

P – Documents Relating to the Democratic People’s Republic of Korea

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Joint Declaration for a Non-Nuclear Korean Peninsula

[Initiated 31 December 1991,
signed 20 January 1992]

The circumstances affecting U.S. have changed In order to create conditions and an environment favourable to peace and the peaceful unification of our land and to contribute to the peace and security of Asia and the world at large by eliminating the danger of nuclear war through its denuclearization, the South and the North declare as follows:

1. The South and the North will not test, produce, receive, possess, store, deploy or use nuclear weapons.
2. The South and the North will use nuclear energy solely for peaceful purposes.
3. The South and the North will not possess facilities for nuclear reprocessing and uranium enrichment.
4. In order to verify the denuclearization of the Korean Peninsula, the South and the North will conduct inspection of objects chosen by the other side and agreed to by both parties. Such inspection will be implemented according to the procedures and methods prescribed by a South-North Joint Nuclear Control Committee.
5. In order to ensure the implementation of this Joint Declaration, the South and the North will organize a South-North Joint Nuclear Control Committee within one (1) month of the coming into force of this Declaration.
6. This Joint Declaration will enter into force the day appropriate instruments are exchanged following the completion by the South and the North of the necessary procedures to bring this Declaration into effect.

Agreement on the Formation and Operation of the North-South Joint Nuclear Control Committee

[On denuclearization of the Korean Peninsula,
18 March 1992]

The North and South agreed to form and operate the North-South Joint Nuclear Control Committee to implement the Joint Declaration on the Denuclearization of the Korean Peninsula as follows:

1. The Joint Nuclear Control Committee shall be formed as follows:
 - (1) The Joint Nuclear Control Committee shall be composed of seven members, including one chairman and one vice chairman from each side, and one or two members, to include active-duty soldiers. The chairmen will be vice-minister level officials.
 - (2) When they replace members of the Joint Nuclear Control Committee, each side shall notify the other in advance.
 - (3) The Joint Nuclear Control Committee shall have seven suite members, and this number can be readjusted if necessary as agreed upon by the two sides.
2. The Joint Nuclear Control Committee shall discuss and handle the following:
 - (1) The adoption and handling of auxiliary documents on how to implement the Joint Declaration on the Denuclearization of the Korean Peninsula and other related issues.
 - (2) The exchange of information necessary for verifying the denuclearization of the Korean peninsula, including information on nuclear facilities, nuclear material, and nuclear weapons and nuclear bases that each side insists are suspicious.
 - (3) The formation and operation of inspection teams for verifying the denuclearization of the Korean peninsula.
 - (4) The selection of facilities for inspection when verifying the denuclearization of the Korean peninsula, including nuclear facilities, nuclear material, and nuclear weapons and nuclear bases that each side insists are suspicious; inspection procedures; and inspection methods.
 - (5) Issues concerning equipment to be used in nuclear inspection.
 - (6) Issues concerning rectifications as a result of nuclear inspection.

(7) Issues concerning the implementation of the Joint Declaration on the Denuclearization of the Korean Peninsula and the resolution of disputes in inspection activities.

3. The Joint Nuclear Control Committee shall be operated as follows:

- (1) Joint Nuclear Control Committee meetings shall take place every two months in principle and can take place at any time as the two sides agree.
- (2) Joint Nuclear Control Committee meetings shall take place alternately in Tongilgak on the North side’s area and in the House of Peace on the South side’s area of Panmunjom in principle and can take place as the two sides agree.
- (3) Joint Nuclear Control Committee meetings shall be jointly presided over by the two side’s chairmen. They shall take place behind closed doors in principle.
- (4) Issues concerning the guarantee of personal safety for people who visit each other’s area to attend Joint Nuclear Control Committee meetings, providing them with conveniences and writing down details of meetings, and other procedural matters shall be handled according to usage.
- (5) Other matters necessary for the operation of the Joint Nuclear Control Committee shall be discussed and decided by the two sides at the Joint Nuclear Control Committee.
4. The agreements on the Joint Nuclear Control Committee shall become effective from the day the two sides’ premiers sign those agreements. As the case may be, important documents that the two sides shall agree on shall become effective from the day the two sides’ premiers sign them and exchange their copies after completing ratification procedures.
5. This agreement can be amended and supplemented as the two sides agree.
6. This agreement will become effective from the day the two sides sign the documents and exchange their signed copies.

Agreed Framework Between the United States of America and the Democratic People’s Republic of Korea

[21 October 1994]

Delegations of the Governments of the United States of America (US) and the Democratic People’s Republic of Korea (DPRK) held talks in Geneva from September 23 to October 21, 1994, to negotiate an overall resolution of the nuclear issue on the Korean Peninsula.

Both sides reaffirmed the importance of attaining the objectives contained in the August 12, 1994 Agreed Statement between the US and the DPRK and upholding the principles of the June 11, 1993 Joint Statement of the US and the DPRK to achieve peace and security on a nuclear-free Korean peninsula. The US and the DPRK decided to take the following actions for the resolution of the nuclear issue.

I. Both sides will cooperate to replace the DPRK’s graphite-moderated reactors and related facilities with light-water reactor (LWR) power plants.

1) In accordance with the October 20, 1994 letter of assurance from the US President, the US will undertake to make arrangements for the provision to the DPRK of a LWR project with a total generating capacity of approximately 2,000 MW(e) by a target date of 2003.

- The US will organize under its leadership an international consortium to finance and supply the LWR project to be provided to the DPRK. The US representing the international consortium, will serve as the principal point of contact with the DPRK for the LWR project.
- The US, representing the consortium, will make best efforts to secure the conclusion of a supply contract with the DPRK within six months of the date of this Document for the provision of the LWR project. Contract talks will begin as soon as possible after the date of this Document.
- As necessary, the US and the DPRK will conclude a bilateral agreement for cooperation in the field of peaceful uses of nuclear energy.

2) In accordance with October 20, 1994 letter of assurance from the US President, the US, representing the consortium, will make arrangements to offset the energy foregone due to the freeze of the DPRK's graphite-moderated reactors and related facilities, pending completion of the first LWR Unit.

- Alternative energy will be provided in the form of heavy oil for heating and electricity production.
- Deliveries of heavy oil will begin within three months of the date of this Document, and will reach a rate of 500,000 tons annually, in accordance with an agreed schedule of deliveries.

3) Upon receipt of US assurances for the provision of LWRs and for arrangements for interim energy alternatives, the DPRK will freeze its graphite-moderated reactors and related facilities and will eventually dismantle these reactors and related facilities.

- The freeze on the DPRK's graphite-moderated reactors and related facilities will be fully implemented within one month of the date of this Document. During this one-month period, and throughout the freeze, the International Atomic Energy Agency (IAEA) will be allowed to monitor this freeze, and the DPRK will provide full cooperation to the IAEA for this purpose.
- Dismantlement of the DPRK's graphite-moderated reactors and related facilities will be completed when the LWR project is completed.
- The US and the DPRK will cooperate in finding a method to store safely the spent fuel from the 5 MW(e) experimental reactor during the construction of the LWR project, and to dispose of the fuel in safe manner that does not involve reprocessing in the DPRK.

4) As soon as possible after the date of this Document, US and DPRK experts will hold two sets of experts talks.

- At one set of talks, experts will discuss issues related to alternative energy and the replacement of the graphite-moderated reactor program with the LWR project.
- At the other set of talks, experts will discuss specific arrangements for spent fuel storage and ultimate disposition.

II. The two sides will move toward full normalization of political and economic relations.

1) Within three months of the date of this Document, both sides will reduce barriers to trade and investment, including restrictions on telecommunications services and financial transactions.

2) Each side will open a liaison office in the other's capital following resolution of consular and other technical issues through expert level discussions.

3) As progress is made on issues of concern to each side, the US and the DPRK will upgrade bilateral relations to the ambassadorial level.

III. Both sides will work together for peace and security on a nuclear-free Korean peninsula.

1) The US will provide formal assurances to the DPRK, against the threat or use of nuclear weapons by the US.

2) The DPRK will consistently take steps to implement the North-South Joint Declaration on the Denuclearization of the Korean Peninsula.

3) The DPRK will engage in North-South dialogue, as this Agreed Framework will help create an atmosphere that promotes such dialogue.

IV. Both sides will work together to strengthen the international nuclear non-proliferation regime.

1) The DPRK will remain a part to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) and will allow implementation of its safeguards agreement under the Treaty.

2) Upon conclusion of the supply contract for the provision of the LWR project, ad hoc and routine inspections will resume under the DPRK's safeguards agreement with the IAEA with respect to the facilities not subject to the freeze.

3) When a significant portion of the LWR project is completed, but before delivery of key nuclear components, the DPRK will come into full compliance with its safeguards agreement with the IAEA (INFCIRC/403), including taking all steps that may be deemed necessary by the IAEA, following consultations with the Agency with regard to verifying the accuracy and completeness of the DPRK's initial report on all nuclear material in the DPRK.

