



**UNITED STATES MISSION
ORGANIZATION FOR SECURITY AND COOPERATION IN EUROPE**

No. 2025/05

Note Verbale

The Mission of the United States of America to the Organization for Security and Cooperation in Europe presents its compliments to all of the other Delegations and Permanent Missions to the Organization for Security and Cooperation in Europe, the Forum for Security Cooperation, and the Conflict Prevention Center, and in accordance with Decision 2/09 of the Forum for Security Cooperation has the honor to submit the Code of Conduct on Politico-Military Aspects of Security for year 2025.

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, the Forum for Security Cooperation, and the Conflict Prevention Center the assurances of its highest consideration.

**U.S. Mission to the OSCE
Vienna, April 11, 2025**

**To all Permanent Delegations and Missions to the OSCE
The Conflict Prevention Center**

Vienna



Section I: Inter-state Elements

1. Account of measures to prevent and counter terrorism

1.1: *To which agreements and arrangements (universal, regional, sub-regional, and bilateral) related to preventing and countering terrorism is your State a party?*

The United States is a party to a number of multilateral instruments currently in force that are related to States' responsibilities for preventing and countering terrorism, including the following:

- Convention on Offenses and Certain Other Acts Committed on Board Aircraft (Tokyo Convention, 1963)
- Convention for the Suppression of Unlawful Seizure of Aircraft (Hague Convention, 1970)
- Convention for the Suppression of Unlawful Acts Against the Safety of Civil Aviation (Montreal Convention, 1971)
- Convention on the Prevention and Punishment of Crimes Against Internationally Protected Persons (1973)
- Convention on the Physical Protection of Nuclear Material (1979) and its Amendment (2005) (once the 2005 Amendment entered into force on May 8, 2016, the Convention, as amended, was renamed the Convention on the Physical Protection of Nuclear Material and Nuclear Facilities)
- International Convention Against the Taking of Hostages (1979)
- Protocol for the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation (1988)
- Convention for the Suppression of Unlawful Acts Against the Safety of Maritime Navigation (1988)
- Protocol for the Suppression of Unlawful Acts Against the Safety of Fixed Platforms Located on the Continental Shelf (1988)
- Convention on the Marking of Plastic Explosives for the Purpose of Detection (1991)
- International Convention for the Suppression of Terrorist Bombings (1997)
- International Convention for the Suppression of the Financing of Terrorism (1999)
- International Convention for the Suppression of Acts of Nuclear Terrorism (2005)
- Protocol of 2005 to the Convention for the Suppression of Unlawful Acts Against the Safety of Maritime Navigation
- Protocol of 2005 to the Protocol for the Suppression of Unlawful Acts Against the Safety of Fixed Platforms Located on the Continental Shelf.

The United States is also party to:

- The Organization of American States (OAS) Convention to Prevent and Punish the Acts of Terrorism Taking the Form of Crimes Against Persons and Related Extortion That Are of International Significance (1971)
- The Inter-American Convention Against Terrorism (2002).

The United States has signed, but not yet ratified, two other multilateral instruments related to counterterrorism (CT):

- Convention on the Suppression of Unlawful Acts Relating to International Civil Aviation (2010); and
- Protocol Supplementary to the Convention for the Suppression of Unlawful Seizure of Aircraft (2010).

In addition, the United States supports a broad range of international and national efforts to prevent and counter terrorist activities. These efforts are guided by, *inter alia*, the United Nations Global Counter Terrorism Strategy, first adopted by the General Assembly on September 8, 2006, and its subsequent reviews; applicable United Nations Security Council resolutions (UNSCRs); the U.S. National Strategy for Counterterrorism (CT strategy); the U.S. Strategy to Support Women and Girls at Risk from Violent Extremism and Conflict; the U.S. Strategy and National Action Plan on Women, Peace and Security; and the U.S. National Security Memorandum 19 to Counter Weapons of Mass Destruction Terrorism and Advance Nuclear and Radioactive Material Security.

The United States' CT strategy emphasizes the need to counter the full spectrum of terrorist threats we face, including ISIS, al-Qa'ida, Iran-backed groups, and regional terrorist organizations, including ISIS and al-Qa'ida affiliates. It also highlights that our whole-of-government approach and burden-sharing with partner nations are more sustainable and cost-effective. Our strategy places a premium on dismantling terrorist organizations using a wide range of diplomatic, law enforcement, military, intelligence, financial, and other tools.

The United States plays a major role in building our partners' capabilities to detect, disrupt, and dismantle terrorist networks and prevent and disrupt terrorist travel, improving international security. The United States also actively participates in a number of bilateral and multilateral law-enforcement and CT arrangements for information sharing and cooperation. These efforts have helped lead a number of our partners to review and improve domestic legislation to allow for enhanced international information sharing and cooperation.

The United States has engaged in extensive bilateral and multilateral diplomatic and partnership activity to support U.S. efforts to counter terrorism and weapons of mass destruction (WMD) proliferation. Some of these fora and initiatives include:

- The Global Coalition to Defeat ISIS: The United States leads a coalition of 82 nations and five international organizations to defeat ISIS. As part of the Coalition's strategy and

building on broader diplomatic efforts, there are lines of effort with dedicated working groups: the Counter-ISIS Finance Group that works to disrupt ISIS's ability to raise revenue and transfer funds globally; the Foreign Terrorist Fighter Working Group dedicated to addressing the threat posed by the fighters travelling abroad in support of ISIS and those currently in detention in Iraq and Syria; the Communications Working Group that counters the ISIS narrative and supports credible local voices; the Stabilization Working Group that assists local partner efforts and mobilizes hundreds of millions of dollars to stabilize liberated areas; the Africa Focus Group to support civilian-led counterterrorism capacity of African Coalition members and, finally, Defense Cooperation which coordinates the Coalition's military line of effort.

- Strong Cities Network (SCN): In 2015 the Strong Cities Network (SCN) launched at the UN General Assembly, with support from the United States. With 25 founding members, SCN now includes more than 250 local governments across six continents. The network provides local governments with a forum to exchange best practices and lessons learned on countering violent extremism (CVE), including through global summits, regional workshops, exchanges, and an online portal. The London-based Institute for Strategic Dialogue hosts the SCN secretariat, which conducts in-depth capacity building training and mentorship to members in Central Asia, East and West Africa, the Middle East and North Africa, South and Southeast Asia, and the Western Balkans. With support from the United States and the EU, SCN has launched regional hubs in East and Southern Africa, the Middle East and North Africa, South Asia, and the Western Balkans.
- The Global Counterterrorism Forum (GCTF) and Inspired Institutions: Since its launch in September 2011, the GCTF has developed and promoted civilian, rule of law-based CT and CVE doctrine. With its primary focus on strengthening civilian criminal justice capacities for countering terrorism, the GCTF aims to diminish terrorist recruitment and increase countries' capacity for dealing with terrorist threats within their borders and regions. The GCTF has three thematic and two regional working groups: CVE; Criminal Justice and the Rule of Law; Foreign Terrorist Fighters; Capacity Building in the East Africa Region; and Capacity Building in the West Africa Region. The United States and Jordan are co-chairs of the Foreign Terrorist Fighters Working Group. The EU and Egypt are the current GCTF co-chairs. In September 2024, GCTF members endorsed the Brussels Memorandum on Good Practices for Oversight and Accountability Mechanisms in Counterterrorism (Brussels Memorandum), the GCTF Addendum to the Good Practices in the Area of Border Security and Management to Counter Terrorism and Stem the Flow of Foreign Terrorist Fighters (BSM Good Practices), and the BSM Good Practices' related Training of Trainers (ToT) Curriculum. GCTF members also approved the updated 2024-2026 work plans for each of the five working groups. At the 14th GCTF Ministerial, members reaffirmed their commitment to addressing and preventing terrorism and violent extremism threats on the African continent through increased partnership with African-led organizations and the promotion of African-led and African-owned solutions.

- Hedayah: On December 14, 2012, senior officials from key Global Counterterrorism Forum (GCTF) member countries inaugurated Hedayah, the first international center of excellence for CVE, headquartered in Abu Dhabi, United Arab Emirates. Hedayah focuses on capacity-building, dialogue and CVE communications, and research and analysis. Hedayah continues to organize capacity building workshops on CVE communications, education-based approaches to CVE, and CVE National Action Plans (NAPs).
- Global Community Engagement and Resilience Fund (GCERF): The GCERF is a public-private partnership that supports tailored community-level initiatives to strengthen resilience against terrorist radicalization and recruitment. Based in Geneva, Switzerland, the GCERF focuses on preventing and countering violent extremism (CVE) by building the capacity of small, local, community-based organizations.
- The International Institute for Justice and the Rule of Law (IIJ): In 2014 the United States and other GCTF partners established the IIJ, headquartered in Malta, to help criminal justice practitioners better investigate and prosecute terrorism in line with human rights standards and international guiding principles, including those established by the GCTF. The IIJ has established itself as a leading institute in counterterrorism and rule-of-law capacity building, training more than 10,000 lawmakers, police, prosecutors, judges, corrections officials, and other criminal justice stakeholders from over 130 participating countries.

The United Nations (UN): Throughout 2024, the UN remained actively engaged in addressing the grave threat terrorism poses to international peace and security. In addition to hosting high-level counterterrorism meetings, such as UNOCT's High Level Forum on the 5th Anniversary of the UN Countering Terrorist Travel Program and the UN International Conference on Victims of Terrorism, the UN provides technical assistance to improve Member States' ability to counter terrorism.

