



# **Preventing Terrorist Acquisition of Nuclear Weapons**

UN Security Council- Background Guide

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## **Introduction**

During the final battles of World War II, the world was introduced to a new form of technology that history had not seen before, let alone comprehended. Over 75 years later, nuclear weapons are labeled “the most dangerous weapon on earth” by the International Atomic Energy Agency (IAEA), not only because of the destruction these weapons can inflict but also because of who can access such weapons. Currently, there are 32 countries in possession of nuclear energy and more than 440 active nuclear plants in the world. Ensuring that each country properly protects and regulates nuclear waste as well as combats illegal trafficking remains a priority when addressing the topic. The United Nations has worked tirelessly to create resolutions and ensure the security of the rest of the world against these weapons and its member states' use of these weapons. However, as time has continued, one of the biggest threats that has arisen, is the ability of terrorist organizations to access these weapons or the material needed to construct their own.

While efforts have been made to prevent nuclear terrorism by various councils and agencies like the IAEA, General Assembly, Security Council, etc., there is a constant need for discussion and stronger resolutions to ensure tighter restraints on the acquisition of nuclear material. Challenges continue to increase as countries have failed to update their reports and further the construction of power plants. In addition, due to the lack of agreement on how to properly report data regarding nuclear safety and use has led to issues on how to conduct proper detection of such dangers. The Security Council is mandated to ensure the successful implementation of resolutions to achieve progress in securing strict frameworks and enforcement mechanisms required to prevent nuclear terrorism and the acquisition of nuclear materials.

## **Background**

The International Atomic Energy Agency has adopted the definition for nuclear terrorism curated by Center for International Security and Cooperation at Stanford University:

as acts of violence and destruction where the means applied are nuclear devices, or threats of use of such means, to create a condition of fear, to get attention, or to blackmail to have a wider effect on others than the directly targeted victim(s).

Prior to strengthening resolutions and cooperating to find additional solutions, understanding the causes and consequences of nuclear terrorism is vital. Causes and contributing factors this Council should keep in mind include how terrorists can access nuclear material, who is involved in the ability of terrorists to acquire this material, and what they are able to build from what nuclear material they can find.

First and foremost, what gives terrorists the power to create these weapons of mass destruction is access to nuclear materials. In recent years, there has been an increase in the ability of terrorists to acquire the necessary materials through various ways including- mismanagement of nuclear waste from power plants, mismanagement of medical equipment waste, corrupt sales, the dark web, advances in technology, etc. Depending on the scale of the weapon they want to construct and the damage they want to commit, terrorists want to acquire various levels of nuclear material. Often sought materials by terrorists and terrorist organizations include uranium or plutonium, as these radioactive materials allow terrorists to build two types of nuclear explosives: improvised nuclear devices (IND) and “dirty bombs”. These devices can cause significant injury and damage as they are often explosives and are strategically placed to inflict harm on innocent bystanders. IND's improvised nuclear devices require fissile material which perpetrators often get from nuclear facilities or from the black market, while “dirty bombs” are more easily built as their main purpose is to spread dangerous levels of radiation through the combination of nuclear power and radiation. Therefore, when listing concerns within the

international community, waste management and illicit trafficking of nuclear materials are two top concerns.

Waste management is at the forefront of discussions because any form of carelessness on behalf of nations and/or companies running power plants can be detrimental and risk the lives of hundreds to thousands. Medical devices and power plants as stated are the two most common forms of accessibility for terrorists to gather nuclear power and material to generate their weapons of destruction. Addressing the management of medical devices is more complicated than power plants because they are easier to gain access to if discarded improperly rather than material from a plant. Therefore, research facilities and medical facilities have attempted to use lower levels of radioactivity as facilities relying on large levels need nuclear power generators. Strategies are crucial in the development of power plants as each plant must have a space dedicated to isolating and diluting any radionuclides existing in remaining nuclear fuel so that it may eventually decay into non-radioactive waste. As protocols and engineering designs have changed to support proper management of the plants, waste management strategies must be constantly updated. These facilities can range from weapons facilities to energy plants, and military bases, and although it can be extremely difficult for terrorists or even black-market sellers to gain access to such facilities and steal their waste, it is not impossible. As terrorists and organized crime gain increased access to new technology, facilities must always be on high alert and routinely practice the prevention of an attack or sabotage to the facilities.

Increasingly officials have found that terrorists are equally opportune to access nuclear material needed to build INDs through the trafficking of nuclear material. The illicit trafficking of nuclear materials is the most common form of how terrorists gain direct access to such materials. From 1993 to 2008 there were over 1300 credible reports of the trafficking of

radioactive materials. Multiple theories and proof exist on how black-market sellers are able to sell and smuggle radioactive wastes and ultimately comes down to two categories: malicious intent and vulnerabilities in regulation. Malicious intent usually occurs when those in power or even just have access to some form of radioactive material commit theft to then sell it on the dark web or a known form of organized crime, which then leads to terrorists having easy access to the materials they need to build their bombs or commit other heinous crimes. Vulnerabilities in regulation and detection relate back to the issues of waste mismanagement and sabotage of facilities, as any error in accounting or detection systems can result in high-risk situations leaving someone to gain access to the materials with the goal to traffic them.