Report by The Director General on the Implementation of the NPT Safeguards Agreement Between the Agency and the Democratic People's Republic of Korea

[Resolution adopted by the IAEA Board of Governors,
6 January 2003, GOV/2003/3]

The Board of Governors,

(a) Recalling its resolutions GOV/2636, GOV/2639, GOV/2645, GOV/2692, GOV/2711 and GOV/2742 and General Conference resolutions GC(XXXVII)RES/624, GC(XXXVIII)RES/16, GC(39)RES/3, GC(40)RES/4, GC(41)RES/22, GC(42)RES/2, GC(43)RES/3, GC(44)RES/26, GC(45)RES/16 and GC(46)RES/14,

(b) Recalling also its resolution GOV/2002/60 of 29 November 2002, and noting that there has been no positive response by the DPRK to that resolution or to the efforts of the Director General pursuant to it,

(c) Noting that the Democratic People's Republic of Korea (DPRK) is a party to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) and reaffirming that the IAEA-DPRK safeguards agreement (INFCIRC/403) under the NPT remains binding and in force, and that both the IAEA and DPRK have an obligation to cooperate to facilitate the implementation of the safeguards provided for in that agreement;

(d) Noting with grave concern the report of the Director General on the Implementation of Safeguards in the DPRK (GOV/2002/62), particularly the statement that the Agency is at present unable to verify that there has been no diversion of nuclear material in the DPRK, and

(e) Having considered the report of the Director General at its meeting of 6 January 2003,

1. Takes note of the Director General's report and expresses support for the efforts of the Director General and the Secretariat to implement safeguards in the DPRK in accordance with the safeguards agreement;

2. Reiterates its previous calls to the DPRK to comply promptly and fully with its safeguards agreement, which remains binding and in force;

3. Stresses its desire for a peaceful resolution of this issue, including its support for efforts to promote through diplomatic means the denuclearization of the Korean Peninsula;

4. Deplores in the strongest terms the DPRK's unilateral acts to remove and impede the functioning of containment and surveillance equipment at its nuclear facilities and the nuclear material contained therein, including the expulsion of IAEA inspectors, which renders the Agency unable to verify, pursuant to its safeguards agreement with the DPRK, that there has been no diversion of nuclear material in the DPRK;

5. Considers that the DPRK's actions are of great non-proliferation concern and make the Agency unable at present to verify that all nuclear material in the DPRK is declared and submitted to Agency safeguards;

6. Calls upon the DPRK to co-operate urgently and fully with the Agency:

(i) by allowing the re-establishment of the required containment and surveillance measures at its nuclear facilities and the full implementation of all the required safeguards measures at all times including the return of IAEA inspectors;

(ii) by complying with the Board's resolution of 29 November 2002 (GOV/2002/60) and the Secretariat's letters seeking clarification of its reported uranium enrichment programme, as well as by giving up any nuclear weapons programme expeditiously and in a verifiable manner;

(iii) by enabling the Agency to verify that all nuclear material in the DPRK is declared and is subject to safeguards; and

(iv) by meeting immediately, as a first step, with IAEA officials;

7. Affirms that unless the DPRK takes all necessary steps to allow the Agency to implement all the required safeguards measures, the DPRK will be in further non-compliance with its safeguards agreement;

8. Requests the Director General to transmit the Board's resolution to the DPRK, to continue to pursue urgently all efforts with the aim of DPRK coming into full compliance with its safeguards obligations, and to report again to the Board of Governors as a matter of urgency; and

9. Decides to remain seized of the matter.

Statement by the DPRK on Withdrawal from the NPT

[Pyongyang, 10 January 2003, as reported by North Korean news agency KCNA (unofficial translation)]

The government of the Democratic People's Republic of Korea issued a statement today as regards the grave situation where the national sovereignty and the supreme interests of the state are most seriously threatened by the US vicious hostile policy towards the DPRK.

The full text of the statement reads: A dangerous situation where our nation's sovereignty and our state's security are being seriously violated is prevailing on the Korean Peninsula due to the US vicious hostile policy towards the DPRK.

The United States instigated the International Atomic Energy Agency (IAEA) to adopt another "resolution" against the DPRK on 6 January in the wake of a similar "resolution" made on 29 November, 2002.

Under its manipulation, the IAEA in those "resolutions" termed the DPRK "a criminal" and demanded it scrap what the US called a "nuclear programme" at once by a verifiable way in disregard of the nature of the nuclear issue, a product of the US hostile policy towards the DPRK, and its unique status in which it declared suspension of the effectuation of its withdrawal from the Nuclear Non-Proliferation Treaty (NPT).

Following the adoption of the latest "resolution", the IAEA director general issued an ultimatum that the agency would bring the matter to the UN Security Council to apply sanctions against the DPRK unless it implements the "resolution" in a few weeks.

This clearly proves that the IAEA still remains a servant and a spokesman for the US and the NPT is being used as a tool for implementing the US hostile policy towards the DPRK aimed to disarm it and destroy its system by force.

A particular mention should be made of the fact that the IAEA in the recent "resolution" kept mum about the US which has grossly violated the NPT and the DPRK-US agreed framework, but urged the DPRK, the victim, to unconditionally accept the US demand for disarmament and forfeit its right to self-defence, and the agency was praised by the US for "saying all what the US wanted to do." This glaringly reveals the falsehood and hypocrisy of the signboard of impartiality the IAEA put up.

The DPRK government vehemently rejects and denounces this "resolution" of the IAEA, considering it as a grave encroachment upon our country's sovereignty and the dignity of the nation.

It is none other than the US which wrecks peace and security on the Korean Peninsula and drives the situation there to an extremely dangerous phase.

After the appearance of the Bush administration, the United States listed the DPRK as part of an "axis of evil", adopting it as a national policy to oppose its system, and singled it out as a target of pre-emptive nuclear attack, openly declaring a nuclear war.

Systematically violating the DPRK-US Agreed Framework, the US brought up another "nuclear suspicion" and stopped the supply of heavy oil, reducing the AF to a dead document. It also answered the DPRK's sincere proposal for the conclusion of the DPRK-US non-aggression treaty and its patient efforts for negotiations with such threats as "blockade" and "military punishment" and with such an arrogant attitude as blustering that it may talk but negotiations are impossible.

The US went so far to instigate the IAEA to internationalize its moves to stifle the DPRK, putting its declaration of a war into practice. This has eliminated the last possibility of solving the nuclear issue of the Korean Peninsula in a peaceful and fair way.

It was due to such nuclear war moves of the US against the DPRK and the partiality of the IAEA that the DPRK was compelled to declare its withdrawal from the NPT in March 1993 when a touch-and-go situation was created on the Korean Peninsula.

As it has become clear once again that the US persistently seeks to stifle the DPRK at any cost and the IAEA is used as a tool for executing the US hostile policy towards the DPRK, we can no longer remain bound to the NPT, allowing the country's security and the dignity of our nation to be infringed upon.

Under the grave situation where our state's supreme interests are most seriously threatened, the DPRK government adopts the following decisions to protect the sovereignty of the country and the nation and their right to existence and dignity: firstly, the DPRK

government declares an automatic and immediate effectuation of its withdrawal from the NPT, on which "it unilaterally announced a moratorium as long as it deemed necessary" according to the 11 June, 1993, DPRK-US joint statement, now that the US has unilaterally abandoned its commitments to stop nuclear threat and renounce hostility towards the DPRK in line with the same statement.

Secondly, it declares that the DPRK withdrawing from the NPT is totally free from the binding force of the safeguards accord with the IAEA under its Article 3.

The withdrawal from the NPT is a legitimate self-defensive measure taken against the US moves to stifle the DPRK and the unreasonable behaviour of the IAEA following the US though we pull out of the NPT, we have no intention to produce nuclear weapons and our nuclear activities at this stage will be confined only to peaceful purposes such as the production of electricity.

If the US drops its hostile policy to stifle the DPRK and stops its nuclear threat to the DPRK, the DPRK may prove through a separate verification between the DPRK and the US that it does not make any nuclear weapon.

The United States and the IAEA will never evade their responsibilities for compelling the DPRK to withdraw from the NPT, by ignoring the DPRK's last efforts to seek a peaceful settlement of the nuclear issue through negotiations.

Report By The Director General on the Implementation of the Resolution Adopted by the Board on 6 January 2003 and of the Agreement Between the IAEA and the Democratic People's Republic of Korea for the Application of Safeguards in Connection with the Treaty on the Non-Proliferation of Nuclear Weapons

[GOV/2003/4, 22 January 2003]

1. In his report to the Board of Governors on the "Implementation of Safeguards in the Democratic People's Republic of Korea" (GOV/2002/62), the Director General provided information on the action by the Democratic People's Republic of Korea (DPRK), which involved expelling Agency inspectors and disabling containment and surveillance measures in facilities subject to the Agreement between the DPRK and the IAEA for the Application of Safeguards in Connection with the Treaty on the Non-Proliferation of Nuclear Weapons (NPT).^{1} Following its consideration of that report at its meeting of 6 January 2003, the Board adopted the resolution set out in document GOV/2003/3, which, inter alia, reiterated the Board's previous calls to the DPRK to comply promptly and fully with its NPT Safeguards Agreement, which remained binding and in force, and called upon the DPRK to co-operate urgently and fully by taking a number of steps, as detailed in operative paragraph 6 of the resolution. The Board affirmed that, unless the DPRK took all necessary steps to allow the Agency to implement all the required safeguards measures, the DPRK would be in further non-compliance with its NPT Safeguards Agreement. The Board requested the Director General to transmit the resolution to the DPRK, to continue to pursue urgently all efforts to bring the DPRK into full compliance with its safeguards obligations, and to report again to the Board as a matter of urgency.

