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FSC.EMI/454/23
18 December 2023

ENGLISH only

UNITED STATES MISSION
ORGANIZATION FOR SECURITY AND COOPERATION IN EUROPE

No. 2023/55

Note Verbale

The Mission of the United States of America to the Organization for Security and Cooperation in Europe presents its compliments to all the other Delegations and Permanent Missions to the Organization for Security and Cooperation in Europe and the Conflict Prevention Centre and has the honor to submit the reply of the United States of America to the OSCE Questionnaire on Anti-Personnel Landmines and on Explosive Remnants of War and attachments referenced in the United States' reply.

The Mission of the United States of America to the Organization for Security and Cooperation in Europe avails itself of this opportunity to renew to all Delegations and Permanent Missions to the OSCE and the Conflict Prevention Centre the assurances of its highest consideration.

U.S. Mission to the OSCE
Vienna, December 18, 2023



DIPLOMATIC NOTE

OSCE QUESTIONNAIRE ON ANTI-PERSONNEL MINES

**To be submitted no later than 31 May of each year
(starting in May 2005)**

Part I

1. Is your country a State Party to the 1996 Amended Protocol II on Prohibitions or Restrictions on the Use of Mines, Booby-Traps and Other Devices annexed to the 1980 Convention on Conventional Weapons (CCW)?

Yes.

If yes:

2. Please attach the most recent annual report submitted by your country in accordance with Article 13 of the Amended Protocol or give the appropriate electronic address for the report.

The United States submitted an Annual Report on November 3, 2023. A copy is attached.

If no:

3. Is your country considering ratification/accession to the Amended Protocol II?

Not applicable.

4. What measures have been taken to prevent the indiscriminate use of mines, booby-traps, and other devices?

U.S. policy and practice reflect a number of measures to prevent the indiscriminate use of landmines, booby-traps, and other devices. For example, DoD policy to comply with the law of war includes compliance with the law of war prohibition on the indiscriminate use of any landmines (including anti-personnel landmines), booby-traps, and other devices. Section 6.12.5.2 of the DoD Law of War Manual (June 2015, Updated July 2023) provides DoD guidance on the prohibition against indiscriminate use of mines, booby-traps, and other devices.

In addition, all U.S. practice related to these weapons meets or is more restrictive than the requirements of Amended Protocol II. For example, U.S. forces no longer employ non-self-destructing landmines (also known as “persistent” landmines), either anti-personnel or anti-vehicle, but rely exclusively on self-destructing/self-deactivating landmines that meet the requirements for self-destruction and self-deactivation that are specified in the Technical Annex of Amended Protocol II or are subject to more restrictive requirements.

As another example, U.S. forces have detailed guidance on the reporting of minefields. Such reporting ensures that minefields are subject to approval by competent commanders before emplacement, facilitates the taking of precautions (such as warnings or marking) to reduce the risk of harm to civilians, and facilitates later efforts to clear minefields of possible UXO.

5. Would your country be interested in receiving assistance related to the implementation of this Protocol? If so, please describe.

No.

6. Does your country have the capacity to assist others related to this Protocol? If so, please describe.

The United States is a strong supporter of international humanitarian mine action efforts and mine action technology exchanges. The U.S. Department of State's Conventional Weapons Destruction (CWD) programs are highly successful but are only one component of the U.S. Government's robust Humanitarian Mine Action Program. The U.S. Department of Defense and the U.S. Agency for International Development (USAID) also work to alleviate the harm caused by others' indiscriminate and illicit use of landmines. The United States was one of the first countries to support humanitarian mine action efforts, beginning in 1988 in Afghanistan. Since then, the United States consistently has been the world's single largest financial supporter of Conventional Weapons Destruction – including humanitarian mine action – providing more than \$4.6 billion in support since 1993 to more than 120 countries. U.S. efforts include training and support for mine clearance operations, mine risk education, survivors' assistance, research and development, and training and support for physical security and stockpile management of explosive ordnance. The United States is also a leader in the development and sharing of mine clearance technology, techniques, and information.

