

**CONVENTION ON PROHIBITIONS OR RESTRICTIONS ON THE USE OF CERTAIN
CONVENTIONAL WEAPONS WHICH MAY BE DEEMED TO BE EXCESSIVELY
INJURIOUS OR HAVE INDISCRIMINATE EFFECTS (CCW)
PROTOCOL ON EXPLOSIVE REMNANTS OF WAR
(PROTOCOL V)**

**SUMMARY COVER PAGE
OF THE ANNUAL REPORT OF CCW PROTOCOL V ¹**

NAME OF STATE [PARTY]: **AUSTRALIA**

REPORTING PERIOD: **01/01/09 to 31/12/09**

Form A: Steps taken to implement Article 3 of the Protocol: Clearance, removal or destruction of ERW	x changed <input type="checkbox"/> unchanged (last reporting: yyyy) <input type="checkbox"/> non applicable
Form B: Steps taken to implement Article 4 of the Protocol: Recording, retaining and transmission of information	x changed <input type="checkbox"/> unchanged (last reporting: yyyy) <input type="checkbox"/> non applicable
Form C: Steps taken to implement Article 5 of the Protocol: Other precautions for the protection of the civilian population, individual civilians and civilian objects from the risks and effects of ERW	<input type="checkbox"/> changed x unchanged (last reporting: 2009) <input type="checkbox"/> non applicable
Form D: Steps taken to implement Article 6 of the Protocol: Provisions for the protection of humanitarian missions and organizations from the effects of explosive remnants of war	x changed <input type="checkbox"/> unchanged (last reporting: yyyy) <input type="checkbox"/> non applicable
Form E: Steps taken to implement Article 7 of the Protocol: Assistance with respect to existing explosive remnants of war	x changed <input type="checkbox"/> unchanged (last reporting: yyyy) <input type="checkbox"/> non applicable
Form F: Steps taken to implement Article 8 of the Protocol: Co-operation and assistance	x changed <input type="checkbox"/> unchanged (last reporting: yyyy) <input type="checkbox"/> non applicable
Form G: Steps taken to implement Article 9 of the Protocol: Generic preventive measures	x changed <input type="checkbox"/> unchanged (last reporting: yyyy) <input type="checkbox"/> non applicable
Form H: Steps taken to implement Article 11 of the Protocol: Compliance	x changed <input type="checkbox"/> unchanged (last reporting: yyyy) <input type="checkbox"/> non applicable
Form I: Other Relevant Matters	<input type="checkbox"/> changed <input type="checkbox"/> unchanged (last reporting: yyyy) x non applicable

¹ Pursuant to the relevant decision of the First Conference of the High Contracting Parties to CCW Protocol V, this cover page could be used as a **complement** to submitting the detailed reporting forms adopted at the First Conference of the High Contracting Parties to CCW Protocol V in case there is no substantial change in the ERW situation, as a result of a conflict or of the measures undertaken in compliance with the provisions of Protocol V, and when the information to be provided in some of the forms in an annual report is the same as it would be in past reports.

**CONVENTION ON PROHIBITIONS OR RESTRICTIONS ON THE USE OF CERTAIN
CONVENTIONAL WEAPONS WHICH MAY BE DEEMED TO BE EXCESSIVELY
INJURIOUS OR HAVE INDISCRIMINATE EFFECTS (CCW)
PROTOCOL ON EXPLOSIVE REMNANTS OF WAR
(PROTOCOL V)**

REPORTING FORMS

**Pursuant to Article 10 (2) (b) of the Protocol and the
Decision of the First Conference of the High Contracting Parties to Protocol V**
(As adopted by the First Conference at its second plenary meeting on 5 November 2007)

HIGH CONTRACTING PARTY: **AUSTRALIA**

NATIONAL POINT(S) OF CONTACT Director, Counter Proliferation Section
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Date of submission:14 MAY 2010.....

This information can be available to other interested parties and relevant organizations

YES

NO

Partially, only the following forms:

A **B** **C** **D** **E** **F** **G** **H** **I**

FORM A Steps taken to implement Article 3 of the Protocol: Clearance, removal or destruction of explosive remnants of war

High Contracting Party: **Australia**

Reporting for time period from **01 January 2009 to 31 December 2009**

Steps taken to implement the provisions of Article 3

As previously reported, the use of explosive ordnance by the Australian Defence Forces (ADF) has not resulted in Explosive Remnants of War (ERW). This is the case for both Unexploded Ordnance (UXO) and Abandoned Explosive Ordnance (AXO), irrespective of whether the area of operations is under Australia's control.

The ADF have not created any ERW, as any UXO is dealt with expeditiously and is therefore not abandoned. This is because ADF policy is to pro-actively deal with ERW in theatres of operations even before active hostilities have formally ceased. This policy is aimed at mitigating the threat posed by UXO, by destroying items as they are found, rather than dealing with them after the close of active hostilities (as required by Article 3).