2. As requested by the Board of Governors, the Director General transmitted the resolution to the DPRK on 6 January 2003, underlining the readiness of the Secretariat to undertake a dialogue with the DPRK Government.

3. In its response to the Director General dated 10 January 2003^{2}, the Government of the DPRK referred to the resolutions set out in documents GOV/2003/3 and GOV/2002/60^{3} as "unilateral and unjust". The DPRK referred to its 12 March 1993 notification of withdrawal from the NPT, and its "unilateral decision" reflected in the 11 June 1993 DPRK-US Joint Statement to "put a moratorium on the effectuation of its withdrawal from the NPT", and announced its Government's decision, taken on 10 January 2003, to "lift" that "moratorium", and to withdraw from the NPT with effect from 11 January 2003.

Status of the DPRK'S NPT Safeguards Agreement

4. On 12 December 1985, the DPRK acceded to the NPT.

Its NPT Safeguards Agreement entered into force on 10 April 1992. As provided for in Article 23 of that Safeguards Agreement, the application of safeguards under the earlier Agreement of 20 July 1977 between the DPRK and the IAEA for the Application of Safeguards in Respect of a Research Reactor Facility 4 was suspended while the NPT Safeguards Agreement is in force. As provided for in Article 26 of document INFCIRC/403, the NPT Safeguards Agreement is to remain in force as long as the DPRK remains a party to the NPT.

5. Article X(1) of the NPT provides that "Each Party shall in exercising its national sovereignty have the right to withdraw from the Treaty if it decides that extraordinary events, related to the subject matter of this Treaty, have jeopardized the supreme interests of its country. It shall give notice of such withdrawal to all other Parties to the Treaty and to the United Nations Security Council three months in advance. Such notice shall include a statement of the extraordinary events it regards as having jeopardized its supreme interests".

6. In its letter of 10 January 2003, the DPRK asserted that its withdrawal from the NPT would take effect one day later, indicating the DPRK's view that, having "suspended" its 12 March 1993 notification of withdrawal one day short of the three month period provided for in Article X(1) of the NPT, it needed only one day following its "lifting of that moratorium" for the withdrawal to become effective.

7. The interpretation of the NPT belongs to its States Parties. The Agency is not a party to that treaty. Notwithstanding, as the NPT Safeguards Agreement remains in force only while the DPRK is a party to the NPT, the status of the DPRK's adherence to the NPT is relevant to the Agency. In that context, reference is made to the fact that the NPT contains no provision for the 'suspension' of a notice of withdrawal from the NPT, and that Article 68 of the Vienna Convention on the Law of Treaties provides only for the revocation of an instrument or notification of withdrawal from a treaty. Thus, it may be concluded that the 11 June 1993 "moratorium on the effectuation of its withdrawal from the NPT" by the DPRK should be treated as a revocation of its notice of withdrawal, and that, to effect its withdrawal from the NPT, the DPRK would have to issue a new notice of withdrawal in compliance with the terms of Article X (1) of the NPT, giving three months' advance notice – not one day – to all other parties to the NPT and to the United Nations Security Council, and include a statement of the current extraordinary events it regards as having jeopardized its supreme interests. 4 Under this item-specific safeguards agreement, reproduced in INFCIRC/252, safeguards had been applied to two nuclear research facilities in Nyongbyon, the IRT research reactor and a critical assembly.

Implementation of Board Resolution Set Out in Document GOV/2003/3

8. In addition to transmitting the Board resolution of 6 January 2003 to the Government of the DPRK, the Director General and the Secretariat have engaged in determined efforts to bring about its implementation, and to achieve progress in bringing the DPRK to come into full compliance with its Safeguards Agreement.

9. The DPRK has shown no willingness to undertake the steps called for by the Board in the resolution set out in document GOV/2003/3. It has further exacerbated the situation by declaring, as noted above, that as of 11 January 2003 it is no longer a State Party to the NPT. Furthermore, the DPRK has declared in a statement dated 10 January 2003, reported by the Korean Central News Agency, that it is "totally free from the binding force of the safeguards accord with the IAEA" pursuant to the NPT.

10. The Secretariat remains unable to verify, in accordance with the NPT Safeguards Agreement, that there has been no diversion of nuclear material in the DPRK. Furthermore, the DPRK's actions and statements do not indicate readiness to enable the Agency to perform its safeguards responsibilities. In the view of the Director General, the DPRK's actions at this time constitute further non-compliance with the NPT Safeguards Agreement.

11. In connection with the mandate entrusted to him by the Board of Governors and in the short time available, the Director General has been in contact with many of the Member States most directly concerned, including through high-level meetings in Athens (Greece having the EU Presidency), Moscow, New York, Paris, and Washington, as well as with Resident Representatives in

Vienna. During his visit to Paris, the Director General also met the Minister for Foreign Affairs of Japan. The Director General understands that intensive efforts among concerned Member States are continuing to find ways and means to bring the DPRK into compliance with its safeguards obligations – efforts that include the visit of a Russian Deputy Foreign Minister to Pyongyang, Ministerial-level discussions between the DPRK and the Republic of Korea in Seoul, and informal meetings among the permanent members of the UN Security Council in New York. On 21 January 2003, the Director General received a letter from the Minister for Foreign Affairs of the Russian Federation, stating that "certain positive shifts... [were] taking place in the course of active diplomatic process" and emphasizing that "the delicate process of finding ways to resolve mutual concerns" should not be disturbed.

12. The Director General understands that consultations are ongoing about the timing of a further meeting of the Board of Governors to consider the matter.

{1} Reproduced in INFCIRC/403, referred to hereafter as the NPT Safeguards Agreement.

{2} Reproduced in GOV/INF/2003/3.

{3} Adopted by the Board of Governors on 29 November 2002.

Statement by the DPRK on Nuclear Test

[Pyongyang, 9 October 2006, as reported by North Korean news agency KCNA (unofficial translation)]

The following is the full text of the announcement carried on North Korea's official Korean Central News Agency as reported on the Reuters news agency:

"The field of scientific research in the DPRK (North Korea) successfully conducted an underground nuclear test under secure conditions on October 9, Juche 95 (2006) at a stirring time when all the people of the country are making a great leap forward in the building of a great, prosperous, powerful socialist nation.

"It has been confirmed that there was no such danger as radioactive emission in the course of the nuclear test as it was carried out under a scientific consideration and careful calculation.

"The nuclear test was conducted with indigenous wisdom and technology 100%. It marks a historic event as it greatly encouraged and pleased the KPA (Korean People's Army) and people that have wished to have powerful self-reliant defence capability.

"It will contribute to defending the peace and stability on the Korean peninsula and in the area around it."

UN Security Council Resolution 1718

[S/RES/1718 (2006), adopted 14 October 2006]

The Security Council,

Recalling its previous relevant resolutions, including resolution 825 (1993), resolution 1540 (2004) and, in particular, resolution 1695 (2006), as well as the statement of its President of 6 October 2006 (S/PRST/2006/41), Reaffirming that proliferation of nuclear, chemical and biological weapons, as well as their means of delivery, constitutes a threat to international peace and security,

Expressing the gravest concern at the claim by the Democratic People's Republic of Korea (DPRK) that it has conducted a test of a nuclear weapon on 9 October 2006, and at the challenge such a test constitutes to the Treaty on the Non-Proliferation of Nuclear Weapons and to international efforts aimed at strengthening the global regime of non-proliferation of nuclear weapons, and the danger it poses to peace and stability in the region and beyond,

Expressing its firm conviction that the international regime on the non-proliferation of nuclear weapons should be maintained and recalling that the DPRK cannot have the status of a nuclear-weapon state in accordance with the Treaty on the Non-Proliferation of Nuclear Weapons,

Deploing the DPRK's announcement of withdrawal from the Treaty on the Non-Proliferation of Nuclear Weapons and its pursuit of nuclear weapons,

Deploing further that the DPRK has refused to return to the Six-Party talks without precondition,

Endorsing the Joint Statement issued on 19 September 2005 by China, the DPRK, Japan, the Republic of Korea, the Russian Federation and the United States,

Underlining the importance that the DPRK respond to other security and humanitarian concerns of the international community,

Expressing profound concern that the test claimed by the DPRK has generated increased tension in the region and beyond, and determining therefore that there is a clear threat to international peace and security,

Acting under Chapter VII of the Charter of the United Nations, and taking measures under its Article 41,

1. *Condemns* the nuclear test proclaimed by the DPRK on 9 October 2006 in flagrant disregard of its relevant resolutions, in particular resolution 1695 (2006), as well as of the statement of its President of 6 October 2006 (S/PRST/2006/41), including that such a test would bring universal condemnation of the international community and would represent a clear threat to international peace and security;

2. *Demands* that the DPRK not conduct any further nuclear test or launch of a ballistic missile;

3. *Demands* that the DPRK immediately retract its announcement of withdrawal from the Treaty on the Non-Proliferation of Nuclear Weapons;

4. *Demands* further that the DPRK return to the Treaty on the Non-Proliferation of Nuclear Weapons and International Atomic Energy Agency (IAEA) safeguards, and underlines the need for all States Parties to the Treaty on the Non-Proliferation of Nuclear Weapons to continue to comply with their Treaty obligations;

5. *Decides* that the DPRK shall suspend all activities related to its ballistic missile programme and in this context re-establish its pre-existing commitments to a moratorium on missile launching;

