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## ADDITIONAL PROTOCOL

The Additional Protocol is a legal document negotiated between the International Atomic Energy Agency (IAEA) and an individual state granting the IAEA further inspection authority to that provided in that state's Comprehensive Safeguards Agreement with the IAEA. The Additional Protocol aims to enable the IAEA inspectorate to provide assurance about both declared and possible undeclared activities and to get a more complete picture of a state's overall nuclear program. Under the Protocol, the IAEA is granted expanded rights of access to information and sites.

Nuclear Weapons States (NWS) have repeatedly called for universal adherence to the Additional Protocol and have issued working papers during the NPT review process arguing that implementation of the Additional Protocol should become a key standard by which to measure an NPT States Party's commitment to the Treaty.

Non-Nuclear Weapons States (NNWS), unlike NWS, are subject to comprehensive IAEA safeguards under Article III of the NPT. Some NNWS take the position that the comprehensive IAEA safeguards are sufficient to prevent nuclear proliferation, and that requiring the Additional Protocol as well is unnecessary and burdensome. Some countries in the Middle East, such as Egypt, have also refused to implement the Additional Protocol or undertake additional nonproliferation obligations until Israel signs on to the NPT and/or agrees to a nuclear-weapon-free zone in the region.

### **Background:**

The international call for an Additional Protocol [emerged](#) out of the IAEA's failure to detect Iraq's efforts to develop weapons of mass destruction (WMDs) prior to the 1991 Persian Gulf War. It was discovered that Iraq had violated its NPT safeguards agreement by building nuclear facilities and failing to declare them to the IAEA. In addition, the IAEA discovered in 1992 that North Korea had diverted plutonium from its civilian program at a declared reactor but had hidden these activities when IAEA inspectors were present. The ease with which Iraq and North Korea were able to do so demonstrated the shortcomings of existing NPT safeguards, as these safeguards allow the IAEA to inspect only declared

facilities and materials and only certain areas of these facilities.

The IAEA subsequently adopted 'Program 93+2', which sought to prevent the diversion of declared materials and to detect undeclared materials. The program called for a legally binding protocol to supplement existing safeguards agreements and dramatically expand the scope of IAEA inspections. This became the Additional Protocol.

**Measures under the Additional Protocol:** While every Additional Protocol is negotiated between the state and the IAEA, and is individually tailored, there are several main aspects that remain constant. States that have signed Additional Protocol Agreements with the IAEA agree to provide the IAEA information about, and IAEA inspector access to, all parts of a State's nuclear fuel cycle—including uranium mines, fuel fabrication and enrichment plants, and nuclear waste sites—as well as to any other location where nuclear material is or may be present.

States also agree to provide information on, and IAEA short-notice access to, all buildings on a nuclear site. The Protocol provides for IAEA inspectors to have "complementary" access to assure the absence of undeclared nuclear material or to resolve questions or inconsistencies in the information a State has provided about its nuclear activities. Advance notice in most cases is at least 24 hours. The advance notice is shorter—at least two hours—for access to any place on a site that is sought in conjunction with design information verification or ad hoc or routine inspections at that site. The activities carried out during complementary access could include examination of records, visual observation, environmental sampling, utilization of radiation detection and measurement devices, and the application of seals and other identifying and tamper-indicating devices.

States also agree to allow the IAEA to collect environmental samples at locations beyond declared locations when deemed necessary by the Agency. Wider area environmental sampling would require IAEA Board approval of such sampling and consultations with the State concerned.

Furthermore, states give the IAEA the right to make use of internationally established communications systems, including satellite systems and other forms of telecommunication.

States also agree to accept IAEA inspector designations and to issue multiple entry visas (valid for at least one year) for inspectors.

States also agree to provide the IAEA with information about, and IAEA verification mechanisms for, any research and development activities related to the nuclear fuel cycle.

Finally, States agree to provide the IAEA with information on the manufacture and export of sensitive nuclear-related technologies, and IAEA verification mechanisms for manufacturing and import locations in the State.

### Model Additional Protocol issued by the IAEA

#### **Unique Additional Protocols:**

All five nuclear weapon states and India have in place Additional Protocols that vary significantly from the Model Additional Protocol issued by the IAEA.

