

INDIA NUCLEAR BLACK MARKET

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September 12, 2024

(Views expressed in the brief are those of the author, and do not represent those of ISSI)



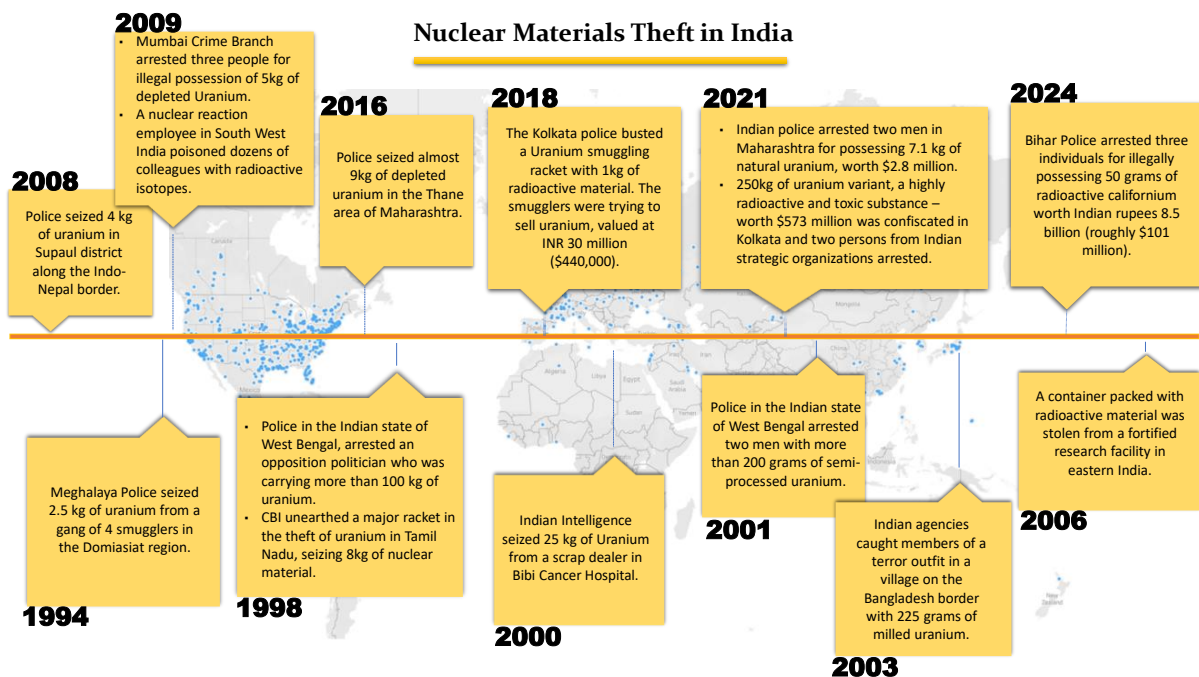
In August 2024, a gang of individuals was found in illegal possession of a highly radioactive substance Californium in India, worth US\$100 million. This is not an isolated incident. There have been a string of such incidents in India since the 1990s involving theft or illegal sale of radioactive substances. The latest incident is only the tip of the iceberg. Pakistan has time and again raised concerns over such incidents that raise questions over India's nuclear safety and security. This exposes the myth of India's 'spotless' non-proliferation record. It is important to assess what it means for India, the global non-proliferation efforts, and for neighboring countries like Pakistan that can potentially become victims of terrorist activities using radioactive material or dirty bombs.

Pakistan's Foreign Office raised concern at the incident, underlining: "Pakistan is gravely concerned at the reports of recurring incidents of theft and illicit sale of nuclear and other radioactive materials in India.... These recurring incidents call into question the measures taken by New Delhi for the safety and security of nuclear and other radioactive materials. These incidents also suggest the existence of a black market for sensitive, dual-use materials inside India."¹ The Foreign Office further noted that "three incidents of theft of Californium were also reported in 2021." In July 2024 "five

¹ "Statement by the Spokesperson about Pakistan's Reaction to the Arrest of a Gang in India with Radioactive Material," Press Release, August 13, 2024, <https://mofa.gov.pk/press-releases/statement-by-the-spokesperson-about-pakistans-reaction-to-the-arrest-of-a-gang-in-india-with-radioactive-material>.

individuals with a radioactive device reportedly stolen from Bhabha Atomic Research Center (BARC) were also found in Dehradun.”² The statement added: “The international community seeks an earnest disclosure from the Indian authorities as to how a sealed Radioactive Source (SRS) material, like Californium, was in the possession of the apprehended individuals. It is dangerous for such sensitive material in India to be routinely found in the wrong hands. Pakistan reiterates its call for a thorough investigation of these incidents and for adequate measures to prevent their recurrence.”³

The history of theft of nuclear materials in India goes back to the 1980s but seems to have picked up speed in the new millennium. The safety and security of its nuclear installations also have a poor record. A 1996 report made available to IAEA highlighted 130 instances of safety-related concerns in nuclear facilities while in an Indian parliamentary report, 147 mishaps or security-related occurrences were reported in Indian atomic energy plants between the period 1995 to 1998.⁴ There have been dozens of incidents of theft of nuclear and radioactive substances in India over the decades.⁵ Some are listed below:



Source: Compiled from different open sources.