6. *Decides* that the DPRK shall abandon all nuclear weapons and existing nuclear programmes in a complete, verifiable and irreversible manner, shall act strictly in accordance with the obligations applicable to parties under the Treaty on the Non-Proliferation of Nuclear Weapons and the terms and conditions of its International Atomic Energy Agency (IAEA) Safeguards Agreement (IAEA INFCIRC/403) and shall provide the IAEA transparency measures extending beyond these requirements, including such access to individuals, documentation, equipments and facilities as may be required and deemed necessary by the IAEA;

7. *Decides* also that the DPRK shall abandon all other existing weapons of mass destruction and ballistic missile programme in a complete, verifiable and irreversible manner;

8. *Decides* that:

(a) All Member States shall prevent the direct or indirect supply, sale or transfer to the DPRK, through their territories or by their nationals, or using their flag vessels or aircraft, and whether or not originating in their territories, of

(i) Any battle tanks, armoured combat vehicles, large calibre artillery systems, combat aircraft, attack helicopters, warships, missiles or missile systems as defined for the purpose of the United Nations Register on Conventional Arms, or related materiel including spare parts, or items as determined by the Security Council or the Committee established by paragraph 12 below (the Committee);

(ii) All items, materials, equipment, goods and technology as set out in the lists in documents S/2006/814 and S/2006/815, unless within 14 days of adoption of this resolution the Committee has amended or completed their provisions also taking into account the list in document S/2006/816, as well as other items, materials, equipment, goods and technology, determined by the S/RES/1718 (2006) Security Council or the Committee, which could contribute to DPRK's nuclear-related, ballistic missile-related or other weapons of mass destruction related programmes;

(iii) Luxury goods;

(b) The DPRK shall cease the export of all items covered in subparagraphs (a) (i) and (a) (ii) above and that all Member States

shall prohibit the procurement of such items from the DPRK by their nationals, or using their flagged vessels or aircraft, and whether or not originating in the territory of the DPRK;

(c) All Member States shall prevent any transfers to the DPRK by their nationals or from their territories, or from the DPRK by its nationals or from its territory, of technical training, advice, services or assistance related to the provision, manufacture, maintenance or use of the items in subparagraphs (a) (i) and (a) (ii) above;

(d) All Member States shall, in accordance with their respective legal processes, freeze immediately the funds, other financial assets and economic resources which are on their territories at the date of the adoption of this resolution or at any time thereafter, that are owned or controlled, directly or indirectly, by the persons or entities designated by the Committee or by the Security Council as being engaged in or providing support for, including through other illicit means, DPRK's nuclear-related, other weapons of mass destruction-related and ballistic missile related programmes, or by persons or entities acting on their behalf or at their direction, and ensure that any funds, financial assets or economic resources are prevented from being made available by their nationals or by any persons or entities within their territories, to or for the benefit of such persons or entities;

(e) All Member States shall take the necessary steps to prevent the entry into or transit through their territories of the persons designated by the Committee or by the Security Council as being responsible for, including through supporting or promoting, DPRK policies in relation to the DPRK's nuclear-related, ballistic missile-related and other weapons of mass destruction-related programmes, together with their family members, provided that nothing in this paragraph shall oblige a state to refuse its own nationals entry into its territory;

(f) In order to ensure compliance with the requirements of this paragraph, and thereby preventing illicit trafficking in nuclear, chemical or biological weapons, their means of delivery and related materials, all Member States are called upon to take, in accordance with their national authorities and legislation, and consistent with international law, cooperative action including through inspection of cargo to and from the DPRK, as necessary;

9. *Decides* that the provisions of paragraph 8 (d) above do not apply to financial or other assets or resources that have been determined by relevant States:

(a) To be necessary for basic expenses, including payment for foodstuffs, rent or mortgage, medicines and medical treatment, taxes, insurance premiums, and public utility charges, or exclusively for payment of reasonable professional fees and reimbursement of incurred expenses associated with the provision of legal services, or fees or service charges, in accordance with national laws, for routine holding or maintenance of frozen funds, other financial assets and economic resources, after notification by the relevant States to the Committee of the intention to authorize, where appropriate, access to such funds, other financial assets and economic resources and in the absence of a negative decision by the Committee within five working days of such notification;

(b) To be necessary for extraordinary expenses, provided that such determination has been notified by the relevant States to the Committee and has been approved by the Committee; or

(c) To be subject of a judicial, administrative or arbitral lien or judgement, in which case the funds, other financial assets and economic resources may be used to satisfy that lien or judgement provided that the lien or judgement was entered prior to the date of the present resolution, is not for the benefit of a person referred to in paragraph 8 (d) above or an individual or entity identified by the Security Council or the Committee, and has been notified by the relevant States to the Committee;

10. *Decides* that the measures imposed by paragraph 8 (e) above shall not apply where the Committee determines on a case-by-case basis that such travel is justified on the grounds of humanitarian need, including religious obligations, or where the Committee concludes that an exemption would otherwise further the objectives of the present resolution;

11. *Calls upon* all Member States to report to the Security Council within thirty days of the adoption of this resolution on the steps they

have taken with a view to implementing effectively the provisions of paragraph 8 above;

12. *Decides* to establish, in accordance with rule 28 of its provisional rules of procedure, a Committee of the Security Council consisting of all the members of the Council, to undertake the following tasks:

(a) To seek from all States, in particular those producing or possessing the items, materials, equipment, goods and technology referred to in paragraph 8 (a) above, information regarding the actions taken by them to implement effectively the measures imposed by paragraph 8 above of this resolution and whatever further information it may consider useful in this regard;

(b) To examine and take appropriate action on information regarding alleged violations of measures imposed by paragraph 8 of this resolution;

(c) To consider and decide upon requests for exemptions set out in paragraphs 9 and 10 above;

(d) To determine additional items, materials, equipment, goods and technology to be specified for the purpose of paragraphs 8 (a) (i) and 8 (a) (ii) above;

(e) To designate additional individuals and entities subject to the measures imposed by paragraphs 8 (d) and 8 (e) above;

(f) To promulgate guidelines as may be necessary to facilitate the implementation of the measures imposed by this resolution;

(g) To report at least every 90 days to the Security Council on its work, with its observations and recommendations, in particular on ways to strengthen the effectiveness of the measures imposed by paragraph 8 above;

13. *Welcomes and encourages further* the efforts by all States concerned to intensify their diplomatic efforts, to refrain from any actions that might aggravate tension and to facilitate the early resumption of the Six-Party Talks, with a view to the expeditious implementation of the Joint Statement issued on 19 September 2005 by China, the DPRK, Japan, the Republic of Korea, the Russian Federation and the United States, to achieve the verifiable denuclearization of the Korean Peninsula and to maintain peace and stability on the Korean Peninsula and in north-east Asia;

14. *Calls upon* the DPRK to return immediately to the Six-Party Talks without precondition and to work towards the expeditious implementation of the Joint Statement issued on 19 September 2005 by China, the DPRK, Japan, the Republic of Korea, the Russian Federation and the United States;

15. *Affirms* that it shall keep DPRK's actions under continuous review and that it shall be prepared to review the appropriateness of the measures contained in paragraph 8 above, including the strengthening, modification, suspension or lifting of the measures, as may be needed at that time in light of the DPRK's compliance with the provisions of the resolution;

16. *Underlines* that further decisions will be required, should additional measures be necessary;

17. *Decides* to remain actively seized of the matter.

Text of the Joint Agreement on North Korea's Nuclear Disarmament (from the Third Session of the Fifth Round of the Six-Party Talks)

[Beijing, 13 February 2007]

The Third Session of the Fifth Round of the Six-Party Talks was held in Beijing among the People's Republic of China, the Democratic People's Republic of Korea, Japan, the Republic of Korea, the Russian Federation and the United States of America from 8 to 13 February 2007.

Mr. Wu Dawei, Vice Minister of Foreign Affairs of the PRC, Mr. Kim Gye Gwan, Vice Minister of Foreign Affairs of the DPRK; Mr. Kenichiro Sasae, Director-General for Asian and Oceanian Affairs, Ministry of Foreign Affairs of Japan; Mr. Chun Yung-woo, Special Representative for Korean Peninsula Peace and Security Affairs of the ROK Ministry of Foreign Affairs and Trade; Mr. Alexander

Losyukov, Deputy Minister of Foreign Affairs of the Russian Federation; and Mr. Christopher Hill, Assistant Secretary for East Asian and Pacific Affairs of the Department of State of the United States attended the talks as heads of their respective delegations.

Vice Foreign Minister Wu Dawei chaired the talks.

I. The Parties held serious and productive discussions on the actions each party will take in the initial phase for the implementation of the Joint Statement of 19 September 2005. The Parties reaffirmed their common goal and will to achieve early denuclearization of the Korean Peninsula in a peaceful manner and reiterated that they would earnestly fulfill their commitments in the Joint Statement. The Parties agreed to take coordinated steps to implement the Joint Statement in a phased manner in line with the principle of "action for action".

II. The Parties agreed to take the following actions in parallel in the initial phase:

1. The DPRK will shut down and seal for the purpose of eventual abandonment the Yongbyon nuclear facility, including the reprocessing facility and invite back IAEA personnel to conduct all necessary monitoring and verifications as agreed between IAEA and the DPRK.

