

109TH CONGRESS
1ST SESSION

S. CON. RES. 40

Recognizing and commending the President and the governments of other countries that have participated in the Proliferation Security Initiative for the historic efforts and successes of the Proliferation Security Initiative in reducing the threat posed by illicit trafficking in weapons of mass destruction, their means of delivery, and related materials, on the occasion of the second anniversary of the establishment of the Proliferation Security Initiative.

IN THE SENATE OF THE UNITED STATES

MAY 26, 2005

Mr. LUGAR submitted the following concurrent resolution; which was referred to the Committee on Foreign Relations

CONCURRENT RESOLUTION

Recognizing and commending the President and the governments of other countries that have participated in the Proliferation Security Initiative for the historic efforts and successes of the Proliferation Security Initiative in reducing the threat posed by illicit trafficking in weapons of mass destruction, their means of delivery, and related materials, on the occasion of the second anniversary of the establishment of the Proliferation Security Initiative.

Whereas, on May 31, 2003, at Wawel Royal Castle, Krakow, Poland, President George W. Bush declared that “today I announce a new effort to fight proliferation called the Proliferation Security Initiative. The United States and

a number of our close allies, including Poland, have begun working on new agreements to search planes and ships carrying suspect cargo and to seize illegal weapons or missile technologies. Over time, we will extend this partnership as broadly as possible to keep the world's most destructive weapons away from our shores and out of the hands of our common enemies'';

Whereas, since May 2003, more than 60 countries have indicated their support for the Proliferation Security Initiative;

Whereas, in September 2003, 11 countries agreed to and published the Proliferation Security Initiative Statement of Interdiction Principles, which, among other things, identifies specific steps for effectively interdicting shipments of weapons of mass destruction, their means of delivery, and related materials and for preventing proliferation facilitators, brokers, and middlemen from engaging in this deadly trade;

Whereas the Proliferation Security Initiative has led to the negotiation of bilateral ship boarding agreements designed to facilitate the interdiction of weapons of mass destruction, their means of delivery, and related materials, including agreements with the Governments of Panama, Liberia, and the Marshall Islands;

Whereas, United Nations Security Council Resolution 1540, proposed by President Bush and adopted unanimously by the Security Council on April 28, 2004, calls on all countries to take cooperative action to prevent trafficking in weapons of mass destruction, their means of delivery, and related materials;

Whereas the actions of the United States and its Proliferation Security Initiative partners Germany and Italy contributed to the interdiction of the ship “BBC China”, a commercial ship carrying centrifuge components for Libya’s illicit nuclear program, en route to Tripoli, and also contributed to the constructive decision made by the Government of Libya on December 19, 2003, to acknowledge its illegal weapons of mass destruction programs and its agreement to eliminate its weapons of mass destruction and long-range missile programs and rejoin the international community by eliminating all elements of its chemical and nuclear weapons programs, declaring all nuclear materials and activities to the International Atomic Energy Agency (IAEA), eliminating ballistic missiles with a range greater than 300 kilometers with payloads of 500 or more kilograms, accepting international inspections to ensure Libya’s complete adherence to the Nuclear Non-proliferation Treaty, signing the Additional Protocol, eliminating all chemical weapons stocks and munitions and acceding to the Chemical Weapons Convention, and allowing immediate inspections and monitoring to verify all of these actions;

Whereas the Report of the United Nations Secretary-General’s High Level Panel on Threats, Challenges, and Changes finds that “[r]ecent experience of the activities of the A.Q. Khan network has demonstrated the need for and the value of measures taken to interdict the illicit and clandestine trade in components for nuclear programs”;

Whereas the same Report also welcomes “the voluntary Proliferation Security Initiative, under which more and more

states are cooperating to prevent illicit trafficking in nuclear, biological and chemical weapons”;

Whereas, acknowledging that existing non-proliferation agreements and export control regimes are necessary but no longer sufficient, the Secretary-General of the United Nations has stated: “I applaud the efforts of the Proliferation Security Initiative to fill a gap in our defenses”;

