

- PROTOCOL V -

GUIDE ON NATIONAL REPORTING UNDER CCW PROTOCOL V

INTRODUCTION

Protocol on Explosive Remnants of War (Protocol V) 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 (CCW) recognizes the serious post-conflict humanitarian problems caused by explosive remnants of war (ERW) and addresses post-conflict remedial measures of a generic nature in order to minimize the occurrence, effects and the risk of explosive remnants of war.

In accordance with Article 5, paragraph 3 of the Convention, Protocol V entered into force on 12 November 2006, six months after the date by which twenty States have notified their consent to be bound by it in accordance with Article 4, paragraph 3 or 4 of the Convention.

The First Conference of the High Contracting Parties to Protocol V, held on 5 November 2007, decided to establish a database on Protocol V, pursuant to its Article 10, paragraph 2 (b), consisting of the initial national reports, annual or immediate updates of the national reports, and/or summary cover pages, if applicable, on matters pertaining to the implementation of Protocol V. The Protocol V database is maintained by the CCW Secretariat and is, as a rule, accessible for all: the High Contracting Parties, States not parties, as well as the general public. Access to sensitive information may be restricted by the State concerned to the High Contracting Parties only. The States not parties to the Protocol have been encouraged to also provide voluntary national reports for the database. The national reports and their annual updating shall cover the issues stipulated in paragraph 25 of the Final Document of the First Conference of the High Contracting Parties to Protocol V (CCW/P.V/CONF/2007/1). They are contained in the reporting forms as approved by the First Conference, which are contained in Annex VI of the Final Document of the Conference.

The purpose of this “Guide on National Reporting under Protocol V” is:

- to provide a handy tool in the form of recommendations that would motivate and assist the High Contracting Parties in preparing and submitting their national reports thus fulfilling their legal obligations under the respective provisions of the Protocol V;
- to increase the quality and improve the substance of the reports with a view of making them a comprehensive and useful instrument for the implementation of the Protocol V, in particular its international cooperation and assistance provisions.

This “Guide on National Reporting under Protocol V” has no particular legal status. It represents a check list of questions related to the issues of each of the reporting forms. It is recommended to be used as a tool at the discretion of the High Contracting Parties to facilitate them in meeting their reporting obligations under Protocol V.

It is aimed at clarifying the degree of specificity by providing recommendations on elements to be included in the national reports and assisting the High Contracting Parties to standardize their reporting.

This guide may be adapted nationally. It may also be kept under review nationally and improved as per the specific requirements of the High Contracting Parties. They are encouraged to share their experiences in utilizing the guide.

The High Contracting Parties are also encouraged to inform all the relevant organizations and personnel at a national level about the existence of this Guide.

- PROTOCOL V -

**ANNOTATED
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: *Name of the reporting State*
.....

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

Details of the person/organization responsible for preparing the report and in a position to provide clarifying information.

DATE OF SUBMISSION: *Date of sending the report to the CCW Secretariat. Initial reports shall be submitted 180 days after the entry into force of the Protocol to the High Contracting Parties. The annual updates shall be submitted by 31 March of every year*
.....
(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

Pursuant to the relevant decision of the First Conference of the High Contracting Parties to Protocol V (CCW/P.V/CONF/2007/1, paragraph 24) access to sensitive information may be restricted by the State concerned to the High Contracting Parties only

- 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: *Name of the reporting State*

Reporting for time period from: _____ to _____
[dd/mm/yyyy] [dd/mm/yyyy]

Steps taken to implement the provisions of Article 3:

- 1. State whether the reporting State exercises control on the territory affected by explosive remnants of war (ERW).**

- 2. If YES:**
 - *If known and relevant, describe the cause of the ERW contamination, e.g.:*
 - *Residual Unexploded Ordnance (UXO).*
 - *From a recent conflict.*
 - *From test ranges.*
 - *Resulting from Abandoned Explosive Ordnance (AXO).*

 - **Provide the details on the extent of contamination.**
 - *Describe the geographic locations affected (geographic references).*
 - *Describe the types of ordnance that constitute the contamination.*
 - *If possible, identify or review of humanitarian risk (possible effects of ERW to civilian population including estimates of civilian casualties and deaths and civilian objects as well as possible economic, developmental and social disturbances).*