2. The DPRK will discuss with other parties a list of all its nuclear programs as described in the Joint Statement, including plutonium extracted from used fuel rods, that would be abandoned pursuant to the Joint Statement.

3. The DPRK and the US will start bilateral talks aimed at resolving pending bilateral issues and moving toward full diplomatic relations. The US will begin the process of removing the designation of the DPRK as a state-sponsor of terrorism and advance the process of terminating the application of the Trading with the Enemy Act with respect to the DPRK.

4. The DPRK and Japan will start bilateral talks aimed at taking steps to normalize their relations in accordance with the Pyongyang Declaration, on the basis of the settlement of unfortunate past and the outstanding issues of concern.

5. Recalling Section 1 and 3 of the Joint Statement of 19 September 2005, the Parties agreed to cooperate in economic, energy and humanitarian assistance to the DPRK. In this regard, the Parties agreed to the provision of emergency energy assistance to the DPRK in the initial phase. The initial shipment of emergency energy assistance equivalent to 50,000 tons of heavy fuel oil (HFO) will commence within next 60 days.

The Parties agreed that the above-mentioned initial actions will be implemented within next 60 days and that they will take coordinated steps toward this goal.

III. The Parties agreed on the establishment of the following Working Groups (WG) in order to carry out the initial actions and for the purpose of full implementation of the Joint Statement:

1. Denuclearization of the Korean Peninsula
2. Normalization of DPRK-US relations
3. Normalization of DPRK-Japan relations
4. Economy and Energy Cooperation
5. Northeast Asia Peace and Security Mechanism

The WGs will discuss and formulate specific plans for the implementation of the Joint Statement in their respective areas. The WGs shall report to the Six-Party Heads of Delegation Meeting on the progress of their work. In principle, progress in one WG shall not affect progress in other WGs. Plans made by the five WGs will be implemented as a whole in a coordinated manner.

The Parties agreed that all WGs will meet within next 30 days.

IV. During the period of the Initial Actions phase and the next phase – which includes provision by the DPRK of a complete declaration of all nuclear programs and disablement of all existing nuclear facilities, including graphite-moderated reactors and reprocessing plant – economic, energy and humanitarian assistance up to the equivalent of 1 million tons of heavy fuel oil (HFO), including the initial shipment equivalent to 50,000 tons of HFO, will be provided to the DPRK.

The detailed modalities of the said assistance will be determined through consultations and appropriate assessments in the Working

Group on Economic and Energy Cooperation.

V. Once the initial actions are implemented, the Six Parties will promptly hold a ministerial meeting to confirm implementation of the Joint Statement and explore ways and means for promoting security cooperation in Northeast Asia.

VI. The Parties reaffirmed that they will take positive steps to increase mutual trust, and will make joint efforts for lasting peace and stability in Northeast Asia. The directly related parties will negotiate a permanent peace regime on the Korean Peninsula at an appropriate separate forum.

VII. The Parties agreed to hold the Sixth Round of the Six-Party Talks on 19 March 2007 to hear reports of WGs and discuss on actions for the next phase.

Statement on the Implementation of Safeguards in the Democratic People's Republic of Korea by the IAEA Director General Mohamed ElBaradei

[Excerpts reproduced from the Introductory Statement to the Board of Governors; Vienna, 5 March 2007]

(Eds.)[...]

On 23 February I received an invitation from the Democratic People's Republic of Korea (DPRK) to visit the DPRK to "develop the relations between the DPRK and the Agency, as well as to discuss problems of mutual concerns". I have also been notified by China, in its capacity as Chairman of the Six-Party Talks, of the "initial actions for the implementation of the joint statement" adopted in Beijing on 13 February. These actions envisioned, inter alia, the DPRK shutting down and sealing, for the purposes of eventual abandonment, its Yongbyon nuclear facility, including the reprocessing facility. It also envisioned the return of IAEA personnel to conduct all necessary monitoring and verification as agreed by the IAEA and the DPRK. I welcome the Beijing agreement, and the invitation to visit the DPRK, as positive steps towards the denuclearization of the Korean Peninsula, and towards the normalization of the DPRK's relationship with the Agency. I will report to the Board on developments and any required action.

[...] (eds.)

Implementation of Safeguards in the Democratic People's Republic of Korea, by the IAEA Director General Mohamed ElBaradei

[Excerpt reproduced from the Introductory Statement to the Board of Governors, Vienna, 11 June 2007]

[...] (eds.)

At the March Board meeting, I reported that I had received an invitation from the Democratic People's Republic of Korea (DPRK) to visit the DPRK to "develop the relations between the DPRK and the Agency, as well as to discuss problems of mutual concerns". I also reported at the time that China, in its capacity as Chairman of the Six-Party Talks, had notified the Secretariat of the "initial actions for the implementation of the joint statement" adopted in Beijing on 13 February. These actions provide for, inter alia, the DPRK shutting down and sealing, for the purposes of eventual abandonment, its Yongbyon nuclear facility, including the reprocessing facility - as well as the return of IAEA personnel to conduct the necessary monitoring and verification as agreed by the IAEA and the DPRK.

Later in March, I visited the DPRK. Discussions with DPRK officials were forward looking. They were focused on the potential for re-establishing the relationship between the DPRK and the Agency. We remain ready to begin work with the DPRK as soon as we are notified of their readiness to do so.

[...] (eds.)

Excerpts from Introductory Statement by the Director General Mohamed ElBaradei to the IAEA Board of Governors

[Vienna, 9 July 2007]

As you are aware, at the invitation of the Democratic People's Republic of Korea (DPRK), an Agency team visited the DPRK during the last week of June with a view to agreeing on modalities for verification and monitoring by the IAEA of the shutdown and sealing of the Yongbyon nuclear facility, as foreseen in the "Initial Actions" agreed at the Six Party Talks in Beijing on 13 February 2007.

Document GOV/2007/36 details the ad hoc monitoring and verification arrangement that was worked out between the DPRK and the Agency.

I welcome the return of the DPRK to the verification process. I am particularly pleased with the active cooperation of the DPRK that the IAEA team received during the visit and I look forward to continuing to work with the DPRK as the verification process evolves as envisaged in the Initial Actions.

You may recall that the Board concluded in June that, "a successfully negotiated settlement of the Korean nuclear issue, maintaining the essential verification role of the Agency, would be a significant accomplishment for international peace and security". In this context, I would invite the Board to take the actions recommended in document GOV/2007/36.

[...] (eds.)

The DPRK case clearly illustrates the need for the Agency to have an adequate reserve that can be drawn upon to enable it to respond promptly and effectively to unexpected crises or extraordinary requests, whether in the areas of verification, nuclear and radiological accidents, or other emergencies.

[...] (eds.)

Application of Safeguards in the Democratic People's Republic of Korea (DPRK)

[Report by the Director General, GOV/2007/45-GC(51)/19, 17 August 2007]

[Editorial note: footnote not included]

A. Introduction

1. In his report to the 50th regular session of the General Conference (GC(50)/15) on 14 August 2006, the Director General stated, inter alia, that "since 31 December 2002, when on-site monitoring activities were terminated at the request of the DPRK, the Agency had been unable to draw any conclusions regarding the DPRK's nuclear activities".

2. Having considered the Director General's report, the General Conference adopted resolution GC(50)/RES/15, on 22 September 2006, in which it inter alia strongly urged the DPRK to return immediately to the Six-Party Talks without precondition and to work towards the expeditious implementation of the Joint Statement issued 19 September 2005, and in particular to implement fully its commitment to abandon all nuclear weapons and existing nuclear programmes, as a step towards the goal of the verifiable denuclearisation of the Korean Peninsula; called upon the DPRK to cooperate promptly with the Agency in the full and effective implementation of IAEA safeguards and to resolve any outstanding issues that may have arisen due to the long absence of safeguards; called upon the DPRK to comply fully with the Treaty on the Non-Proliferation of Nuclear Weapons; and stressed the essential verification role of the Agency. The General Conference also decided to include in the agenda for its fifty-first regular session an item entitled "*Implementation of the NPT safeguards agreement between the Agency and the Democratic People's Republic of Korea*".

3. The announcement by the DPRK on 9 October 2006 that it had conducted a nuclear test was discussed at the November 2006 meeting of the Board of Governors.

4. On 23 February 2007, the Director General received an

invitation from the DPRK to visit the DPRK to "develop the relations between the DPRK and the Agency, as well as to discuss problems of mutual concerns". The Director General visited the DPRK on 13-14 March 2007 and reported to the Board of Governors in June 2007 that his discussions with DPRK officials were forward looking, and had focused on the potential for re-establishing the relationship between the DPRK and the Agency, and that the Agency remained ready to begin work with the DPRK on monitoring and verification of the shutdown and sealing of the Yongbyon nuclear facility, as foreseen in the Initial Actions for the Implementation of the Six Party Joint Statement on the Korean Peninsula Nuclear Issue agreed at the Six-Party Talks in Beijing on 13 February 2007.

5. On 3 July 2007, the Director General submitted to the Board of Governors a report on monitoring and verification in the DPRK (GOV/2007/36), in which he informed the Board of the results of a visit to the DPRK by an Agency team on 26-29 June 2007, and of the ad hoc arrangement for monitoring and verification as agreed between the Agency and the DPRK and foreseen in the Initial Actions agreed at the Six-Party Talks. On 9 July 2007, the Board of Governors authorized the Director General, subject to the availability of funds, to implement the ad hoc arrangement.