### **Security Council Initiatives**

Keeping all these issues in mind, the member states of the United Nations have been working on addressing these issues for several decades now, however, these resolutions contain flaws or do not fully address some modern-day accompanied issues. There have been three major Security Council resolutions passed directly tackling the issue of nuclear terrorism and the ways they come into possession of needed material UNSCR2325, UNSCR 1540, and UNSCR 1373.

[UNSCR1540](#) and [UNSCR2325](#) work together hand in hand in addressing the actual creation of nuclear terrorism. UNSCR1540 was passed first, however they both focus on chemical, biological, radiological, and nuclear (CBRN) terrorism, and the council called upon the member states and international organizations to improve border and customs controls to prevent and detect illicit trafficking of CBRN weapons and materials and improve coordination in planning a response to a terrorist attack using CBRN weapons or materials. It calls on member states to promote the universal adoption and implementation of multilateral treaties to prevent

the proliferation of weapons of mass destruction. From these resolutions, the UN Global Counter-Terrorism Strategy was revised to create a new program that is updated yearly. The 2018 to 2020 Preventing and Responding to WMD/CBRN Terrorism provides capacity-building support, focusing on areas such as border and export control, strategic trade control, illicit trafficking, protection of CBRN materials and critical infrastructure, incident response and crisis management, and CBRN forensics. UNSCR2325 strengthens UNSCR1540 by specifying the action that must be taken against those found or suspected of nuclear terrorism and ensuring the proper penalties. The treaty also bypassed the standard process of conventional international law-making by means of negotiation and implementation of instruments in the form of treaties or agreements when addressing WMDs by terrorists. However, it has struggled to ensure that member states sign, ratify, and uphold these strategies in their national governments, and in addition, its broadness in terms of combating terrorist acquisition of weapons of mass destruction makes it more challenging to verify the resolutions are being correctly implemented and carried out.

[UNSCR1373](#) while does not directly tackle nuclear terrorism, it can be applied to the trafficking of nuclear material and terrorist financing or inciting. Its potential applicability to criminal or unauthorized acts involving nuclear and other radioactive material can be found in its suggestion that States establish:

“...ways of intensifying and accelerating the exchange of operational information, especially regarding actions or movements of terrorist persons or networks; forged or falsified travel documents; traffic in arms, explosives or sensitive material; use of communications technologies by terrorist groups; and the threat posed by the possession of weapons of mass destruction by terrorist groups”.

## United Nations Efforts

As there are currently 32 countries in possession of nuclear material and weapons, the international and regional framework varies as each holds its own views on the matter and has different national regulations. The international community as a whole takes this matter extremely seriously as countries not possessing any form of nuclear material or weapons fear catastrophic attacks and falling victim to wars that have nothing to do with them.

The 2005 International Convention for the Suppression Acts of Nuclear Terrorism was one of the most significant and first efforts by the international community to sit down and have a conversation dedicated solely to combatting nuclear terrorism. In this convention, the majority of member states signed and ratified the resolution which formally criminalizes nuclear terrorism following the convention, however countries that have not ratified this convention as of 2019 include Ireland, Malaysia, Colombia, Syria, and Egypt. Key provisions of this convention include the requirement for States to take all practicable measures to prevent and counter preparations for offenses to take place inside or outside of their territories and for states to criminalize these offenses via national legislation and to establish penalties in line with the gravity of such crimes. While this convention does outline the recognition of nuclear terrorism, there are other efforts that are more specific in how to prevent and detect nuclear terrorism.

Other various organizations and entities of the United Nations have committed to addressing this, especially the International Atomic Energy Agency (IAEA). IAEA has worked closely with the Security Council on these issues by creating detection programs and spreading awareness like the IASA Safety and Security Publications. Other offices such as the United Nations Office of Disarmament Affairs (UNODA) and United Nations Office of Drug and Crime (UNODC) by conducting legal trainings such as the *The International Legal Framework against*

*Chemical, Biological, Radiological and Nuclear Terrorist*, which promotes awareness to create and develop legal instruments to CBRN terrorism. In addition, the UNODA works closely with the UNSC to achieve the purpose of UNSCR1054 in three different aspects: (1) facilitation of national implementation activities including through regionally coordinated approaches, (2) cooperation between international, regional and sub-regional organizations, and (3) effective partnerships of key stakeholders including civil society, private sector and academia. Therefore, throughout the United Nations there are different organizations that have been linked to work with the Security Council to address these issues.

### **Conclusion**

Resolutions addressing the illegal trafficking of nuclear materials that allow for terrorist groups and individuals to construct weapons and bombs have been worked on, however, the responsibility of the Security Council to verify that member states are upholding these policies continues to be a struggle. In addition to being tasked with such responsibility, it is important to find ways to stay updated with the technology used to invade plants, combat traffickers, and interrupt waste management protocols. As the Council continues to discuss this topic, several goals should be kept in mind such as how can the Council ensure member-states conduct proper reports and hold officials suspected of any participation accountable. Therefore, take into consideration what else can be done to enforce these resolutions or strengthen existing resolutions, and what additional actions the committee can take to help member states achieve their goals in preventing nuclear terrorism.