More information can be found at:

- U.S. Department of State, Office of Weapons Removal and Abatement:
<https://www.state.gov/bureaus-offices/under-secretary-for-arms-control-and-international-security-affairs/bureau-of-political-military-affairs/office-of-weapons-removal-and-abatement/>
- U.S. Department of Defense Humanitarian Demining Training Center:
<https://home.army.mil/lee/index.php/units-tenants/humanitarian-demining-training-center>
- U.S. Department of Defense Humanitarian Demining Research and Development Program:
www.humanitarian-demining.org
- U.S. Agency for International Development Patrick J. Leahy War Victims Fund:
<https://www.usaid.gov/inclusivedevelopment>
- 2023 Edition of State Department Publication "To Walk the Earth in Safety":
<https://www.state.gov/reports/to-walk-the-earth-in-safety-2022/>

Part II

7. Has your country ratified or acceded to the 1997 Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction?

No.

8. (a) If yes, please attach the most recent report submitted by your country in accordance with Article 7 of the Convention or give the appropriate electronic address for the report.

Not applicable.

(b) If no, is your country considering ratification/accession to the Convention?

In June 2022, the United States announced an updated U.S. anti-personnel landmine (APL) policy. Under the changes, the United States has aligned its policy on APL (as defined by the Ottawa Convention), outside the context of the Korean Peninsula with key provisions of the Ottawa Convention. This means the United States:

- Will not develop, produce, or acquire APL;
- Will not export or transfer APL, except when necessary for activities related to mine destruction or removal, and for the purpose of destruction;
- Will not use APL outside the Korean Peninsula;
- Will not assist, encourage, or induce anyone, outside the context of the Korean Peninsula, to engage in activity that would be prohibited by the Ottawa Convention; and
- Is undertaking to destroy APL stockpiles not required for the defense of the Republic of Korea.

Additionally, the United States is undertaking diligent efforts to pursue materiel and operational solutions that would be compliant with and ultimately allow the United States to accede to the Ottawa Convention, while ensuring our ability to respond to contingencies and meet our alliance commitments.

More information can be found at:

- FACT SHEET: Changes to U.S. Anti-Personnel Landmine Policy

<https://www.whitehouse.gov/briefing-room/statements-releases/2022/06/21/fact-sheet-changes-to-u-s-anti-personnel-landmine-policy/>

(c) Has your country adopted legislation to address the humanitarian objectives of the Convention, or taken any specific measures regarding the use, production, storage, transfer, and destruction of anti-personnel landmines? In case a moratorium has been introduced, what is its scope and duration and when was it introduced?

See answer to question 8(b) above.

9. Does your country have any specific measures in place to provide assistance to victims?

Established in 1989, the U.S. Agency for International Development's Leahy War Victims Fund (LWVF) works to increase the availability of, and access to, a wide variety of programs benefiting persons with disabilities in conflict-affected countries. Please see Form B of the attached CCW Amended Protocol II report for more information.

10. Does your country require assistance in mine clearance, stockpile destruction, mine awareness, and/or victim assistance? If so, please describe.

No.

11. Does your country have the capacity to assist others in mine action? If so, please describe.

Yes, the U.S. Department of State provided conventional weapons destruction (CWD) assistance that totaled \$337 million in Fiscal Year 2022 and is projected to provide \$350.603 million in Fiscal Year 2023 funds. CWD assistance includes funding for humanitarian mine action, and for destruction and security of small arms, light weapons, and conventional munitions. The United States remains the leading donor to CWD around the world, with U.S. contributions since Fiscal Year 1993 totaling more than \$4.6 billion. These funds have provided assistance to more than 120 countries. The United States cooperates with the United Nations, including the UN Mine Action Service, regional organizations, and other donor States. Please see Form B of the attached CCW Amended Protocol II report for more information.

OSCE QUESTIONNAIRE ON EXPLOSIVE REMNANTS OF WAR

To be submitted on a voluntary basis along with the OSCE Questionnaire on Anti-personnel Mines no later than 31 May each year.

1. Has your country notified the Depositary of its consent to be bound by the 2003 CCW Protocol V on Explosive Remnants of War (ERW) once it enters into force? Is your country considering doing so?

The United States has notified the Depositary of its consent to be bound.

2. If yes, at what stage is the process?

Protocol V on ERW entered into force for the United States on July 21, 2009.

3. Would your country be interested in receiving assistance in clearing or otherwise minimizing the risks and effects of ERW? If so, please describe.

No.

