



## **Weapons of Mass Destruction, Terrorism, Human Rights and the Future of U.S.-Libyan Relations**

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Mr. Chairman, Representative Lantos, members of the committee, thank you for the opportunity to discuss the U.S. Government's assistance to Libya in the elimination of its Weapons of Mass Destruction (WMD) and MTCR-class missile programs.

On December 19, 2003, Libya issued a pathbreaking statement, announcing that it had been conducting talks with the United States and the United Kingdom about weapons of mass destruction, and had already shown U.S. and UK experts "the substances, equipment and programs" – including centrifuges for uranium enrichment and "equipment to carry chemical substances" – Libya possessed that "could lead to the production of internationally-banned weapons."

The Libyan Government announced that it had, of "its own free will," agreed "to get rid of these substances, equipment and programmes and to be free from all internationally-banned weapons." Libya also declared that it had "decided to restrict itself to missiles with a range that comply with the standards of the [Missile Technology Control Regime]" (a range of at least 300 km and a payload of at least 500 kg). Libya declared its intention to comply in full with the Nuclear Non-Proliferation Treaty (NPT) and the Biological Weapons Convention (BWC), and that it intended to sign the IAEA Additional Protocol and adhere to the Chemical Weapons Convention (CWC). Libya also announced that all of these remarkable steps would be undertaken "in a transparent way that could be proved, including accepting immediate international inspection."

I am pleased to report that this past weekend, we removed over 1,000 tons of WMD and MTCR-class missile program parts by ship. The items removed include centrifuge components used to enrich uranium, all of Libya's longest-range missiles, including five SCUD-C's, other partial missiles and associated equipment including launchers. In addition, we arranged the removal of more than 15 kilograms of fresh high-enriched uranium reactor fuel to Russia. These removals are the strongest evidence yet of Libya's intention to fulfill its unprecedented commitment to eliminate its WMD and MTCR-class missile programs. These removals signal the complete dismantlement of Libya's nuclear weapons program. They are to be commended for this achievement.

By last Friday, Libya had completed destruction of more than 3,200 chemical bombs. That very day they delivered to the Organization for the Prohibition of Chemical Weapons (OPCW) their initial Chemical Weapons Convention (CWC) declaration.

I have been involved in verification for a long time, and the opportunity presented by Libya's decision is unique. This is one of those rare times that a state has volunteered to rid itself of its WMD programs – and it is a first for a state sponsor of terror to do so without regime change. Helping Libya to achieve success in fulfilling these commitments is an excellent step in its own right. Perhaps even more importantly, we must do our best to ensure that Libya's courageous decision stands as a model for others to restore themselves to international legitimacy.

As President Bush declared on December 19 just after the Libyan announcement, Colonel Gadhafi had made a decisive commitment that, when fulfilled, would make the world a safer place. The President pledged that as Libya fulfills its commitments and demonstrates its seriousness, the path would be open to better relations with the United States and other free nations. President Bush expressed his hope that Libya would thereby be able to help regain a secure and respected place among nations. But let me emphasize this one point: improvement in Libyan-American relations is linked to continued progress on the WMD dismantlement front.

Before I get into the details of this project let me just say that Libya's efforts reflect very substantial progress in meeting its commitment to rid itself of its WMD and MTCR-class missile programs. To date, Libya has cooperated closely with our teams, with our British partners and international organizations. With Libya's agreement, we removed all significant and dangerous elements of its nuclear weapons program and its most advanced missiles and stand ready to remove more still. Some questions still remain regarding certain aspects of Libya's WMD programs, but we are working with Libya to resolve these questions as quickly as possible.

Assistant Secretary Burns will discuss the political and diplomatic track and our plans for diplomatic relations with Libya. I am here to describe our efforts in assisting Libya in dismantling its Weapons of Mass Destruction and MTCR-class missile programs.

### **Background: U.S. Counter-Proliferation Policy**

It may be helpful if I begin, however, by putting the Libya effort into the context of this Administration's counter-proliferation policy. With an eye to the terrible threat to U.S. national security interests – and to the lives and well-being of thousands or perhaps millions of innocent people – posed by the proliferation of weapons of mass destruction (WMD) around the world, the President has developed a bold strategy to use every tool at our disposal to halt the spread of these weapons. We use diplomacy at all times, economic pressure when we can, military pressure when we must. The President, indeed the entire U.S. Government, has demonstrated a strong commitment to the goal of nuclear, chemical and biological nonproliferation. This commitment has had a galvanizing effect on the world's views on the trade of WMD.