All UXO items found by the ADF on operations in 2009 were identified, documented and destroyed. Risk assessments of the threat posed by the ERW are an integral part of this process.

Any other relevant information

FORM B Steps taken to implement Article 4 of the Protocol: Recording, retaining and transmission of information

High Contracting Party: **Australia**

Reporting for time period from **01 January 2009 to 31 December 2009**

Steps taken to implement the provisions of Article 4 and the Technical Annex

The Australian Defence Force (ADF) tracks and records every use of explosive ordnance.

Detailed electronic reports, including Explosive Ordnance Disposal (EOD) databases, are maintained by all relevant commands and are populated with information from Australian military forces in the field. This information is then transmitted to ADF command headquarters in the theatre of operations, and back to Australia.

The ADF operational level headquarters in Australia maintains a comprehensive register that includes reporting of Explosive Remnants of War (ERW) incidents. These reports include: the nature, type, quantity and condition of the Unexploded Ordnance (UXO) or Abandoned Explosive Ordnance (AXO); any actions taken to mark, clear, remove and/or destroy these items; their location; and an assessment of the threat posed.

The register also provides detailed information about: reporting steps taken; any future action required to deal with the items; and any warnings issued or risk education provided to military forces or the local community.

Protective equipment, risk education, and information on ERW are also provided when visitors enter ADF areas of operations.

Any other relevant information

FORM C Steps taken to implement Article 5 of the Protocol: Other precautions for the protection of the civilian population, individual civilians and civilian objects from the risks and effects of explosive remnants of war

High Contracting Party: **Australia**

Reporting for time period from **01 January 2009 to 31 December 2009**

Steps taken to implement the provisions of Article 5 and the Technical Annex

The Australian Defence Force (ADF) exercises a duty of care to all local nationals within any area affected by Explosive Remnants of War (ERW). Warnings, cordoning, evacuation and other safeguards are implemented prior to any recovery or destruction of ERW.

In accordance with the Protocol, the ADF undertook all practicable precautions to protect the civilian population, individual civilians and civilian objects from the risks and effects of ERW in territory under their control.

Risk education is conducted by the ADF to warn local civilians of the dangers of ERW, and advise of reporting processes to enable civilians to report ERW when they are found.

Any other relevant information

FORM D Steps taken to implement Article 6 of the Protocol: Provisions for the protection of humanitarian missions and organizations from the effects of explosive remnants of war.

High Contracting Party: **Australia**

Reporting for time period from **01 January 2009 to 31 December 2009**.

Steps taken to implement the provisions of Article 6

In 2009, the Australian Defence Force (ADF) provided information to humanitarian missions and organisations on the location of Explosive Remnants of War (ERW) within the humanitarian missions' and organisations' area of operations. This was the case irrespective of whether the particular area of operations was under the control of the ADF.

Any other relevant information

FORM E Steps taken to implement Article 7 of the Protocol: Assistance with respect to existing explosive remnants of war

High Contracting Party: **Australia**

Reporting for time period from **01 January 2009 to 31 December 2009**.

Steps taken to implement the provisions of Article 7

In 2009, the Australian Defence Force (ADF) assisted other states' forces in performing clearance, removal, and destruction of existing Explosive Remnants of War (ERW) from previous conflicts. For example, Operation RENDER SAFE provided assistance in dealing with existing ERW in the Solomon Islands.

For the 2009 reporting period, the ADF also offered Explosive Ordnance training courses to the Malaysian and Singaporean Armed Forces:

- a. Demolition Operator training was provided to one Malaysian Officer; and
- b. Explosive Ordnance Suppliers training was provided to two Malaysian non commissioned personnel.

Any other relevant information

FORM F Steps taken to implement Article 8 of the Protocol: Co-operation and assistance

High Contracting Party: **Australia**

Reporting for time period from **1 January 2009** to **31 December 2009**.

Steps taken to implement the provisions of Article 8

The Australian Defence Force (ADF) exchanges information on a regular basis with the Defence establishments of Canada, New Zealand, United Kingdom and the United States as part of the Technical Co-operation Program (TTCP). In relation to Explosive Remnants of War (ERW) and the removal of ERW, this information concerns the capabilities of equipment, procedures employed, and results of tests, trials, exercises, and operations. This information allows the participating nations to increase their knowledge of the problems involved with the removal of ERW and improve relevant skills and techniques.