6. The current report, which is being submitted to the Board of Governors and the General Conference, covers developments since the fiftieth regular session of the General Conference regarding the application of safeguards in the DPRK and the developments since the Board of Governors authorized the implementation of the ad hoc arrangement.

B. Application of Safeguards in the DPRK

7. The Director General noted, most recently in his June 2007 statement to the Board of Governors, that the Agency had not performed any verification activities in the DPRK since December 2002, and had been unable to draw any conclusions regarding the DPRK's nuclear activities.

8. On 14 July 2007 an Agency team arrived at Yongbyon to implement the ad hoc monitoring and verification arrangement. On 17 July 2007 the Agency stated, following initial verification, that the DPRK has shut down the following installations at the Yongbyon nuclear facility: the Nuclear Fuel Fabrication Plant; the Radiochemical Laboratory (the reprocessing plant); the 5 MW(e) Experimental Nuclear Power Plant; and the 50 MW(e) Nuclear Power Plant all of which are located in Yongbyon; as well as the 200 MW(e) Nuclear Power Plant in Taechon.

9. Since 17 July 2007, the Agency has continued to monitor and verify the shut down status of the above mentioned installations and has implemented, with the cooperation of the DPRK, appropriate monitoring and verification measures as follows:

[Eds...]

C. Conclusion

10. The Agency has verified the shutdown status of the Yongbyon nuclear facility and is continuing to implement the ad hoc monitoring and verification arrangement with the cooperation of the DPRK.

Comments Made on the Six-Party Talks as Part of a Statement by the Director General Mohamed ElBaradei to the IAEA Board of Governors

[22 November 2007]

Implementation of Safeguards in the DPRK

At the request of the Democratic People's Republic of Korea (DPRK), the Agency has been verifying and monitoring the shutdown and sealing of the Yongbyon nuclear facilities since 18 July 2007. More recently, work has been proceeding on the disablement of some of the Yongbyon nuclear facilities under Six-Party arrangements without the Agency's involvement.

I would recall that the Six-Party Joint Statement of 19 September 2005 envisions the DPRK "returning, at an early date, to the Treaty on the Non-Proliferation of Nuclear Weapons and to IAEA safeguards". Under the NPT, the IAEA has the responsibility to verify that all nuclear material in a State Party is declared to the

Agency and is under safeguards. We stand ready to assume this or any other verification role as and when requested.

Statement by the Chair Mr Wu Dawei, head of the Chinese Delegation to the Six Party Talks

[26 June 2008]

On the afternoon of 26th June, 2008, Mr. Wu Dawei, head of the Chinese delegation to the Six-Party Talks and Vice Foreign Minister, released the Statement by the Chair of the Six-Party Talks. The full text is as follows:

The Six-Party Talks Has Made Positive Progress

The Six-Party Talks has made positive progress in the second-phase actions for the implementation of the Joint Statement thanks to the concerted efforts by all the Parties.

In the spirit of the October 3, 2007 Six Party agreement, on June 26, 2008, the DPRK will submit its nuclear declaration to the Chair of the Six-Party Talks, and the United States will implement its obligations to remove the designation of the DPRK as a state sponsor of terrorism and to terminate application of the Trading with the Enemy Act.

The Parties agreed that the declaration will be subject to verification and there is agreement within the Parties on a set of principles to guide the establishment of a verification regime.

The Parties agreed to establish a Monitoring Mechanism to cover all parties' obligations in the Six-Party Talks, including nonproliferation and economic and energy assistance.

The Parties reaffirm the September 19, 2005 Joint Statement goal to realize verifiable denuclearization of the Korean Peninsula.

We believe that the above-mentioned developments will be conducive to implementing the second-phase actions in a comprehensive and balanced manner, and the final realization of all the goals in the September 19, 2005 Joint Statement.

Mr. Choe Jin Su, the DPRK Ambassador to China, submitted the nuclear declaration to Mr. Wu Dawei on the same day.

Available at the website of the Consulate of the People's Republic of China in San Francisco:

<http://www.chinaconsulatesf.org/eng/xw/t451491.htm>

Press Release by Ministry of Foreign Affairs of the Russian Federation on Denuclearization of Korean Peninsula

[28 June 2008]

Russia notes with satisfaction the weighty progress achieved over the last few days in the framework of international efforts aimed at denuclearizing the Korean Peninsula.

We welcome the presentation by the North Korean side to the Chinese chair of the six-party talks to resolve the Korean Peninsula nuclear problem (KPNP) of a declaration of its nuclear activities as well as the demolition of the cooling tower at its Yongbyon nuclear reactor, which means that this facility is put out of action.

The Russian side has highly assessed the reciprocal decision of the US administration to start the procedure for de-listing the DPRK from its list of state sponsors of terrorism and for lifting Trading with Enemy Act restrictions on that country.

These steps are being carried out in accordance with the measures agreed upon by the participants in the talks to implement the Joint Statement of September 19, 2005 and signify real progress of the six-party process on the KPNP.

The Russian Federation reaffirms the readiness to continue its active participation in the six-party talks, including holding a meeting of the heads of the delegations soon with a view to achieving a complete denuclearization of the Korean Peninsula.

North Korea Foreign Ministry Statement on the Disablement of Yongbyon

[4 July 2008]

Pyongyang, July 4 (KCNA) – A spokesman for the DPRK Foreign Ministry released the following statement Friday as regards the implementation of the October 3 agreement adopted by the six-party talks:

The October 3 agreement has entered a new phase in its implementation thanks to the DPRK's sincere efforts.

The disablement of the nuclear facilities in the DPRK has been done more than 80 percent as of now and it implemented the agreed point that calls for presenting an accurate and complete nuclear declaration.

The DPRK took the measure of completely blowing up the cooling tower of the pilot atomic power plant, in particular, going beyond the phase of disablement.

This constitutes a step taken out of good will, a proof of the DPRK's will for the denuclearization, as it means that it has taken in advance the action to be done at the phase following the dismantlement of the nuclear facilities.

The other participating parties of the six-way talks should join the DPRK in its efforts by honestly fulfilling their commitments.

The U.S. published the measure for political compensation according to the October 3 agreement, but the measure for taking the DPRK off the list of "state sponsors of terrorism" has not yet taken effect due to its procedural factor and the measure for putting an end to applying the "Trading with the Enemy Act" against the DPRK has not been implemented to the full in the light of its substance, though the U.S. claims it came into force.

The commitments of the five parties to make economic compensation have been fulfilled just 40 per cent as of now.

A party whose chief delegate had seconded the above-said agreement by raising his hand at the six-party talks is refusing to participate in the undertaking to implement it, but it is still connived at.

The DPRK is ready to cooperate in verifying the nuclear declaration but is maintaining the basic principle that the principle of "action for action" should be observed.

By origin, the denuclearization of the whole Korean Peninsula in line with the September 19 joint statement presupposes its verification. The fulfillment of the commitments by all participating parties including the U.S. should be verified without exception.

Only when all the participating countries accurately wind up the fulfillment of their commitments, is it possible to see the full implementation of the October 3 agreement and only then can the discussion of the issues at the next phase make smooth progress.

This is the basic requirement of the principle of "action for action" and the consistent stand of the DPRK.

Press Communiqué of the Heads of Delegation Meeting of the Sixth Round of the Six-Party Talks

[Beijing, 12 July 2008]

The Heads of Delegation Meeting of the Sixth Round of the Six-Party Talks was held in Beijing among the People's Republic of China, the Democratic People's Republic of Korea, Japan, the Republic of Korea, the Russian Federation and the United States of America from 10 to 12 July 2008.

Mr. Wu Dawei, Vice Minister of Foreign Affairs of the PRC; Mr. Kim Gye Gwan, Vice Minister of Foreign Affairs of the DPRK; Mr. Saiki Akitaka, Director-General for Asian and Oceanian Affairs, Ministry of Foreign Affairs of Japan; Mr. Kim Sook, Special Representative for Korean Peninsula Peace and Security Affairs of the ROK Ministry of Foreign Affairs and Trade; Mr. Alexei Borodavkin, Deputy Minister of Foreign Affairs of the Russian Federation; and Mr. Christopher R. Hill, Assistant Secretary for East Asian and Pacific Affairs of the State Department of the United States

attended the talks as heads of their respective delegations.

Vice Foreign Minister Wu Dawei chaired the meeting.

The Parties spoke highly of the positive progress made in the second-phase actions for the implementation of the Joint Statement and agreed unanimously that the progress contributes to peace and stability in Northeast Asia. The Parties reached important consensus on the full and balanced implementation of the second-phase actions.

1. In accordance with the Joint Statement of the Six-Party Talks adopted on 19 September 2005, the six parties agreed to establish a verification mechanism within the Six-Party Talks framework to verify the denuclearization of the Korean Peninsula.

The verification mechanism consists of experts of the six parties and is responsible to the Working Group on Denuclearization of the Korean Peninsula.

The verification measures of the verification mechanism include visits to facilities, review of documents, interviews with technical personnel and other measures unanimously agreed upon among the six parties.

When necessary, the verification mechanism can welcome the International Atomic Energy Agency (IAEA) to provide consultancy and assistance for relevant verification.

The specific plans and implementation of the verification will be decided by the Working Group on Denuclearization of the Korean Peninsula in line with the principle of consensus.

