

Testimony by A/S Rademaker before the
House International Relations Committee

PSI: A Record of Success

Thank you, Mr. Chairman. I welcome the opportunity to appear before your committee again to discuss another important element of the Bush Administration's innovative approach to combating the threats of the 21st Century.

Today, we are just 10 days into the Proliferation Security Initiative's third year. I would like to use this opportunity to describe our actions through the Proliferation Security Initiative – the PSI – to stop trafficking in weapons of mass destruction, their delivery systems and related materials to and from states and non-state actors of proliferation concern.

The Administration's overarching nonproliferation and arms control approach to counter the threat of weapons of mass destruction falling into the hands of the world's most dangerous regimes or terrorists was articulated by President Bush in 2002 in the National Strategy to Combat Weapons of Mass Destruction. President Bush recognized that the threats of the 21st Century require a fundamental change from the past and a focus on counterproliferation activities.

As a result, just over two years ago, in Krakow, Poland, President Bush announced the establishment of the PSI, to serve as an enduring framework for global cooperation to counter proliferation-related trafficking. PSI partners have built a network of cooperation aimed at building national capacities to act with speed and effectiveness and in partnership to stop WMD trafficking on the land, at sea, and in the air. We count over 60 countries as supporters of the PSI. Most recently, Argentina, Iraq and Georgia have joined this global effort against proliferation by endorsing the PSI Statement of Interdiction Principles.

The Vision of PSI

In developing the PSI, our main goal has been a simple one -- to create the basis for practical cooperation among states to help navigate this increasingly challenging arena. Our goal is based on an equally simple tenet -- that the impact of states working together in a deliberately

cooperative manner would be greater than states acting alone in an ad hoc fashion.

We often say “PSI is an activity, not an organization.” This is not hard to understand, but is unusual. We think it is a fundamental reason for PSI’s success to date. PSI builds on existing nonproliferation treaties and regimes. In doing so, PSI reflects the reality that, even as we continue to support and strengthen the existing nonproliferation architecture, proliferators and those facilitating the procurement of deadly capabilities are circumventing existing laws, treaties, and controls against WMD proliferation. Through PSI, we create the basis for action to ensure that, if proliferators manage to place their deadly cargoes aboard a ship, plane, or truck, we are prepared to stop them in their tracks.

When PSI first emerged, it was criticized inaccurately as an initiative with a shaky legal underpinning. In fact, the foundation of our ability to act in support of PSI activities is our respective national legal authorities and relevant international law and frameworks. There is ample authority to support interdiction actions at sea, in the air, and on land. States around the world have concurred with this fact and lent their support to the PSI. Importantly, the unanimous passage of UN Security Council Resolution 1540 establishes clear international acknowledgement that cooperation, such as PSI, is both useful and necessary.

The PSI has been a fast-moving effort, reflecting the urgency attached to establishing a more coordinated and active basis to prevent proliferation. On September 4, 2003 we published the PSI “Statement of Interdiction Principles” and shared it with countries around the world. Countries will participate in a variety of ways.

WMD-related trafficking threatens the security of the United States and the world community, the lives of our citizens, and legitimate commerce. By cynically offering the materials that could support the development of weapons of mass destruction to the highest bidder, this trade threatens to facilitate the development of weapons of mass destruction capabilities without regard to the potential grave damage to international security. This scheme of proliferation for profit can only be stopped through coordinated and continuous efforts by all like-minded governments.

We are all aware of the dangers of proliferation. The A.Q. Khan network sold nuclear know-how to proliferators in flagrant violation of international

export control norms and national laws. While the Khan network is the most prominent example, other proliferators and middle men across the globe continue to procure sensitive technologies for states and non-state actors willing to pay their price.

Many proliferators operate in the open, making use of laws designed to facilitate free and open trade, finding opportunities in countries with weak laws or enforcement, or simply hiding their cargo in the massive volume of legitimate commercial trade, sometimes masking their activities with false documentation. The United States as a supplier of sophisticated technologies is on constant watch. We seek out entities that are manipulating export laws. We seek out middlemen who attempt to dupe legitimate companies into serving as unwitting suppliers to those seeking WMD.