² Ibid.

³ Ibid.

⁴ Malik Qasim Mustafa, Ghazala Yasmin Jalil and Tahir Mahmood Azad, “Pakistan and India: Non-Proliferation Credentials,” Nuclear Paper Series No. 2, Islamabad Papers 2016, Institute of Strategic Studies, Islamabad.

⁵ For details see Ghazala Yasmin Jalil, “The Myth of India’s Impeccable Non-Proliferation Record,” Institute of Strategic Studies Islamabad, Issue Brief, May 21, 2021, https://issi.org.pk/wp-content/uploads/2021/05/Final_IB_Ghazala_May_31_2021.pdf, and Mustafa, Jalil and Azad, “Pakistan and India.”

There were also three similar incidents of theft of nuclear material in 2021.⁶ Pakistan's Foreign Ministry raised concerns over it. India should have reported these incidents to the International Atomic Energy Agency's (IAEA's) Incident and Tracking Data Base mechanism. However, these were not reported to the IAEA.

One analyst argued: "The accessibility of radioactive material to non-state actors through the theft of the material from the nuclear facility is a violation of the United Nations Security Council Resolution 1540."⁷ This UNSC resolution of 2004 states that "all States shall refrain from providing any form of support to non-State actors that attempt to develop, acquire, manufacture, possess, transport, transfer or use nuclear, chemical or biological weapons and their means of delivery, in particular for terrorist purposes."⁸ It further required states to enact legislation and measures to ensure the prevention of the proliferation of nuclear materials to non-state actors. The string of nuclear materials thefts in India does indeed raise the possibilities of non-state actors getting hold of radioactive materials and potentially using them for nuclear terrorism.

India's dismal nuclear materials safety record is also highlighted by the Nuclear Threat Initiative's (NTI) nuclear security index. NTI's assessment in 2014 India ranked 23 out of 25 countries that possess weapons-grade fissile material. India was just above Iran and North Korea in this ranking. In the 2023 NTI Secure Material Ranking, India was number 20 with no change since 2018. In comparison, Pakistan ranked 19 in 2020 and 2023, one position above India. In 2020 Pakistan was appreciated as the most improved country in the theft ranking. It improved by 7 points⁹ due to stringent legislation and regulations, while it improved by 3 points in 2023. Pakistan is also above India on the protection of nuclear facilities with 32 against India's 40 rank out of 47 countries.¹⁰

6 Mariana Babar, "Pakistan Shocked at Recurring Theft of Nuclear Material in India," *The News*, August 14, 2024, <https://www.thenews.com.pk/print/1219716-pakistan-shocked-at-recurring-theft-of-nuclear-material-in-india>.

7 Zafar Nawaz Jaspal, "India: Repetitive Defiance of UNSC Resolution 1540," *Pakistan Observer*, August 20, 2024, <https://pakobserver.net/india-repetitive-defiance-of-uns-c-resolution-1540/>.

8 "UN Security Council Resolution 1540," <https://disarmament.unoda.org/wmd/sc1540/>.

9 "Australia Ranks 1st, Pakistan is Most Improved," <https://www.ntiindex.org/news/australiaranks-1st-pakistan-is-most-improved/>

10 "NTI Country Index: India, Pakistan," <https://www.ntiindex.org/country/india/>, <https://www.ntiindex.org/country/pakistan/>

India NTI Index 2023			Pakistan NTI Index 2023		
Secure Materials	SCORE 40 OF 100	RANK 20 OF 22	Secure Materials	SCORE 49 OF 100	RANK 19 OF 22
Score Change from 2020: 0			Score Change from 2020: 3		
Protect Facilities	SCORE 52 OF 100	RANK 40 OF 47	Protect Facilities	SCORE 61 OF 100	RANK 32 OF 47
Score Change from 2020: 0			Score Change from 2020: 4		

Source: "NTI Country Index: India, Pakistan," <https://www.ntiindex.org/country/india/>,
<https://www.ntiindex.org/country/pakistan/>.

Despite India's checkered nuclear safety history, the U.S. and others have chosen to look the other way and not pressed New Delhi for stricter nuclear security measures. Instead, the U.S. and Western countries have been pursuing civil nuclear cooperation with India. Despite the risks, India has been granted preferential treatment, including Nuclear Suppliers' Group (NSG) waivers and campaigns for India's membership to NSG. As this nuclear embrace intensifies, the imperative to strengthen India's nuclear security infrastructure becomes more critical to mitigate the threat of proliferation and nuclear terrorism.

The incidents listed are only some of the reported ones, there may be dozens more that were never reported in the press, and yet more nuclear thefts that never came to light. There is a gap in legislation and Indian state control over nuclear and radioactive materials. This is a matter of concern for Pakistan and the international community, since the effects of nuclear theft go beyond national borders. Nuclear materials theft may lead to nuclear terrorism since radioactive materials can be used to create crude nuclear bombs or 'dirty bombs.' This is a danger to India's neighbors and should be an issue of international concern. Essentially, India needs to enact strict control over nuclear materials and a robust regime to prevent such materials from ending up in the nuclear black market. The incidents of nuclear theft and security breaches need to be examined at the international level.