4. Does your country have the capacity to assist others in clearing and minimizing the risks and effects of ERW? If so, please describe.

The United States takes a comprehensive approach to dealing with post-conflict explosive hazards. The U.S. Conventional Weapons Destruction program provides assistance for a range of activities, including humanitarian mine action, battle area clearance, clearance of explosive remnants of war, small arms and light weapons (SA/LW) and conventional munitions destruction (including at-risk munitions and man-portable air defense systems – MANPADS), and physical security and stockpile management. In addition to funding the destruction of excess and obsolete SA/LW and munitions from national holdings, the program also funds the clearance of weapons caches left at the end of conflicts.

Please refer to the United States' 2022 Protocol V report, specifically updated Form E, for more information about countries that the United States assisted in Fiscal Year 2022 and the types of assistance that it provided. A copy is attached.

AMENDED PROTOCOL II

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)

REPORTING FORMATS

for Article 13 paragraph 4 and Article 11 paragraph 2

NAME OF THE HIGH
CONTRACTING PARTY: United States of America

DATE OF SUBMISSION: _____

NATIONAL POINT(S) OF CONTACT: Jessica Thibodeau
Office of the Legal Adviser,
Political-Military Affairs
U.S. Department of State
tel: 202-647-5183
fax: 202-736-7620
email: ThibodeauJK@state.gov
(Organization, telephones, fax, e-mail)

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

AMENDED PROTOCOL II

Form A Dissemination of information

Article 13,
paragraph 4 (a)

“The High Contracting Parties shall provide annual reports to the
Depositary [...] on [...]:

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

Remark:

High Contracting Party:

United States of America

Reporting for time period

from: 01/10/2021
dd/mm/yyyy

to: 30/09/2022
dd/mm/yyyy

INFORMATION TO THE ARMED FORCES:

Copies of the Amended Protocol and related documents (e.g., the letter of then-U.S. President William J. Clinton transmitting the Amended Protocol to the U.S. Senate for its advice and consent to ratification; U.S. Senate reports considering the Amended Protocol) are made available to members of the U.S. armed forces on the website of the U.S. Department of Defense (DoD) Office of General Counsel (OGC) at <https://ogc.osd.mil/Law-of-War/Treaty-Documents/>. The DoD Law of War Manual (June 2015, Updated July 2023) includes, among other things, detailed information about the requirements of the Amended Protocol regarding mines, booby-traps, and other devices. The manual is also available to members of the U.S. armed forces on the DoD OGC website at <https://ogc.osd.mil/Portals/99/Law%20of%20War%202023/DOD-LAW-OF-WAR-MANUAL-JUNE-2015-UPDATED-JULY%202023.pdf>.

In addition, the relevant doctrine, operational, and training publications, and courses of instruction of the U.S. armed forces are routinely reviewed and revised, as necessary, to incorporate the requirements of the Amended Protocol regarding mines, booby-traps, and other devices.

INFORMATION TO THE CIVILIAN POPULATION:

As mentioned above, copies of the Amended Protocol and related documents, and the DoD Law of War Manual are available to the civilian population on the DoD OGC website at <https://ogc.osd.mil/Law-of-War/Treaty-Documents/>. The U.S. Government has also provided to the American Red Cross copies of the Amended Protocol and other relevant documents, and has asked that it incorporate information about the Amended Protocol in its programs for the education of the civilian population of the United States. In addition, the U.S. Department of State has produced nearly every year for more than two decades a public report titled “To

AMENDED PROTOCOL II

Walk the Earth in Safety” (the most recent edition was released in April 2023). This series of reports describe in detail the steps taken by the U.S. Conventional Weapons Destruction Program to address landmines, improvised explosive devices (IEDs), explosive remnants of war (ERW), and small arms and light weapons (SA/LW), which can affect the civilian population in countries recovering from conflict long after the conflict ends. Conventional Weapons Destruction (CWD) is a comprehensive approach that includes humanitarian mine action, battle area clearance, clearance of ERW and IEDs, SA/LW (including at-risk munitions and man-portable air defense systems – MANPADS), stockpile and cache reduction, and physical security and stockpile management. The latest edition of “To Walk the Earth in Safety” may be found at the U.S. Department of State’s website:

<https://www.state.gov/reports/to-walk-the-earth-in-safety-2023/>

The Assistant Secretary of State for Political-Military Affairs and staff in the Office of Weapons Removal and Abatement (PM/WRA) address foundations, corporations, and religious and civic groups, as well as students ranging from secondary- to university-level, to raise awareness of the landmine issue and encourage their participation in this comprehensive approach to CWD. Engagement takes place with domestic, foreign, and international entities. Over the years, PM/WRA has partnered with a number of civic groups and private organizations to expand further the reach of our efforts.

