



## Combating Weapons of Mass Destruction (WMD): Effective Multilateralism

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*[Remarks as prepared, delivered by Ambassador Donald Mahley]*

I am pleased to have been asked to address this conference devoted to understanding and responding to WMD latency. I particularly welcome the opportunity to discuss the Bush Administration's use of innovative international cooperation -- effective multilateralism -- to combat the proliferation of weapons of mass destruction and their delivery systems. We are working, with considerable success, to prevent as far as possible the emergence of new latent WMD programs and, above all, the evolution of latent efforts into actual ones. But daunting challenges remain.

In the earliest days of his Administration, President Bush emphasized that we must give the highest national security priority to WMD and missile proliferation, and he called for new measures based on new ideas to counter this modern threat. Given the complexity of the challenge, we began by fashioning the first truly national, comprehensive strategy for combating the threat. Within this strategy, the Administration readily acknowledged that the starting point, and initial line of defense, is to prevent proliferation. However, we also knew that prevention will not always succeed. Therefore, we have placed new emphasis on protection from, and response to, the use of these weapons against us or our friends and allies. We are building the counterproliferation capabilities to deter, defend against, and defeat weapons of mass destruction in the hands of our enemies. And we are acquiring the ability to contain and reduce the potentially horrific effects if these weapons are used against us.

To succeed in our effort to combat WMD proliferation, we and our international partners must apply together all tools at our disposal -- diplomatic, economic, intelligence, law enforcement, and military. As I describe our approach, I would invite you to think about the characterization we sometimes hear that the United States has followed a unilateralist approach. This label simply does not stand up to the fact that this Administration has undertaken more -- and above all, more effective -- multilateral initiatives and diplomatic efforts against proliferation than any previous administration. We have, I believe, been taking on the full range of problems related to proliferation, with realism and determination, and in close cooperation with our partners.

We recognize that stopping and reversing proliferation involves affecting not just the capabilities, but also the intentions, of proliferators. This is equally the case with latency, the subject of this conference. In this regard, I am confident that the insights from your deliberations will contribute not just to a better understanding of the challenges, but to improved means for achieving our desired objectives.

### Forging Effective Partnerships

The Bush Administration has given new vitality to the use of diplomatic tools to prevent the proliferation of weapons of mass destruction. U.S. assistance to eliminate weapons and sensitive materials in other countries, such as through the Nunn-Lugar program, has been at record funding levels. Moreover, with the formation in 2002 of the G-8 Global Partnership Against the Spread of Weapons and Materials of Mass Destruction, the United States successfully called on our foreign partners to commit their fair share to the effort to meet what is a global responsibility. This little recognized partnership has added over seven billion dollars of commitments of non-U.S. funding to the goal of securing and eliminating sensitive technologies and weapons.

While the bulk of U.S. nonproliferation assistance remains focused on the states of the Former Soviet Union, we have also expanded our efforts to address proliferation threats more broadly. Landmark programs include: the DOE (Department of Energy) Global Threat Reduction Initiative to reduce fissile and radioactive material worldwide; the DOE Second Line of Defense and Megaports programs to install radiation detection capability at major seaports, airports and land crossings; and redirection programs in Libya and Iraq to provide alternative employment for former weapons scientists and engineers. We greatly appreciate the important role that the national laboratories have played in developing and implementing these critical initiatives.

Further, the United States has spearheaded the effort for the UN Security Council to take new action to meet its responsibility to maintain peace and security against WMD threats. A major milestone was the passage in April 2004 of UN Security Council Resolution 1540. In adopting 1540, the Security Council -- for only the second time since its founding -- invoked its Chapter VII authorities to require nations to act against a general, as opposed to a specific, threat to international peace and security. In particular, 1540 requires all states legally to prohibit WMD proliferation activities, such as we witnessed with the A.Q. Khan one-stop shopping network for nuclear weapons. It further requires that states institute effective export controls, and enhance security for nuclear materials on their territory.

The United States also has led the way to strengthen the International Atomic Energy Agency's (IAEA) ability to detect nuclear proliferation. We instituted a successful effort to increase the IAEA's safeguards budget. We have strongly supported the IAEA Additional Protocol, to strengthen the Agency's ability to uncover clandestine nuclear programs. In addition, the President successfully urged the creation of a new special committee of the IAEA Board of Governors to examine ways to strengthen the Agency's safeguards and verification capabilities.

