

Countries Draft Guidelines for Intercepting Proliferation

- [Arms Control Today](#)

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The United States and 10 of its closest allies are drafting a document of principles to guide their efforts to interdict shipments of weapons of mass destruction, ballistic missiles, and related technologies to terrorists and states of concern. This “rules of the road” document, which would not be legally binding, could be approved at a September 2003 meeting of the 11 countries in Paris.

Washington is leading the effort to draft the new document as part of its evolving Proliferation Security Initiative, which President George W. Bush first announced May 31. ([See ACT, July/August 2003.](#)) The initiative is intended to enhance participating countries’ capabilities individually and collectively to halt proliferation around the globe.

Australia, France, Germany, Italy, Japan, the Netherlands, Poland, Portugal, Spain, and the United Kingdom have joined the U.S. initiative. Other countries might also be asked to participate or aid interdictions in the future.

Although the participating countries have identified North Korea and Iran as top proliferation threats, the initiative is ostensibly not directed at any particular country or countries. Government officials from the United States and other countries have refuted descriptions of the initiative as a blockade of North Korea.

In addition to working on the initiative’s guiding principles, the 11 countries agreed at a July 9-10 meeting in Brisbane, Australia, to begin conducting joint exercises to learn how better to coordinate and perform interdictions at sea, on land, and in the air. For the near term, these joint exercises will largely piggyback on or be conducted in conjunction with previously planned training missions and operations. The first exercise, which Australia will host, is scheduled for early September and will take place in the Coral Sea.

The 11 countries are confident they can carry out interdictions successfully, but there is uncertainty about whether they can gather sufficient intelligence to act. Speaking to reporters July 10, Paul O’Sullivan, deputy secretary of the Australian Department of Foreign Affairs and Trade, said that perhaps the biggest challenge would be obtaining “enough information about the proliferation activities that are going on in a timely way.”

Crafting new international laws to facilitate interdictions is not a goal of the initiative. Although the chairman’s statement urged participating countries to “take robust and creative steps now,” it also underscored that any actions taken should “be consistent with existing domestic and international legal frameworks.”

Participating countries are still trying to figure out what types of actions are legally permissible. Speaking for the U.S. government, Deputy Secretary of State Richard Armitage said August 13, “We ourselves haven’t hit on the total complete answer to our questions about liability and about international legality.”

One diplomat familiar with the initiative said in a July 30 interview, “Each country needs to do their

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own homework to find out what they can do.” The official added that the primary objective is to pinpoint “what we are able to do rather than pontificate over what we can’t do.”

Although Taiwan is not part of the initiative, a U.S. State Department official said Taiwan’s early August detainment of a ship bound for North Korea until it offloaded dual-use chemicals was “conceptually” in line with the possible types of action foreseen under the initiative.

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