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Form B Mine clearance and rehabilitation programmes

Article 13,
paragraph 4 (b) “The High Contracting Parties shall provide annual reports to the
Depositary [...] on [...]:

(b) mine clearance and rehabilitation programmes;”

Remark:

High Contracting Party:

United States of America

Reporting for time period

from: 01/10/2021

dd/mm/yyyy

to: 30/09/2022

dd/mm/yyyy

MINE CLEARANCE PROGRAMMES:

The U.S. Department of State provided conventional weapons destruction (CWD) assistance that totaled \$337 million in Fiscal Year 2022 and is projected to total \$350.603 million in Fiscal Year 2023 funds. CWD assistance includes funding for humanitarian mine action, and destruction and security of small arms, light weapons, and conventional munitions. The United States remains the leading donor to CWD efforts, with U.S. funding since Fiscal Year 1993 totaling more than \$4.6 billion. These funds have provided assistance to more than 100 countries.

The U.S. CWD Program helps countries around the world to overcome threats from landmines, ERW, and at-risk weapons and munitions, regardless of whether the affected countries are party to either the Amended Protocol or the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction. A State may face challenges from one or more of these types of weapons and munitions, and the comprehensive CWD program increases effectiveness of U.S. assistance by creating a flexible approach to addressing the relevant threats. Relevant to the Amended Protocol, the U.S. CWD program has increasingly dealt with clearance of IEDs. Consistent with the U.S. philosophy of helping other countries to develop the indigenous capacity to address these threats, the U.S. CWD Program also aids in the development of leadership and organizational skills of local personnel to sustain programs after U.S.-provided assistance is complete.

Landmine and IED clearance remains a focus of our comprehensive program. In Fiscal Year 2022, projects in Afghanistan, Angola, Azerbaijan, Bosnia and Herzegovina, Cambodia, Colombia, Croatia, Ecuador, Democratic Republic of Congo, Iraq, Kazakhstan, Kosovo, Laos, Lebanon, Libya, Moldova, Morocco, North Macedonia, Serbia, Sudan, South Sudan, Sri Lanka, Tajikistan, Thailand, Timor-Leste, Ukraine, Vietnam, Yemen, Zimbabwe, and the West Bank specifically addressed landmine and/or IED contamination.

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Assistance is provided both bilaterally and multilaterally, including through the United Nations, the North Atlantic Treaty Organization, the Organization for Security and Co-operation in Europe, and the Organization of American States, as well as through various non-governmental organizations and contractors.

REHABILITATION PROGRAMMES:

The Patrick J. Leahy War Victims Fund, managed by the U.S. Agency for International Development (USAID), serves as an important source of U.S. assistance for civilian victims of conflict in low-and middle- income countries affected by conflict. Established in 1989, the Leahy War Victims Fund maintains a dedicated source of financial and technical support for civilian victims of conflict, particularly those who sustain mobility-related injuries from anti-personnel landmines, unexploded ordnance, and other injuries resulting from armed conflict, persons with disabilities and other persons that would benefit from access to physical rehabilitation services. To date, the Leahy War Victims Fund has provided \$324 million in assistance to more than 50 countries.

Since 1989, USAID has worked through the Leahy War Victims Fund to develop sustainable, quality physical rehabilitation services, including prosthetic and orthotic, physical and occupational therapy, and assistive technology services, in conflict-affected countries. Today, USAID emphasizes that the inclusion of these services in health systems is essential for all. USAID supports the development of a range of physical rehabilitation services, while maintaining its vital focus on strengthening services for victims of conflict and persons with disabilities. Additionally, USAID is enhancing the independence of victims of conflict and persons with disabilities through equal access to social services by partnering with in-country governments and civil society to develop and implement disability-inclusive policies and ensure optimal participation so that no one is left behind.