We have made steadfast efforts over the past three years to dramatically change the cost-benefit calculations of proliferators and would-be proliferators around the world. We have penalized proliferators by imposing sanctions on them far more aggressively than during the previous administration; we have organized like-minded friends to improve our collective abilities to interdict WMD-related shipments; and we have shown ourselves more than willing to take dramatic action – even to the point of deposing a cruel dictator in Iraq who was intent upon developing such weapons.

We have isolated and pressured outlaw states dedicated to developing WMD, and engaged our friends and allies in a range of multinational diplomatic, economic, and even military coalitions to combat this danger. Thanks to our efforts proliferation is today becoming riskier and more uncertain, and we are now sending the message that the pursuit of WMD brings not security but insecurity. Colonel Gadhafi for one seems to understand this. In a speech to the African Union last week, he said that “the security of Libya does not come from the nuclear bomb, the nuclear bomb represents a danger to the country which has them.” But, as Colonel Gadhafi also understands, countries that abandon such dangerous pursuits can enjoy the prospect of improved relations with the United States and our friends.

### **Origins of the Project**

In March of 2003, Libya made quiet overtures to the UK and U.S. intelligence services about “clearing the decks” with regard to WMD. This matter was handled as a matter of the utmost secrecy within the U.S. and UK governments. In the U.S., in fact, the secret discussions that began in March involved only a handful of officials.

Even as the discussions continued in October 2003, the U.S., UK, German and Italian governments worked together to arrange the diversion of a shipment of centrifuge components bound for Libya. These components had been secretly purchased on the international nuclear black market from the illicit Pakistan-based nuclear smuggling network headed by Abdul Qadeer Khan. It was clear, at that point, that we knew a great deal about Libya's secret nuclear weapons program. To its credit, Libya increased its cooperation with us in October, and permitted joint U.S. and UK teams to secretly visit a number of WMD and missile-related facilities in Libya.

During two visits to Libya by these teams – in October and then December of 2003 – Libya made available a great deal of information about its clandestine programs. The substantial knowledge of the Intelligence Community regarding Libya's WMD and missile programs was invaluable during these discussions. These visits laid the groundwork for all the successes we are pleased to report since Colonel Gadhafi's groundbreaking announcement on December 19.

### **The Role of the State Department**

After the Libya effort became public in December, we began an effort under the direction of the interagency

Proliferation Strategy Policy Coordinating Committee, that quickly came to involve not only multiple bureaus within the Department of State but also a range of interagency participants including the Department of Energy, the Defense Department, and the CIA. The Department's non-proliferation role has been overseen by Under Secretary John Bolton, under whose leadership I am coordinating the day-to-day effort.

Within the Department, the Nonproliferation (NP) and Arms Control (AC) Bureaus have also played instrumental roles, and we have worked hand in glove with the Bureau of Near Eastern Affairs (NEA). Our effort has also enjoyed the close personal involvement and support of Secretary Powell and Deputy Secretary Armitage – who have been instrumental in our success so far. The Department of Energy's National Nuclear Security Administration (NNSA) and the Defense Department's Defense Threat Reduction Agency (DTRA) have also contributed vital personnel and expertise to our in-country operations.

It is also worth emphasizing how cooperatively we have been working with our British allies in this important project. From the very beginning – in the secret Libyan discussions in 2003 – the U.S. and UK have worked together very closely. The successes achieved to date stand as a testament to our two governments' shared counter-proliferation goals and firm commitment to the Libyan elimination and verification effort. Our partnership in this project has been crucial to its success.

### **Establishing the Framework**

The basic architecture for our approach to the Libyan elimination and verification project was established in late December of last year. By early January we had developed a series of papers approved by the U.S. interagency process and carefully coordinated with our British partners. These papers spelled out in some detail our proposals for how to help Libya fulfill its December 19 commitments with respect to nuclear, chemical, biological, and missile programs.

I'd like to take a moment to sketch the basic contours of this program. Our program is aimed to assist Libya in promptly identifying and securing proliferation-sensitive items, eliminating all elements of its nuclear and chemical weapons programs, restricting its missile efforts in accordance with MTCR standards, and helping it demonstrate effective transparency of its biological activities. We also proposed to help Libya with its declarations to the International Atomic Energy Agency (IAEA) and the OPCW. To facilitate this work, and to help provide confidence that declaration and elimination activities are based upon complete and accurate information, we also proposed to conduct surveys and other activities to evaluate the extent of Libya's programs. We also proposed a tentative timeline for the first portions of the elimination and verification effort.