Other U.S. engagement with UN actors on counterterrorism included the following:

- **The UN Security Council's Counterterrorism Committee (CTC) and the UNSC Counterterrorism Committee Executive Directorate (CTED)**. The United States is **actively engaged** in CTC and CTED efforts to assess evolving terrorist trends and to analyze capacity gaps of member states to implement UNSC resolutions 1373 (2001), 1624 (2004), 2178 (2014), 2396 (2017), 2617 (2021), and other relevant CT resolutions, and to facilitate needed training and other technical assistance to UN member states. In 2024, the CTC held open briefings on strategies for building community resilience against radicalization to terrorism and the requirement for

Member States to criminalize terrorism and negotiated nonbinding guiding principles on countering the financing of terrorism. Since its creation in 2005, CTED has assessed member states' implementation of their counterterrorism obligations and made recommendations on capacity building needed to enhance their ability to address the terrorist threat. In 2024, CTED assessed nine countries including Cote d'Ivoire, Mauritania, Turkmenistan, Ghana, Kazakhstan, Malawi, Tanzania, Thailand, and Montenegro. It also held many technical consultations to support Member States' ability to counter terrorism, including on addressing foreign terrorist fighters, preventing the use of cryptocurrency for terrorist purposes, protection of vulnerable or "soft" targets, and countering the rise of terrorism and violence extremism in Africa.

- **UN Security Council Sanctions Regimes.** The United States also worked closely with the 1267 Sanctions Committee by proposing listings, providing amendments, engaging the committee's ombudsperson regarding petitions for de-listings, and providing input to the Committee to enhance its procedures and implementation of sanctions measures. The United States also assisted the Monitoring Team with information for its research and reports. Two individuals were de-listed, and 139 entries were amended during the year, supporting the UN 1267 Committee's priority to ensure due process and accurate listings. The total figures on the list are 256 individuals and 89 entities, as of December 31, 2023. The Committee also worked to ensure the integrity of the list by conducting regular reviews and by endeavoring to remove those individuals and entities that no longer meet the criteria for listing. The United States also led or supported CT-/sanctions-related UNSCRs negotiations, including UNSCR 2716, which renewed the mandate of the 1988 Taliban Sanction Regime's Monitoring Team, and UNSCR 2713, which renewed the Al-Shabaab Sanctions Regime Committee, the 1988 Taliban Committee, the Democratic Republic of the Congo Sanctions Committee, and the Al-Shabaab Sanctions Committee by proposing listings or amendments to these UN sanctions measures to counter terrorism. The United States also continued to engage the UN 1267 ombudsperson regarding petitions for de-listings, provided input to the committee to enhance its procedures and implementation of sanctions measures, and assisted respective monitoring teams and panels of experts with information for their research and reports. Further, the United States led or supported the negotiation of CT-/sanctions-related UNSCRs, including UNSCR 2744 (2024) which enhanced the UN Focal Point Mechanism's due process, fairness, and transparency for de-listing requests and established an informal working group to discuss cross-cutting UN sanctions issues. The United States also led the adoption, along with Switzerland, of UNSCR 2761 (2024), which indefinitely extended the humanitarian carveout to the UN 1267 ISIL and Al-Qaida sanctions regime pursuant to UNSCR 2664 (2022). UNSCR 2763 (2024) also renewed the mandate of the 1988 Taliban Sanction Regime's Monitoring Team.
- **The UN Office of Counterterrorism (UNOCT).** UNOCT serves as Secretariat of the UN Global CT Coordination Compact, composed of more than 40 UN entities and several

non-UN entities such as INTERPOL. This compact is the largest coordination framework across the peace and security, development, and human rights pillars of work in the UN. UNOCT continued its coordination efforts on the implementation of the UN Global Counterterrorism Strategy (GCTS). The GCTS, originally adopted in 2006, has four pillars: 1) measures to address the conditions conducive to terrorism, 2) measures to prevent and counter terrorism, 3) measures to build states' capacity to prevent and counter terrorism and to strengthen the role of the United Nations system in this regard, and 4) measures to ensure respect for human rights for all and the rule of law as the fundamental basis of the fight against terrorism.

- **The UN Office on Drugs and Crime (UNODC).** The United Nations Office on Drugs and Crime (UNODC), including through its Terrorism Prevention Branch, continued to assist countries seeking to ratify and implement the universal legal instruments against terrorism and provided assistance in countering the financing of terrorism in conjunction with UNODC's Global Program Against Money Laundering, Proceeds of Crime, and the Financing of Terrorism. The United States supported the branch as a counterterrorism assistance implementer, particularly for programming to strengthen member states' criminal justice systems' response to terrorism. The United States participated in the annual UN Commission on Crime Prevention and Criminal Justice, including in the negotiation and adoption of the UN General Assembly resolution, "Preventing and countering violence against children by organized criminal groups and terrorist groups in the field of crime prevention and criminal justice."
- **The UN Security Council (UNSC) 1540 Committee.** The 1540 Committee monitors and facilitates efforts to implement UNSCR 1540 (2004), which requires States to refrain from providing any form of support to non-State actors that attempt to develop, acquire, manufacture, possess, transport, transfer or use nuclear, chemical or biological weapons and their means of delivery on the one hand, and to adopt and enforce appropriate effective laws which prohibit any non-State actor to manufacture, acquire, possess, develop, transport, transfer or use nuclear, chemical or biological weapons and their means of delivery, in particular for terrorist purposes, as well as attempts to engage in such activities, participate in them as an accomplice, assist or finance them. The 1540 Committee's Group of Experts (GoE) participates in a wide range of multilateral and regional activities designed to raise awareness of 1540's requirements, facilitate technical assistance to Member States on request, and provides useful examples of legislative measures adopted by States to prevent proliferation. Using the UN Office for Disarmament Affairs Trust Fund resources to cover expenses, the Committee and its GoE also has interacted with the OPCW, the International Atomic Energy Agency, the Biological Weapons Convention, the World Customs Organization, INTERPOL, UNODC, the Financial Action Task Force, the World Customs Organizations, and other multilateral and national organizations that provide counterproliferation and counterterrorism capacity building to interested member states. The United States is one of 11 countries that, along with the EU, have contributed to the Trust Fund. The U.S., EU, and Japanese funding used to support

these activities also helps support UNSCR 1540 Regional Coordinator positions in the Africa and Asia regions and is also used to conduct projects that assist African and Asian countries in strengthening national 1540 implementation by providing training to national 1540 Points of Contact and developing voluntary 1540 National Action Plans (NAPs), often in coordination with the EU's Centers of Excellence, which facilitate states' creation of NAPs in the areas of WMD-related materials safety and security. Given the key role played by current 1540 Regional Coordinators, including one sponsored by the Organization of American States, in facilitating 1540 Peer Reviews, the United States will continue to promote establishing and sustaining additional Coordinators, advocate to increase the number and quality of NAPs and peer reviews, and encourage more effective implementation of UNSCR 1540 and subsequent resolutions. Likewise, the United States will continue to work with likeminded partners in the 1540 Committee to expand 1540's reach to address emerging WMD proliferation threats posed by emerging and emergent technologies (delivery vehicles) as well as evolving trends in proliferation finance.

- The International Civil Aviation Organization (ICAO).** ICAO is a specialized UN agency that promotes the development of international civil air navigation safety and security standards and fosters the planning and development of international air transport to ensure safe and orderly growth. The organization adopts standards and recommended practices across many areas, including air navigation, its infrastructure, flight inspection, prevention of unlawful interference, and facilitation of border crossing procedures for international civil aviation. In 2022, ICAO and the United Nations Office of Counterterrorism (UNOCT) signed an agreement to support implementation of the UN Global Counterterrorism Strategy and Security Council resolutions related to counterterrorism, aviation security, facilitation (identity and border control management), unmanned aircraft systems, and cybersecurity. The 2020 Council of ICAO approved amendments to Annex 9 of the Chicago Convention establishing new Standards and Recommended Practices (SARPs) regarding states' development and use of Passenger Name Record (PNR) systems. These SARPs are a direct response to UNSCR 2396 of 2017, which requires states to develop the capability to collect, process, and analyze PNR data, in furtherance of ICAO SARPs. UNSCR 2396 (2017) also requires states to ensure PNR data are used by and shared with all their competent national authorities, with full respect for human rights and fundamental freedoms for the purpose of preventing, detecting, and investigating terrorist offenses and related travel. The United States continues to seek to raise the profile of aviation security within the ICAO Secretariat, with the objective of parity between safety and security in ICAO.

Financial Action Task Force (FATF): The FATF is an intergovernmental standard-setting body that promotes effective implementation of legal, regulatory, and operational measures to combat money laundering, terrorism financing, and proliferation financing. FATF's efforts to improve understanding and promulgate effective implementation of the global standards are extended by FATF-style regional bodies worldwide. In 2024, FATF continued to address terrorist financing through its ongoing work. This included regular, nonpublic updates to the FATF global

network on the financing of ISIS, al-Qa'ida, and their affiliates, as well as updates on the emerging risks related to the use of virtual assets for terrorist financing. FATF also worked to enable its global network to support members in regulating and supervising virtual asset service providers for countering the financing of terrorism purposes.

The Global Initiative to Combat Nuclear Terrorism (GICNT): The United States serves as co-chair of the GICNT, a voluntary partnership of 89 nations and 6 international observer organizations. The GICNT's mission is to strengthen global capacity to prevent, detect, and respond to radiological and nuclear (R/N) terrorism by conducting multilateral exercises and workshops that strengthen the plans, policies, procedures, and interoperability of partner nations. In 2022, the United States and Russia mutually decided to pause co-chair cooperation and suspend all official GICNT activities in light of the conflict in Ukraine. Following the suspension, the United States and like-minded partners continued to partner on multilateral exercises that counter threats posed by R/N terrorism outside of the official GICNT channels.

The Global Forum to Prevent Radiological and Nuclear Terrorism (Global FTPRNT): The United States chairs the Global FTPRNT, a voluntary multilateral forum that convenes likeminded states and international organizations to continue the critical dialogue on coordination, cooperation, and investment needed to build and strengthen international capacity and capability to respond to and counter R/N terrorism following the pause of the GICNT. The United States and Romania co-hosted the inaugural meeting of the Global FTPRNT in Bucharest on November 13-15, 2024, which was attended by over 200 participants from 63 countries and six international organizations.