2. The six parties agreed to establish a monitoring mechanism within the Six-Party Talks framework.

The monitoring mechanism consists of the heads of delegation of the six parties.

The mission of the monitoring mechanism is to ensure that all parties honor and fulfill their respective commitments made within the Six-Party Talks framework, including non-proliferation and economic and energy assistance to the DPRK.

The monitoring mechanism will carry out its responsibilities in ways considered effective by the six parties.

The heads of delegation of the six parties can authorize appropriate officials to carry out their responsibilities.

3. The Parties formulated a timetable for economic and energy assistance along with disablement of the Yongbyon nuclear facilities.

Disablement of the Yongbyon nuclear facilities by the DPRK and the remaining heavy fuel oil (HFO) and non-HFO assistance to the DPRK by other parties will be fully implemented in parallel.

All parties will work to complete their HFO and non-HFO assistance to the DPRK by the end of October 2008.

The United States and Russia will work to complete the provision of their remaining share of HFO assistance to the DPRK by the end of October 2008.

China and the ROK will work to sign with the DPRK binding agreements for the provision of their remaining share of non-HFO assistance by the end of August 2008.

Japan expressed its willingness to take part in the economic and energy assistance to the DPRK as soon as possible when the environment is in place.

The DPRK will work to complete the disablement of the Yongbyon nuclear facilities by the end of October 2008.

4. The Parties agreed to continue with their discussions on the "Guiding Principles of Peace and Security in Northeast Asia".

5. The Parties reiterated that the Six-Party Ministerial Meeting will be held in Beijing at an appropriate time.

6. The Parties had a preliminary exchange of views on the third-phase actions for the implementation of the Joint Statement of 19 September 2005. The Parties agreed to continue to advance the Six-Party Talks process in a comprehensive manner and work together for lasting peace and stability in Northeast Asia.

Informal Meeting of Foreign Ministers from States Participants in Six-Party Talks on Korean Peninsula Nuclear Problem

[Press Release by Ministry of Foreign Affairs of the Russian Federation, 24 July 2008]

Foreign ministers from the nations participating in six-party talks to

settle the Korean Peninsula nuclear problem met informally on July 23 in Singapore on the margins of the ASEAN events and ASEAN Regional Forum (ARF). Those meeting were: Russian Foreign Minister Sergey Lavrov, PRC Foreign Minister Yang Jiechi, DPRK Foreign Minister Pak Ui-chun, South Korean Foreign and Trade Minister Yu Myung-hwan, US Secretary of State Condoleezza Rice, and Japanese Foreign Minister Masahiko Komura.

The heads of the foreign affairs agencies positively assessed recent progress in the endeavor and reiterated their commitment to the talks' ultimate aim for a verifiable non-nuclear status of the Korean Peninsula. Much attention was paid to the necessity of crafting effective procedures to verify the recently submitted DPRK declaration on its nuclear programs. Overall backing was given to Russia's approach calling for the full use of IAEA potential in the verification process.

Russia, China, the United States and South Korea reiterated their pledges of compensation deliveries of fuel oil and power equipment to the DPRK in parallel with North Korea's measures to disable its Yongbyon nuclear reactor.

The Russian proposal to intensify work as part of the six-party talks on the elaboration of the Draft Guiding Principles on Northeast Asia Peace and Security, with an eye for the subsequent creation of a relevant multilateral mechanism, received an overall positive response.

The ministers pointed to the need to step up the six-party process and expressed readiness to hold in Beijing their official meeting, the date for which will be arranged later on.

U.S.-North Korea Understandings on Verification, Fact Sheet Office of the Spokesman, State Department, Washington, DC

[11 October 2008]

- The participants in the Six-Party Talks have for some time been discussing the importance of verification measures that will allow the Parties to reliably verify North Korea's denuclearization as the process moves forward.
- The Six-Party Heads of Delegation met in July to discuss verification measures, and draft papers were exchanged among the Parties.
- On July 12, China, the Chair of the Six-Party Talks, released a Press Communiqué stating that verification measures would include visits to facilities, review of documents, and interviews with technical personnel as well as other measures unanimously agreed among the Six Parties.
- Upon the invitation of the North Korean government, a U.S. negotiating team on behalf of the Six Parties visited Pyongyang from October 1 - 3 for intensive talks on verification measures.
- Based upon these discussions, U.S. and North Korean negotiators agreed on a number of important verification measures, including:
 - Agreement that experts from all Six Parties may participate in verification activities, including experts from non-nuclear states;
 - Agreement that the IAEA will have an important consultative and support role in verification
 - Agreement that experts will have access to all declared facilities and, based on mutual consent, to undeclared sites;
 - Agreement on the use of scientific procedures, including sampling and forensic activities; and
 - Agreement that all measures contained in the Verification Protocol will apply to the plutonium-based program and any uranium enrichment and proliferation activities. In addition, the Monitoring Mechanism already agreed by the Six Parties to monitor compliance with Six-Party documents applies to proliferation and uranium

enrichment activities.

- The U.S.-DPRK agreement on these verification measures has been codified in a joint document between the United States and North Korea and certain other understandings, and has been reaffirmed through intensive consultations. The agreement and associated understandings have been conveyed to the other parties.
- These measures will serve as the baseline for a Verification Protocol to be finalized and adopted by the Six Parties in the near future.
- Verification of the North Korea declaration submitted on June 26 has already begun with review of the over 18,000 pages of operating records from Yongbyon that North Korea provided on May 8.

DPRK Grants IAEA Access to Yongbyon Facilities

[IAEA Press Releases, 13 October 2008]

Following is a statement to the media by IAEA Spokesperson Melissa Fleming on the situation in the DPRK:

The Democratic People's Republic of Korea today granted the Agency access to the 5 Megawatt Experimental Nuclear Power Plant, the Nuclear Fuel Fabrication Plant and the reprocessing facility at Yongbyon. As you will recall, the DPRK informed the IAEA on 9 October that its access to these facilities would no longer be permitted.

The Agency inspectors were also informed today that, as of tomorrow, 14 October, core discharge activities at the reactor would be resumed, monitored by Agency inspectors.

Agency inspectors will also now be permitted to re-apply the containment and surveillance measures at the reprocessing facility.

The Agency has not yet been briefed on the details of the verification measures agreed to by the U.S. and the DPRK as a baseline for a Verification Protocol. We assume that we will be fully briefed once all the Six Parties have met to consider it.

Naturally, any additional verification role envisaged for the Agency under the Verification Protocol that goes beyond the IAEA's present ad hoc monitoring and verification arrangement with the DPRK will require Board authorization.

Russian MFA Information and Press Department Commentary Regarding the DPRK's Resumption of Disablement of the Yongbyon Nuclear Facilities

[14 October 2008]

We note with satisfaction that positive dynamics have emerged in solving the Korean Peninsula nuclear problem. The United States and the DPRK continued fulfilling their obligations as part of the second stage of the peninsula's denuclearization in accordance with the "action for action" principle – the United States completed the procedure of removing the DPRK from its list of state sponsors of terrorism, and the DPRK resumed work to disable the nuclear facilities at Yongbyon.

Russia as an active and responsible participant in the talks on the Korean Peninsula nuclear problem strictly adheres to the accords reached within the six-party process. Continuing to pursue this line in the future as well, the Russian side calls on the other states participating in the talks to work consistently on the implementation of the provisions of the Joint Declaration of September 19, 2005 and expresses its readiness to closely cooperate with the partners to achieve the verifiable denuclearization of the Korean Peninsula.

Chairman's Statement of the Six-Party Talks

[11 December 2008]

The Heads of Delegation of the Six-Party Talks held a meeting in Beijing from 8 to 11 December 2008. Mr. Kim Gye Gwan, Vice Minister of Foreign Affairs of the DPRK; Mr. Saiki Akitaka, Director-

General for Asian and Oceanian Affairs, Ministry of Foreign Affairs of Japan; Mr. Kim Sook, Special Representative for Korean Peninsula Peace and Security Affairs of the ROK Ministry of Foreign Affairs and Trade; Mr. Alexei Borodavkin, Deputy Minister of Foreign Affairs of the Russian Federation and Mr. Christopher R. Hill, Assistant Secretary for East Asian and Pacific Affairs of the State Department of the United States attended the talks as heads of their respective delegation. Mr. Wu Dawei, Vice Minister of Foreign Affairs of China, chaired the meeting.

There were three items on the agenda as agreed by the Parties: 1. Full implementation of the second-phase actions. 2. Verification of the denuclearization of the Korean Peninsula. 3. Guiding principles on peace and security in Northeast Asia. The Parties conducted serious, candid, in-depth and constructive discussions on these topics.

The Parties gave full recognition to the positive progress made in implementing the second-phase actions of the September 19 Joint Statement: disablement of the relevant DPRK Yongbyon nuclear facilities; the DPRK's declaration on nuclear facilities and programs; and economic and energy assistance. The Parties spoke highly of the active efforts made by all parties in this regard.

The Parties agreed, as described in the October 3 Second Phase Agreement, to complete in parallel the disablement of the Yongbyon nuclear facilities and the provision of economic and energy assistance equivalent to one million tons of heavy fuel oil by the other parties. The Parties would welcome the participation of the international community in providing assistance to the DPRK. The ROK, as the chair, would convene a meeting of the Working Group on the Economy and Energy Cooperation at an appropriate time to coordinate the relevant issues concerning assistance to the DPRK.

