

# **International Regimes Relevant to Preventing Terrorist Access to Nuclear Materials and Explosive**

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# International Agreements

- Nuclear Nonproliferation Treaty
  - Well know provisions
  - IAEA executes monitoring function but nuclear warheads are not captured
- 1980 Convention of the Physical Protection of Nuclear Material
  - Preventing terrorist use of both nuclear explosives and radiological devices
  - Set standards for protection of nuclear material used for peaceful purposes
  - Focus on material in international transport
  - States agreed to certain physical protection before export or import
  - States are required to criminalize theft or fraudulent acquisition/prosecute offenders
  - CY 2006 – state parties agreed to apply provisions within international boundaries



# International Agreements

- International Convention for the Suppression of Acts of Nuclear Terrorism
  - UN General Assembly adopted treaty in April 2005
  - Not in force
  - Addresses terrorist acts using, threatening to use, or aiming to use nuclear weapons or radiological bombs or involving damage to a nuclear reactor or facility
  - State must extradite or prosecute offenders
  - Does not address the issue of the legality of the use or threat of use of nuclear weapons by states.




# UN Security Council Resolutions

- 1373 – Sept 2001 – Focus on Terrorist
  - Binding to all states. Requires states to:
    - Criminalize terrorist acts
    - Freeze funds that support terrorism
    - Deny safe havens and transit across borders
    - Ensure their prosecution
- 1540 – April 2004 – Focus on “Non-State Actors” –  
Seeks to prevent “non-state actors” acquisition of, or trafficking in NBC weapons related equipment, material, and delivery systems
  - Resolution Measures include:
    - Criminal laws
    - Export controls
    - Physical security and material accounting techniques



# **Department of Energy Implementation of Security Controls for Nuclear weapons and Material.**



# Department of Energy Order 452.4

- Title – Security and Control of Nuclear Explosives and Nuclear Weapons
  - Objectives:
    - Establish DOE/NNSA requirements and responsibilities to prevent the deliberate unauthorized use (DUU) of U.S. nuclear explosives and U.S. nuclear weapons
    - Support the maintenance of a R&D program on a broad range of security and control methods and devices for nuclear explosives and nuclear weapons
    - Require development of methods to maintain and regain control of all nuclear explosives and nuclear warheads during all phases of their life cycles
    - Ensure protection of public health and safety
    - Require the development, implementation, and maintenance of an integrated system of controls to protect all nuclear explosives and nuclear weapons in the custody of the DOE against DDU



# DOE Policy 470.1

- Title – Integrated Safeguards and Security Management (ISSM) Policy
  - ISSM includes all topical areas of safeguards and security (personnel, physical, information, nuclear safeguards, cyber security) and cross-cutting areas (export control, classification, foreign visits and assignments, and foreign travel)
  - DOE policy is that the ISSM framework shall be used to systematically integrate safeguards and security in to management and work practices



# DOE Manual 470.4-6

- Title – Nuclear Material Control and Accountability
  - Selected basic requirements
    - An MC&A program must be established and maintained for specific nuclear materials. The level of control and accountability must be graded based on the consequence of their loss
    - Special nuclear material must not be received, processed, or stored at a facility until a facility approval is granted
    - MC&A programs must be designed to deter and detect theft and diversion of SNM and the unauthorized control of a weapon, test device, or materials that can be used to make an improvised nuclear device
    - The MC&A plan must specify how nuclear material inventory holdings will be account for and controlled.