The United States is also working with others on the IAEA Board to restore the essential role of the UN Security Council in addressing noncompliance with safeguards obligations, as that role was embedded in the IAEA Statute almost 50 years ago. For almost 20 years, Iran systematically violated its IAEA safeguards and NPT (Treaty on the Nonproliferation of Nuclear Weapons) obligations by hiding its nuclear fuel cycle efforts and conducting a covert program aimed at nuclear weapons. Here, too, DOE and the national laboratories had made a major contribution in helping to expose Iran's nuclear programs to the world. Last September, as you know, the IAEA Board found Iran in formal noncompliance with its safeguards obligations -- a finding which requires a report to the Security Council -- and also found that Iran's nuclear activities raise questions concerning international peace and security that are within the competence of the UN Security Council.

Iran has now defied the international community by deciding to resume uranium enrichment (in the guise of so-called "research and development"), and demolishing the basis for continued negotiations with the EU-3. Indeed, we see only smoke and salami slicing from Tehran. As Secretary Rice has noted, the time is now for the IAEA Board to report Iran to the Security Council. In the U.S. view, the Security Council will not supplant the IAEA effort, but reinforce it -- for example, by calling on Iran to cooperate with the Agency and to take steps the IAEA Board has identified to restore confidence, and by giving the IAEA new, needed authority to investigate all Iranian weaponization efforts.

Let me be clear about the Iranian regime's pursuit of nuclear weapons. Iran has pursued numerous routes to acquire an indigenous nuclear fuel cycle capability to provide it with the ability to produce fissile material for weapons. Iran is going down the plutonium route through construction of a heavy water research reactor and a heavy water plant. It has conducted experiments to separate and purify plutonium. Iran has even more aggressively pursued the enrichment route, demonstrating its commitment and determination to expend tremendous resources in defiance of the international community. It is building facilities to convert and enrich uranium. All of these efforts involved a dizzying array of cover stories and false statements over many years. And now Tehran has declared that it will begin actually feeding UF6 into a

centrifuge cascade. While the cover story this time is innocent "research and development," this is the next logical and necessary step to proceed to full-scale enrichment, and Iran is preparing the production plant at Natanz. Moreover, the IAEA recently discovered documents which indicate that Iran received information on casting and machining hemispheres of enriched uranium from a proliferation network. As this audience knows more than most, we know of no application for such hemispheres other than nuclear weapons.

Iran's pursuit of nuclear weapons is real, an issue the Bush Administration views -- and believes the international community views -- with grave concern. And let us not forget that the leader of this regime recently called for the State of Israel -- as well as the United States -- to be "wiped off the map."

One clear lesson from the Iran case is that some states will cynically manipulate the provisions of the NPT to acquire the sensitive technologies to enable them to pursue nuclear weapons capabilities -- the very capabilities the Treaty is intended to deny. To foreclose that proliferation avenue, President Bush challenged the international community to rectify the greatest weakness in the nuclear nonproliferation system: the ability of states to seek nuclear weapons under the cover of peaceful energy programs.

In February 2004, the President proposed that the ability to enrich uranium and to reprocess plutonium be limited to those states which already operate such facilities. In return, the President called on the world's nuclear fuel suppliers to assure supply to those states that forego enrichment and reprocessing.

The United States is now working with major supplier states, with the IAEA and with industry to develop a mechanism for alternative supply arrangements in the event of problems with the commercial market. Our aim is to provide assurances that will convince states with power reactors -- both current and future -- that their best economic interest is not to invest in expensive, and proliferation risky, fuel-cycle capabilities. If we can succeed, this will be a major gain for proliferation security. To enhance those efforts, as Secretary Bodman announced last September, the Department of Energy will convert up to 17 metric tons of highly-enriched uranium (HEU) to low-enriched uranium, and hold it in reserve to support fuel supply assurances. The results of this action will be doubly positive: greater assurances of fuel supply; and a significant reduction in the amount of weapons-related material -- enough for almost 700 nuclear warheads. We encourage other supplier states to create such reserves as well.

The U.S. approach to nuclear fuel supply assurances is a good example of the Bush Administration's effort to bring new vitality to multilateral nonproliferation efforts, as well as to address some of the concerns about latency in a pragmatic and concrete manner. For more than three decades, a series of IAEA and UN committees have studied and discussed international fuel cycle issues and the possibility of fuel supply assurances, with no concrete result. The United States now is working instead with the supplier governments, industry and the IAEA -- those that can make something happen -- to put in place a fuel supply back-up mechanism, drawing on ideas that have been talked about -- but only talked about -- for more than 30 years.