*United States:* As a nuclear weapon state (NWS), the United States is not required to accept comprehensive safeguards under the NPT, nor to declare any nuclear activities. The [Additional Protocol](#) (INFCIRC/288.1) expands the United States-IAEA Safeguards Agreement to include mines and other locations without nuclear materials. However, the United States' Additional Protocol is limited to civilian nuclear facilities and excludes activities with direct national security significance. In addition, the United States maintains the right to decide when/where to apply managed access procedures. Although the United States Additional Protocol is otherwise very similar to the Model Additional Protocol, its purpose is very different: Rather than enabling the IAEA to detect undisclosed nuclear activities or non-compliance with the NPT, the United States Additional Protocol [serves](#) to “assist [the IAEA] in developing the procedures, tools, and techniques that will strengthen the capability of the [IAEA] to detect undeclared nuclear activities in NNWS.”

*United Kingdom and France:* The Additional Protocols for both the UK and France are designed to

assist the IAEA in detecting undeclared nuclear activities in NNWS. Unlike the United States, neither have a national security exemption. Both Protocols generally reflect the Model Additional Protocol, but only apply in cases where activities have links to NNWS.

*Russia and China:* Both countries' Additional Protocols do not allow IAEA inspectors physical access to any facilities. Under their respective Additional Protocols, both countries are required to provide information on nuclear imports and exports to and from NNWS, and on activities in cooperation with NNWS relating to the nuclear fuel cycle.

*India:* As a non-signatory to the NPT, India lacks the comprehensive safeguards that NNWS signatories to the NPT have. India's [Additional Protocol](#) stipulates that only certain facilities are placed under safeguards. The Protocol only requires India to share information relating to nuclear-related exports, while the Model Additional Protocol includes the sharing of information on nuclear fuel-cycle-related research and development, nuclear-related imports, and uranium mining. India's Additional Protocol also does not provide the IAEA with complementary access provisions, which allow the IAEA to inspect undeclared facilities. India's Additional Protocol applies many of the voluntary safeguards provisions that exist for nuclear weapon states, although India is not recognized by the IAEA as a nuclear weapon state.

### STATUS OF ADDITIONAL PROTOCOLS

**Number of APs in force:** 116 [+ Taiwan]

**APs signed:** 138

**APs approved but not yet signed:** 2

**Overall total of APs:** 140

**Of the 62 NNWS NPT Parties with significant nuclear activities:** 48 have APs in force

7 have signed

1 has an AP approved by Board but not yet signed

6 have not commenced negotiation of an AP.

**Note:** 1. “Significant nuclear activities” encompasses any amount of nuclear material in a facility or location outside facilities (LOF), or nuclear material in excess of the exemption limits in INFCIRC/153 paragraph 37.

