
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/Add.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 more effective tools and techniques for use in complementary access in NNWS.”

United Kingdom and France: The Additional Protocols for both the UK ([INFCIRC/263/Add.1](#)) and

France ([INFCIRC/290/Add.1](#)) 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, [INFCIRC/327/Add.1](#) and [INFCIRC/369/Add.1](#) respectively, 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: 126 [+ Taiwan and Greenland]

APs signed: 146

APs approved but not yet signed: 1

Overall total of APs: 147 + Euratom, Taiwan, and Greenland

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

5 have signed

1 have an AP approved by Board but not yet signed

8 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

Antigua and Barbuda: 15 Nov 13

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

Bosnia and Herzegovina: 3 Jul 13

Botswana: 24 Aug 06

Bulgaria: 01 May 09

Burkina Faso: 17 Apr 03

Burundi: 27 Sep 07

Cambodia: 24 Apr 15

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

Djibouti: 26 May 15

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

India 25 Jul 14

Indonesia: 29 Sep 99

Iraq: 10 Oct 12

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

Korea, Republic of: 19 Feb 04

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, Republic of: 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
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
 St. Kitts & Nevis: 19 May 14
 Swaziland: 8 Sep 10
Sweden: 30 Apr 04
Switzerland: 1 Feb 05
Tajikistan: 14 Dec 04
 Tanzania, United Republic of: 7 Feb 05
 Togo: 18 Jul 12
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
United States: 6 Jan 09

Uruguay: 30 Apr 04
Uzbekistan: 21 Dec 98
 Vanuatu: 21 May 13
Vietnam: 17 Sep 12

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
 Guinea: 13 Dec 11
 Guinea-Bissau: 21 June 13
 Honduras: 7 Jul 05
Iran, Islamic Republic of: 18 Dec 03
 Kiribati: 9 Nov 04
 Lao P.D.R. 5 Nov 14
 Liechtenstein: 14 Jul 06
Malaysia: 22 Nov 05
 Myanmar: 17 Sep 13
 Senegal: 15 Dec 06
Serbia: 03 Jul 09
Thailand: 22 Sep 05
 Timor-Leste: 6 Oct 09
 Tunisia: 24 May 05
 Zambia: 13 May 09

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

Algeria: 14 Sep 04

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