



Permanent Representation  
of the Federal Republic of Germany  
to the Conference on Disarmament in Geneva

Ref.: Pol 370.62  
NV No.: 10 / 2014

Note Verbale

The Permanent Representation of the Federal Republic of Germany to the Conference on Disarmament presents its compliments to the United Nations Office at Geneva and has the honor to provide the "Reporting Forms" of the CCW on the PROTOCOL ON EXPLOSIVE REMNANTS OF WAR (Protocol V) for the Federal Republic of Germany.

Reported Period: 1 January – 31 December 2013.

The publication of the CCW Compliance Mechanisms on the UN website would be appreciated.

The Permanent Representation of the Federal Republic of Germany to the Conference on Disarmament avails itself of this opportunity to renew to the United Nations Office at Geneva the assurances of its highest consideration.

Geneva, 19 March 2014



United Nations Office for Disarmament Affairs  
(Geneva Branch)  
CCW-Secretariat  
Palais des Nations

GENEVA

**- PROTOCOL V -**

**REPORTING FORMS  
PURSUANT TO ARTICLE 10, PARAGRAPH 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: GERMANY

---

NATIONAL POINT(S) OF CONTACT (Organization, telephones, fax, e-mail):

Federal Foreign Office  
Division 241  
Tel: +49-30-1817 2936  
Fax: +49-30-1817 52936  
Email: 241-1@diplo.de

DATE OF SUBMISSION: 17/03/2014

(dd/mm/yyyy)

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

**- PROTOCOL V -**

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

---

High Contracting Party: GERMANY

---

Reporting for time period from: 01/01/2013 to 31/12/2013  
[dd/mm/yyyy] [dd/mm/yyyy]

---

Steps taken to implement the provisions of Article 3:

(i) Upon mandates given, authorized or approved by the Security Council of the United Nations, the German Federal Armed Forces may be empowered by the Federal Parliament to participate in operations in support of Members of the United Nations. Under parameters of the said mandates and empowerments as well as under the rules of engagement applicable in each individual case, the German Federal Armed Forces are never tasked to exercise, or to assume exercising, control of any territory of a third State on behalf of the Federal Republic of Germany. Thus, while in operation under these conditions, the engagement of the German Federal Armed Forces does not inflict any obligations of clearance, removal or destruction of explosive remnants of war under Article 3 of Protocol V on the Federal Republic of Germany as State Party to Protocol V. This also applies to the participation of the German Federal Armed Forces in the International Security and Assistance Force (ISAF) mission for the benefit of the Islamic Republic of Afghanistan, irrespective of the fact that the latter is not a State Party to Protocol V.

Any other relevant information:

(ii) On her land territory within the meaning of Article 1 (2) of Protocol V, Germany is affected by existing explosive remnants of war as defined in Article 2 (5) of this Protocol. In dealing with this existing explosive remnants of war, Germany takes necessary, effective and immediate measures of clearance, removal, destruction and precaution. Germany does not avail herself of the discretionary right entailed in Article 7 of Protocol V.

**- PROTOCOL V -**

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

---

High Contracting Party: GERMANY

---

Reporting for time period from: 01/01/2013 to 31/12/2013  
[dd/mm/yyyy] [dd/mm/yyyy]

---

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

- (i) Reference is made to response (i) in Form A.  
(ii) Protocol V does not apply to explosive remnants of war in Afghanistan as Afghanistan is not a State Party to Protocol V.  
(iii) However, in the ISAF Regional Command North area of operation information on the use of explosive ordnance are recorded in battle damage reports which are being archived by the respective headquarters.

These reports contain:

- the coordinates of areas targeted using explosive ordnance
- the approximative number of explosive ordnance used in these areas
- the type and nature of explosive ordnance used in these areas
- the results (success/failure) of the use of explosive ordnance
- the nature of detection of explosive ordnance used in these areas (e. g. on the ground; full motion video)
- the general location of unexploded ordnance

Whenever combat actions occur, they will be recorded in the regional commands mission journal. The information will be provided to Afghan National Security Forces (ANSF).