2. States with significant nuclear activities are shown in bold.

**States with Additional Protocols in Force:**

Afghanistan: 19 Jul 05

Albania: 3 Nov 10

Andorra: 19 Dec 11

Angola: 28 Apr 10

**Armenia:** 28 Jun 04

Australia: 12 Dec 97

Austria: 30 Apr 04

Azerbaijan: 29 Nov 00

Bahrain: 20 Jul 11

**Bangladesh:** 30 Mar 01

**Belgium:** 30 Apr 04

Botswana: 24 Aug 06

**Bulgaria:** 01 May 09

Burkina Faso: 17 Apr 03

Burundi: 27 Sep 07

**Canada:** 8 Sep 00

Central African Rep: 7 Sep 09

Chad: 13 May 10

**Chile:** 3 Nov 03

**China:** 28 Mar 02

**Colombia:** 5 Mar 09

Comoros: 20 Jan 09

**Congo, DR:** 9 Apr 03

Congo, Rep: 28 Oct 11

Costa Rica: 17 Jun 11

Croatia: 6 Jul 00

Cuba: 3 Jun 04

Cyprus: 1 May 08

**Czech Republic:** 1 Oct 09

**Denmark:** 30 Apr 04

Dominican Republic: 05 May 10

Ecuador: 24 Oct 01

El Salvador: 24 May 04

**Estonia:** 1 Dec 05

Fiji: 14 Jul 06

**Finland:** 30 Apr 04

**France:** 30 Apr 04

FYROM: 11 May 07

Gabon: 25 Mar 10

Gambia: 18 Oct 11

**Georgia:** 3 Jun 03

**Germany:** 30 Apr 04

**Ghana:** 11 June 04

**Greece:** 30 Apr 04

Guatemala: 28 May 08

Haiti: 9 Mar 06

Holy See: 24 Sep 98

**Hungary:** 1 Jul 07

Iceland: 12 Sep 03

**Indonesia:** 29 Sep 99

Ireland: 30 Apr 04

**Italy:** 30 Apr 04

**Jamaica:** 19 Mar 03

**Japan:** 16 Dec 99

Jordan: 28 Jul 98

**Kazakhstan:** 9 May 07

Kenya: 18 Sep 09

Kuwait: 2 Jun 03

Kyrgyzstan: 10 Nov 11

**Latvia:** 1 Oct 08

Lesotho: 26 Apr 10

**Libya:** 11 Aug 06

**Lithuania:** 5 Jul 00

Luxembourg: 30 Apr 04

Madagascar: 18 Sep 03

Malawi: 26 Jul 07

Mali: 12 Sep 02

Malta: 1 Jul 07

Marshall Islands: 3 May 05

Mauritania: 10 Dec 09

Mauritius: 17 Dec 07

**Mexico:** 4 Mar 11

Moldova: 1 Jun 12

Monaco: 30 Sep 99

Mongolia: 12 May 03

Montenegro: 4 Mar 11

**Morocco:** 21 Apr 11

Mozambique: 1 Mar 11

**Namibia:** 20 Feb 12

**Netherlands:** 30 Apr 04

New Zealand: 24 Sep 98

Nicaragua: 18 Feb 05

Niger: 2 May 07  
**Nigeria:** 4 Apr 07  
**Norway:** 16 May 00  
 Palau: 13 May 05  
 Panama: 11 Dec 01  
 Paraguay: 14 Sep 04  
**Peru:** 23 Jul 01  
**Philippines:** 26 Feb 10  
**Poland:** 1 Mar 07  
**Portugal:** 30 Apr 04  
**Republic of Korea:** 19 Feb 04  
**Romania:** 1 May 10  
**Russia:** 16 Oct 07  
 Rwanda: 17 May 10  
 Seychelles: 13 Oct 04  
 Singapore: 31 Mar 08  
**Slovakia:** 1 Dec 05  
**Slovenia:** 1 Sep 06  
**South Africa:** 13 Sep 02  
**Spain:** 30 Apr 04  
 Swaziland: 8 Sep 10  
**Sweden:** 30 Apr 04  
**Switzerland:** 1 Feb 05  
**Tajikistan:** 14 Dec 04  
 Tanzania: 7 Feb 05  
**Turkey:** 17 Jul 01  
 Turkmenistan: 3 Jan 06  
 Uganda: 14 Feb 06  
**Ukraine:** 24 Jan 06  
 United Arab Emirates: 20 Dec 10  
**United Kingdom:** 30 Apr 04  
 Uruguay: 30 Apr 04  
**United States:** 6 Jan 09  
**Uzbekistan:** 21 Dec 98

**States with Additional Protocols signed, but not yet in force:**

**Belarus:** 15 Nov 05  
 Benin: 7 Jun 05  
 Cameroon: 16 Dec 04  
 Cape Verde: 28 Jun 05  
 Côte d'Ivoire: 22 Oct 08

Djibouti: 27 May 10  
 Guinea: 13 Dec 11  
 Honduras: 7 Jul 05  
**India:** 15 May 09  
**Iran:** 18 Dec 03  
**Iraq:** 9 Oct 08  
 Kiribati: 9 Nov 04  
 Liechtenstein: 14 Jul 06  
**Malaysia:** 22 Nov 05  
 Moldova: 14 Dec 11  
 Namibia: 22 Mar 00  
 Senegal: 15 Dec 06  
**Serbia:** 03 Jul 09  
**Thailand:** 22 Sep 05  
 Timor-Leste: 6 Oct 09  
 Togo: 26 Sep 03  
 Tunisia: 24 May 05  
**Vietnam:** 10 Aug 07  
 Zambia: 13 May 09

**States with Additional Protocols approved by the IAEA Board, but not yet signed:**

**Algeria:** 14 Sep 04  
 Vanuatu: 8 Sep 09

**States with significant nuclear activities which have not commenced negotiation of an AP:**

Argentina  
 Brazil  
 Democratic People's Republic of Korea  
 Egypt  
 Israel  
 Pakistan  
 Syria  
 Venezuela