The Global Partnership Against the Spread of Weapons and Materials of Mass Destruction (Global Partnership or GP): The United States is a member of the G7-led Global Partnership, a multilateral security working group (but with broader membership) aimed at preventing the proliferation of chemical, biological, radiological, and nuclear (CBRN) weapons and related materials. Established in 2002 at the then-G8 Summit in Kananaskis, Canada, the forum brings 31 members (30 countries and the EU) together to coordinate and fund CBRN threat reduction projects around the world. In 2024 under Italy's Presidency, the GP met twice in Rome.

OSCE: Under Malta's leadership as the 2024 Chair in Office, the OSCE approach to counterterrorism focused on the protection of vulnerable targets from terrorist attacks and increasing digital and media literacy to prevent and counter violent extremism and radicalization that leads to terrorism. The OSCE Action Against Terrorism Unit organized several key events in 2024. A Central Asia regional conference, "Addressing the Prevailing Digital Information Disorder" was hosted in Mongolia under the "INFORMED" project with financial support from the United States. The conference included interactive sessions on terrorist online trends, the use of AI, and a civil society round table on countering violent extremism while protecting human rights. Under the auspices of the OSCE "PROTECT" project supported by Germany and the United States, the OSCE held a workshop hosted by the Government of Kazakhstan May 27-28, "Central Asia Regional Workshop on the Protection of Soft Targets from Terrorist Attacks". With U.S. funding the "PROTECT" program also conducted a national

workshop to raise awareness on protecting vulnerable targets in Macedonia Oct. 21-22. At the 2024 UN General Assembly, the OSCE, Government of Albania, and GCERF organized a side event, “Effective Rehabilitation and Reintegration of People Returning from Northeast Syria” with discussion devoted to needs and risk assessments, pre-departure support, successful models for reintegration and engaging with family and community members.

Council of Europe (CoE): The United States participates in the CoE as an observer. The CoE’s counterterrorism priorities, as established in its 2023-2027 Strategy, focus on prevention, prosecution and protection. The CoE’s counterterrorism committee (CDCT) convened several working groups throughout the year on Emerging Terrorist Threats; Preparedness and Emergency Response, Countering Terrorist Communications, Recruitment, and Training; the Use of Information Collected in Conflict Zones as Evidence in Criminal Proceedings Related to Terrorist Offenses and Combating the Promotion of Terrorism and Radicalization to Terrorism on the Internet, including through Social Media.

North Atlantic Treaty Organization (NATO): Heads of State and Government (HOSG) met in July for a NATO Summit in Washington, DC. NATO updated the Alliance’s Counterterrorism Policy Guidelines and Counterterrorism Action Plan (CTAP) to guide its work on counterterrorism. NATO work under the CTAP focuses on improving awareness of the terrorist threat, developing capabilities to prepare and respond, and enhancing engagement with partner countries and other international actors. U.S. support for NATO capacity building efforts for partners in the Middle East, North Africa, and the Sahel focused on civil-military coordination and information sharing, including on battlefield evidence, border security, complex terrorist attacks, resilience, cultural property protection, and counterterrorist financing. Under the auspices of this project, NATO conducted training on interagency coordination with the UK National Interagency Liaison Officer (NILO) division of the London Fire Brigade in April. At the NATO Center of Excellence for Stability Policing in Vicenza, Italy, NATO conducted two iterations of institutional-level battlefield evidence training for participants from Algeria, Israel, Jordan, Mauritania, Morocco, Niger, Qatar, Tunisia, and the UAE. In September the NATO Joint Chemical, Biological, Radiological, and Nuclear Defense Center of Excellence in Vyškov, Czech Republic, hosted a training for first responders to a terrorist attack. The United States also contributed to the work of the NATO Resilience Committee to strengthen national and collective resilience and civil preparedness against military and nonmilitary threats.

Association of Southeast Asian Nations (ASEAN), the ASEAN Regional Forum (ARF), and the East Asia Summit (EAS): Counterterrorism activities with the 10-member ASEAN bloc and the 27-member the ASEAN Regional Forum (ARF) in 2024 included annual meetings and capacity building efforts under U.S. leadership. The United States, the Philippines and Bangladesh will continue to serve as co-chairs for the ASEAN Regional Forum Intersessional Meeting on Counterterrorism and Transnational Crime (CTTC) for 2024-26. The United States hosted the first intersessional meeting under the new co-chairs in May 2024 during which the group successfully updated the current 3-year ARF CTTC work plan to address CVE, illicit drugs, human trafficking, chemical, biological, radiological, nuclear, and high-yield explosives, and adding a new priority area of border security management.

The African Union (AU): There are two main bodies within the AU that lead its CT efforts: the Political Affairs, Peace and Security Department's Conflict Management Division, located at the AU headquarters in Addis Ababa, Ethiopia; and the African Center for the Study and Research of Terrorism (CAERT) in Algiers. CAERT is the primary research body and lead for all the AU's CVE activity. CAERT priorities include 1) building capacity of member states on CT/CVE, 2) developing and/or implementing member-state CVE national action plans, and 3) enhancing international cooperation to ensure relevant regional approaches are taken fully into account. In April, the African Union, in conjunction with Government of Nigeria, hosted a high-level African Counter-Terrorism Meeting on the Theme: Strengthening Regional Cooperation and Institution Building to Address the Evolving Threat of Terrorism in Africa. As a result of this meeting, the AU decided to stand up a CT-focused subcommittee under its Peace and Security Council to focus on more continent-wide CT challenges and collective responses once formally established.

Organization of American States' Inter-American Committee against Terrorism (OAS/CICTE): The OAS's Inter-American Committee Against Terrorism (CICTE) held its 24th regular session April 24-25 in Washington, DC. Led by Chile and Ecuador as outgoing and incoming chairs in office respectively, the meeting focused on countering the financing of terrorism. Ecuador continued this focus throughout the year with a technical experts' session on countering terrorist finance December 3-4. As the final event of a U.S.-funded program, CICTE held a hemispheric aviation security meeting virtually September 4-6. This meeting brought together member state representatives with aviation security authorities from the public sector to share lessons learned and discuss good practices to counter threats to aviation security. In 2024, 18 member states including the United States participated in the Inter-American Network on Counterterrorism, which CT Bureau assistance supports. The network operates on a 24/7 basis to facilitate communication among points of contact designated by each member state, so they can respond more effectively to terrorist threats.

The Proliferation Security Initiative (PSI): Since the PSI was launched in 2003, 107 States have endorsed the PSI Statement of Interdiction Principles, expressing their commitment to stop trafficking of WMD, their delivery systems, and related materials to and from States and non-State actors of proliferation concern. Participants work to establish a more coordinated and effective basis through which to impede and stop shipments of WMD, their delivery systems, and related items. PSI-endorsing States commit (1) to undertake effective measures to interdict transfers to and from States and non-State actors of proliferation concern; (2) to develop procedures to facilitate the exchange of information concerning suspected proliferation activity with other countries; (3) to review and work to strengthen national legal authorities to facilitate their PSI commitments; and (4) to take specific actions in support of interdiction efforts to the extent permitted by national legal authorities and consistent with relevant international obligations and frameworks. (<https://www.state.gov/proliferation-security-initiative/>).

The U.S. Export Control and related Border Security (EXBS) Program: The EXBS Program provides training, donates equipment, and facilitates exchange of best practices to help other governments establish sustainable national capabilities to detect, interdict, investigate, and prosecute illicit transfers of WMD, WMD-related items, and conventional arms. Specific programs and agreements include:

- Agreements for civil nuclear cooperation, pursuant to Section 123 of the Atomic Energy Act of 1954, as amended, must include a guarantee by the partner that adequate physical protection will be maintained with respect to any nuclear material transferred pursuant to the agreement and any special nuclear material used in or produced through the use of material or equipment so transferred.
- The U.S. Conventional Weapons Destruction (CWD) Program assists governments with reducing their stockpiles of excess or at-risk conventional weapons and munitions and securing retained stocks, combating illicit proliferation to terrorists.
(<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/>).
- G8 Action Plan to Enhance Transport Security and Control of Man-Portable Air-Defense Systems (MANPADS). (<https://2001-2009.state.gov/t/pm/rls/othr/misc/82050.htm>).
- Wassenaar Arrangement initiatives to strengthen controls over MANPADS, resulting in the endorsement of such controls by more than 95 countries from 4 multilateral organizations (the Wassenaar Arrangement, OSCE, APEC, and OAS). (www.wassenaar.org).
- World Customs Organization SAFE Framework.
- International Maritime Organization International Ship and Port Security (ISPS) Code.
- The U.S.-Russia Arrangement on Cooperation in Enhancing Control of MANPADS.
(<http://www.fas.org/asmp/campaigns/MANPADS/Statefactsheet24feb05.htm>).
- Numerous training and capacity-building programs including countering cash couriers, breaking terrorist abuse of charities, law enforcement training, border security, cyber security, and critical infrastructure protection, as well as supporting civil society initiatives to empower women's roles in CVE and radicalization that lead to terrorism - via regional multilateral bodies such as the OSCE, OAS, APEC, ARF, and NATO.

1.2: What national legislation has been adopted in your State to implement the above-mentioned agreements and arrangements?

The United States has enacted domestic legislation to criminalize acts covered by CT-related treaties, to assert U.S. jurisdiction over such acts, and to impose appropriate penalties for the commission of such acts.

Twenty-four bills and Joint Resolutions related to the attack of September 11, 2001, have been enacted into law, including:

- USA PATRIOT Act of 2001 (Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism) as extended and amended by the USA Patriot Improvement and Reauthorization Act of 2005, and three additional provisions approved May 26, 2011;
- Air Transportation Safety and System Stabilization Act;
- Terrorist Bombings Convention Implementation Act of 2002;
- Suppression of the Financing of Terrorism Convention Implementation Act of 2002;
- Bioterrorism Response Act of 2001;
- Agricultural Bioterrorism Protection Act of 2002;
- Enhanced Border Security and Visa Entry Reform Act of 2002;
- Intelligence Reform and Terrorism Prevention Act of 2004; and
- Authorization for the Use of Military Force (2001).