In Fiscal Year 2022, the Leahy War Victims Fund supported activities in Armenia, Azerbaijan, Burma, Colombia, Ethiopia, Georgia, Laos, Moldova, Nepal, Pakistan, Rwanda, Sri Lanka, Tajikistan, Uganda, Ukraine, and Vietnam with Fiscal Year 2021 funds. In partnership with the World Health Organization, the Leahy War Victims Fund also supported the development of international standards and guidelines related to rehabilitation and assistive technology and has started supporting the secretariat at the Global Rehabilitation Alliance. Spending in Fiscal Year 2022 totaled more than \$13 million.

AMENDED PROTOCOL II

Form C Technical requirements and relevant information

Article 13,
paragraph 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:

United States of America

Reporting for time period

from: 01/10/2021
dd/mm/yyyy

to: 30/09/2022
dd/mm/yyyy

TECHNICAL REQUIREMENTS:

On June 21, 2022, the United States announced a new commitment to align U.S. Anti-Personnel Landmine (APL) policy outside of the Korean Peninsula with the key requirements of the Ottawa Convention. This means that United States will:

- Not develop, produce, or acquire APL;
- Not export or transfer of APL, except when necessary for activities related to mine detection or removal, and for the purpose of destruction;
- Not use APL outside of the Korean Peninsula;
- Not assist, encourage, or induce anyone, outside of the context of the Korean Peninsula, to engage in any activity that would be prohibited by the Ottawa Convention; and
- Undertake to destroy all APL stockpiles not required for the defense of the Republic of Korea.

These policy changes are not required under Amended Protocol II. More information is available at: [https://www.whitehouse.gov/briefing-room/statements-releases/2022/06/21/fact-sheet-changes-to-u-s-anti-personnel-landmine-policy/.](https://www.whitehouse.gov/briefing-room/statements-releases/2022/06/21/fact-sheet-changes-to-u-s-anti-personnel-landmine-policy/)]

ANY OTHER RELEVANT INFORMATION:

AMENDED PROTOCOL II

Form D

Legislation

Article 13,
paragraph 4 (d)

“The High Contracting Parties shall provide annual reports to the
Depositary [...] on [...]:

(d) legislation related to this Protocol;”

Remark:

High Contracting Party:

United States of America

Reporting for time period

from: 01/10/2021

dd/mm/yyyy

to:

09/30/2022

dd/mm/yyyy

LEGISLATION:

No change since the 2004 report.

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Form E **International technical information exchange, cooperation on mine clearance, technical cooperation and assistance**

Article 13,
paragraph 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:

United States of America

Reporting for time period

from: 01/10/2021

dd/mm/yyyy

to: 30/09/2022

dd/mm/yyyy

INTERNATIONAL TECHNICAL INFORMATION EXCHANGE:

No change since the 2005 report.

INTERNATIONAL COOPERATION ON MINE CLEARANCE:

The U.S. Government aims to increase international cooperation and coordination among donor nations, recipient nations, international organizations, and non-governmental organizations to accelerate humanitarian demining efforts worldwide.

In addition to working with the governments of mine-affected countries to provide mine clearance training, mine awareness, and survivor assistance programs (detailed in Form B), the United States works with other governments through regular meetings of the Mine Action Support Group (MASG). The United States also works with the United Nations Mine Action Service (UNMAS) to share information and increase coordination toward our common goal of eliminating landmines that threaten civilians.

TECHNICAL COOPERATION AND ASSISTANCE:

No change since 2005 report.

AMENDED PROTOCOL II

Form F

Other relevant matters

Article 13,
paragraph 4 (f)

“The High Contracting Parties shall provide annual reports to the
Depositary [...] on [...]:

(f) other relevant matters.”

Remark:

High Contracting Party:

United States of America

Reporting for time period

from: 01/10/2021

dd/mm/yyyy

to:

30/09/2022

dd/mm/yyyy

OTHER RELEVANT MATTERS:

None

AMENDED PROTOCOL II

Form G Information to the UN-database on mine clearance

Article 11,
paragraph 2,

“2. Each High Contracting Party undertakes to provide information to the database on mine clearance established within the United Nations System, especially information concerning various means and technologies of mine clearance, and lists of experts, expert agencies or national points of contact on mine clearance.”