Quietly countering proliferation

In the last nine months alone, the United States and 10 of our PSI partners have quietly cooperated on 11 successful efforts. As noted by Secretary Rice in her May 31 remarks on the second PSI anniversary, PSI cooperation stopped the transshipment of material and equipment bound for ballistic missile programs in countries of concern, including Iran. PSI partners, working at times with others, have prevented Iran from procuring goods to support its missile and WMD programs, including its nuclear program. And bilateral PSI cooperation prevented the ballistic missile program in another region from receiving equipment used to produce propellant.

Our successes cannot all speak for themselves, since the details often involve sensitive intelligence matters. But we can say that the PSI is putting proliferators on notice and weeding them out from those engaged in legitimate trade. Our PSI efforts are also cutting off funding to entities engaged in WMD-related trafficking, and to countries seeking to use proliferation to fund their own proliferant activities. And our PSI efforts are stopping shipments that could support the development of weapons of mass destruction to and from states and non-state actors of proliferation concern.

PSI participants are fighting proliferation networks by building a counterproliferation network of our own. Proliferators move quickly in the global economy, attempting to develop markets, exploit loopholes and find safe harbors. But counterproliferators are learning through the PSI to be flexible and quick in response, denying any respite to those who would

auction off WMD, delivery systems, and related. Proliferators seek the gaps and weaknesses among all of our countries' individual actions to stop WMD-related trafficking. But counterproliferators know that cooperation and collaboration are the only means to ensure that there is no weakest link in our chain.

Building the Operational Capacity for Cooperative Action

PSI participants are building a foundation for cooperative action that is making it increasingly difficult and costly to engage in WMD trafficking. PSI participants are training together, sharing information, and performing interdictions. We are building a network to weave our individual efforts into a coordinated whole. Our customs and law enforcement officials are enforcing a wide range of laws already on the books to hold would-be proliferators accountable and we are engaged in a broad review to determine what additional authorities would be helpful. And our militaries and other operational agencies are helping to interdict suspicious shipments. Partnerships are being forged, contacts are being made, and operational readiness is being improved – we are creating a lasting basis for cooperative action against proliferation.

Over the past two years, we have worked tirelessly to build this coalition against WMD-related trafficking. By coordinating our efforts with other countries, we draw upon an enhanced set of authorities for interdiction. Experts are working to improve our ability to share information with law enforcement and military operators in a timely and effective manner, in order to allow operators to increase the number of actual interdictions.

Our current efforts are aimed at building our capacity to undertake air interdictions. As the Danish Ambassador to the United States said during the recent PSI anniversary meeting in Washington regarding Denmark hosting the next expert meeting in early July, “Having made noteworthy achievements in the maritime domain it is our aim that the upcoming meeting also will make a significant contribution to interdictions in aviation: An advanced aviation scenario is in the making that will aim at facilitating progress on operational, intelligence and legal aspects of air interdiction.”

At that meeting in Copenhagen, participants will continue the efforts begun at the March meeting hosted by the United States, where PSI participants began work in earnest on the air interdiction challenge and continued their

efforts to refine a series of sea, air, and ground interdiction training exercises.

Last week, the Czech Republic and Poland co-hosted a successful land interdiction exercise with 28 states in attendance – the first PSI exercise hosted on a “non-PSI Operational Expert Group” state’s territory. The event was held in conjunction with the PSI Second Anniversary and received positive widespread publicity in the Central and Eastern European region. Additionally, Spain just yesterday hosted an air interdiction exercise to further increase the interoperability of PSI partners. PSI nations have trained for interdiction operations around the globe.