In addition, the “Uniting and Strengthening America by Fulfilling Rights and Ensuring Effective Discipline Over Monitoring Act of 2015,” or the “USA FREEDOM Act of 2015,” was signed into law June 2, 2015. The law contains implementing legislation for the:

- 2005 Amendment to the Convention on the Physical Protection of Nuclear Material;
- International Convention for the Suppression of Acts of Nuclear Terrorism (2005);
- Protocol of 2005 to the Convention for the Suppression of Unlawful Acts Against the Safety of Maritime Navigation; and
- Protocol of 2005 to the Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf.

The Women, Peace, and Security Act (WPS Act of 2017) was signed into law in October 2017, establishing the United States as the first country in the world with a comprehensive law on Women, Peace, and Security and explicitly addressing the important role of women in countering terrorism and violent extremism. The law requires the U.S. President, in consultation with the heads of the relevant Federal departments and agencies, to submit to the U.S. Congress, and make publicly available, a government-wide strategy that provides a detailed description on how the United States intends to fulfill the policy objectives listed in the Women, Peace and Security Act. The resulting U.S. Strategy and National Action Plans (NAPs) on Women, Peace, and Security were submitted to the U.S. Congress and made publicly available by the White House. The WPS NAPs reinforce the U.S. commitment to protecting and supporting women in efforts to prevent conflict, promote peace, and counter violent extremism and terrorism.

The United States also released in 2018 the U.S. Strategy to Support Women and Girls at Risk from Violent Extremism and Conflict and accelerated the incorporation of influential actors, such as women, into broader CT initiatives. It closed gaps in women’s safety and

empowerment to unlock their capacity in addressing the effects of violent extremism and identify ways to ensure women have the opportunities and resources to mitigate this threat. Further, this strategy responded to the role women and girls play as terrorist actors, recognizing the importance of targeted CVE programs to address women's disengagement and rehabilitation, and the reintegration of women foreign terrorist fighters.

1.3: What are the roles and missions of military, paramilitary and security forces and the police in preventing and combating terrorism in your State?

The U.S. National Counterterrorism Center (NCTC) was established by Presidential Executive Order (E.O.) 13354 in August 2004 and is responsible for leading U.S. efforts to combat terrorism at home and abroad by analyzing the threat, sharing information with partners, and integrating all instruments of national power to ensure unity of effort.

DHS was created in January 2003 to protect the United States against threats, including terrorist attacks, to the U.S. homeland. DHS analyzes threats, guards U.S. borders and airports, protects critical infrastructure, and coordinates the national response in emergencies. DHS includes, *inter alia*, the following major components:

- The Cybersecurity and Infrastructure Security Agency, which works to advance DHS's risk reduction mission;
- The Office of Intelligence and Analysis, which is responsible for assessing current and future threats to the United States through the use of multi-source intelligence;
- The Office of Operations Coordination, which is responsible for monitoring the security of the United States on a daily basis and for coordinating activities within DHS and with Governors, Homeland Security Advisors, law enforcement partners, and critical infrastructure operators in all 50 U.S. States;
- The Federal Law Enforcement Training Center, which provides standardized, career-long training to law enforcement professionals;
- The Countering WMD Office, which works to prevent WMD use against the U.S. homeland, promote readiness for chemical, biological, nuclear, and health security threats. and enhance the chemical, biological, radiological, and nuclear detection efforts of federal, state, territorial, tribal, and local governments, among others, and to ensure a coordinated response to such threats;
- CBP, which is responsible for protecting U.S. borders from the infiltration of terrorists and terrorist weapons while facilitating the flow of legitimate trade and travel;
- The Transportation Security Administration (TSA), which protects the United States' transportation systems to ensure freedom of movement for people and commerce;
- U.S. Immigration and Customs Enforcement (ICE), which is responsible for identifying and shutting down vulnerabilities in U.S. border, economic, transportation, and information security;
- The U.S. Coast Guard, which protects the public, environment, and U.S. interests in U.S. ports and waterways, along the coast and on international waters;

- The Federal Emergency Management Agency (FEMA), which prepares the United States for hazards and manages response and recovery efforts following any national incident;
- The U.S. Secret Service, which protects the U.S. President and other high-level officials and investigates counterfeiting and other financial crimes, including computer-based attacks on U.S. financial, banking, and telecommunications infrastructure; and
- The Science and Technology Directorate, which is the primary research and development arm of DHS. It provides federal, state, and local officials with the technology and capabilities to protect the U.S. homeland.

For further information on DHS, please review <http://www.dhs.gov>.

The Federal Bureau of Investigation (FBI) is the lead U.S. law enforcement agency for investigating acts of domestic and international terrorism. The FBI relies on a vast array of partnerships across the United States and around the world to disrupt and defeat terrorists. For example, Joint Terrorism Task Forces (JTTFs) are teams of State and local law enforcement officers, FBI agents, and other federal agents and personnel who work shoulder-to-shoulder to investigate and prevent acts of terrorism. The U.S. Secretary of Defense may authorize DoD support to the Attorney General (usually through the FBI) during an emergency situation involving WMD, including situations involving terrorism. Information on FBI activities can be found at <http://www.fbi.gov/about-us/investigate/terrorism>.

The National Guard, along with the Naval Militia, is part of the organized militia reserved to the 50 U.S. States by the Constitution of the United States under Article 1, Section 8. On a steady-state basis, the National Guard is commanded by the Governor of each respective State or territory. When ordered to active federal duty or called into federal service for emergencies, units of the National Guard are under the control of the appropriate DoD component. The National Guard supports U.S. homeland security and defense at the State and federal levels through a variety of critical roles. For specific functions and roles of the National Guard in preventing and combating terrorism, please visit <http://www.nationalguard.mil/Features/2011/Homeland-Defense>.

U.S. Northern Command (USNORTHCOM) was established on October 1, 2002; it provides command and control for U.S. homeland defense efforts and coordinates defense support of civil authorities within its assigned Area of Responsibility (AOR). USNORTHCOM anticipates and conducts U.S. homeland defense to defend, protect, and secure the United States and its interests and conducts operations at the request of and in support of civil authorities when approved by appropriate DoD officials. USNORTHCOM's geographic AOR for the conduct of normal operations includes the air, land, and sea approaches to North America; the surrounding water out to approximately 500 nautical miles; the Gulf of America; the Straits of Florida; and the Caribbean region inclusive of the U.S. Virgin Islands, British Virgin Islands, Puerto Rico, the Bahamas, and Turks and Caicos Islands. USNORTHCOM plans, organizes, and executes U.S. homeland defense and civil support missions, but has few assigned forces. USNORTHCOM is allocated forces whenever necessary to execute missions, as ordered by the

U.S. President or U.S. Secretary of Defense. For more information on USNORTHCOM's role in preventing and combating terrorism, please visit www.northcom.mil.

1.4: *Provide any additional relevant information on national efforts to prevent and combat terrorism, e.g., those pertaining, inter alia, to:*

Countering the financing of terrorism:

The U.S. Government has multiple domestic legal authorities to counter the financing of terrorism. Under Section 219 of the Immigration and Nationality Act (INA), the U.S. Secretary of State has authority to designate an organization meeting certain statutory criteria as a Foreign Terrorist Organization (FTO). Any U.S. financial institution that becomes aware that it has possession of or control over funds in which a designated FTO or its agent has an interest must retain possession of or control over the funds and report the existence of the funds to the Office of Foreign Assets Control of the U.S. Department of the Treasury, and it is unlawful for a person in the United States or subject to the jurisdiction of the United States knowingly to provide "material support or resources" -- including to receive military-type training --- from or on behalf of a designated FTO. Representatives and members of a designated FTO, if they are aliens, are inadmissible to and, in certain circumstances, removable from the United States. To review the list of currently designated FTOs, please visit <https://www.state.gov/foreign-terrorist-organizations/>.

The U.S. Departments of State and Treasury each have certain authorities with respect to the designation of individuals and entities under E.O. 13224, Blocking Property and Prohibiting Transactions with Persons Who Commit, Threaten to Commit, or Support Terrorism, as amended. As a result of a designation under E.O. 13224, all property and interests in property of the designated individual or entity subject to U.S. jurisdiction are blocked, and U.S. persons are generally prohibited from engaging in any transactions with the designated individual or entity. The United States implements its obligations under the UNSC 1267/1989/2253 ISIL (Da'esh) and al-Qa'ida Sanctions Regime primarily through making designations under E.O. 13224. To review the consolidated list of all U.S. Departments of State and Treasury designations, please visit <https://www.treasury.gov/resource-center/sanctions/SDN-List/Pages/default.aspx>.

To review the latest "Terrorist Assets Report to the Congress on Assets in the United States of Terrorist Countries and International Terrorism Program Designees," please, visit <http://www.treasury.gov/resource-center/sanctions/Programs/Pages/terror.aspx>.

Additionally, a country may be designated as a "State Sponsor of Terrorism" (SST) if the U.S. Secretary of State determines that "the government of that country has repeatedly provided support for acts of international terrorism." SST designations are provided for by three U.S. laws: Section 1754(c) of the Export Control Reform Act of 2018; Section 40 of the Arms Export Control Act (AECA); and Section 620A of the Foreign Assistance Act of 1961. As of May 2022, there are four countries (Iran, Syria, North Korean, and Cuba) currently designated as SSTs. A

number of restrictions and sanctions result from an SST designation, including restrictions on U.S. foreign assistance, a ban on defense exports and sales, certain controls over exports of dual-use items, and miscellaneous financial and other restrictions.

In addition, Section 40A of the AECA also prohibits the sale or license for export of defense articles and defense services to countries that the U.S. President determines and certifies to the U.S. Congress as not fully cooperating with U.S. antiterrorism efforts. Unlike SST designations, these determinations are made annually. Using delegated authority under Executive Order 13637, on May 14, 2024, the U.S. Secretary of State certified to the U.S. Congress that the following countries were not fully cooperating with U.S. antiterrorism efforts: Iran, North Korea, Syria, and Venezuela.