Remark:

High Contracting Party:

United States of America

Reporting for time period

from: 01/10/2021
dd/mm/yyyy

to: 30/09/2022
dd/mm/yyyy

MEANS AND TECHNOLOGIES OF MINE CLEARANCE:

- Deminer Personal Protection Equipment and Individual Tools
- Manual Mine Detection (with hand-held detectors)
- Mine Detection Dogs
- Mechanical Mine/Vegetation Clearance
- Mine Risk Education and Training
- Mine Action Center management and strategic planning (including information technology)
- Non-technical Survey
- Technical Survey

LISTS OF EXPERTS AND EXPERT AGENCIES:

- Office of Weapons Removal and Abatement (PM/WRA), Bureau of Political-Military Affairs, U.S. Department of State
- Office of the Under Secretary of Defense for Policy, U.S. Department of Defense
- Humanitarian Demining Research and Development Program, Combat Capabilities Development Command, U.S. Army
- Countermine Training Support Center, U.S. Army Engineer School
- Humanitarian Demining Training Center (HDTC), U.S. Department of Defense
- National Geospatial-Intelligence Agency (NGA), U.S. Department of Defense

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- Leahy War Victims Fund (LWVF); Wheelchair and Disability Funds, U.S. Agency for International Development
- National Center for Environmental Health, U.S. Centers for Disease Control and Prevention

NATIONAL POINTS OF CONTACT ON MINE CLEARANCE:

- Gerald Guilbert, Chief of Programs, Office of Weapons Removal and Abatement, Bureau of Political-Military Affairs, U.S. Department of State; tel: 771-204-7307

- 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: United States of America

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

Jessica Thibodeau
Attorney Adviser - Political Military Affairs
Office of the Legal Adviser
U.S. Department of State
thibodeaujk@state.gov
+01-202-647-5183

DATE OF SUBMISSION: _____

(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: United States of America

Reporting for time period from: 01/10/2021 to 30/09/2022
[dd/mm/yyyy] [dd/mm/yyyy]

Steps taken to implement the provisions of Article 3:

Without prejudice to whether such actions were required under Article 3, the United States has taken efforts to provide assistance to facilitate the marking and clearance, removal, or destruction of explosive remnants of war in Afghanistan.

The United States provided more than \$15 million in Fiscal Year 2022 assistance, despite the August 2021 takeover by the Taliban. Delivered through nongovernmental organizations with decades of experience clearing explosives, U.S. assistance is designed to directly benefit Afghan civilians who face the dangers of landmines and explosive remnants of war on a daily basis without aiding the Taliban. U.S. assistance not only removes landmines, improvised explosive devices, and unexploded and abandoned ordnance, but also demining organizations provide employment and make land safe for farming.

In Fiscal Year 2022, the United States supported, *inter alia*: clearing high-risk hazards such as minefields and unexploded ordnance, and abandoned improvised mines in Baghlan, Helmand, Kabul, Kandahar, Maidan Wardak, Nimroz, Nuristan, Paktika, and Panjsher Provinces; cross-border clearance of high-risk hazards in northern Badakhshan Province, and the conclusion of clearance operations of NATO-origin cluster munitions in Paktya, Faryab, and Nangarhar Provinces; surface and subsurface battle area clearance in central, western, and northern Afghanistan; and emergency callout response teams to identify, secure, and destroy cached munitions in central and eastern Afghanistan.

U.S. assistance with regard to Afghanistan in Fiscal Year 2022 resulted in, *inter alia*: 13,195,103 square meters (3,260 acres) of land cleared; 61,297 explosive hazards cleared or destroyed; and 382.5 metric tons of unserviceable ammunition destroyed. Further information regarding these efforts is available in the latest edition of To Walk the Earth in Safety at <https://www.state.gov/reports/to-walk-the-earth-in-safety-2023/>.

Any other relevant information:

- PROTOCOL V -

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

High Contracting Party: United States of America

Reporting for time period from: 01/10/2021 to 30/09/2022
[dd/mm/yyyy] [dd/mm/yyyy]

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

No updates since 2009.

Any other relevant information:

- 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: United States of America

Reporting for time period from: 01/10/2021 to 30/09/2022
[dd/mm/yyyy] [dd/mm/yyyy]

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

No updates since 2009.