The United States has taken a comparable approach to international efforts to strengthen the Biological Weapons Convention (BWC). For years, a committee of the BWC States Parties labored to produce a verification protocol for the Convention. It simply did not succeed -- despite the best efforts of its chairman and many of its members. The traditional arms control verification approach simply would not work for biological weapons. The draft protocol would not have made the BWC effectively verifiable, and it would not have deterred those who would seek to violate the Convention. Instead, it might have produced a false confidence, while deadly offensive biological warfare efforts continued.

Rather than continuing to pursue an ineffective verification protocol, the United States -- in an act of leadership more than unilateralism -- proposed that the BWC States Parties adopt a far more constructive approach to strengthen the global regime against biological weapons. The BWC work program of the past three years has reflected those ideas, aimed at promoting common understanding and effective action on a series of measures to combat the biological weapons threat. These include: necessary national measures, including criminalization, to implement the BWC prohibitions; national mechanisms to maintain security and oversight of dangerous biological materials; international capabilities to respond to suspicious or deliberate disease outbreaks; national and international means for surveillance, detection, diagnosis and combating of infectious diseases; and scientific codes of conduct.

Through these measures, the BWC work program of the past three years provided a constructive agenda to advance the fundamental aim of the Convention -- to protect the world from the scourge of biological weapons -- and to highlight the requirement for effective national efforts to combat the biological threat.

The U.S. position on a Fissile Material Cut-Off Treaty (FMCT) also departs from past practice. After extensive study, the Administration concluded that an FMCT could not be effectively verified -- even with intrusive measures that would impinge on important national security equities. However, the Administration has not chosen to abandon pursuit of an FMCT. Instead, we seek an agreement without verification measures. We believe such an agreement could be negotiated readily, and would prohibit the production of fissile material for weapons purposes worldwide. We hope that negotiations can begin soon. In the interim, the United States will continue to honor our voluntary moratorium on the production of fissile material for weapons or other explosive purposes, and we call on other states to adopt and abide by similar moratoria. As Secretary Bodman announced in November, the United States is going even further, and will remove 200 metric tons of HEU from the weapons stockpile.

#### **Defensive Measures**

Let me now turn to the critical set of tools against proliferation that we call "defensive measures." A key requirement of counterproliferation is to protect ourselves from WMD proliferation and WMD-armed adversaries. Combating WMD requires both offensive and defensive capabilities. To be successful, we must bring a full range of capabilities to bear. One element of the solution set is missile defense, as well as improved counterforce and passive defense capabilities, together with capabilities to eliminate adversary WMD and to manage the consequences of WMD attacks.

Still other defensive measures are dual-use. Dual-use capabilities have long been considered proliferation problems, but dual-use capabilities can also be part of the solution. For example, the same disease surveillance and medical countermeasure responses required for public health protection against infectious diseases are critical for defending against biological weapons attacks.

Other defensive measures address the financial underpinnings of proliferation. Adopting many of the tools developed in the war against terrorism, we are working with our partners to cut off the financial flows that fuel proliferation. Security Council Resolution 1540 requires states to take and enforce effective controls on funds and services related to export and transshipment that would contribute to WMD programs. Consistent with 1540, in July 2005, G-8 Leaders called for enhanced efforts to combat proliferation through cooperation to identify, track and freeze financial transactions and assets associated with proliferation-related activities.

President Bush augmented U.S. efforts in this area when he issued last June a new Executive Order, which authorizes the U.S. Government to freeze assets and block transactions of entities and persons, or their supporters, engaged in proliferation activities. Currently 18 entities -- 11 from North Korea, 6 from Iran, and one from Syria -- have been designated under the Order, and we are actively considering designating additional ones.

We are also taking steps to counter North Korea's use of illicit activities -- money laundering, counterfeiting of currency and goods, narcotics trafficking and smuggling -- to earn revenue. Revenue which in turn can help finance WMD and missile proliferation. Last September, the Treasury Department acted under the PATRIOT Act to designate as a "primary money laundering concern" an Asian bank that provides financial services to North Korean illicit activities, such as counterfeiting and drug trafficking. In so doing, Treasury acted to protect U.S. financial institutions while warning the global community of the reality of North Korea's illicit behavior. Further, the U.S. and Asian governments have made a number of arrests in recent months in connections with North Korean counterfeiting, narcotics trafficking and smuggling.