Whereas the United States and many of its Proliferation Security Initiative partners have conducted 14 ground, air, maritime, and tabletop interdiction exercises over the last 2 years, beginning with the Australian-led exercise Pacific Protector in September 2003; and

Whereas multiple countries have now participated in and observed air, land, and sea interdiction training exercises, in particular the October 2004 Team Samurai exercise, in which Japan, the United States, Australia, and France contributed operational assets and Canada, Cambodia, Germany, Greece, Italy, the Netherlands, New Zealand, Norway, Philippines, Poland, Portugal, Russia, Singapore, Spain, Sweden, Thailand, Turkey, and the United Kingdom participated as observers, and most recently in Exercise Ninfa '05, a joint maritime and ground interdiction exercise led by Portugal: Now, therefore be it

1 *Resolved by the Senate (the House of Representatives*
 2 *concurring)*, That it is the sense of Congress that—

3 (1) the President is to be commended on the oc-
 4 casion of the second anniversary of the creation of
 5 the Proliferation Security Initiative for its broad-
 6 ening membership, increasing international support,
 7 and successful operational training and exercises;

1 (2) all the governments of countries coordi-
2 nating and cooperating in intelligence sharing, train-
3 ing exercises, and legal agreements with the United
4 States under the Proliferation Security Initiative, in
5 particular the meetings of the PSI Operational Ex-
6 perts Group, are to be commended for their support
7 in the global effort to prevent the proliferation of
8 weapons of mass destruction, their means of deliv-
9 ery, and related materials;

10 (3) the Proliferation Security Initiative con-
11 stitutes an important tool for coordinating diplo-
12 matic, law enforcement, customs, intelligence, and
13 military capabilities against the illicit trade in weap-
14 ons of mass destruction, their means of delivery, and
15 related materials;

16 (4) all countries must work together, particu-
17 larly under the auspices of the committee established
18 pursuant to operative paragraph 4 of United Na-
19 tions Security Council Resolution 1540, popularly
20 called the “1540 Committee”, to further the imple-
21 mentation of the provisions of Resolution 1540 relat-
22 ing to the international legal bases for continued,
23 aggressive enforcement of all agreements, treaties,
24 and regimes that aim through interdiction activities

1 to end the illicit trade in weapons of mass destruc-
2 tion, their means of delivery, and related materials;

3 (5) the governments of all responsible countries
4 should endorse the PSI Statement of Interdiction
5 Principles and cooperate actively to interdict and
6 disrupt illicit trade in weapons of mass destruction,
7 their means of delivery, and related materials; and

8 (6) as evidenced in the historic December 19,
9 2003, decision of Libya to acknowledge and convert
10 or dismantle its illegal weapons of mass destruction
11 programs, the Proliferation Security Initiative can
12 provide significantly enhanced enforcement of and
13 adherence to the Treaty on the Non-proliferation of
14 Nuclear Weapons, done at Washington, London, and
15 Moscow July 1, 1968, and entered into force March
16 5, 1970 (commonly known as the “Nuclear Non-
17 Proliferation Treaty”), the Convention on the Prohi-
18 bition of the Development, Production, Stockpiling
19 and Use of Chemical Weapons and on Their De-
20 struction, with Annexes, done at Paris January 13,
21 1993, and entered into force April 29, 1997 (com-
22 monly known as the “Chemical Weapons Conven-
23 tion”), the Convention on the Prohibition of the De-
24 velopment, Production and Stockpiling of Bacterio-
25 logical (Biological) and Toxin Weapons and on Their

1 Destruction, done at Washington, London, and Mos-
2 cow April 10, 1972, and entered into force March
3 26, 1975 (commonly known as the “Biological
4 Weapons Convention”), the safeguards system of the
5 International Atomic Energy Agency, and the com-
6 mitments and control lists of the Missile Technology
7 Control Regime, the Australia Group, and the Nu-
8 clear Suppliers Group.

○