No. 045/11

The Permanent Mission of the United States of America to the United Nations and other International Organizations in Geneva presents its compliments to the Convention on Certain Conventional Weapons (CCW) Implementation Support Unit (ISU) of the United Nations Office in Geneva and is pleased to transmit to the ISU the enclosed Compliance Report, consistent with the decision of the Third Review Conference of the CCW.

The Permanent Mission of the United States of America avails itself of this opportunity to renew to the ISU the assurance of its highest consideration.

The Permanent Mission of the

United States of America

- COMPLIANCE -

REPORTING FORMS

pursuant to the Decision of the Third CCW Review Conference on the establishment of a Compliance mechanism applicable to the Convention, as contained in its Final Declaration, Annex II, Paragraph 5 (CCW/CONF.III/11, Part II)

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COVER PAGE

NAME OF THE HIGH CONTRACTING PARTY: United States of America

PARTY TO:
☒ Protocol I (Protocol on Non-Detectable Fragments)
☒ Protocol II (Protocol on Mines Booby-Traps and Other Devices)
☒ Amended Protocol II (amended Protocol on Mines Booby-Traps and Other Devices)
☒ Protocol III (Protocol on Incendiary Weapons)
☒ Protocol IV (Protocol on Blinding Laser Weapons)
☒ Protocol V (Protocol on Explosive Remnants of War)

ACCEDED TO:
☒ The amendment to Article 1 of the Convention

DATE OF SUBMISSION: 30/09/2011
(dd/mm/yyyy)

(NOTE: the recommended deadline for submission of the national reports was fixed by the 2007 Meeting of the High Contracting Parties at 1 October of each calendar year)

NATIONAL POINT(S) OF CONTACT¹ (Organization, telephones, fax, e-mail):

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

☐ NO

☐ Partially, only the following forms:  A ☐  B ☐  C ☐  D ☐  E ☐

NOTE: unless otherwise indicated all reports will be made public.

Note: Pursuant to paragraph 5 of the above Decision the High Contracting Parties have agreed to provide information to the Secretary-General in advance of the Meeting, which will be circulated by the Secretary-General to all the High Contracting Parties, on any of the following matters:

¹ Please indicate individually for the CCW and each Protocol (if different).

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CONVENTION ON CERTAIN CONVENTIONAL WEAPONS
(a) Dissemination of information on the Convention and its annexed Protocols to their armed forces and to the civilian population;

(b) Steps taken to meet the relevant technical requirements of the Convention and its annexed Protocols and any other relevant information pertaining thereto;

(c) Legislation related to the Convention and its annexed Protocols;

(d) Measures taken on technical co-operation and assistance; and

(e) Other relevant matters."

Each of the items listed above are provided as separate individual forms to be filled out by each High Contracting Party accordingly.
COMPLIANCE

SUMMARY SHEET

Reporting period: from 01/10/2010 [dd/mm/yyyy] to 30/09/2011 [dd/mm/yyyy]

Form A: Dissemination of information: ☒ changed
☐ unchanged
(last reporting year: ____________)

Form B: Technical requirements and relevant information: ☒ changed
☐ unchanged
(last reporting year: ____________)

Form C: Legislation:
☑ changed
☐ unchanged
(last reporting year: ____________)

Form D: Technical cooperation and assistance:
☑ changed
☐ unchanged
(last reporting year: ____________)

Form E: Other relevant matters:
☑ changed
☐ unchanged
(last reporting year: ____________)

NOTE: This Summary Sheet may be used only after the High Contracting Party has submitted its first national report pursuant to the Decision of the Third CCW Review Conference. Only the reporting forms which are indicated as „changed“ have to be submitted thereafter together with the Cover page and the Summary Sheet.
FORM A: Dissemination of information

Paragraph 5 of the Decision on Compliance:

"The High Contracting Parties will provide information [...] on:

(a) Dissemination of information on the Convention and its annexed Protocols to their armed forces and to the civilian population;"

High Contracting Party: United States of America

Reporting period: from 01/10/2010 to 30/09/2011

☒ additional information of dissemination of information on CCW Amended Protocol II to armed forces and civilian population is contained in the National Annual Report provided in accordance with paragraph 4(a) of Article 13 of Amended Protocol II for the year: 2010

☒ additional information on dissemination of information on CCW Protocol V is contained in the National Report provided pursuant to paragraph 2 (b) of Article 10 of Protocol V for the year: 2010

Information to the armed forces, including the extent to which the CCW and its Protocols are part of military manuals and the training curriculum of its armed forces:
The United States Department of Defense has incorporated the requirements of the CCW and its protocols into its relevant doctrine, operational and training publications and courses of instruction of the Armed Forces of the United States. It is the policy of the United States that all actions of the Department of Defense with respect to the acquisition and procurement of weapons, and their intended use in armed conflict, shall be consistent with the obligations assumed by the United States Government under all applicable treaties, customary international law, and, in particular, arms control agreements and the law of war.