 - **If applicable, describe the steps taken to implement the responsibilities set out in Article 3:**
 - *Describe steps being taken to survey and assess the threat posed by ERW.*
 - *Describe steps being taken to assess and prioritize the needs and practicability in terms of marking and clearance, removal or destruction of ERW.*
 - *Describe steps being taken to mark and clear the contaminated areas and destroy ERW.*
 - *Provide a timeline for the assessment of the threat posed by ERW as well as prioritized efforts to mark, clear and remove or destroy ERW.*
 - *Describe the steps taken to mobilize resources to carry out activities required to implement Article 3.*
 - *Describe any ongoing project for the elimination of the risk arising from the ERW contamination.*
 - *Describe the standards used to implement Article 3, including international standards such as International Mine Action Standards (IMAS).*
 - *Identify the subjects responsible for coordinating and implementing marking and clearance activities (international or private institutions, governmental organizations, military department, police, etc.).*

 - **Describe the resources for marking and clearing operations:**
 - *Budget allocations for marking and clearing.*
 - *Amounts of funds used to date.*
 - *Estimate of resources needed to clear contaminated areas.*
 - *Steps taken to mobilize resources funding from the third parties (international, domestic).*

- PROTOCOL V -

3. State whether explosive ordnance have been used by the reporting State during an armed conflict after the entry into force of the Protocol in a territory that is (currently) outside its control. If yes and if possible:

- Describe the geographic locations (by geographic references).
- Describe the type of ordnance used that could constitute contamination.
- Describe the number of munitions used by type in each area.
- Identify by type of munitions and location, if applicable, any munitions caches or ordnance abandoned on the territory of another state (the information reported should be in accordance with the Technical Annex).
- Describe the kind of assistance (technical, financial, material, in-kind, or personnel) that has been provided to facilitate the marking, clearance, removal, or destruction of ERW, either bilaterally or through a mutually agreed third party.

Any other relevant information:

- Provide the number and structure of the forces involved in clearance operations.
- List the organizations providing financial and technical support or personnel.
- List the standard references.

- PROTOCOL V -

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

High Contracting Party: Name of the reporting State

Reporting for time period from: [dd/mm/yyyy] to [dd/mm/yyyy]

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

- 1. Describe any laws and regulations requiring recording, storage and transmission of information in the reporting State. If possible, provide in attachment the text of such laws or regulations.**
- 2. State whether the reporting State has an established national database to record munitions usage by location and type of ordnance as well as estimates/reports of UXO other than the Article 4 generic electronic template.**
 - **If YES, describe:**
 - If applicable, the database (electronic or paper form).
 - Type of information contained in the database.
 - Level of detail on the specific types and quantities of ordnance and the dates of their use in specific locations.
 - **If NOT, explain what action the reporting State has taken in respect to the Article 4 generic electronic template, e. g.:**
 - Incorporation of the Article 4 generic electronic template into military regulations, instructions, etc.
 - Article 4 generic electronic template has been adapted for the use at the national level.
- 3. Describe who has responsibility for:**
 - Recording the information.
 - Compiling and transmitting the information.
- 4. State whether the relevant authorities and military commanders and soldiers in the field have been duly informed about the national database or the Article 4 generic electronic template, as appropriate.**
 - Describe programs, courses, etc. to explain to the military commanders and soldiers its purpose/benefits and to educate how to use the national database / the template in practice. Explain whether:
 - The responsible authorities are aware of the fact that recording, retaining and possible transmission of the information outlined in the Part I of the Technical Annex is a legally-binding obligation under Protocol V's Article 4 paragraph 1.
 - They distinguish between this obligation and the fact that the obligation to make available without delay the information recorded after the cessation of active hostilities to the party or parties in control of the affected area without delay is subject to these parties' legitimate security interests (Article 4 paragraph 2).
- 5. State whether the national database / Article 4 generic electronic template has already been used in situations for which it has been designed and where such an obligation exists under Article 4 paragraph 1 of the Protocol V.**

- PROTOCOL V -

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: *Name of the reporting State*

Reporting for time period from: _____ to _____
[dd/mm/yyyy] [dd/mm/yyyy]

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

1. **Identify applicable national laws and regulations that provide a broad range of protection to the civilian population. If possible, provide in attachment the text of such laws or regulations.**
2. **Identify the measures taken for the protection of the civilian population either in the territory under the control of the reporting State or in cases where the reporting State is involved in peacekeeping or other similar activities (in the later cases, while provided, this may be beyond the scope of the Protocol's obligations), in particular:**
 - Marking, fencing and monitoring of the ERW contaminated areas.
 - Warning signs that have been used and if how their compatibility with international standards has been addressed.
3. **Detail warnings, risk education and other information provided to civilians (information reported should include, but be not limited to the measures referred to in the Technical Annex).**
 - Describe steps to ensure that warnings and risk education are provided to civilians in contaminated areas and to civilians likely to transit contaminated areas, including internally displaced persons.
 - Describe how the warnings etc. are provided (radio, television, seminars, presentations at school, information bulletin, etc.).
 - Describe educational or training activities for the civilian population.
 - Address, if applicable, the integration with the national education system (is the education integrated to the national education system, or is it on an ad hoc basis)
 - Describe the timeframes during which warnings and risk education activities were initiated and undertaken and if they are still ongoing.
4. **Identify which agency, department or branch has responsibility over these activities.**
5. **Indicate how many people have participated in the above-mentioned educational process.**
6. **Detail which resources were provided to facilitate the provision of warnings and risk education programs.**
7. **Describe the applicable regulations and standards for storage of explosive ordnance during peacetime.**

Any other relevant information:

- PROTOCOL V -



- 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: *Name of the reporting State*

Reporting for time period from: _____ to _____
[dd/mm/yyyy] [dd/mm/yyyy]

Steps taken to implement the provisions of Article 7:

I. Provision of assistance

- 1. State whether the reporting State has provided assistance to other states with respect to existing ERW, i.e., existing prior to the entry into force of the Protocol.***
- 2. Identify what type of assistance is provided.***
 - Specify the field of assistance (i.e. marking, clearance, removal, destruction, risk education, care and rehabilitation and social and economic integration of victims, training of personnel etc.).*
 - Specify the type of assistance (i.e. financial, material, human resource, technical, provision of technical equipment, other).*
- 3. If appropriate, , provide details of the assistance provided to each State.***
- 4. State whether the reporting State requested assistance.***
- 5. Specify what type of assistance was requested (copies of the request could be provided upon request or attached to the report).***
- 6. Clarify whether the reporting State would be in position to provide any information regarding resources that it can make available (financial resources, EOD teams, technical equipment, etc.).***

II. The use of explosive ordnance before the Protocol entered into force

- State whether the reporting State had caused possible ERW contamination on the territory (under control) of another state before the Protocol entered into force. If yes:***
 - Describe the geographic locations (by geographic references)*
 - Describe the type of ordnance used that could constitute contamination.*
 - If possible, describe the number of munitions used by type in each area.*
 - Identify by type of munitions and location, if applicable, any munitions caches or ordnance abandoned on the territory of another state (information reported should be in accordance with the Technical Annex).*

Any other relevant information:

- PROTOCOL V -

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

High Contracting Party: *Name of the reporting State*

Reporting for time period from: _____ to _____
[dd/mm/yyyy] [dd/mm/yyyy]

Steps taken to implement the provisions of Article 8:

1. State whether the reporting State has provided assistance for ERW after entry into force of the Protocol for:

- *Marking and clearance operations.*
- *Removal or destruction of ERW.*
- *Risk education of civilians.*
- *Victim assistance.*
- *Training of personnel involved in the above.*

- *Indicate what was the amount of and the timeframe for the assistance.*

2. Specify through what organizations was assistance provided, e.g.:

- *Through the UN system (specify the agency/department).*
- *Through international, regional or national organizations or institutions.*
- *Through the International Committee of the Red Cross (ICRC), national Red Cross or Red Crescent Societies and their International Federation.*
- *Through Non-Governmental Organizations (NGOs).*
- *Through bilateral agreements or other forms of bilateral cooperation.*

3. State whether the assistance was provided through participation in joint operations or in cooperation with other organizations.

- *If so, specify the organizations or joint operations.*

4. Report whether the reporting State has provided assistance for the care and rehabilitation and social and economic integration of victims of ERW.

- *Specify what assistance was provided.*
- *State if the assistance was provided through UN system, relevant international, regional or national organizations, the ICRC, national Red Cross and Red Crescent Societies and their International Federation, NGOs or on a bilateral basis.*
- *Explain if the assistance was provided:*
 - *For activities undertaken regarding data collection in relation to victims of ERW.*
 - *For activities undertaken to conduct needs assessments in relation to victims of ERW.*
 - *For activities undertaken to ensure legal and policy frameworks were put in place, including a national plan on victim assistance.*
- *Identify the designated national focal point for victim assistance.*
- *Describe steps to allocate and mobilize resources for victim assistance.*
- *Describe steps to involve victims and their representatives in decision making and the provision of assistance.*
- *Describe guidelines and good practices used in the provision of assistance to victims.*