Any other relevant information:

none

**- PROTOCOL V -**

**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: GERMANY

Reporting for time period from: 01/01/2013 to 31/12/2013  
[dd/mm/yyyy] [dd/mm/yyyy]

---

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

- |  |
|--|
| <p>(i) Reference is made to response (i) in Form A and to response (ii) in Form B.</p> <p>(ii) Precautions aimed at the protection of the civilian population, individual civilians, and civilian objects from the risks and effects of explosive remnants of war are an integral part of every military operation conducted by the German Federal Armed Forces.</p> <p>(iii) The civilian population very often informs our patrols about the discovery of unexploded ordnance. If deemed necessary, explosive ordnance disposal (EOD) personnel intervenes. There is a continuous information exchange between the civilian population, ANSF and ISAF. The protection of the civilian population is a basic principle of the UNSC mandate for ISAF.</p> <p>(iv) Whenever explosive ordnance or unexploded ordnance are detected, they are reported to the tactical operations centre and removed immediately by EOD teams.</p> |
|--|

Any other relevant information:

none
------

**- PROTOCOL V -**

**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: GERMANY

Reporting for time period from: 01/01/2013 to 31/12/2013  
[dd/mm/yyyy] [dd/mm/yyyy]

---

Steps taken to implement the provisions of Article 6:

- |   |
|---|
| <p>(i) Reference is made to response (i) in Form A, to response (ii) in Form B and to response (ii) in Form C.</p> <p>(ii) In the reporting period, humanitarian missions or organisations and Afghan authorities/agencies have not requested information on the location of explosive remnants of war from the German Federal Armed Forces operating in Afghanistan.</p> |
|---|

Any other relevant information:

none
------

**- PROTOCOL V -**

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

---

High Contracting Party: GERMANY

---

Reporting for time period from: 01/01/2013 to 31/12/2013  
[dd/mm/yyyy] [dd/mm/yyyy]

---

Steps taken to implement the provisions of Article 7:

- (i) Germany as a High Contracting Party to Protocol V has provided assistance in dealing with problems caused by ERW where necessary and feasible.
- (ii) In its mine clearance aid programmes Germany does not distinguish between mines and ERW. In 2013, Germany funded 39 projects in 22 countries with approximately 14.2 million EUR.
- (iii) Reference is also made to response (ii) in Form A.
- (iv) In the reporting period, the following projects with a primary focus on ERW clearance were conducted by Germany:

Iraq	Total	€ 224,299.07
• Mines Advisory Group (MAG); Mine and UXO Clearance		€ 224,299.07
Laos	Total	€ 831,535.00
• SODI e. V.; UXO Clearance		€ 831,535.00
Libya	Total	€ 423,239.94
• Foundation Swiss Deminage (FSD); Battle Area Clearance		€ 423,239.94
Lebanon	Total	€ 282,816.01
• Mine's Advisory Group (MAG); UXO and Mine Clearance		€ 282,816.01
Vietnam	Total	€ 956,653.00
• SODI e. V.; UXO Clearance		€ 956,653.00

Any other relevant information:

none

**- PROTOCOL V -**

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

High Contracting Party: GERMANY

Reporting for time period from: 01/01/2013 to 31/12/2013  
[dd/mm/yyyy] [dd/mm/yyyy]

Steps taken to implement the provisions of Article 8:

- (i) Germany as a High Contracting Party to Protocol V has provided assistance in dealing with problems caused by ERW where necessary and feasible.
- (ii) In its mine clearance aid programmes Germany does not distinguish between mines and ERW. Many assistance programmes provided by Germany contain a mine and ERW risk education component.
- (iii) In the reporting period Germany supported the following projects which focussed primarily on Victim Assistance:

Colombia	Total	€ 123,000.00
Establishment of the Orthopedic Technique Branch at the Don-Bosco-School, implemented by CIM,		€ 43,000.00
Establishment of a training course for Orthopedic Technicians according to IPSO II, implemented by CIM,		€ 80,000.00
Laos	Total	€ 5,865.00
Victim Assistance (Primary Education, Water supply etc.) implemented by SODI e. V.		€ 5,865.00
Vietnam	Total	€ 161,634.00
Victim Assistance (Health centres etc.) implemented by SODI e. V.		€ 63,221.00
Victim Assistance (Agricultural Training Programmes etc.) implemented by SODI e. V.		€ 18,750.00
Victim Assistance (Vocational Training etc.) implemented by SODI e. V.		€ 79,663.00

