# International Atomic Energy Agency (IAEA)

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Year of Establishment: 1957

## CTITF Working Group Membership:

• Preventing and Responding to WMD Terrorist Attacks (lead)

The International Atomic Energy Agency (IAEA) is an autonomous international organization made up of 151 member states, established to promote the peaceful use of nuclear energy and to ensure that nuclear energy is not used for military purposes.<sup>83</sup> According to the IAEA statute (1956), the functions of the IAEA include:

- taking action needed to promote research on, development of, and practical applications of nuclear energy for peaceful purpose (Article III. A.1);
- providing material, services, equipment, and facilities for such research and development, and for practical applications of atomic energy (Article III. A.2);
- fostering and exchange of scientific and technical information (Article III.A.3);
- encouraging the exchange and training of scientists and experts in the field of peaceful uses of atomic energy;
- establishing and administering safeguards to ensure that any nuclear assistance or supplies with which IAEA was associated should not be used to further any military purposes—and applying such safeguards, if so requested, to any bilateral or multilateral arrangement (Article III.A.6);
- establishing or adopting nuclear safety standards (Article III.A.6).

Though an independent international organization, the IAEA maintains a close working relationship with the United Nations. According to its own statute, the IAEA must "conduct its activities in accordance with the purposes and principles of the United Nations to promote peace and international co-operation, and in conformity with policies of the United Nations furthering the establishment of safeguarded worldwide disarmament and in conformity with any

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international agreements entered into pursuant to such policies."84 Moreover, the IAEA must report on its activities to the General Assembly annually and, as appropriate, to the UN Security Council.

The IAEA's framework for nuclear security includes international legal instruments that are both binding and nonbinding, which it encourages states to sign and adopt. The binding documents include the Convention on the Physical Protection of Nuclear Material (1980) and its amendment, the International Convention for the Suppression of Acts of Nuclear Terrorism (2005), and the comprehensive safeguards agreements and additional protocols. The nonbinding international instruments include the IAEA Code of Conduct on Safety and Security of Radioactive Sources and the IAEA Supplementary Guidance on the Import and Export of Radioactive Sources. In addition, the IAEA has circulated a document entitled "The Physical Protection of Nuclear Material and Nuclear Facilities," containing recommendations for states to implement voluntarily. Moreover, the IAEA is entrusted with responsibilities under a number of other treaties and agreements that states have adopted related to nuclear materials, including providing the safeguarding system established under the Nuclear Non-Proliferation Treaty (1970).85

Through its Nuclear Security Programme (NSP), the IAEA provides training, human resource development, assistance, and technical advice to states and facilitates the exchange of information and lessons learned. This includes assisting states in establishing an effective regulatory infrastructure, improving physical protection at facilities with nuclear and other radioactive materials, strengthening capabilities at borders to detect and respond to illicit nuclear trafficking and establishing preparedness to respond to acts of nuclear or radiological terrorism. The IAEA also offers a number of advisory services to aid states in assessing the effectiveness of their nuclear security arrangements and identifying any necessary enhancements.

After the September 11th terrorist attacks, the agency conducted a thorough review of its activities and programs relevant to preventing acts of terrorism involving nuclear and radioactive materials and developed the Nuclear Security Plan for 2002-2005. This was followed by subsequent plans for 2006-2009 and 2010-2013. The latter focuses on three key areas of nuclear security: prevention, detection, and

information coordination and response. Moreover, it seeks to move away from ad hoc interventions and towards providing long-term, sustained improvements to nuclear security.<sup>87</sup>

The National Security Plan also provides a vehicle through which the IAEA supports multilateral counterterrorism efforts, in particular, Pillars II and III of the UN Global Counter-Terrorism Strategy, which focus on preventing and combating terrorism, and strengthening states' capacities to do so. In particular, the IAEA focuses on terrorism in the context of preventing the spread of nuclear weapons and radioactive material, and assists states, upon request, in improving their nuclear security capacities.<sup>88</sup> To this end, the IAEA supports states in improving their capacities to prevent, detect, and respond to the illegal use or transfer of nuclear and other radiological materials as well as the protection of nuclear installations.

As part of these efforts, the IAEA has provided a platform for the exchange of best practices and legislative assistance through a number of activities. For example, in May 2009, the agency hosted a workshop on implementing legislation on nuclear security for the League of Arab States in Vienna. In 2009, the IAEA's training courses on nuclear security reached more than 120 countries. The IAEA has also given equipment upgrades to a number of states to fulfill their obligations to combat nuclear terrorism.

Another tool to address the illicit use of WMDs is the agency's Illicit Trafficking Database, created in 1997 in order to track unauthorized activities and events involving nuclear and other radioactive material outside of regulatory control. As of September 2010, the database had 111 participating states.<sup>91</sup>

The IAEA leads the Counter-Terrorism Implementation Task Force's Working Group on Preventing and Responding to a WMD Terrorist Attack. In this capacity, the IAEA has worked to strengthen an interagency response to a terrorist attack using chemical, biological, radiological, or nuclear weapons (CBRN) or materials. To that end, the working group produced a report in 2010 entitled *Interagency Coordination in the Event of a Nuclear or Radiological Terrorist Attack: Current Status, Future Prospects.*<sup>92</sup> The report offers three recommendations to improve international capacities to respond to a terrorist

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attack using nuclear or radiological materials. In November 2011, the Working Group produced its second report on institutional response capacities to chemical and biological terrorist attacks. The report, for the first time, analyzed at the international level the potential of the UN and international organizations to respond to biological and chemical terrorism and identified ways to strengthen these capacities.