

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 4 and Article 11 para 2.

NAME OF HIGH CONTRACTING PARTY	<u>AUSTRALIA</u>
DATE OF SUBMISSION	<u>14 September 2009</u>
NATIONAL POINT(S) OF CONTACT	<u>DEPARTMENT OF FOREIGN AFFAIRS AND TRADE, CANBERRA</u> <u>DIRECTOR, COUNTER-PROLIFERATION SECTION</u> <u>INTERNATIONAL SECURITY DIVISION</u> <u>PH: 61 2 6261 2943</u> <u>FAX: 61 2 6261 2151</u>

Form A**Dissemination of information**

Article 13 / 4 / a ``The High Contracting Parties shall provide annual reports to the Depository ... on:

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

Remark:

High Contracting Party AUSTRALIA reporting for time period from 01.10.2008 to 01.09.2009

Information to the armed forces

The 'Land Warfare Procedures – General' publication (LWP-G 3-6-5) on Mine Warfare and Booby Traps was prepared and promulgated in November 2007, within the Australian Defence Force. The document provides commanders and staff with current policy on landmines, booby traps and improvised explosive devices and its application to military operations, following the entry into force of international instruments such as Amended Protocol II and the Mine-Ban Convention. The general policy concerning landmines, booby traps, and other devices is also contained in the Australian Defence Doctrine Publication 06.4 Law of Armed Conflict, which was published in May 2006. It contains guidance for commanders and details responsibilities and obligations for Australian Defence Force members.

Information to the civilian population

Information on the Australian Government's Mine Action Strategy (2005 – 2010), including references to Amended Protocol II, is disseminated to the civilian population through:

. Ministerial press releases.

. Numerous media interviews and speaking engagements conducted by the Minister for Foreign Affairs and the Parliamentary Secretary for Foreign Affairs, International Development Assistance.

. Regular meetings of the National Consultative Committee on International Security Issues in which Government officials and community members exchange views on peace and disarmament issues, including landmines.

. Landmines websites established by the Australian Agency for International Development (AusAID) and the Department of Foreign Affairs and Trade. Website addresses are: <http://www.dfat.gov.au/landmines/>, <http://www.dfat.gov.au/security/ccw.html> and <http://www.ausaid.gov.au>. Program information and the Mine Action Strategy (2005-2010) is available from <http://www.ausaid.gov.au/human/landmines.cfm>.

Form B**Mine clearance and rehabilitation programs**

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

(b) mine clearance and rehabilitation programs;"

Remark:

High Contracting Party	AUSTRALIA	reporting for time period from	01.07.08	to	30.06.09
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Mine clearance programs current in the reporting period

Afghanistan – Community Clearpath Project (United Nations Mine Action Centre for Afghanistan)

Afghanistan – Australian Defence Force engineers provide support and promote awareness of mine action (Australian Defence Force)

Cambodia – Clearing for Results (United Nations Development Program)

Cambodia – Strengthening capacity of Mine Action Planning Units Program (Australian Volunteers International)

Iraq – Clearance of explosive remnants of war in southern Iraq and mine risk education (United Nations Development Program)

Lebanon – Humanitarian Mine Action Response (United Nations Mine Action Service)

Lebanon – Recovery and reconstruction of Nahr el-Bared camp (United Nations Relief and Works Agency)

Mozambique – Mozambique Mine Action Program (United Nations Development Program)

Nepal – In-kind donation of mine detectors (United Nations Mine Action Team)

Sri Lanka – Mine clearance for the return and resettlement of Internally Displaced Persons (International Organisation for Migration and Swiss Foundation for Demining)

Sri Lanka – Emergency Mine Action Survey and Clearance (Mines Advisory Group)

Rehabilitation programs (including integrated mine action) current in the reporting period

Cambodia – Landmine Survivor Assistance Program (Australian Red Cross)

Cambodia – Integrated Mine Action and Development in Banteay Meanchey (Austcare)

Cambodia – Australia Cambodia Integrated Mine Action in Pailin (Care Australia)

Cambodia – Community Strengthening and Gender Mainstreaming in Integrated Mine Action (World Vision Australia and International Women’s Development Agency)

Iraq – Conflict Victim Assistance (United Nations Development Program)

Laos – Reducing UXO Livelihood Risk and Improving Livelihoods of Ethnic Communities in Sekong Province (CARE Australia)

Laos – Supporting Lao Disabled People’s Association to enable inclusion of people with disability in Sekong Province (CARE Australia)

Form C**Technical requirements and relevant information**

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

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

Remark:

High Contracting Party AUSTRALIA reporting for time period from 01.10.2008 to 01.09.2009

Technical requirements

Australia does not have minefields, or produce or deploy munitions which fall under the technical requirements of this Protocol.