The United States has also worked to effectively implement the recommendations set out by the Financial Action Task Force (FATF), which is an inter-governmental, international policy-making body that sets standards and promotes the effective implementation of legal, regulatory, and operational measures for combating money laundering, terrorist financing, and other related threats to the integrity of the international financial system. To review the United States' 2016 FATF Mutual Evaluation, please visit <http://www.fatf-gafi.org/countries/uz/unitedstates/documents/mer-united-states-2016.html>.

Border controls:

The U.S. Department of State works to disrupt terrorist networks through a variety of initiatives that enhance U.S. and our foreign partners' ability to detect terrorists and secure borders. Bilateral arrangements to share terrorist screening information, negotiated on the U.S. side pursuant to Homeland Security Presidential Directive 6 (HSPD-6), "Directive on Integration and Use of Screening Information to Protect Against Terrorism," September 16, 2003, strengthen our ability to share information on known or suspected terrorists with foreign partners and enhance global terrorism screening capabilities. The United States through the Terrorist Interdiction Program (TIP)/Personal Identification Secure Comparison and Evaluation System (PISCES) provides partner countries border security assistance to limit terrorist mobility. In addition, the U.S. Department of State's Watchlisting Assistance and Support Program (WASP) assists select foreign partners in developing national level watchlists and processes through direct mentoring and collaboration with Watchlist Advisers. Furthermore, the U.S. Department of State's Anti-Terrorism Assistance (ATA) program, which serves as the U.S. Government's premier CT capacity-building program for foreign law enforcement agencies in a wide range of areas, helps partner nations to detect and deter terrorist operations across borders and regions. ATA currently has active partnerships with more than 50 countries.

ISN/ECC's Export Control and Related Border Security (EXBS) Program is a force multiplier, securing weapons and dual-use technologies from proliferation to malign state and non-state actors and enhancing and promoting American technological leadership and military superiority. ISN/ECC works with foreign partners to protect U.S. critical and emerging technology and dual-use components from diversion and misuse. ISN/ECC's programming

strengthens export control regimes and border protection measures, preserving American technological leadership and military superiority while preventing adversaries from accessing weapons of mass destruction, advanced conventional weapons, and other technologies. By enhancing intangible technology controls and foreign direct investment screening mechanisms, ISN/ECC shields cutting-edge American innovation and intellectual property from theft.

As noted above, DHS has the primary responsibility for securing the United States border from criminal or terrorist exploitation. DHS works with other national security and law enforcement agencies to support this mission. Within the DHS, CBP and ICE are central to this mission.

CBP is the single, unified border enforcement agency of the United States charged with securing U.S. borders while simultaneously facilitating the flow of legitimate trade and travel. CBP has developed numerous initiatives to meet these twin goals, including the Western Hemisphere Travel Initiative, the Global Entry program, the Immigration Advisory Program, the Carrier Liaison Group, the Container Security Initiative/Secure Freight Initiative, and the Customs-Trade Partnership Against Terrorism. A summary of CBP actions and programs can be found at <http://www.cbp.gov/newsroom/fact-sheets>.

ICE is responsible for identifying, investigating, and dismantling vulnerabilities regarding U.S. border, economic, transportation, and infrastructure security. As such, ICE is charged with the investigation and enforcement of more than 400 federal statutes within the United States, in the interest of protecting the United States and upholding public safety by targeting the people, money, and materials that support terrorist and criminal activity. Examples include:

- Travel document security (*i.e.*, passports);
- Container and supply chain security;
- Security of radioactive sources;
- Legal cooperation, including extradition; and
- Eliminating safe havens and shelter for terrorists and terrorist organizations.

For more information on ICE programs, please visit <http://www.ice.gov/ittf/>.

Use of the Internet and other information networks and emerging technologies for terrorist purposes:

The United States has previously approved a Comprehensive National Cyber Initiative, a National Strategy for Cyber Security (2018), and a National Strategy for Trusted Identities in Cyberspace. Work on other national strategies addressing specific aspects of cybersecurity, including the use of information and communications technology (ICT), including the Internet, and emerging technologies such as novel advancements in artificial intelligence for terrorist purposes is ongoing. An International Strategy for Cyberspace was released in May 2011 and a National Cybersecurity Strategy was released in 2023. The United States continues to engage international partners in both bilateral and multilateral fora on addressing criminal activity on the Internet while protecting human rights such as freedom of expression, as well as the free

flow of information, and ensuring the Internet remains open, free, global, interoperable, reliable, and secure.

Under 18 U.S.C. 842(p), Distribution of Information Relating to Explosives, Destructive Devices, and Weapons of Mass Destruction, the United States can prosecute individuals who distribute bomb-making information (via the Internet or other method) knowing or intending that the information would be used for a federal crime of violence, such as a terrorist attack. U.S. law enforcement does not seek to compel the removal of online content unless it clearly violates U.S. law (for example, child pornography), and content that promotes an ideology or belief alone does not typically constitute a violation of U.S. law. The removal of content that does not violate U.S. law is at the discretion of technology companies, including social media platforms. U.S. efforts to counter terrorist propaganda online focus on voluntary partnerships with key stakeholders such as civil society and communities, as well as the private sector, including efforts to build resilience to terrorist narratives by enhancing the capacity of those who may be vulnerable to think critically through education such as digital literacy and by challenging terrorist ideologies. Private companies may choose voluntarily to remove terrorist websites or accounts with content that violates their user service agreements, and companies have been increasingly proactively and aggressively addressing terrorist-related content on their platforms. In June 2017, Facebook (now Meta), YouTube/Google, Twitter (now X), and Microsoft established the industry-led Global Internet Forum to Counter Terrorism (GIFCT), now reorganized as an NGO, to prevent and counter terrorist exploitation of their platforms, including through sharing technological and other information with smaller companies, such as a hash-sharing database, in partnership with the UN-affiliated Tech Against Terrorism initiative. The United States has participated in GIFCT Working Groups on issues such as technological approaches, including recommender algorithms, emerging technologies, positive interventions, transparency, legal frameworks, and content incident protocols. The GIFCT and Tech Against Terrorism have through their collective efforts conducted outreach to smaller companies through workshops to build regional networks around the world and Tech Against Terrorism mentors smaller companies as well. Tech Against Terrorism launched an online Knowledge Sharing Platform focused on resources for smaller and startup companies in November 2017 and conducts webinars and provided technological assistance. In 2020, Tech Against Terrorism added the Terrorist Content Analytics Platform (TCAP) tool to track, verify, analyze, and notify terrorist content across the internet for subscriber companies for their voluntary action. The United States joined the New Zealand- and France-led Christchurch Call to Action to Eliminate Terrorist and Violent Extremist Content Online in 2021, a multistakeholder organization and partnership between governments, private sector tech companies, and civil society to address all forms of terrorism and violent extremism, which became the Christchurch Call Foundation in 2024. The United States actively engages in Christchurch Call workstreams such as transparency, youth engagement, CRSV and violent extremism, and emerging technologies. The United States, through a whole-of-government approach, has continued to work to improve information sharing with technology companies, including information on U.S.-designated terrorists and on terrorist trends and tactics. In line with our views that in general alternative viewpoints are often a more effective response to objectionable speech (that does not violate U.S. law) than suppression of that speech, we also counter violent extremists' online

propaganda by undermining terrorist narratives, including through alternative messages. The United States supports education through programs such as digital literacy to promote critical thinking skills and build resilience to terrorist false narratives online in those who might be vulnerable to terrorist radicalization and recruitment online.

2. Stationing of armed forces on foreign territory

2.1: Provide information on stationing of your State's armed forces on the territory of other participating States in accordance with freely negotiated agreements as well as in accordance with international law.

The United States continues to deploy forces in many locations throughout the world, both bilaterally and within an alliance context. The United States is a party to multilateral and bilateral status of forces agreements (SOFAs) with more than 100 nations.

The United States has continued to play a key role in the NATO Partnership for Peace (PfP) program. The Agreement Among the States Parties to the North Atlantic Treaty and the other States Participating in the Partnership for Peace regarding the Status of their Forces (the PfP SOFA opened for signature in Brussels June 19, 1995) recognizes status protections and authorizations that enable the forces of countries participating in the PfP program to be present in the territories of other participating States, and to join in combined exercises and training. Other agreements to be specially noted include the SOFAs under the Dayton Peace Accords between NATO and Bosnia and Herzegovina, which contain provisions prescribing the status of NATO personnel who are supporting the ongoing peacekeeping missions in Bosnia and Herzegovina. In regard to Kosovo, the NATO-led Kosovo Force (KFOR) was established by UNSCR 1244 to provide, *inter alia*, for the establishment of a safe and secure environment in Kosovo. The United Nations Mission in Kosovo (UNMIK), created pursuant to UNSCR 1244 to provide an interim administration for Kosovo, promulgated UNMIK Regulation 2000/47, prescribing the status and privileges and immunities of KFOR and its personnel.

Kosovo declared independence on February 17, 2008. In its Declaration of Independence, Kosovo reaffirmed "that NATO retains the full capabilities of KFOR in Kosovo." Kosovo has also committed to respect the responsibilities and authorities of the international military presence pursuant to UNSCR 1244 and the Ahtisaari Plan, including the status, privileges, and immunities currently provided to KFOR under UNMIK Regulation 2000/47.

The United States has entered into a number of additional SOFAs to enable the presence of U.S. forces in many locations and to facilitate their activities in the continuing armed conflict against al-Qa'ida and associated forces, including against ISIS.

SOFAs are critical to the success of all manner of combined activities, including training, peacekeeping, and humanitarian assistance. They commonly address such issues as the right to wear uniforms and bear arms, legal jurisdiction over visiting forces, exemption from customs

and taxes, provision for the use of military camps and training areas, and liability for and payment of claims.

3. Implementation of other international commitments related to the Code of Conduct

3.1: Provide information on how your State ensures that commitments in the field of arms control, disarmament, and confidence- and security-building as an element of indivisible security are implemented in good faith.