Any other relevant information:

- 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: United States of America

Reporting for time period from: 01/10/2021 to 30/09/2022
[dd/mm/yyyy] [dd/mm/yyyy]

Steps taken to implement the provisions of Article 6:

No updates since 2009.

Any other relevant information:

- 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: United States of America

Reporting for time period from: 01/10/2021 to 30/09/2022
[dd/mm/yyyy] [dd/mm/yyyy]

Steps taken to implement the provisions of Article 7:

The U.S. Department of State's Office of Weapons Removal and Abatement's (PM/WRA) Conventional Weapons Destruction (CWD) program responds to the humanitarian, social, and economic effects generated by all manner of explosive remnants of war (ERW) and at-risk arms and munitions that are surplus, obsolete, poorly secured, or otherwise at risk. CWD activities include humanitarian mine action, destruction of small arms, light weapons, and munitions (including at-risk man-portable air defense systems – MANPADS), and physical security and stockpile management assistance. Our assistance program includes projects to clear existing ERW (Article 7) that originated as far as back as World War II.

PM/WRA finances this program with funds appropriated annually to the U.S. Department of State's Nonproliferation, Antiterrorism, Demining, and Related Programs (NADR) account for Conventional Weapons Destruction. This assistance totaled \$337 million in Fiscal Year 2022 and is projected to total \$264.103 million in Fiscal Year 2023 funds. The U.S. Government works closely with other governments, non-governmental organizations, and private companies to address the threats described above.

Assistance to clearance programs included both for existing ERW (Article 7) and for ERW under Article 8, many times in the same program. ERW is addressed in conjunction with landmine clearance when appropriate for the program. With FY 2022 assistance, the United States supported ERW clearance in: Afghanistan, Angola, Azerbaijan, Bosnia and Herzegovina, Cambodia, Colombia, the Democratic Republic of Congo, Iraq, Kosovo, Laos, Lebanon, Libya, Moldova, Morocco, North Macedonia, Palau, Serbia, Solomon Islands, Somalia, Sudan, South Sudan, Sri Lanka, Sudan, Tajikistan, Thailand, Timor-Leste, Ukraine, Vietnam, Yemen, Zimbabwe and the West Bank.

In addition to ERW clearance, the United States supported activities that prevent future contamination, providing funding for training personnel and/or improvements to government weapons storage facilities in Albania, Angola, Benin, Burkina Faso, Cambodia, Chad, Ecuador, El Salvador, Guatemala, Guinea-Bissau, Kazakhstan, Kenya, Kosovo, the Kyrgyz Republic, Lebanon, Malawi, Mali, Mauritania, Moldova, Montenegro, Mozambique, Niger, Peru, Rwanda, Senegal, Serbia, Somalia, Sri Lanka, and Tanzania. By helping countries secure their stockpiles, the United States helps to prevent the proliferation of conventional weapons and munitions, the latter of which might be at risk of becoming ERW, thus supporting the goals of Protocol V.

The United States also supports the destruction of aging unserviceable and at-risk stockpiles of munitions. Most of these munitions are unlikely to function as intended for a variety of reasons. Destroying these munitions prevents them from exploding unintentionally or from becoming ERW as a result of malfunction during use. Angola, Benin, Bosnia and Herzegovina, Chad, Croatia, Ecuador, El Salvador, Georgia, Guatemala, Guinea-Bissau, Honduras, the Kyrgyz Republic,

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Malawi, Mauritania, Montenegro, Peru, and Serbia are States where the United States supported munitions destruction programs.

The U.S. Department of State maintains a Quick Reaction Force (QRF) to address immediate post-conflict and post-depot explosion clearance and other requests related to addressing ERW. While the QRF was available for deployment and offered assistance –after several incidents during the reporting period, there were ultimately no deployments in FY22.

For more information on U.S. Conventional Weapons Destruction programs, please refer to the latest edition of To Walk the Earth in Safety at <https://www.state.gov/reports/to-walk-the-earth-in-safety-2023/>.

