

## **SPECIAL COMMENT**

### ***Nuclear Terrorism and Nuclear Arms Control***

#### ***Changed security environment***

Old certainties have gone. The bipolar Cold War order has vanished. The international community today is faced with multifaceted and multidirectional risks. Apart from an increased potential of regional conflicts, the proliferation of weapons of mass destruction and terrorism are of particular concern. The heinous attacks of 11 September 2001 have increased the awareness of the danger of terrorists gaining access to weapons of mass destruction, radioactive material and their means of delivery. To meet these new challenges, solidarity and common responses on the basis of jointly defined norms are more relevant than ever before. There is no room for a 'deregulation' of security relations. Instead we need a broad alliance and a common resolve in the fight against terrorism. Multilateral instruments in the field of disarmament, arms control and non-proliferation provide indispensable normative elements and can by way of their effective implementation reduce the risk of proliferation to terrorists. In addition, multilateral instruments can help bolster a durable international coalition against terrorism. Finally, the inherent limitations of an approach that is restricted to deterrence, defence and denial are obvious. Today's terrorists can hardly be deterred. We cannot build impenetrable defences nor, in a globalized world where there is universal access to technology and where secondary proliferation is rife, can export controls be fully depended on.

#### ***The threat of nuclear terrorism***

Conventional wisdom has it that the likelihood of terrorists exploding a nuclear device is remote. Still this risk cannot be discarded entirely. The design for building a crude nuclear device is publicly available. The main obstacle for terrorists is to get access to weapon-grade nuclear material. This should draw attention to the existing, large stockpiles of nuclear weapons and weapon-grade materials and the potential risk they pose. The sheer numbers are impressive: globally there are approximately 30,000 nuclear weapons and more than 3,000 tons of highly enriched uranium and separated plutonium, the key ingredients of nuclear weapons.

The most likely threat faced by the international community is that terrorists might build a radiological device—a 'dirty bomb'—that disperses radioactive materials by way of an ordinary explosive. These materials are widely used worldwide and are often not adequately controlled. Whilst the tangible

effect of such a weapon could arguably be described as limited, its use could have significant disruptive effects by creating panic, chaos and social disruption and thereby serving the primary objectives of terrorists.

### ***The role of nuclear arms control***

The overall objective in the fight against nuclear terrorism is preventing non-state actors from gaining access to nuclear weapons, radioactive materials and their means of delivery. Looking at the international arms control agenda, this objective can be addressed in a number of ways. The most sweeping and most effective measure would be the *complete elimination of nuclear weapons*. However, the attainment of this goal, as called for in Article VI of the NPT, requires conscientious preparations and political will. It cannot be realized in one step. It cannot be achieved for example by simply concluding a nuclear weapons convention and agreeing on a fixed timetable for the abolition of nuclear weapons. Rather the necessary prerequisites for a nuclear-weapon-free world must be fulfilled. Of particular importance in this regard is determining a reliable inventory of all nuclear-weapon stocks and fissile material usable for military purposes, the assured non-availability of weapon-grade fissile material, effective verification measures, and an environment that ensures that the prohibition of nuclear weapons does not result in the outbreak of large-scale conventional wars or a reevaluation of chemical and biological weapons. These considerations clearly point towards adopting an incremental approach towards nuclear disarmament as set forth in the thirteen practical steps for the systematic and progressive implementation of Article VI adopted by the 2000 NPT Review Conference. Progress in the implementation of the thirteen steps, which represent the performance benchmark for nuclear disarmament, contributes to diminishing the dangers of nuclear terrorism.

In addition, the following measures must be addressed.

- *Improving the security of and accounting for nuclear weapons and their essential components.* The IAEA is serving as a catalyst for these efforts by providing assistance to states and establishing recommendations for minimal levels of security.
- *Increasing the effectiveness of the NPT regime.* Again the IAEA has a key role to play in the implementation and strengthening of safeguards. The efforts undertaken under its auspices to extend the coverage of the Convention on the Physical Protection of Nuclear Material is of particular importance regarding the protection of such materials from theft.
- *Disarmament cooperation.* The G8 Global Partnership adopted at the G8 Summit Meeting in Kananaskis in 2002 has given a new impetus to the efforts to secure and eliminate nuclear weapons and weapon-grade material in the former Soviet Union. Under this programme US\$ 20 billion is to be spent over ten years on cooperation projects aimed at addressing non-proliferation, disarmament, counter-terrorism and nuclear safety issues.
- *Universalizing the NPT.* India, Pakistan and Israel still remain outside the NPT. The international community should continue to call upon them to join the NPT as non-nuclear-weapons states and thus make this instrument truly universal.

### ***The contribution of the Conference on Disarmament (CD)***

The CD can make a significant contribution in diminishing the risks of nuclear terrorism. Two subjects currently on the CD agenda stand out in this regard: negotiations of a Fissile Material Cut-off Treaty (FMCT) and a radiological weapons convention.

A coherent and comprehensive approach to weapon-grade fissile materials is overdue. Addressing the key components of nuclear weapons is clearly the next logical step in the process of nuclear disarmament. Much groundwork—including an agreement on a negotiating mandate—has been laid for starting an FMCT without delay. The Shannon Mandate, on the basis of which the CD took a decision in 1998 to establish an ad hoc committee, remains relevant. As an FMCT should also be an effective measure to counter the risk of fissile material being acquired by terrorists, it seems only natural to revisit, as regards the scope of the treaty, the issue of stocks. However, in order to avoid complicating a task which is already complex, the issue of stocks might best be dealt with in a sequential manner. Another important topic is the question of verification. Against the backdrop of the terrorists threat it is of particular importance to devise an effective verification system, which must apply equally to all parties of an FMCT.

*Radiological weapons* were actively discussed in the CD until 1992. Work was discontinued for many reasons, not least because such weapons were not considered to be an option pursued by states. However, with the new awareness that a ‘dirty bomb’ could be used by terrorists, it is time to revisit the issue. Whilst not detracting from the indispensable work done in the framework of the IAEA, in particular on the safety and security of radioactive sources, a radiological weapons convention could create a new international norm that would not only provide a barrier against the acquisition of radiological weapons by any state but provide a benchmark for judging state behaviour in this regard. It could also help legitimize, revalue and give an impetus to international efforts aimed at providing for more effective protection and control of radioactive materials. It could establish a legal obligation to secure radioactive materials and, to that end, establish common standards of national implementation including, *inter alia*, a requirement to enact penal legislation relating to any prohibited activity undertaken anywhere on the territory of each state party or in any other place under the jurisdiction or control of that party. A radiological weapons convention could be an expression of the fact that the issue of protecting radioactive materials is not a national matter but a shared responsibility of the international community, which also entails an enhancement of international cooperation. In revisiting the issue the CD should particularly address the questions of definitions, scope and verification; the problems associated with them do not seem insurmountable.

In the face of the urgent need to reduce the risks of nuclear terrorism the stalemate in the CD is no longer tolerable. The linkages which are being maintained between different items on the CD’s agenda and which block the start of useful work must be removed. At a time when the international community faces severe new security threats, such linkages are even more difficult to understand. Living up to its mission and its responsibility the CD should establish an ad hoc committee on an FMCT without further delay and also start exploring in depth the issue of radiological weapons. The costs and risks of failing to act are far higher than the costs of effective action now.

### ***Rüdiger Lüdeking***

Director

Nuclear Arms Control and Non-proliferation

Federal Foreign Office, Berlin

