the basic definitions or make certain exemptions to them.

As for such basic definitions, our thinking may be expressed as follows:

- “Cluster munition” means a carrier-container which contains and is designed to disperse or release explosive sub-munitions.
- “Explosive sub-munition” means an explosive munition which is designed to separate from a cluster munition and detonate on, prior to or after impact on the target.

We consider that “smoke”, “flare” and “chaff” are not regarded as cluster munitions.

Mr. Chairman,

As for unexploded sub-munitions and abandoned cluster munitions, to which no delegations have made remarks, if we need to define them, we can borrow from the definitions of “unexploded” ordnance and “abandoned” ordnance stipulated in Article 2 of the Protocol V to the CCW.

We used the term “unexploded sub-munition” instead of “unexploded cluster munition.” We consider it is those unexploded sub-munitions which are causing humanitarian concerns and it is beneficial to make this distinction clear.

As for the definitions of “civilian objects” and “military objects,” they are well-established. As some of our colleagues, including the Canadian delegation, said, we consider those definitions in the Protocol III or the Amended Protocol II to the CCW are appropriate.

Mr. Chairman,

Thank you very much for allowing me for this intervention. We thought we would like to give you as much input as possible to facilitate your and our future work.

Thank you.