Any other relevant information:

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

High Contracting Party: United States of America

Reporting for time period from: 01/10/2021 to 30/09/2022
[dd/mm/yyyy] [dd/mm/yyyy]

Steps taken to implement the provisions of Article 8:

The Patrick J. Leahy War Victims Fund, managed by the U.S. Agency for International Development (USAID), serves as an important source of U.S. assistance for civilian victims of conflict in low-and middle- income countries affected by conflict. Established in 1989, the Leahy War Victims Fund maintains a dedicated source of financial and technical support for civilian victims of conflict, particularly those who sustain mobility-related injuries from anti-personnel landmines, unexploded ordnance, and other injuries resulting from armed conflict, persons with disabilities and other persons that would benefit from access to physical rehabilitation services. To date, the Leahy War Victims Fund has provided \$337 million in assistance to more than 50 countries.

Since 1989, USAID has worked through the Leahy War Victims Fund to develop sustainable, quality physical rehabilitation services, including prosthetic and orthotic, physical and occupational therapy, and assistive technology services, in conflict-affected countries. Today, USAID emphasizes that the inclusion of these services in health systems is essential for all. USAID supports the development of a range of physical rehabilitation services, while maintaining its vital focus on strengthening services for victims of conflict and persons with disabilities. Additionally, USAID is enhancing the independence of victims of conflict and persons with disabilities through equal access to social services by partnering with in-country governments and civil society to develop and implement disability-inclusive policies and ensure optimal participation so that no one is left behind.

In Fiscal Year 2022, the Leahy War Victims Fund supported activities in Armenia, Azerbaijan, Burma, Colombia, Ethiopia, Georgia, Laos, Moldova, Nepal, Pakistan, Rwanda, Sri Lanka, Tajikistan, Uganda, Ukraine, and Vietnam with Fiscal Year 2022 funds. In partnership with the World Health Organization, the Leahy War Victims Fund also supported the development of international standards and guidelines related to rehabilitation and assistive technology and has started supporting the secretariat of the Global Rehabilitation Alliance. Spending in Fiscal Year 2022 totaled more than \$13 million.

Any other relevant information:

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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: United States of America

Reporting for time period from: 01/10/2021 to 30/09/2022
[dd/mm/yyyy] [dd/mm/yyyy]

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

Not applicable; the United States is not an affected State. Please see the section on cooperation and assistance for a summary of what assistance the United States has provided to affected States for victims of ERW.

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

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

High Contracting Party: United States of America

Reporting for time period from: 01/10/2021 to 30/09/2022
[dd/mm/yyyy] [dd/mm/yyyy]

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

No updates since 2009.

Any other relevant information:

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

High Contracting Party: United States of America

Reporting for time period from: 01/10/2021 to 30/09/2022
[dd/mm/yyyy] [dd/mm/yyyy]

Steps taken to implement the provisions of Article 11:

To facilitate the effective implementation of Protocol V by the U.S. armed forces and by relevant agencies or departments, a copy of Protocol V and related documents (e.g., the letter of then-U.S. President George W. Bush transmitting Protocol V to the U.S. Senate for its advice and consent to ratification; the U.S. Senate report considering Protocol V) are made available on the website of the U.S. Department of Defense (DoD) Office of General Counsel (OGC) at <https://ogc.osd.mil/Law-of-War/Treaty-Documents/>. The DoD Law of War Manual (June 2015, Updated July 2023) includes, among other things, detailed information about the requirements of Protocol V, including with respect to the use of explosive ordnance that could become explosive remnants of war. The manual is also available on the DoD OGC website at <https://ogc.osd.mil/Portals/99/Law%20of%20War%202023/DOD-LAW-OF-WAR-MANUAL-JUNE-2015-UPDATED-JULY%202023.pdf>.

Within the U.S. Department of Defense, DoD Directive 2311.01, DoD Law of War Program, July 2, 2020, provides the overarching DoD policy for members of DoD components to comply with the law of war, which is defined to include Protocol V. This Directive is available at: <https://www.esd.whs.mil/Portals/54/Documents/DD/issuances/dodd/231101p.pdf?ver=2020-07-02-143157-007>. This Directive establishes DoD policy that DoD Components implement effective programs to prevent violations of the law of war, including law of war dissemination and periodic training, as well as instructions, regulations, and procedures to implement law of war standards and establish processes for ensuring compliance.

Any other relevant information:

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FORM I: Other relevant matters

High Contracting Party: United States of America

Reporting for time period from: 01/10/2021 **to** 30/09/2022
[dd/mm/yyyy] [dd/mm/yyyy]

Any other relevant information:

NA