Finally one of the most important defensive measures undertaken by the Bush Administration to combat weapons of mass destruction is the Proliferation Security Initiative (PSI), which shows the close interaction among -- and the creative use of -- diplomatic, military, economic, law enforcement, and intelligence tools to combat proliferation. PSI countries have put all of these assets to work in a multinational, yet flexible, fashion. The participating countries are applying laws already on the books in innovative ways and cooperating as never before to interdict shipments, to disrupt proliferation networks, and to hold accountable the front companies that support them. PSI has now expanded to include support from more than 70 countries, and continues to grow. It is not a treaty-based approach, involving long, ponderous negotiations which yield results only slowly, if at all. Instead, it is an active -- and proactive -- partnership, to deter, disrupt and prevent proliferation of WMD and their means of delivery. And it is working.

### **Bringing It All Together -- A.Q. Khan and Libya**

The most dramatic successes of the Bush Administration's effective multilateral approach to WMD proliferation have been the dismantlement of the A.Q. Khan network and Libya's decision to eliminate its chemical and nuclear weapons programs, as well as its longer range missile capabilities. Success in both of these cases required the application of a number of tools, including diplomacy, intelligence and force, and close cooperation among partners.

Intelligence penetration of the A.Q. Khan network gave us knowledge of the shipment of thousands of centrifuge parts bound for Libya on the ship BBC China. PSI cooperation among the United States, United Kingdom, Germany and Italy resulted in the diversion of the ship and the seizure of its deadly cargo. Interdiction of the BBC China, followed by cooperation from the United Arab Emirates, South Africa, Malaysia, Turkey and several European countries, led to the dismantlement of the Khan network and the on-going investigation, prosecution, and imprisonment of many of its leading members.

In turn, just two months after the BBC China interdiction, Libya announced its historic decision to eliminate its WMD and longer-range missile programs. Several factors were at work: the exposure and disruption of Libya's nuclear weapons program; the potentially severe costs of proliferation, demonstrated by the resolve of the United States, the United Kingdom and our partners to counter WMD in Iraq; and the potential benefits from adhering to international nonproliferation norms.

In the months after Libya's decision, Tripoli worked with the United States and UK to disclose fully its WMD and missile efforts, and to eliminate weapons and equipment. In return, the United States has lifted many economic and political sanctions on Libya, paving the way for benefits for the Libyan people. Libya has been established as a positive alternative model for other proliferators to follow -- give up your weapons of mass destruction programs and receive the benefits of being in good-standing within the international community.

### **The Challenges Ahead**

Now let me turn to three proliferation challenges.

The first is to end the North Korean and Iranian nuclear weapons programs. President Bush has made clear that, while all options remain on the table, our strong preference is to address these threats through diplomacy.

In the Six-Party Joint Statement from September, North Korea committed to abandoning all its nuclear weapons and existing nuclear programs. This was a notable development, but we still must agree on, and implement, the detailed requirements of North Korean denuclearization and its verification. That task will certainly be difficult. Indeed, North Korea's immediate demand for a light water reactor after the issuance of the Joint Statement -- in contrast to the Joint Statement itself -- underscored the difficulties ahead. And most recently, following a brief session of the fifth round in November, Pyongyang has indicated that it will boycott further negotiations until the United States rescinds what North Korea calls "economic sanctions" against it. We have made it clear that we are committed to pursuing successful Six Party negotiations, but that we also have no choice but to continue our defensive measures to ensure that we can protect ourselves from the proliferation actions of the North, as well as from its illicit activities such as money laundering and counterfeiting.

In some ways, the challenge Iran poses to the nuclear nonproliferation regime is even more daunting and complex than the North Korean threat. Although the evidence -- including Iran's 20 years of hiding sensitive nuclear fuel cycle efforts -- clearly indicates a weapons program, Iran continues to maintain that its work is peaceful. We are working closely with the Europeans, Russia, China and other countries to form an increasingly united coalition to block Iran's nuclear efforts. At the last IAEA Board meeting, in November, we decided to support the request of the EU-3 to defer again, for a short period, the report to the Security Council required under the IAEA Statute following the September Board finding of Iranian noncompliance. While we believed that we had a majority of the votes, we thought it best to seek an even broader international grouping to pressure Iran to return to the negotiations on the basis of the original terms. We also welcomed Russia's efforts to get Iran to return to negotiations.

In response, Iran rejected negotiation and instead chose confrontation, repeatedly and deliberately. The international community cannot accept a nuclear weapons-capable Iran. We still believe this issue can be resolved diplomatically. But to achieve this, we must stand together and press Iran to make the strategic decision to end its nuclear weapons program.