Mine action is an important element of Australia's aid program. AusAID's Mine Action Strategy committed \$75 million for the period 2005 to 2010. In November 2009, Australia announced a new \$100 million Mine Action Strategy for the Australian aid program over the five years from 2010-14. The goal of the strategy is to reduce the threat and socio-economic impact of landmines, cluster munitions and other explosive remnants of war. The intended outcomes are: improved quality of life for victims; reduced number of deaths and injuries; enhanced capacity of countries to manage their mine action programs; and effective leadership and advocacy by Australia on mine action. Australia will focus on assisting affected countries in the Asia-Pacific region, with flexibility to respond to other emerging needs and priorities such as Afghanistan. In 2009, Australia spent \$24.5 million on mine action on de-mining, survivor assistance, mine risk education and advocacy activities. As a signatory to Protocol V, Australia's mine action activities address the impact of both landmines and explosive remnants of war.

Program area	Funding recipient	Activity	Mine Action Sector	A\$
Afghanistan	United Nations Mine Action Centre for Afghanistan	Community based demining, MRE, and victim assistance	Mine Clearance/Mine Risk Education	5,000,000
	Geneva International Centre for Humanitarian Demining (GICHD)	Information Management support for Mine Action Centre- Afghanistan	Mine Clearance	200,000
Cambodia	Australian Red Cross	Landmine Survivor Assistance Program	Survivor Assistance/Mine Risk Education	1,703,967
	Austcare/Action Aid	Integrated Mine Action and Development in Banteay Meanchey phase I and II	Survivor Assistance	292,350
	World Vision & International Women's Development Agency	Community Strengthening & Gender Mainstreaming in Integrated Mine Action	Survivor Assistance	267,871

	CARE Australia	Australia Cambodia Integrated Mine Action in Pailin	Survivor Assistance	194,039
	UN Development Programme	Clearing for Results	Mine Clearance	3,740,000
Iraq	UN Development Programme	Conflict Victim Assistance in Northern Iraq	Survivor Assistance	2,400,000
Laos	CARE Australia	Reducing UXO Risk and Improving Livelihoods of Ethnic Communities in Sekong Province	Survivor Assistance	926,315
Lebanon	UN Relief and Works Agency	Recovery and Reconstruction of Nahr el-Bared camp	Mine Clearance	500,000
Nepal	United Nations Mine Action Team	Donation of 10 mine detectors	Mine Clearance	37,261
Sri Lanka	MAG/Mine Action Group	Provision of demining equipment	Mine Clearance	1,000,000
	FSD (Swiss Foundation for Demining)	Mine clearance for the return and resettlement of IDPs	Mine Clearance	300,000
	International Organisation for Migration	Procurement of Demining equipment (220 metal detectors and safety gear)	Mine Clearance	921,640
	UN Development Programme	Demining coordination and TA	Mine action management	800,000
	UN Development Programme	Procurement of Demining equipment	Mine Clearance (equipment)	2,710,000
	UN Children's Fund	Mine Risk Education	Mine Risk Education	200,000
	FSD/Fondation Suisse de Deminage	Training of deminers, provision of 45 mine lab min detectors operational	Mine Clearance	1,300,000
	MAG/Mine Action Group	Training of deminers; demining machines operational	Mine Clearance	700,000
Vietnam	International Committee of the Red Cross	Special Fund for the Disabled	Victim Assistance	500,000
Global	Geneva International Centre for Humanitarian Demining (GICHD)	Mine Ban Convention – Implementation Support Unit	Advocacy	95,000
	GICHD	Mine Ban Convention – Sponsorship Program	Advocacy	40,000
	GICHD	Victim Assistance Expert Position, ISU, GICHD	Victim Assistance	75,000
	GICHD	GICHD – Operational Support Asia Pacific	Advocacy	270,000
	GICHD	Convention on Certain Conventional Weapons Sponsorship Program	Advocacy	20,000
	United Nations Development Programme	Cambodia mine action art exhibit	Advocacy	18,263
	Geneva Call	Asia Program	Advocacy	200,000
	Handicap International Belgium	Ban Advocates 2008-2009	Advocacy	40,000
Total				24,451,706

Any other relevant information

FORM G Steps taken to implement Article 9 of the Protocol: Generic preventive measures

High Contracting Party: **Australia**

Reporting for time period from **01 January 2009 to 31 December 2009**.

Steps taken to implement the provisions of Article 9, the Technical Annex

The Australian Defence Force (ADF) maintains Standard Operating Procedures for dealing with Explosive Remnants of War (ERW) – such as marking, reporting, transporting, and storing ordnance. These procedures comply with Article 9.

The ADF has developed and implemented procedures to minimize the occurrence of ERW, and will continue to improve these procedures into the future. Current ADF procedures include, but are not limited to: training for all personnel in the Law of Armed Conflict; and training of specific personnel in Explosive Ordnance Disposal and standard operating procedures that reduce risk to personnel (including civilians) and the environment.