Any other relevant information

Australian Defence Force doctrine specifically promulgates compliance with Australia's obligations under this Protocol, the Convention on Certain Conventional Weapons generally and the Mine-Ban Convention.

Form D

Legislation

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

(d) legislation related to this Protocol;

Remark:

High Contracting Party AUSTRALIA reporting for time period from 01.10.2008 to 01.09.2009

It is the Australian Government's policy to enact national legislation implementing international instruments only where existing national legislation is insufficient to meet the international obligations contained in the international instruments concerned.

Australia has not enacted specific legislation to implement Amended Protocol II. However, other legislation is relevant to the obligations contained in Amended Protocol II. For example, Australia has enacted the Anti-Personnel Mines Convention Act 1998. This Act primarily implements the Mine-Ban Convention, but it also implements the key provisions of Amended Protocol II. In particular, section 7 of the Act makes it an offence to place, possess, develop, produce, acquire, stockpile, move or transfer anti-personnel mines.

The Australian Government periodically reviews implementing legislation for international humanitarian law instruments to which it is a party in order to ensure it continues to meet implementation requirements. Such a review of legislation related to Amended Protocol II is currently being undertaken.

Form E

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

Article 13 / 4 / e ``The High Contracting Parties shall provide annual reports to the Depositary ... 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 AUSTRALIA reporting for time period from 01.10.2008 to 01.09.2009

International technical information exchange

Australia attended a number of meetings to promote technical information exchange on landmine and ERW issues:

- 9th Meeting of States Parties to the Mine Ban Convention, 24-28 November 2008, Geneva
- Bangkok Workshop on Achieving a Mine-Free South-East Asia, 1-3 April 2009
- Standing Committee Meetings of the Mine Ban Convention, 25-29 May 2009, Geneva

International cooperation on mine clearance

In countries where Australia is a major donor to mine action, for example Cambodia and Laos, Australia is a member of various committees that focus on donor cooperation and coordination. Australia participates actively in meetings of the Mine Action Support Group which helps to coordinate international responses to mine action issues. International cooperation on mine clearance, and mine action in general, has been identified as a high priority in Australia's Mine Action Strategy (2005-2010) for the aid program. In July 2005, Australia pledged A\$75 million over 5 years to mine action assistance. The Australian Government is currently looking at developing a new mine action strategy to guide future programming decisions.

Technical Cooperation and Assistance

Australia provides funding to several Australian non-government organisations to implement integrated mine action programs in Cambodia and Laos, and provides funding for the development of technical capacities of national clearance authorities in Cambodia, Sri Lanka, Laos, Iraq and Afghanistan.

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

reporting for time period from

01.10.2008

to

01.09.2009

Other relevant matters

An Australian Delegation participated at the meeting of the Group of Government Experts on Amended Protocol II from 20-21 April 2009.

Form G

Information to the UN-database on mine clearance

Article 11 para 2 ``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

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Means and technologies of mine clearance

Within the Australian Department of Defence, the Defence Science and Technology Organisation (DSTO) and the Combined Arms Training Centre are developing new methods of clearing mines. DSTO undertakes work in a number of areas covering mine detection and clearance, including research in the development of improved mine detection algorithms. This involves international co-operative work within the Technical Cooperation Program of Australia, New Zealand, the United Kingdom, and the United States. DSTO is also involved in the evaluation of existing and emerging mine detection technologies.

Lists of experts and experts agencies

For information the initial point of contact is:

Director Counter-Proliferation and Arms Control

Counter-Proliferation and Arms Control Section

Export and Arms Control Branch

Strategic Policy Division

R1-1-A043 Russell Offices

Department of Defence

Canberra ACT 2600

Telephone: 61 (2) 6265 6510

Facsimile: 61 (2) 6265 6313

National point of contact on mine action:

Mine Action Coordinator

Middle East and West Asia Branch

Australian Agency for International Development

GPO Box 887

Canberra ACT 2601

Telephone: 61 (2) 6206 4322

Facsimile: 61 (2) 6206 4949