I believe that Iran will soon be reported to the Security Council, a step that does not signal the end of diplomacy, but rather the next phase of diplomacy. The EU-3 negotiating process, because of Tehran's actions, is at a dead end. The great majority of states know that the European effort, which had U.S. support, went the extra mile -- and then some -- to achieve an outcome of substantial benefit to Iran, but without including Iranian access to enrichment or reprocessing technologies. This phase of the process is now over, to be replaced by Security Council action that provides a wider menu of tools for dealing with Iran's defiance of the IAEA Board and its continued pursuit of sensitive technologies that few would trust would be used for peaceful purposes.

The second challenge is to end proliferation trade by rogue states, individuals and groups. As I described, we have made progress over the last few years. We have moved from the creation of international export control standards to their active enforcement -- through enhanced national legislation, PSI interdictions, international law enforcement and financial cooperation. We have shut down the world's most dangerous proliferation network.

We have had considerable success in PSI, steadily reducing the opportunities available to proliferators. But we must continue to expand and deepen our efforts -- using all available national and international authorities and, where necessary, creating new ones until the proliferation trade has been effectively ended.

The final challenge that I would mention is the need to prevent terrorist acquisition and use of WMD, and especially of biological and nuclear weapons. If terrorists acquire these weapons, they are likely to employ them, with potentially catastrophic effects. A well-organized terrorist group with appropriate technical expertise could probably create a crude nuclear device once it gained access to fissile material. Although terrorist use of a radioactive dispersal device is far more likely, the consequences of a terrorist nuclear attack would be so catastrophic that the danger -- as this conference well recognizes -- requires particular attention. On the biological weapons side, with today's dual-use capabilities and access to particular, dangerous pathogens -- many of which exist in nature or could be relatively easily obtained and culture -- the bioterror challenge presents a low-cost means of a potentially high-impact attack.

Many of the tools we have in place to combat proliferation by rogue states are relevant against WMD terrorism. A few examples are reducing the global stocks of fissile material and securing those which remain; improved nuclear and biological detection capability; and the interdiction of trafficking in nuclear weapons and biological weapons components. A key difference, however, is one of scale. We cannot rest as long as enough material for even one nuclear weapon remains unsecured.

While many of the tools are the same, preventing WMD terrorism requires different approaches from those we have followed against state WMD programs or against conventional or non-WMD-related terrorism. For example, intelligence collection and action against the proliferation of WMD have traditionally focused on state-based

programs, while anti-terrorist intelligence has focused on individuals and groups. Intelligence regarding the nexus of terrorism and WMD must cover the full range of state and non-state threats and their interrelationships. We are working hard to close any remaining gaps and to ensure that the intelligence process supports our strategic approach to combating WMD terrorism.

That strategic approach entails working with partner nations to build a global layered defense to prevent, detect and response to the threat or use of WMD by terrorists. To prevent, we will undertake national, multilateral and global efforts to deny terrorists access to the most dangerous materials. To protect, we will develop new tools and capabilities with partner nations to detect the movement of WMD and to disrupt linkages between WMD terrorists and their facilitators. Because we can never be certain of our ability to prevent or protect against all potential WMD terrorist attacks, we will cooperate with partners to manage and mitigate the consequences of such attacks, and to improve our capabilities to attribute their source. Thus, we will work to harness, in an effective multinational way, all relevant collective resources to establish more coordinated and effective capabilities to prevent, protect against, and respond to the global threat of WMD terrorism.

### **Conclusion**

Let me conclude by noting that the strategic approach to combat WMD proliferation which the President first laid out almost five years ago continues to provide a guide to action against this paramount threat. Our strategy, supported by the new measures we have adopted to implement it, is flexible and dynamic, suited to the changing nature of the proliferation threat. Multilateral cooperation is a hallmark of our approach -- a cooperation which is broader, deeper, more innovative, and more effective than the traditional tools of nonproliferation diplomacy alone. Meeting the WMD threat in the face of continuous challenges will continue to require new ways of thinking and acting together. This is a responsibility not just for the United States, not just for a few close allies, but for the entire international community.

This is also a responsibility, not just for those in government, but for all who are able to contribute. The threats I have discussed are as complex as they are dangerous. As with the development of our Cold War deterrent posture, those in academia, think tanks and our national laboratories have an important role to play in assisting in the construct of an even more effective and adaptable conceptual framework for action. I am confident that this effort undertaken by Ron Lehman, the Center for Global Security, and all of the most impressive participants will make a significant contribution to our common cause and common security. Good luck in this critical task. I look forward to the results.

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