In his February, 2004 address, President Bush directed that we work with other participants to expand PSI’s mission to target not only shipments and transfers of WMD, but the entities and networks involved in illicit proliferation activities more aggressively. Such steps will require greater cooperation not just among intelligence and military services but in law enforcement as well. Specifically, PSI participants will focus more broadly on those who traffic in deadly weapons, and work to shut down their labs, to seize their materials, to freeze their assets, to disrupt the middlemen, the suppliers and the buyers.

Work continues to build support for this expanded PSI effort. Participants have agreed to pursue greater cooperation through military and intelligence services and law enforcement to shut down proliferation facilitators and bring them to justice. PSI participants agreed on some practical first steps to: 1) identify national points of contact and internal processes developed for this expanded goal; 2) develop and share national analyses of key proliferation actors and networks, their financing sources, and other support structures; and 3) undertake national action to identify law enforcement authorities and other tools or assets that could be brought to bear against efforts to stop proliferation facilitators. Recognizing their critical role in the Initiative, participants worked at the most recent Operational Experts meeting in Omaha, Nebraska, to ensure greater involvement of law enforcement agencies from all partner states.

We are further operationalizing the PSI by pursuing and concluding bilateral ship-boarding agreements, a tool specifically encouraged in the WMD Commission Report issued last March. We have so far signed four such agreements, with Liberia, Panama, the Marshall Islands, and – just last week

– with Croatia. In addition to establishing key points of contact and procedures to facilitate requests to board suspect vessels, these agreements also serve to deter proliferators that might consider the use of a flag with which we have a ship-boarding agreement. We have engaged a number of other countries seeking to conclude similar agreements and will aggressively continue to promote these efforts to create additional tools to facilitate PSI operations.

Our long-term success depends on these exercises and the other efforts we have undertaken to organize the many nonproliferation and counterproliferation tools that PSI partners have at their disposal into a strong network to stop WMD-related trafficking.

Broadening International Participation

We are working to broaden the circle of countries that count themselves as PSI supporters, by urging all like-minded countries to endorse the PSI Statement of Interdiction Principles and intensify cooperation with countries that are already participating in the PSI.

We do so for several reasons. Building a strong foundation for cooperation in stopping proliferation is clearly in the national security interests of the United States and in the interests of international security more broadly. In addition, actions to stop WMD-related trafficking fulfill the expressed will of the international community as reflected in the United Nations and in many other international groups.

International support for the PSI is steadily growing. United Nations Security Council Resolution 1540 calls for international cooperation against WMD trafficking. More recently, the UN High Level Panel endorsed the PSI and stated that “all states should be encouraged to join.” Likewise, in a speech in Madrid last March, UN Secretary General Kofi Annan praised the PSI.

To participate in the PSI is, of course, each nation’s choice. But in WMD proliferation, we face a threat that doesn’t recognize the will of the international community, national borders, or our shared efforts to increase the security of all our citizens.

Participation in PSI activities – from exercises to actual interdictions – remains a voluntary national decision. Each country's endorsement of the Statement of Interdiction Principles is seen by all other PSI participants as a simple commitment – each new endorsee says with their endorsement “you can count on us to help stop proliferation.”

PSI partners seek to learn from new participants what legal authorities they have available in the area of interdictions. We seek to identify the assets that each country has that could contribute to PSI efforts. And we seek an ongoing commitment to fight WMD-related trafficking alongside our PSI partners.

Involvement in actual interdictions will differ, depending on each country's respective capabilities, national decisions and real-world circumstances. PSI partners have pledged to undertake each PSI action consistent with national legal authorities and international law and frameworks. States participating in an interdiction can only be expected to act to the fullest extent permissible under their respective national authorities and international law and frameworks, and not beyond. As we and our PSI partners review our respective laws and authorities, we are discovering that a creative and robust application of these authorities provides us with a broad basis for action against proliferators. We are also forging new partnerships within our respective governments to bring all our capabilities to bear.

We're building a foundation for cooperation, a network for fast action when fast action is required. Together, PSI partners can demonstrate that the international community is united against proliferation in word and in deed. We will not stand by as middlemen and opportunists endanger our security for their monetary gain.

I would be glad to answer any questions you may have.