Robust verification, compliance, and implementation are essential to maintaining and strengthening the integrity of arms control, nonproliferation, and disarmament regimes. In this regard, the U.S. Department of State's Bureau of Arms Control, Deterrence, and Stability (ADS) leads the U.S. Department of State in many matters related to the implementation of certain international arms control, nonproliferation, and disarmament agreements and commitments. For nonproliferation treaties such as the Nuclear Non-Proliferation Treaty (NPT) and nuclear weapon free zone (NWFZ) treaties and their protocols, and for export control regimes such as the Nuclear Suppliers Group, the Missile Technology Control Regime (MTCR), the Australia Group, and the Wassenaar Arrangement on Export Controls for Conventional Arms and Dual-Use Goods and Technologies, the Bureau of International Security and Nonproliferation (ISN) is the U.S. Department of State's lead. These two bureaus (*i.e.*, ADS and ISN) share responsibilities that include staffing and managing treaty implementation bodies and review conferences, creating negotiation and implementation policy for agreements and commitments, and developing policy for future arms control, nonproliferation, and disarmament agreements and arrangements.

ADS also ensures that appropriate verification requirements and capabilities are fully considered and properly integrated throughout the development, negotiation, and implementation of most arms control, nonproliferation, and disarmament agreements and commitments and ensures that other countries' compliance is carefully watched, rigorously assessed, appropriately reported, and resolutely enforced. ISN has similar responsibilities for the NPT, for which much of the compliance is undertaken via our work with the International Atomic Energy Agency (IAEA). ADS and ISN are also responsible for preparing and vetting multiple reports to the U.S. Congress, such as the U.S. President's annual report to the U.S. Congress on "Adherence to and Compliance with Arms Control, Nonproliferation, and Disarmament Agreements and Commitments." ADS is further required to prepare verifiability assessments on proposals and agreements, and to report about these assessments to the U.S. Congress as required.

DoD policy on arms control is outlined in DoD Directive 2060.01, "Implementation of, and Compliance with, Arms Control Agreements," June 23, 2020. It is DoD policy that all DoD activities shall be fully compliant with arms control agreements to which the United States is a party. DoD oversees implementation of, and provides guidance through appropriate chains of command for, planning and execution throughout DoD to ensure that all DoD activities fully comply with arms control agreements. The Under Secretary of Defense for Policy develops and

coordinates DoD policies and positions on arms control implementation and/or compliance issues and represents the U.S. Secretary of Defense with coordinated DoD views in discussions, negotiations, meetings, and other interactions with representatives of foreign governments on issues concerning DoD implementation of, and compliance with, arms control agreements.

The U.S. Department of Justice formally established the National Security Division (NSD) in 2006 under the USA Patriot Act to foster improved coordination among prosecutors, law enforcement agencies, and the intelligence community, and to strengthen the effectiveness of the U.S. Government's CT efforts.

3.2: Provide information on how your State pursues arms control, disarmament, and confidence- and security-building measures with a view to enhancing security and stability in the OSCE area.

ADS, in coordination with the State Department's Bureau of European and Eurasian Affairs (EUR), has responsibility for the negotiation and implementation of existing and prospective conventional arms control agreements and arrangements in the OSCE area, in particular the Treaty on Conventional Armed Forces in Europe (CFE) (Note: The United States suspended its obligations under the CFE Treaty effective December 7, 2023), the Vienna Document 2011 on Confidence- and Security-Building Measures (CSBMs), and arms control elements associated with the Dayton Peace Accords. ADS also provides policy direction and administrative support to the Chief Arms Control Delegate in the U.S. Mission to the OSCE; support and personnel to NATO committees, including the NATO High-Level Task Force on Arms Control (HLTF) and the Verification Coordinating Committee, in coordination with EUR; and for the promotion of CSBMs in regions of the world outside Europe in connection with OSCE efforts to advance wider sharing of OSCE norms, principles, and commitments with Mediterranean and Asian partner States.

ISN has responsibility for the UN Register of Conventional Arms, which serves as the foundation of multilateral efforts to identify excessive and destabilizing accumulations of conventional arms, and the Wassenaar Arrangement on Export Controls for Conventional Arms and Dual-Use Goods and Technologies.

Additionally, the U.S. Department of State's Bureau of Political-Military Affairs (PM) contributes to implementation of a variety of arms control, disarmament, and CSBMs in the OSCE area through assistance programs designed to demilitarize surplus, destabilizing, and excess conventional arms and ammunition at the request of OSCE participating States.

DoD makes certain that negotiations take place on the basis of accurate information about U.S. military forces to ensure that agreements are equitable and contain practical measures for enhancing military security in the OSCE area.

Section II: Intra-State elements

1. National planning and decision-making process

1.1: What is the national planning and decision-making process in determining/approving military posture and defense expenditures in your State?

National planning and decision-making in determining military posture begin at the highest level of the U.S. Government. The U.S. President signs the U.S. National Security Strategy (NSS), which expresses the U.S. President's vision and outlines goals that seek to enhance the security of the United States. The U.S. Secretary of Defense then uses the NSS to write the U.S. National Defense Strategy (NDS), which provides guidance on the DoD's goals and strategies for achieving the objectives in the NSS. The National Military Strategy (NMS), signed by the Chairman of the Joint Chiefs of Staff, supports the NSS, implements the NDS, and provides strategic guidance and military objectives for the U.S. Armed Services.

The U.S. Congress has authority over the military budget, and it also may pass legislation imposing substantive restrictions on the size and composition of U.S. military forces, consistent with the U.S. President's constitutional authorities.

Appropriations for U.S. military forces are determined through the legislative process and by Executive Branch implementation of U.S. laws. Early each year, the U.S. President submits a budget proposal that recommends the amounts of funds to be spent for particular military purposes. The U.S. Congress then develops legislation that may or may not be consistent with the U.S. President's recommendations.

Once defense authorization and appropriations bills are passed by the U.S. Congress, the U.S. President may sign them, allow them to become law without his signature, or veto them. A Presidential veto can be overridden only by a two-thirds majority in each house of the U.S. Congress. Once the defense authorization and appropriations bills become law, the U.S. President generally implements them through DoD.

All phases of this process are conducted publicly, except for a very limited class of information related to particular programs that are classified in order to protect national security.

1.2: How does your State ensure that its military capabilities take into account the legitimate security concerns of other States as well as the need to contribute to international security and stability?

The United States and other States can address many security concerns through the negotiation of arms control agreements and other security arrangements. The United States also promotes regional stability by building partnership capacity and strengthening partners and allies through security assistance programs.

DoD takes into account the security concerns of other States through the implementation of arms control agreements and other arrangements that reflect the concerns of their States Parties. In addition, DoD reviews the acquisition of new weapons systems to ensure that their

acquisition is consistent with U.S. obligations, including under applicable arms control agreements and the law of war. DoD actively manages its military activities and procurements to make sure that the United States is in full compliance with arms control agreements to which it is a Party and the law of war.

On December 13, 2018, DoD issued Directive 3000.05, “Stabilization,” to update and establish DoD policy and to assign responsibilities within DoD for planning, training, and preparing to conduct and support stabilization efforts. As defined by the Stabilization Assistance Review (SAR) in 2018, the U.S. Government defines stabilization as a political endeavor involving an integrated civilian-military process to create conditions where locally legitimate authorities and systems can peaceably manage conflict and prevent a resurgence of violence. Transitional in nature, stabilization may include efforts to establish civil security, provide access to dispute resolution, and deliver targeted basic services, and establish a foundation for the return of displaced people and longer-term development.

Building on the lessons learned from the SAR, President Trump signed into law the Global Fragility Act of 2019 (GFA) to address the long-term causes of fragility and violence globally. Consistent with the GFA, the U.S. Strategy to Prevent Conflict and Promote Stability submitted to Congress in December 2020 establishes a comprehensive, 10-year strategy to: 1) stabilize conflict-affected areas; 2) address global fragility; and 3) increase U.S. capacity to be a leader in international efforts to prevent extremism and violent conflict. As required by the GFA, four countries and one region were selected in 2022 for prioritized SPCPS implementation: Haiti, Libya, Mozambique, Papua New Guinea, and Coastal West Africa (which includes Benin, Côte d’Ivoire, Ghana, Guinea, and Togo). The Strategy requires a rigorous annual country review process to assess national security interests, the commitment of host countries, value to taxpayers, and status of burden-sharing efforts. In 2025, this review process will inform whether new countries/regions should be added or existing countries subtracted. The GFA defined and clarified agency roles and responsibilities for conflict prevention and stabilization to improve interagency coordination and unity of purpose. The Department of State is the overall lead federal agency for U.S. stabilization efforts and non-security assistance, and DoD is a supporting element, including providing requisite security and reinforcing civilian efforts.

The United States actively contributes to international security through its participation in international peacekeeping operations. Recent U.S. involvement in peacekeeping has included missions in: Mali, Central African Republic, Democratic Republic of the Congo, Liberia, Tunisia, Israel, and South Sudan. The United States also supports UN peacekeeping operations through capacity-building programs with partner nations that contribute to peacekeeping missions.

In cooperation with the military forces of other nations, the U.S. Armed Forces assist other nations to build their defense capacity against threats to stability, including transnational threats such as terrorism and the narcotics trade, engaging in activities across the spectrum from peace to conflict.

2. Existing structures and processes

2.1: *What are the constitutionally established procedures for ensuring democratic political control of military, paramilitary, and internal security forces, intelligence services, and the police?*

Article II, section 1, of the Constitution of the United States provides that “the executive power” is vested in the U.S. President. Article II, section 2, further provides, “the President shall be Commander in Chief of the Army and Navy of the United States, and of the Militia of the several States, when called into the actual Service of the United States.” This provision has been interpreted to mean that the U.S. President’s authority as Commander in Chief extends to all federal military forces of the United States, including the U.S. Army, the U.S. Navy, the U.S. Air Force, the U.S. Marine Corps, the U.S. Space Force, and the U.S. Coast Guard.