This was an ambitious program, but our detailed papers outlining our nuclear, chemical, biological, and missile proposals – along with an overarching “common elements” paper, which was translated into Arabic – were presented to the Libyans by U.S. Government officials at a meeting in London on January 8. At that meeting, the three parties agreed upon a “checklist” of priority items to be removed during the first visits of the bilateral and interagency teams assisting Libya with elimination and verification. That was also the same week that Libya made its first legal step toward WMD elimination, by acceding to the Chemical Weapons Convention.

### **U.S. Organization for the Libya Effort**

Organizationally, we have established a structure that revolves around a Washington-based non-proliferation coordination effort centered in my bureau but closely involving experts from the NP and AC bureaus, as well as interagency participants. We quickly set up experts' groups in the various subject-matter areas – nuclear, chemical, biological, and missile – to provide the overall technical guidance and advice needed to direct corresponding subject-matter teams in Libya. We have since created additional teams to work on the conversion of Libya's Tajura research reactor to low enriched uranium (LEU), and on developing ways to redirect Libyan WMD and missile scientists, engineers, and technicians to productive civilian pursuits. These groups work through a small coordination cell in the VC bureau, which also oversees the work of our in-country personnel. Ambassador Donald Mahley of the Arms Control Bureau has served as our Senior WMD Representative in Libya, where he coordinates the work of the technical assistance teams and works closely with his Libyan hosts as part of our diplomatic team on the ground.

I should also emphasize the importance in this process of the State Department's Nonproliferation and Disarmament Fund (NDF). Libya has long faced some of the most severe economic and political sanctions the U.S. has ever imposed. But the same restrictions that have so successfully imposed pressure on Libya greatly restrict our ability to conduct operations there in order to implement the trilateral elimination and verification program. NDF has proven indispensable in that it is one of the few funds available with the requisite fiscal authority. It is hard to express just how central NDF has been to our successes so far. We

have spent around \$2.5 million in NDF funds so far in support of our activities in Libya, and NDF personnel have been instrumental in working through the innumerable logistical and paperwork problems that inevitably arise when doing such complicated things under such unusual circumstances. With NDF, I can assure you, Congress has been getting huge value for its nonproliferation dollar.

### **First WMD Elimination Phase**

Pursuant to the January 8 London agreement, the State Department-led teams arrived in Libya for the first time on January 18. We enjoyed outstanding cooperation from our Libyan counterparts, who took very good care of our personnel. They allowed our teams to visit any location, and they were forthcoming about the myriad aspects of Libya's WMD and missile development programs.

It was, in fact, remarkable how much the Libyan, U.S., and UK effort accomplished during its first month. By the time our first teams left Libya on January 29, we had already eliminated some of the most proliferation-sensitive aspects of Libya's WMD and missile programs.

Our first step was to remove detailed nuclear weapons designs Libya had acquired as part of its weapons program. These designs had been obtained from the nuclear black market network of Pakistani scientist A.Q. Khan. The weapons designs were handed over to the joint U.S./UK team on January 20, and flown out of Libya aboard a chartered aircraft in the custody of State Department personnel on January 22.

Later that week we also removed several containers of uranium hexafluoride (UF<sub>6</sub>), centrifuges from Pakistan's Khan Research Laboratories – some of which, of the advanced "P-2" variety, were still in their original packing containers – a large number of additional centrifuge parts and equipment, and centrifuge documentation.

On the missile front, we received a detailed description of a range of Libyan missile research and development activities, and removed from Libya five SCUD-C guidance sets, including their gyroscopes, thereby making inoperable all of Libya's existing SCUD-C missiles produced with extensive assistance from North Korea.

All these items and materials were loaded aboard a large cargo aircraft in Tripoli and flown safely and securely on January 26 to Knoxville, Tennessee. The Department of Energy has stored the sensitive nuclear materials at Oak Ridge.

During this U.S./UK team visit, at our suggestion, Libya began consolidating its stockpile of CW agent at a more secure location in order to better safeguard it against theft by terrorists and make its eventual destruction easier. U.S. and UK experts have also worked closely with Libya to help it prepare its initial CWC declaration that was delivered to the OPCW within treaty timelines on March 5. As part of that effort, Libya allowed U.S. and UK chemical engineers complete access to the former chemical weapons production plant at Rabta and other priority sites of concern. As noted earlier, Libya recently completed the destruction of over 3,200 unfilled munitions under the monitoring of the OPCW.

### **Cooperation with International Agencies**

This first phase of the process also illustrated the cooperative relationship we developed with the International Atomic Energy Agency (IAEA). Under Secretary Bolton traveled to Vienna on January 19 to join his British counterpart, William Ehrman, for discussions with IAEA Director General Mohamed ElBaradei about how best to coordinate the trilateral Libya/U.S./UK elimination and verification project with the Agency. Their agreement formed the basis of a cooperative approach that has worked well on the ground in Libya.

The IAEA sent two officials – nationals of nuclear weapons states – to be present as U.S. and UK experts examined the weapon designs in Libya. These IAEA officials, with agreement of the U.S. and UK teams, placed the designs under IAEA seal before the U.S. and UK team flew them out of the country. The documents are in U.S. custody.

IAEA officials also accompanied our U.S. and UK experts while they inventoried, packed, and moved nuclear-related items out of Libya. The IAEA took environmental swipe samples of many items. At the request of the IAEA, some items of centrifuge equipment and the centrifuge documentation were placed under seal. These items were segregated and stored separately upon their arrival in the United States. The IAEA also facilitated the shipment of fresh reactor fuel from Libya. The IAEA has continued its in-country safeguards activities and reported its initial finding to the IAEA Board of Governors on February 20.

We have worked with the IAEA in order to help them preserve their own investigatory interests in acquiring a full understanding of Libya's handling of safeguarded nuclear material and related activities. Pursuant to Under Secretary Bolton's agreement in Vienna with Director General ElBaradei on January 19, the IAEA was invited to be present when the seals were broken on the Libyan nuclear weapons designs a couple of weeks ago here in Washington. Two IAEA officials attended. The IAEA will also be invited to be present when seals are removed on other equipment or items removed from Libya, including the UF6 containers and some centrifuge components.

In addition, we have been cooperating closely with the OPCW, which recently sent its first Technical Secretariat (TS) delegation to begin working with Libya. Under the terms of the CWC, of which Libya is now a State Party, the OPCW Executive Secretariat will have to approve plans for the destruction and verification of Libyan Chemical Weapons stockpiles, as well as for the elimination of dual-use equipment connected with past chemical weapons efforts. We have been working closely with Libya to facilitate this effort.

### **What's Next?**

While much has been done, much remains to be completed. Our teams returned to Libya on February 14 and returned just a few days ago. While we have assisted Libya in dismantling its nuclear weapons program, we continue to have serious questions and concerns about how Libya procured its nuclear weapons infrastructure. Along this line, we are particularly concerned about what role A.Q. Khan and others played in Libya's nuclear weapons efforts. While we try to answer these and other questions, we are also working to help Libya convert its Tajura reactor to LEU fuel and to "redirect" Libyan WMD personnel to more productive ends.

On the chemical weapons front there remains a stockpile of almost twenty-four metric tons of CW agent and a sizable stockpile of CW agent precursor chemicals and CW-related equipment – still to be destroyed. As I noted earlier, we assisted Libya in preparing their initial CWC declaration, which was given to the OPCW on March 5. We will be working closely with Libya and the OPCW to determine how best to destroy Libya's CW and precursor agent stockpiles. We will also investigate the status of Libya's past efforts regarding biological weapons. As I stated earlier, much progress has been made in the elimination of Libya's MTCR class missile programs including the delivery of all of Libya's longer-range missiles, including five SCUD-Bs, and associated equipment including launchers to U.S. shores.

We continue to work closely with the Libyan Government to identify and destroy all aspects of its WMD and MTCR-class missile programs.

### **Summary**

A/S Burns will describe the other aspects of our relationship with Libya as the elimination and verification program progresses. Permit me to emphasize, however, that progress in eliminating WMD and missiles is the *sine qua non* for further progress in the political realm.

As a professional verifier and the coordinator of the U.S. interagency effort, it's my hope to assist and to verify Libya's fulfillment of its courageous and commendable commitments as rapidly as we can. I'm happy to say that so far, Libya's work to implement its December 19 commitments has been outstanding, and every indication so far has been that these commitments are indeed sincere.

Colonel Gadhafi made an historic decision to bring his country into compliance with crucial treaties banning weapons of mass destruction. This was not an easy decision for him to make and he deserves credit for doing so. The United States, the United Kingdom, and Libya have worked together as a team to eliminate Libya's WMD programs and to normalize relations between Washington and Tripoli. We only hope that states with even more worrisome nuclear weapons programs like Iran and North Korea will learn from Libya's positive example and agree to rejoin the community of civilized nations and give up these terrible weapons that do nothing except undermine their stability.

Thank you for inviting me here today.

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