Any other relevant information:

none



**- PROTOCOL V -**

**FORM F(a):** Steps taken by States which have ERW victims to implement the relevant provisions of Article 8(2): Victim Assistance

---

High Contracting Party: GERMANY

Reporting for time period from: 01/01/2013 to 31/12/2013  
[dd/mm/yyyy] [dd/mm/yyyy]

---

Steps taken to implement the relevant provisions of Article 8(2):

none

Other relevant information, guided by the Plan of Action on Victim Assistance:

none

**- PROTOCOL V -**

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

---

High Contracting Party: GERMANY

---

Reporting for time period from: 01/01/2013 to (i)  
[dd/mm/yyyy] [dd/mm/yyyy]

---

Steps taken to implement the provisions of Article 9 and the Technical Annex:

- (i) In the acquisition and procurement of explosive ordnance, Germany, by virtue of Article 36 of the 1977 Additional Protocol I to the 1949 Geneva Conventions, is continuously determining whether its employment would be in conformity with this Protocol or with any other rule of international law applicable to her. In this context, generic preventive measures under Article 9 of Protocol V in conjunction with Part 3 of the Technical Annex to Protocol V are given full consideration.
- (ii) Consequently, the German Federal Armed Forces are instructed
  - to take all generic preventive measures aimed at minimizing the occurrence of ERW with regard to the use of and the production or procurement of explosive ordnance in order to achieve the highest possible reliability, and
  - to procure only explosive ordnance with the highest possible standard of reliability, serviceability and safety design requirements.
- (iii) Every step in the procurement process is registered, controlled and documented.
- (iv) New explosive ordnance types are introduced in the German Federal Armed Forces after the successful completion of a series of national tests. Each explosive ordnance must be type-qualified before use and comply with the guidelines for insensitive munition. Depending on the type of the explosive ordnance, testing is carried out at regular intervals.
- (v) Handling and storage of explosive ordnance is regulated by national policies and procedures.

Any other relevant information:

none

**- PROTOCOL V -**

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

---

High Contracting Party: GERMANY

Reporting for time period from: 01/01/2013 to (i) [dd/mm/yyyy]  
[dd/mm/yyyy]

---

Steps taken to implement the provisions of Article 11:

- (i) The Federal Ministry of Defense, in cooperation with the Federal Foreign Office and the German Red Cross, publishes and distributes the bilingual (English and German) omnibus publication “Documents on International Humanitarian Law | Dokumente zum humanitären Völkerrecht” (2nd edition; ISBN 978-3-89665-564-6). This publication includes, inter alia, the text of Protocol V in German and English language.
- (ii) Via Joint Service Regulation ZDv 15/2 “International Humanitarian Law in Armed Conflicts – Manual” of 01/05/2013, the contents and provisions of Protocol V are disseminated and implemented, in accordance with Article 11. This Manual summarizes the provisions on international humanitarian law and on the law of explosive remnants of war and presents them as a regulation to be observed by all military personnel. It also serves as a foundation for initial and extension training of military personnel in the field of international law. ZDv 15/2 covers the latest developments in the law of armed conflict.
- (iii) All soldiers of the German Federal Armed Forces receive instructions in international humanitarian law. This training is conducted within the military units by superiors and legal advisers and at the German Federal Armed Forces Schools and Academies by law scholars.
- (iv) Measures dealing with the clearance, removal or destruction of explosive remnants of war, as well as the recording, retaining and transmission of any information are part of the individual military training.

Any other relevant information:

none

**- PROTOCOL V -**

**FORM I:** Other relevant matters

---

High Contracting Party: GERMANY

Reporting for time period from: 01/01/2013 to 31/12/2013  
[dd/mm/yyyy] [dd/mm/yyyy]

---

Any other relevant information:

<p>Germany is a State Party to</p> <ul style="list-style-type: none"><li>- the 1996 Amended Protocol II on Prohibitions and Restrictions on the Use of Mines, Booby-Traps and Other Devices;</li><li>- the 1997 Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction;</li><li>- the 2008 Convention on Cluster Munitions.</li></ul>
--