For example, Department of Defense Directive 5000.01, "The Defense Acquisition System (May 12, 2003), ¶E1.15 requires a law of war review for any new weapon. U.S. Army doctrine provides guidance for the clearance, removal and destruction of explosive hazards (FM 3-34.210, Explosive Hazards Operations and FM 3-34.214, Explosives and Demolitions).

Information to the civilian population, including information on any programs, courses or documentation to disseminate the CCW to non-military audiences:
Over the past decade, the U.S. Government, through the Office of Weapons Removal and Abatement in the U.S. Department of State's Bureau of Political-Military Affairs (PM/WRA) has published "To Walk the Earth in Safety," which details how the United States continues to lead the international donor community in providing assistance for the clearance of landmines and other explosive remnants of war, as well as the destruction of at-risk and unsecured weapons and munitions, by providing more than $1.9 billion in conventional weapons destruction assistance to over 80 countries since 1993.

The 2011 version of this publication describes the programs and achievements of our Conventional Weapons Destruction (CWD) efforts. Where this publication once referenced only the U.S. government work in humanitarian mine action, it has now been expanded to detail our comprehensive interagency approach to address explosive remnants of war, at-risk small arms and light weapons, including man-portable air-defense systems (MANPADS), and unsecure or unstable conventional munitions, as well as efforts to increase physical security and stockpile management (PSSM) around the world. This combined CWD approach ensures that all of these items will be handled comprehensively to reduce the humanitarian impact and national security risks.
Any other relevant information:
FORM B: Technical requirements and relevant information

Paragraph 5 of the Decision on Compliance:

"The High Contracting Parties will provide information [...] on:

(b) Steps taken to meet the relevant technical requirements of the Convention and its annexed Protocols and any other relevant information pertaining thereto;"

High Contracting Party: United States of America

Reporting period: from 01/10/2010 to 30/09/2011

☑ additional information on steps taken to meet technical requirements of Amended Protocol II and other relevant information pertaining thereto is contained in the National Annual Report provided pursuant to paragraph 4(c) of Article 13 of Amended Protocol II for the year: 2010

☑ additional information on steps taken to meet technical requirements of Protocol V and other relevant information pertaining thereto is contained in the National Report provided pursuant to paragraph 2 (b) of Article 10 of Protocol V for the year: 2010

Steps taken to meet the relevant technical requirements of the Convention and its annexed Protocols:

Any other relevant information:
FORM C: Legislation

Paragraph 5 of the Decision on Compliance:

"The High Contracting Parties will provide information [...] on:

(c) Legislation related to the Convention and its annexed Protocols;"

High Contracting Party: United States of America

Reporting period: from 01/10/2010 to 30/09/2011

☒ additional information of legislation related to Amended Protocol II is contained in the National Annual Report provided pursuant to paragraph 4(d) of Article 13 of Amended Protocol II for the year 2010

☒ additional information on legislation related to Protocol V is contained in the National Report provided pursuant to paragraph 2 (b) of Article 10 of Protocol V for the year: 2010

Legislation, including the status and content of national legislation to prevent and suppress violations of amended Protocol II:

On August 21, 1996, pursuant to the request of the Executive Branch of the United States, the U.S. Congress adopted Public Law 104-192, which (among other things) amended Title 18 of the United States Code to implement Article 14(2) of Amended Protocol II. Specifically, 18 U.S.C. 2441 provides criminal penalties for any person "who in relation to the an armed conflict and contrary to the provisions of the Protocol..., willfully kills or causes serious injury to civilians." No other legislation is required to enable the United States to carry out its obligations under the Protocol.

Any other relevant information, including the regulations and policies (other than national legislation) adopted to implement the CCW's obligations and ensure compliance with its Protocols:
FORM D: Technical cooperation and assistance

Paragraph 5 of the Decision on Compliance:

"The High Contracting Parties will provide information [...] on:

(d) Measures taken on technical co-operation and assistance;"

High Contracting Party: United States of America

Reporting period: from 01/10/2010 [dd/mm/yyyy] to 30/09/2011 [dd/mm/yyyy]

☒ additional information of measures taken on international technical information exchange, on international cooperation on mine clearance, and on technical cooperation and assistance is contained in the National Annual Report provided in accordance with paragraph 4(e) of Article 13 of Amended Protocol II for the year: 2010

☒ additional information on measures taken on international technical cooperation and assistance is contained in the National Report provided pursuant to paragraph 2 (b) of Article 10 of Protocol V for the year: 2010

International technical co-operation, including relevant experiences in seeking or providing technical assistance and cooperation:

International technical assistance:

Any other relevant information:
FORM E: Other relevant matters

Paragraph 5 of the Decision on Compliance:

"The High Contracting Parties will provide information [...] on:

(e) Other relevant matters."

High Contracting Party: United States of America

Reporting period: from 01/10/2010 to 30/09/2011

☒ additional relevant information is contained in the National Annual Report provided pursuant to paragraph 4(a) of Article 13 of Amended Protocol II for the year: 2010

☒ additional relevant information is contained in the National Report provided pursuant to paragraph 2 (b) of Article 10 of Protocol V for the year: 2010

Other relevant matters: