

Naval Exercises off Bahrain: Preventing Proliferation between North Korea and Iran

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Brief Analysis

From October 30 to 31, 2006, U.S. military forces in the Persian Gulf will join the armed forces of several other countries to hold a naval exercise in the interception and search of ships carrying weapons of mass destruction (WMD) and missiles. Though long planned, the exercise has added importance because of this month's nuclear test in North Korea and President George W. Bush's subsequent warning that Pyongyang will be "held to account" if it sells nuclear material to Iran or al-Qaeda.

Proliferation Security Initiative

The exercise, involving the simulated interdiction and searching of a cargo ship, is part of the Proliferation Security Initiative (PSI), a program proposed by President Bush at a G-8 summit in Poland in May 2003. Intended to keep WMD out of the hands of U.S.-designated rogue states and terrorists, PSI calls for sharing intelligence information and practicing interdiction techniques and coordination. The first and foremost PSI target has always been North Korea, but its most widely known and successful action was the 2003 interception of the Libyan-bound ship *BBC China*, which was ordered into an Italian port and found to be carrying Pakistani-designed uranium enrichment centrifuge parts.

Washington has managed to persuade sixty-five other countries to become involved in PSI, which has kept a low diplomatic profile. Twenty-four previous exercises have been held in various parts of the world. In 2005, Secretary of State Condoleezza Rice claimed that there had been eleven successful intercepts since the establishment of PSI. This included the prevention of two WMD-related deliveries to North Korea and the seizure of materials related to ballistic missiles and nuclear activity en route to Iran. Only vague details of these incidents were given because some foreign governments were worried about reprisals for cooperating with Washington.

Legality

UN Security Council Resolution 1570—adopted in 2004 under the UN Charter's Chapter VII, which gives the Council the power to order states to act and to authorize force to carry out its will—requires states to “develop and maintain appropriate border controls . . . and effective national export and trans-shipment controls” on WMD-related items,

and to “invite states in a position to do so to offer assistance as appropriate.” The United States urged passage of the resolution in order to provide a framework for PSI. Like existing international laws on the subject—especially the UN Convention on the Law of the Sea (UNCLOS)—Resolution 1570 allows the stopping of ships (whether through force or not) only with the permission of the country whose flag the ship is flying. That permission can be time consuming to obtain and may not be forthcoming. A rather different category would be inspecting suspicious cargo without permission of the flag country. Washington reads Security Council Resolution 1718, passed after the October 2006 North Korean nuclear test, as granting that right. China, however, believes the resolution only allows for inspection, not interception and confiscation.

Also worth noting is that within the framework of international conventions (especially the Protocol to Prevent, Suppress, and Punish Trafficking in Persons, Especially Woman and Children; and the Convention against Illicit Traffic in Narcotics, Drugs, and Psychotropic Substances), Gulf states including Iran have an obligation to actively cooperate in allowing the boarding and seizure of ships engaged in forbidden activities. Their record in doing so is mixed, however.

The limits of what can be accomplished under existing international law were well illustrated in 2002 when a Spanish warship intercepted a North Korean-crewed freighter carrying Scud missiles to Yemen. The Spanish vessel was part of an international fleet blocking arms shipments to Saddam Hussein’s regime in Iraq and stopping al-Qaeda fighters fleeing Afghanistan after September 11 to find sanctuary elsewhere in the Middle East. The freighter was challenged because it was not flying a national flag and had no manifest for its cargo. However, the Scuds were not confiscated because neither North Korea nor Yemen were bound by the Missile Technology Control Regime, established to halt the transfer of missiles with ranges greater than 188 miles.

The Current Exercise

The sensitivity of the planned exercise off the island state of Bahrain, directly across the Gulf from Iran, is notable. The military forces of France, Britain, and Italy are involved. Kuwait and Bahrain are also reported to be taking part—the U.S. Fifth Fleet is headquartered in Bahrain—but perhaps only as observers. The participation of the other conservative Arab Gulf states, all members of the Gulf Cooperation Council (GCC)—Saudi Arabia, Qatar, the United Arab Emirates, and Oman—is not clear. Last week, U.S. officials were visiting these allies in the hope that they would take part. “It’s an effort to bring a lot of Gulf states together to demonstrate resolve and readiness to act against proliferation,” a senior U.S. official told Reuters, speaking on condition of anonymity.

For members of the GCC—a diplomatic rather than ostensibly military alliance—participation puts their already sensitive relations with Iran at risk. An Iranian Foreign Ministry official described the military maneuvers as “dangerous and suspicious,” and not in line with the security and stability of the region. Instead, he said, the exercises are aimed at fomenting crises. Quoted by Iran’s state news agency, the unnamed official complained of “the warmongering of neoconservatives in America who want to win the midterm U.S. congressional elections in November.”

The October exercise is not ambitious. The first day involves a “tabletop” exercise ashore at the U.S. Navy’s regional headquarters in Bahrain. The next day, the British naval supply ship RFA Brambleleaf will act the part of a freighter being challenged and boarded. North Korea is known to have helped Tehran with its missile program and shares with Iran the same centrifuge enrichment technology distributed by the now-disgraced Pakistani nuclear weapons scientist A. Q. Khan. But perhaps the biggest hint of real-life concerns will be the expected presence of South Korea as an observer at the exercise. Washington is trying to persuade Seoul to become a full-fledged member of PSI.

U.S. Policy

An existing U.S.-led naval force will continue to query and/or board suspicious ships in the Gulf, but Washington

wants to deepen the cooperation of PSI members in the hopes of countering North Korea and Iran's nuclear and missile advancement. The exercise should show some progress on both of these fronts, but its heightened profile following the North Korean test could embarrass U.S. allies in the Gulf, who prefer to display a neutral air even though appreciative of U.S. diplomatic and military support. Bahrain, ruled by a Sunni king, is particularly sensitive. Elections are due to be held on November 25, and opposition groups from the majority Shiite community, linked by at least religious belief to Shiite Iran, have protested that newly naturalized Sunni immigrants are being allowed to vote, changing the demography of some voting areas.

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