Article I, section 1, provides that “all legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and a House of Representatives.” Article I, section 8, provides that among the powers of the U.S. Congress are the powers to lay and collect taxes; to provide for the common defense; to declare war; to raise and support armies; to provide and maintain a navy; to make rules for the government and regulation of the land and naval forces; to provide for calling forth the militia to execute the laws of the union; to suppress insurrections and repel invasions; and to provide for organizing, arming, and disciplining the militia, and for governing such part of them as may be employed in the service of the United States.

Although the U.S. President appoints senior civilian and military officials (including the promotion of senior military officers), such appointments are generally subject to the advice and consent of the U.S. Senate. For example, Section 113 of Title 10, U.S. Code, requires the U.S. Secretary of Defense to be “appointed from civilian life” and requires the U.S. President’s appointment to be by and with the advice and consent of the U.S. Senate.

The judicial branch also plays a role in the review of various actions. Under Article III, section 2, of the U.S. Constitution, “the judicial Power shall extend to all Cases...arising under this Constitution, the Laws of the United States, and...to Controversies to which the United States shall be a party.” In this regard, the Supreme Court of the United States may hear appeals from the U.S. Court of Appeals for the Armed Forces in criminal cases under the Uniform Code of Military Justice (UCMJ). Lawsuits may be brought against the U.S. Government and the U.S. military in federal district courts, subject to certain limitations (e.g., sovereign immunity). Courts may interpret the U.S. Constitution and duly enacted laws, resolve certain controversies over separation of powers, award money damages, and issue injunctions and writs of habeas corpus.

2.2: *How is the fulfillment of these procedures ensured, and which constitutionally established authorities/institutions are responsible for exercising these procedures?*

The U.S. Congress has enacted the UCMJ, which empowers the U.S. President, the Secretary concerned, and designated military commanders to exercise effective discipline over the U.S. Armed Forces. The U.S. President has implemented this legislation through the Manual for Courts-Martial, which provides detailed rules on the conduct of judicial and non-judicial proceedings. Certain court-martial convictions may be subject to independent judicial review by a civilian court, subject to ultimate review by the U.S. Supreme Court.

In addition, the Posse Comitatus Act (18 U.S.C. 1385) provides criminal penalties for anyone who “except in cases and circumstances expressly authorized by the Constitution or Act of Congress, willfully uses any part of the Army, the Navy, the Marine Corps, the Air Force, or the Space Force as a posse comitatus or otherwise to execute the laws.” As implemented under DoD policy, the U.S. Armed Forces (including active or reserve components when acting under federal authority) do not participate directly in civilian law enforcement activities unless otherwise authorized by law to do so. These restrictions do not apply to military law enforcement functions related to military personnel and DoD installations.

The basis and rules for the collection of intelligence and conduct of intelligence operations are prescribed publicly by executive orders. The statutory framework for the U.S. intelligence apparatus is found in the National Security Act of 1947, as amended (hereinafter the National Security Act of 1947), including significant amendments establishing a new Director of National Intelligence, found in the Intelligence Reform and Terrorism Prevention Act of 2004. The National Security Act of 1947 established the National Security Council and the Central Intelligence Agency, authorizes DoD to conduct certain intelligence activities, and establishes funding rules, accountability to civilian leadership, and congressional oversight. Among other things, the National Security Act of 1947 requires that certain congressional committees be kept fully and currently informed of U.S. intelligence activities. The key Executive Order in this regard is E.O. 12333, dated December 4, 1981, as amended by E.O. 13355, dated August 27, 2009; and E.O. 13470, dated July 30, 2008. There are also numerous executive orders and legislative provisions that protect privacy and access to information.

2.3: What are the roles and missions of military, paramilitary and security forces, and how does your State control that such forces act solely within the constitutional framework?

The U.S. Armed Forces are, at all times, subject to the control and authority of the U.S. President, who is an elected official, and the U.S. Secretary of Defense, who is appointed from civilian life. The U.S. Congress also exercises its constitutional authority to pass legislation applicable to the U.S. Armed Forces. The exact division of authority between the U.S. President and the U.S. Congress is a matter of frequent debate, but it is clear that the U.S. Armed Forces are at all times subject to the collective authority of the elected and appointed officials of the Executive Branch and the elected officials of the Legislative Branch of the U.S. Government.

The members of the National Guard when serving on state duty or in a training status are under the authority of the Governors of their States when not in federal service. When in federal service under U.S. law, the members of the National Guard have the same status as members

of the regular U.S. Armed Forces, for all practical purposes. When called to active duty, members of the reserve forces are subject to the same conditions of service as members of the regular U.S. Armed Forces. The importance of the reserves and the National Guard has greatly increased, as they have been regularly called up for duty for military installation security, peacekeeping, and other military operations. This is particularly significant in specialized areas such as civil affairs and military police functions where the military personnel with these needed skills are concentrated primarily in reserve and National Guard units.

The federal government agencies involved in protection of the internal security of the United States include, *inter alia*, the FBI and the U.S. Marshals Service within the U.S. Department of Justice, and the Secret Service, ICE, and the U.S. Coast Guard within DHS (except when the latter is operating as a specialized service under the U.S. Navy in time of war or when directed by the U.S. President; by statute, the U.S. Coast Guard is a military service and branch of the U.S. Armed Forces). Each of these agencies is under the authority of the U.S. President and a cabinet officer appointed by the U.S. President with the advice and consent of the U.S. Senate. Relevant committees of the U.S. Congress exercise oversight over the activities of these federal agencies. In cases where these agencies work in concert with active U.S. Armed Forces, it is normal to draw up a memorandum of understanding to provide for respective responsibilities and financial arrangements. In some cases, non-DoD U.S. departments and agencies may request DoD support that the Secretary of Defense, under various statutory authorities, may elect to provide using DoD's active U.S. Armed Forces personnel, typically on a reimbursable basis.

The intelligence services of the United States operate under the direction and oversight of the U.S. President and senior officials appointed by the U.S. President. They are also subject to congressional intelligence oversight.

State and local police forces are subject to the control of elected executive officials and legislative officials of elected state and local governments, and to the judicial review of the courts.

Many of the specific statutes that apply to DoD are contained in Title 10 of the U.S. Code, which prescribes the functions of DoD, its powers, and its key officials. It prescribes the organization and functions of the Military Departments, the Chairman of the Joint Chiefs of Staff, the Combatant Commands, the reserve components, and their inter-relationships. Special authorities provide for military support to civilian law enforcement agencies (Chapter 15), security cooperation (Chapter 16), humanitarian and other assistance to foreign countries (Chapter 20), DoD intelligence matters (Chapter 21), and the UCMJ (Chapter 47). Title 10 also includes provisions pertaining to training, pay, procurement, and financial accountability. There are statutory positions such as the General Counsel of DoD, and the General Counsel of the Departments of the Army, Navy, and Air Force, and the Judge Advocates General of the Departments of the Army, Navy, and Air Force, who ensure provision of proper legal advice, reviews of programs and operations, and oversight. Also of particular importance is DoD Directive 5500.07, "Ethics and Standards of Conduct," dated May 15, 2024, and the Joint Ethics

Regulation (JER) that implements it. These directives apply to all DoD personnel and establish rules to implement the principle of public service as a public trust, and to ensure that U.S. citizens can have complete confidence in the integrity of DoD and its employees. These directives cover the areas of conflicts of interest, political activities, use of benefits, outside employment, financial disclosure, and training. Federal law also has established the Offices of Inspectors General. DoD and the separate Military Departments have independent Inspectors General who conduct inquiries into allegations of fraud, waste, and abuse. Further, the Inspectors General review current organizational matters and provide advice to the civilian and military leadership on whether there are better or more efficient ways to obtain the same or better results.

With regard to Standards of Conduct, the United States participates in exchanges with many countries regarding military legal matters. Standards of conduct can be part of the discussions during such exchanges. For example, U.S. military personnel continue to meet with military and civilian officials in other countries to discuss military personnel issues and standards of conduct for military and civilian defense personnel. Uniformed legal personnel have visited countries in Eastern Europe, South America, Africa, and Asia to provide lectures and instruction on discrete legal topics.

3. Procedures related to different forces' personnel

3.1: What kind of procedures for recruitment and call-up of personnel for service in your military, paramilitary, and internal security forces does your State have?

Authority for the recruitment of the regular U.S. Armed Forces and their reserve and National Guard components are established by statute. Although authority for compulsory recruitment ("the draft") still exists, it has not been exercised since 1973. Since that time, all recruitment into the U.S. Armed Forces has been on a voluntary basis. The minimum age for enlistment in the U.S. Armed Forces is 18 years, or at age 17 with parental consent. Discrimination on the basis of race, color, national origin, religion, sex (including pregnancy), or sexual orientation is prohibited. U.S. law establishes conditions under which the U.S. President has the authority to order members of the Reserve Components, including the National Guard, to active duty.

3.2: What kind of exemptions or alternatives to military service does your State have?

As indicated above, no individual has been compelled to enter military service since 1973. Existing statutes authorizing compulsory service provide an exemption from service for persons who have conscientious objections to any military service. These statutes also provide for assignment to noncombatant duties for those who do not object to all military service, but who have conscientious objections to performing combatant duties. Individuals whose conscientious objections crystallize after they have entered military service may be honorably discharged administratively.

3.3: What are the legal and administrative procedures to protect the rights of all forces' personnel as well as conscripts?

The UCMJ provides procedural guarantees for accused Service members that are similar to the rights enjoyed by criminal defendants in the civilian criminal courts, and in some respects exceed civilian standards (*e.g.*, counsel is provided without cost and without any means testing for both trial and appellate proceedings). Both military judges and defense counsel are assigned to separate commands reporting to the Office of their respective Military Department Judge Advocate General (or for Marine Corps defense counsel to the Staff Judge Advocate to the Commandant of the Marine Corps) to prevent actual or perceived influence on their performance of duty. Special trial counsel, who exercise authority over certain serious offenses under the UCMJ, are independent of the military chain of command of the victim and those accused of offenses under the UCMJ. Special trial counsel is supervised by the Lead Special Trial Counsel, who report directly to the Secretaries of the Military Departments without intervening authority. Each Military Department and the U.S. Coast Guard have established a Court of Criminal Appeals. Those convicted by a general or special court-martial may seek review of their cases by the appropriate Court of Criminal Appeals and subsequently by the U.S. Court of Appeals for the Armed Forces. Each judge of the Court of Appeals for the Armed Forces is appointed from civilian life by the U.S. President with the advice and consent of the U.S. Senate. In accordance with 28 U.S.C. § 1259, the U.S. Supreme Court may also review the decisions of the U.S. Court of Appeals for the Armed Forces.

