

FACT SHEET

INTERNATIONAL CONVENTION FOR THE SUPPRESSION OF ACTS OF NUCLEAR TERRORISM

Background

In 1996, the United Nations Secretary-General prepared a report pursuant to General Assembly resolution 50/53 in which he reviewed existing international legal instruments relating to international terrorism (A/51/336). The Secretary-General concluded that there was a need to elaborate international treaties or other kinds of instruments in areas not covered by existing treaties. Among the measures proposed by the Secretary-General was preventing the use of weapons of mass destruction (WMD) by terrorists.

Subsequently, the General Assembly established an Ad Hoc Committee through adoption of resolution 51/210 to elaborate, among other things, a draft International Convention for the Suppression of Acts of Nuclear Terrorism (ICSANT).



The Ad Hoc Committee commenced its work on the draft ICSANT in 1998, based on a text presented by the Russian Federation, which culminated with the adoption without a vote of the Convention by the General Assembly, on 13 April 2005 (A/RES/59/290, annex, United Nations, *Treaty Series*, vol. 2445, p. 89). ICSANT opened for signature on 14 September 2005 and entered into force on 7 July 2007. As of December 2016, there are 107 States Parties to ICSANT.

**The draft text of ICSANT is adopted by the Ad Hoc Committee
on International Terrorism in April 2005.**

Together with Security Council resolution 1540 (2004), ICSANT is one of

the two pillars of the efforts of the United Nations in confronting the global challenge of nuclear terrorism. Together they form the basis of the action plan of the United Nations, which was agreed upon at the 2016 Nuclear Security Summit.

Key provisions

- ICSANT provides a wide definition on materials and facilities covering both military and peaceful applications.
- It criminalizes the planning, threatening, or carrying out acts of nuclear terrorism; it also requires States to criminalize these offenses via national legislation and to establish penalties in line with the gravity of such crimes.
- It requires for States to take all practicable measures to prevent and counter preparations for offenses to take place inside or outside of their territories.
- The Convention does not cover the activities of armed forces during an armed conflict or military exercise.
- It provides innovative provisions dealing with post-crises situations concerning the handling of seized radioactive material, devices or nuclear facilities, as well as on modalities of return and storage thereof.

While ICSANT provides an important multilateral, legal framework for countering terrorist threats, the Convention does not yet have universal participation¹ and does not provide for a treaty based enforcement or monitoring mechanism.

Other nuclear security instruments

ICSANT is part of a broader framework of multilateral efforts to address nuclear security. Other key instruments include multilateral treaties as well as resolutions adopted by the United Nations Security Council under Chapter VII.

| KEY NUCLEAR SECURITY INSTRUMENTS | |
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| CONVENTION ON THE PHYSICAL PROTECTION OF NUCLEAR MATERIAL (CPPNM) | Applies to nuclear material used only for peaceful purposes while in international nuclear transport; does not apply to nuclear material used for military purposes or to those used for peaceful purposes not in international transport Depository: Director-General of the International Atomic Energy Agency |
| 2005 AMENDMENT TO THE CPPNM | Obligates States parties to protect nuclear facilities and material in peaceful domestic use, storage as well as transport; provides for expanded cooperation between States regarding rapid measures to locate and recover stolen or smuggled nuclear material, mitigate any radiological consequences of sabotage and to prevent and combat related offenses. Entered into force on 8 May 2016 with the submission Nicaragua’s Instrument of Accession. |
| 2005 INTERNATIONAL CONVENTION FOR THE SUPPRESSION OF ACTS OF NUCLEAR TERRORISM | Provides broader definition of nuclear/radioactive material than the CPPNM on materials and facilities covering both military and peaceful applications; criminalises acts of “nuclear terrorism” and provides guidelines for extradition and other measures of mutual assistance and international cooperation |
| UNITED NATIONS SECURITY COUNCIL RESOLUTION 1540 (2004) | Obligates States to refrain from support by any means to non-state actors in developing, acquiring, manufacturing, possessing, transporting, transferring or using nuclear, chemical or biological weapons and their means of delivery; imposes binding obligations on States to adopt legislation to prevent the proliferation of weapons of mass destruction and their means of delivery and to establish appropriate domestic controls |
| UNITED NATIONS SECURITY COUNCIL RESOLUTION 1373(2001) | Obligates all States to take action to prevent terrorist attacks, including by suppressing the financing of terrorist acts, criminalizing activity to finance terrorists, suppressing the provision of safe havens for terrorism, providing assistance in criminal investigations and eliminating the supply of weapons to terrorists bearing in mind the threat posed by the possession of weapons of mass destruction by terrorists |

¹ 115 signatories and 107 States parties as of December 2016