- PROTOCOL V -

5. **Report whether the reporting State has contributed to UN trust funds within the UN system as well as other relevant funds.**
 - Specify to what fund(s) was the contribution(s) made.
 - Indicate what was the amount and purpose for the funds.
6. **Report whether the reporting State has participated in an exchange of equipment, material and scientific and technical information (other than weapons technology) necessary for the implementation of the protocol.**
 - Specify what type of equipment, material or information was exchanged.
 - Detail if the reporting State provided or received the equipment, material, scientific or technical information.
7. **State whether the reporting State has provided information to relevant databases on mine action. If so, specify:**
 - To what databases was the information transmitted.
 - What period of time was covered by the data.
 - If the information concerned means and techniques for ERW clearance.
 - If the information included a list of experts, expert agencies and national points of contact on clearance, risk education, and assistance to victims, of ERW.
 - If, on a voluntary basis, technical information on relevant types of ERW was provided.
8. **State whether the reporting State receiving assistance participated in programs to provide assistance.**
 - Describe the programs or organizations in which it participated and what type of assistance was received.
9. **State whether the reporting State has submitted a request for assistance to the UN, other appropriate bodies and organizations or to other states. If so, specify whether:**
 - The request was for financial or technical assistance.
 - The request included a request for assistance with marking, fencing, clearance or removal, destruction, risk education training and/or victim assistance.
 - The requests were, to the reporting States knowledge, transmitted to other HCP, relevant international organizations or NGOs.
10. **Identify what department/agency is responsible for providing and monitoring the assistance.**

Any other relevant information:

Provide other information, if appropriate:

- Describe, in particular, what steps have been taken to implement the Program of Action on Victims Assistance adopted by the Second Conference of High Contracting Parties.

- PROTOCOL V -

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

High Contracting Party: *Name of the reporting State*

Reporting for time period from: [dd/mm/yyyy] to [dd/mm/yyyy]

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

- 1. Identify the best practices by type in accordance with Part 3 of the Technical Annex to Protocol V which are implemented.***

- 2. State whether such practices are incorporated into national laws and regulations.***
 - *Identify the relevant laws and regulations.*

- 3. Detail organizations in charge of assuring quality and reliability.***

Any other relevant information:

Provide other information, if appropriate:

- *Any weapons withdrawn from service as a result of Stockpile management practices, including follow-on test and evaluation procedures.*
- *Measures taken to ensure the elimination of ERW during the training process of armed forces in peace time.*
- *Policies and practices applied to the development, acquisition, storage, and transfer of specific munitions types in order to reduce their likelihood and risk of causing ERW.*
- *Measures applied to ensure the safe and secure storage and transport of explosive munitions.*
- *Assessment of the age and condition of stockpiled munitions carried out, including logging, tracking and testing procedures.*
- *Testing conducted on stockpiled ordnance to ensure it functions as desired in a range of situations realistically approximating actual combat conditions.*
- *Testing across a range of situations realistically approximating combat conditions carried out during the munitions manufacturing process.*
- *Training given to personnel involved in the handling, transport, and use of explosive ordnance.*
- *Measures undertaken to assess the capability of recipients of transfers of explosive ordnance to store, maintain, and use that explosive ordnance correctly.*
- *Measures applied to improve the reliability of explosive ordnance intended for production or procurement to the highest possible reliability.*

- PROTOCOL V -

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

High Contracting Party: *Name of the reporting State*

Reporting for time period from: _____ to _____
[dd/mm/yyyy] [dd/mm/yyyy]

Steps taken to implement the provisions of Article 11:

1. *Provide information on training and preparation of relevant departments and military branches.*
 - *Details on:*
 - *Goals to be achieved.*
 - *Content of the activities.*
 - *Method used.*
 - *Duration of the activities.*
2. *Specify organization or department in charge of implementing the requirements of Protocol V.*
3. *Provide reference to relevant internet pages where information on the compliance of the reporting State with the Protocol V is accessible.*

Any other relevant information:

- PROTOCOL V -

FORM I: Other relevant matters

High Contracting Party: *Name of the reporting State*

Reporting for time period from: [dd/mm/yyyy] **to** [dd/mm/yyyy]

Any other relevant information:

- | |
|---|
| <ol style="list-style-type: none"><i>1. Provide reference to other documents brought out prior to entry into force of Protocol V related to compliance with its obligations.</i><i>2. Provide information regarding national Point of Contact.</i><i>3. Specify possible ways of sharing information.</i> |
|---|