Defence compliance with the technical aspects of this Protocol is achieved through Technical Regulations. Technical Regulatory Authorities (TRA) are accountable to Service Chiefs and provide appropriate assurance through established regulatory frameworks and auditing compliance within those frameworks. The TRA provides technical integrity regulation through regular compliance audit, ongoing liaison and established steering groups and working groups.

The Explosive Ordnance Assurance Board (EOAB) provides the Vice Chief of the Defence Force with assurance of appropriate Explosive Ordnance (EO) safety management in Defence. The EOAB is Chaired by the Director General Explosive Ordnance (DGEO) in Joint Logistics Command, with Air Force taking the lead TRA role. The EOAB provides a key technical compliance assurance mechanism for introducing EO into Service, and for sustainment of in-Service EO. The EOAB is also responsible for reviewing ADF compliance with EO safety policy. During the 2009 reporting period, the Terms of Reference for the EOAB were reviewed, and the regularity of meetings increased.

The Defence Explosive Ordnance Committee continues as the senior advisory committee supporting the Commander Joint Logistics as the single point of accountability for the Defence-wide management of EO, reporting routinely to the Defence Capability Committee.

Defence, through the Defence Materiel Organisation, actively researches and seeks to employ methods to achieve the highest possible reliability and safety of EO, by engaging industry and research organizations to enhance the reliability, suitability and safety of munitions.

Any other relevant information

Defence mandates, and ensures compliance to, munitions manufacturing management and munitions management through the regulatory documents listed below.

Regulatory Documents:

- a. DI(G) LOG 4-1-006 *Safety of Explosive Ordnance*;
- b. DEOP 102 (AM1) *Technical Integrity of Explosive Ordnance*;
- c. DI(G) LOG 07-10² *Insensitive Munitions*;
- d. DI(G) LOG 08-15³ *Regulation of the technical integrity of Australian Defence Force materiel*;
- e. DI(G) LOG 4-1-010—*The Proof and Experimental Organisation*;
- f. DI(G) OPS 32-1—*Appropriation and import of Defence related materiel during Australian Defence Force operations*;
- g. DI(G) ADMIN 59-1—*Management of Defence Training Areas*;
- h. DI(G) ADMIN 63-1—*Management of land affected by unexploded ordnance*;
- i. United Nations (UN) Publication ST/SG/AC.10/1—*Recommendations on the Transport of Dangerous Goods*;
- j. North Atlantic Treaty Organisation (NATO) Allied Ammunition Storage and Transport Publication 1 (AASTP-1)—*Manual of NATO Safety Principles for the Storage of Military Ammunition and Explosives*;
- k. NATO AASTP-2—*Manual of NATO Safety Principles for the Transport of Military Ammunition and Explosives*;
- l. NATO AASTP-3—*Manual of NATO Safety Principles for the Hazard Classification of Military Ammunition and Explosives*;
- m. United Kingdom Joint Services Publication (JSP) 482—*MOD Explosives Regulations*; and
- n. Allied Ordnance Publication (AOP) 15—*Guidance on the Assessment of the Safety and Suitability for Service of Non-Nuclear Munitions for NATO Armed Forces*.
- o. OPSMAN 3 *Safety Principles for the Handling of Explosive Ordnance*
- p. DEOP 103 (AM1) *Defence Explosive Ordnance Safety Manual*

² Under new numbering system will be identified as DI(G) LOG 4-3-010

³ Under new numbering system will be identified as DI(G) LOG 4-5-012

FORM H Steps taken to implement Article 11 of the Protocol: Compliance

High Contracting Party: **Australia**

Reporting for time period from **01 January 2009 to 31 December 2009**.

Steps taken to implement the provisions of Article 11

The Australian Defence Force (ADF) has issued instructions to operational commands, which comply with the Protocol.

For example, the 'Standing Instructions LOG on Explosive Ordnance for Operation CATALYST (Iraq)', dated 21 November 2007, requires among other things:

- a. That the Explosive Ordnance (EO) management process follow current ADF orders and instructions with respect to security, licensed storage and operational life;
- b. All ammunition technical staff to be conversant with ADF policy, orders and instructions as well as all current domestic EO management regulations for the storage, distribution, handling and maintenance of EO in the Middle East Area of Operations;
- c. The Senior Ammunition Technical Representative to ensure that EO was stored, transported, managed and disposed of safely by Task Groups in accordance with current ADF legal and policy requirements; and
- d. EO incidents, particularly malfunctions, were to be reported on occurrence.

Furthermore, specific Protocol V requirements and procedures for dealing with Explosive Remnants of War (ERW) are covered in pre-deployment and ongoing training. These instructions and procedures are reviewed constantly to ensure their continuing relevance and applicability to current Government direction, including compliance with Protocol V.

Any other relevant information

FORM I Other relevant matters

High Contracting Party: **Australia**

Reporting for time period from **01 January 2009 to 31 December 2009.**

Any other relevant information