The Parties reaffirmed the September 19 Joint Statement goal of the verifiable denuclearization of the Korean Peninsula. The Parties evaluated the progress made towards agreement on terms for verification. The Parties would welcome assistance and consultancy from the IAEA in the course of verification.

The Russian Federation distributed the revised draft of Guiding Principles on Peace and Security in Northeast Asia. It was discussed by the Parties and received generally positive reaction. Parties agreed that a meeting of relevant Working Group under the Russian Chairmanship will be held in Moscow in February 2009 for further consideration of the above mentioned draft.

The Parties encouraged sincere efforts by the DPRK and the US as well as the DPRK and Japan toward resolving the issues of concern and normalizing their relations.

The Parties unanimously agreed to advance the Six-Party Talks process and make contributions to peace and stability in Northeast Asia and the world.

The Parties agreed to hold the next Six-Party Talks meeting at an early date.

DPRK Foreign Ministry's Spokesman Dismisses U.S. Wrong Assertion

[Pyongyang, 13 January 2009, (KCNA)]

Wrong views and assertions were floated in the United States recently to create the impression that the denuclearization of the Korean Peninsula is the issue to be settled only when the DPRK shows nuclear weapons.

A spokesman for the DPRK Ministry of Foreign Affairs Tuesday issued a statement turning down this assertion intended to mislead the public opinion.

The statement recalled that at the six party talks held on September 19, 2005, the six parties agreed to denuclearize not only the northern half of the Korean Peninsula but the whole of it and, to this end, the United States committed itself to terminate its hostile relations with the DPRK, assure it of non-use of nuclear weapons and clear south Korea of nukes, etc.

It continued:

We consented to the September 19 Joint Statement, not prompted by the desire to improve the relations through denuclearization, but

proceeding from the principled stand to realize the denuclearization through the normalization of the relations. Our aim to denuclearize the Korean Peninsula is, above all, to remove the U.S. nuclear threat to the DPRK that has lasted for the past half century.

The nuclear issue surfaced on the Korean Peninsula because of the U.S. hostile policy toward the DPRK and its nuclear threat resulting from it, and the hostile relations are not attributable to the nuclear issue.

It is a twisted logic to assert that the bilateral relations can be improved only when we show nukes before anything else, and this is a distortion of the spirit of the September 19 Joint Statement.

As clarified in the joint statement, the denuclearization of the whole Korean Peninsula should be strictly realized in a verifiable manner.

Free field access should be ensured to verify the introduction and deployment of U.S. nukes in south Korea and details about their withdrawal and there should be verification procedures to inspect on a regular basis the possible reintroduction or passage of nukes.

As proven in practice, the basic way of implementing the September 19 Joint Statement under the situation where there is no mutual confidence is to observe the principle of "action for action".

This principle can never be an exception as far as the issue of verification is concerned.

It is necessary to simultaneously verify the whole Korean Peninsula at the phase where the denuclearization is ultimately realized according to the said principle.

When the U.S. nuclear threat is removed and south Korea is cleared of its nuclear umbrella, we will also feel no need to keep its nuclear weapons.

This precisely means the denuclearization of the Korean Peninsula and it is our invariable stand.

We will never do such a thing as showing our nuclear weapons first even in 100 years unless the U.S. hostile policy and nuclear threat to the DPRK are fundamentally terminated.

If the nuclear issue is to be settled, leaving the hostile relations as they are, all nuclear weapons states should meet and realize the simultaneous nuclear disarmament. This is the only option.

Implementation of the NPT safeguards agreement between the Agency and the Democratic People's Republic of Korea

[GC(53)/RES/15, September 2009]

Resolution adopted on 18 September 2009 during the eleventh plenary meeting

The General Conference,

(a) Recalling previous reports by the Agency's Director General regarding nuclear activities in the Democratic People's Republic of Korea (DPRK), as well as relevant resolutions of the Agency's Board of Governors and General Conference,

(b) Recalling with grave concern the steps taken by the DPRK which led the Board of Governors to find that the DPRK was in non-compliance with its safeguards agreement and to report the DPRK's non-compliance to the United Nations Security Council,

(c) Further recalling with deep concern the nuclear test conducted by the DPRK on 9 October 2006,

(d) Conscious that a Korean Peninsula free of nuclear weapons would contribute positively to regional and global peace and security,

(e) Recognizing the importance of the Six-Party Talks, in particular the agreements reached by the Six Parties in the September 2005 Joint Statement, and on 13 February and 3 October 2007,

(f) Recalling the important role that the Agency has played in monitoring and verification activities at the Yongbyon nuclear facilities, including as agreed in the Six-Party Talks,

(g) Noting with deep concern the DPRK's decision to cease all cooperation with the Agency, and its demand on 14 April 2009 that

Agency inspectors leave the DPRK and remove all Agency containment and surveillance equipment from its facilities,

(h) Further noting in this context serious concerns regarding the DPRK's announced intentions to reactivate all facilities at Yongbyon, reprocess spent fuel and weaponize the extracted plutonium, and develop uranium enrichment technology, and

(i) Having considered the Director General's report contained in document GC(53)/13,

1. Stresses its desire for a diplomatic resolution of the DPRK nuclear issue so as to achieve the complete, verifiable and irreversible denuclearization of the Korean Peninsula;

2. Condemns the nuclear test conducted by the DPRK on 25 May 2009 in violation of the relevant United Nations Security Council resolutions;

3. Stresses the importance of Member States fully implementing their obligations pursuant to United Nations Security Council resolutions 1718 (2006) and 1874 (2009), including the DPRK's nonproliferation obligations;

4. Strongly urges the DPRK not to conduct any further nuclear test;

5. Stresses the importance of the full implementation of the 19 September 2005 Joint Statement and other Six-Party commitments by all relevant parties, including the commitments made by the DPRK to abandon all nuclear weapons and existing nuclear programmes;

6. Calls upon the DPRK to come into full compliance with the Treaty on the Non-Proliferation of Nuclear Weapons and to cooperate promptly with the Agency in the full and effective implementation of Agency comprehensive safeguards, and to resolve any outstanding issues that may have arisen due to the long absence of Agency safeguards;

7. Deplores the DPRK's actions to cease all cooperation with the Agency, strongly endorses the actions taken by the Board of Governors and commends the impartial efforts of the Director General and the Secretariat to apply comprehensive safeguards in the DPRK;

8. Supports the Six-Party Talks, recognizes that the Six-Party Talks are an effective mechanism for dealing with the DPRK nuclear issue, and calls upon the DPRK to return immediately and without preconditions to the Six-Party Talks;

9. Supports the international community's peaceful efforts in all available and appropriate forums to address the challenge posed by the DPRK; and

10. Decides to remain seized of the matter and to include the item in the agenda for its fifty-fourth (2010) regular session.

Annual Threat Assessment of the US Intelligence Community for the Senate Select Committee on Intelligence

[Statement for the record: February 2, 2010]

[Eds...]

North Korean WMD and Missile Programs

Pyongyang's nuclear weapons and missile programs pose a serious threat to the security environment in East Asia. North Korea's export of ballistic missiles and associated materials to several countries including Iran and Pakistan, and its assistance to Syria in the construction of a nuclear reactor, exposed in 2007, illustrate the reach of the North's proliferation activities.

Despite the Six-Party October 3, 2007 Second Phase Actions agreement in which North Korea reaffirmed its commitment not to transfer nuclear materials, technology, or know-how we remain alert to the possibility North Korea could again export nuclear technology.

The North's October 2006 nuclear test was consistent with our longstanding assessment that it had produced a nuclear device, although we judge the test itself to have been a partial failure based on its less-than-one-kiloton TNT equivalent yield. The North's probable nuclear test in May 2009 supports its claim that it has been seeking to develop weapons, and with a yield of roughly a few kilotons TNT equivalent, was apparently more successful than the 2006 test. We judge North Korea has tested two nuclear devices, and while we do not know whether the North has produced nuclear weapons, we assess it has the capability to do so. It remains our policy that we will not accept North Korea as a nuclear weapons state, and we assess that other countries in the region remain committed to the denuclearization of North Korea as has been reflected in the Six Party Talks.

After denying a highly enriched uranium program since 2003, North Korea announced in April 2009 that it was developing uranium enrichment capability to produce fuel for a planned light water reactor (such reactors use low enriched uranium); in September it claimed its enrichment research had "entered into the completion phase". The exact intent of these announcements is unclear, and they do not speak definitively to the technical status of the uranium enrichment program. The Intelligence Community continues to assess with high confidence North Korea has pursued a uranium enrichment capability in the past, which we assess was for weapons.

[Eds...]

Six Party Talks and Denuclearization. In addition to the TD-2 missile launch of April 2009 and the probable nuclear test of May 2009, Pyongyang's reprocessing of fuel rods removed from its reactor as part of the disablement process appears designed to enhance its nuclear deterrent and reset the terms of any return to the negotiating table. Moreover, Pyongyang knows that its pursuit of a uranium enrichment capability has returned that issue to the agenda for any nuclear negotiations. The North has long been aware of US suspicions of a highly enriched uranium program.

We judge Kim Jong-Il seeks recognition of North Korea as a nuclear weapons power by the US and the international community. Pyongyang's intent in pursuing dialogue at this time is to take advantage of what it perceives as an enhanced negotiating position, having demonstrated its nuclear and missile capabilities.