Administrative proceedings are conducted in accordance with procedures and standards established by the U.S. Congress and the U.S. President, and federal courts are available to review claims of unfairness or illegality in such proceedings. Federal statutes guarantee the right of military personnel to file complaints with the Inspector General of their Military Department and with the Inspector General of DoD, and to communicate freely with Members of the U.S. Congress. DoD policies permit military personnel to exercise their religion freely, to participate in certain political activities during non-duty time and in their personal capacity, and to vote in elections on the same basis as other citizens.

Also available to military personnel and their families is an extensive legal assistance program that provides legal advice and services regarding wills and powers of attorney, matrimonial matters, debt issues, and taxes. This support is especially important to military personnel deploying on overseas missions and to members of their families who remain behind. Military personnel being deployed on overseas missions receive as part of their deployment processing a review of the documents and legal issues that would be important to them while away from their families. There is also a program to ensure that military personnel are aware of their right to vote, and that assistance is given in applying for and mailing absentee ballots.

4. Implementation of other political norms, principles, decisions and international humanitarian law

4.1: How does your State ensure that International Humanitarian Law and Law of War are made widely available, e.g., through military training programs and regulations?

DoD Directive 2311.01, "DoD Law of War Program," July 2, 2020, provides DoD policies and responsibilities for ensuring DoD compliance with the Law of War obligations of the United States. The Law of War encompasses the Law of Armed Conflict or International Humanitarian Law (IHL). Among other elements, the Directive requires the heads of the DoD components to institute and implement effective programs to prevent violations of the Law of War, including through Law of War training and dissemination. The DoD components have established training and dissemination programs under which: (1) all military members know the fundamental precepts of the Law of War; (2) all DoD personnel have knowledge of the Law of War commensurate with their duties and responsibilities (e.g., ground combatants, aircrew, naval personnel, military police, religious personnel, and medical personnel); (3) periodic training is provided as appropriate; and (4) Law of War topics are included, as appropriate, in exercises and inspections.

Although all the Military Departments have previously published many respected works on the Law of War, which have served as valuable resources for their personnel, DoD initially published the DoD Law of War Manual in 2015. The purpose of the manual is to provide information on the Law of War to DoD personnel responsible for implementing the Law of War and executing military operations. The manual was the result of a multi-year effort by military and civilian lawyers from across DoD to develop a department-wide resource on the Law of War for military commanders, legal practitioners, and other military and civilian personnel. The manual has been updated multiple times since 2015, most recently in July of 2023, and will continue to be updated periodically. The manual is publicly available at <https://ogc.osd.mil/Portals/99/Law%20of%20War%202023/DOD-LAW-OF-WAR-MANUAL-JUNE-2015-UPDATED-JULY%202023.pdf>. In addition to the DoD Law of War Manual, the public may also review law of war treaties and other official documents related to U.S. military practice in the law of war on the same website at <https://ogc.osd.mil>.

Further information on U.S. efforts to implement international humanitarian law in U.S. military operations are outlined in U.S. report submitted to the 34th International Conference of the Red Cross and Red Crescent, which is available at: <https://rcrcconference.org/pledge-report/report-on-pledge-strengthen-domestic-implementation-of-international-humanitarian-law-in-military-operations-2/>.

4.2: What has been done to ensure that armed forces personnel are aware of being individually accountable under national and international law for their actions?

As provided in DoD Directive 2311.01, DoD Law of War Program, referenced above, DoD policy is for the members of U.S. Armed Forces to comply with the Law of War during all armed conflicts, however characterized. This includes, for example, during the on-going armed conflict against al-Qa'ida and associated forces, including against ISIS. Despite new challenges and changing circumstances, applicable Law of War principles and rules are scrupulously

applied through a series of efforts including the provision of legal advisers to commanders and law of war dissemination and training.

In addition to the rigorous training programs for U.S. forces special training may be provided in the Law of War rules that are particularly relevant to military personnel and units assigned to participate in peacekeeping, humanitarian, or other operations. Such training is also practiced in multinational training exercises, including PfP programs.

The topic of individual accountability is included in law of war training and dissemination efforts. For example, a Brief Overview of the Law of War for DoD Personnel (available at: <https://ogc.osd.mil/Law-of-War/Practice-Documents/>) emphasizes that:

All servicemembers must:

- comply with the law of war in good faith;
- refuse to comply with clearly illegal orders to commit violations of the law of war (DoD LoWM § 18.3); and
- report potential violations of the law of war in accordance DoD Directive 2311.01.

This document also notes, for example, that “Commanders should take appropriate action with regard to alleged violations of law of war in accordance with the Uniform Code of Military Justice and the Manual for Courts-Martial.” Chapter XVIII of the DoD Law of War Manual provides more information for DoD personnel on implementation of enforcement of the law of war, including information about individual accountability.

***4.3:** How does your State ensure that armed forces are not used to limit the peaceful and lawful exercise of human and civil rights by persons as individuals or as representatives of groups nor to deprive them of national, religious, cultural, linguistic or ethnic identity?*

Congress has enacted the UCMJ, which empowers the U.S. President, the Secretary concerned, and designated military commanders to exercise effective discipline over the U.S. Armed Forces. The U.S. President has implemented this legislation through the Manual for Courts-Martial, which provides detailed rules on the conduct of judicial and non-judicial proceedings. Certain court-martial convictions may be subject to independent judicial review by a civilian court, and subject to ultimate review by the U.S. Supreme Court.

The Posse Comitatus Act (18 U.S.C. 1385) provides criminal penalties for anyone who, “except in cases and under circumstances expressly authorized by the Constitution or Act of Congress, willfully uses any part of the Army, the Navy, the Marine Corps, the Air Force, or the Space Force as a posse comitatus or otherwise to execute laws.” As implemented under DoD policy, the U.S. Armed Forces (active or reserve components when acting under federal authority) do not participate directly in civilian law enforcement activities unless authorized by law to do so.

These restrictions do not apply to military law enforcement functions related to military personnel and DoD installations.

4.4: *What has been done to provide for the individual service member's exercise of his or her civil rights and how does your State ensure that the country's armed forces are politically neutral?*

DoD Directive 1344.10, "Political Activities by Members of the Armed Forces," February 19, 2008, provides that members of the U.S. Armed Forces on active duty should not engage in partisan political activity. They are encouraged to vote but may not be candidates for political positions. Members of the U.S. Armed Forces on active duty shall not participate in political fundraising or campaign activities, rallies, or conventions. The requirements of the Directive are derived from appropriate provisions of the U.S. Code, including provisions that make certain prohibited conduct criminal offenses. Additionally, Title 10, Section 973, of the U.S. Code limits or prohibits active members of the U.S. Armed Forces from accepting employment and from holding or exercising the functions of a civil office in the U.S. Government.

4.5: *How does your State ensure that its defense policy and doctrine are consistent with international law?*

The United States ensures that its defense policy and doctrine are consistent with international law by having draft DoD policies and other issuances reviewed by lawyers prior to their issuance. More generally, trained civilian and military lawyers at every level within DoD, from the DoD Office of General Counsel to the judge advocates who serve in the field with military units, advise policymakers, commanders, and other decision-makers on military operations and other activities. There are both civilian lawyers in each Military Department and military lawyers serving with commands at every level. Each Military Service – the U.S. Army, the U.S. Navy, the U.S. Air Force, the U.S. Marine Corps, the U.S. Space Force, and the U.S. Coast Guard - has senior military lawyers responsible for ensuring that service lawyers are trained and qualified to advise commanders and their staffs.

Section III: Public access and contact information

1. Public access

1.1: *How is the public informed about the provisions of the Code of Conduct?*

Information on the Code of Conduct on Politico-Military Aspects of Security is available through the U.S. Mission to the OSCE at <https://osce.usmission.gov/>.

1.2: *What additional information related to the Code of Conduct, e.g., replies to the Questionnaire on the Code of Conduct, is made publicly available in your State?*

Additional information on the Code of Conduct is available through the U.S. Commission on Security and Cooperation in Europe (the U.S. Helsinki Commission) at <https://csce.gov/>.

1.3: How does your State ensure public access to information related to your State's armed forces?

Information related to the DoD and the U.S. Armed Forces is available to the public through official government sources, including the following websites:

- DoD: <https://www.defense.gov>;
- U.S. Joint Chiefs of Staff: <https://www.jcs.mil>;
- U.S. Army: <https://www.army.mil>;
- U.S. Marine Corps: <https://www.marines.mil>;
- U.S. Navy: <https://www.navy.mil>;
- U.S. Air Force: <http://www.af.mil>;
- U.S. Space Force: <https://www.spaceforce.mil/>;
- U.S. Coast Guard: <https://www.uscg.mil>.

In addition to the information disclosed proactively to the websites listed in the above answers to questions 1.1, 1.2, and 1.3, members of the public may submit requests to DoD pursuant to the Freedom of Information Act (FOIA), 5 U.S.C. 552, and DoD FOIA regulations, policies and procedures (including 32 CFR Part 286, DoD Directive 5400.07, and DoD Manual 5400.07) by reasonably describing the DoD records sought. In response to such requests, DoD components will undertake reasonable searches to locate such records and provide them to the requesters unless certain exemptions from disclosure apply under 5 U.S.C. 552(b).

2. Contact information

2.1: Provide information on the national point of contact for the implementation of the Code of Conduct.

The U.S. point of contact for implementation of the Code of Conduct is the Office of Regional Security Cooperation, Bureau of Arms Control, Deterrence, and Stability, U.S. Department of State. For additional information, please email ADS-RSC-DL@state.gov.