

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

[Editorial Note: Earlier documents of relevance can be downloaded from  
<http://www.mcis.soton.ac.uk/publications/briefingbook2008.html>

### 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 co-operate 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).<sup>{1}</sup> 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<sup>{2}</sup>, the Government of the DPRK referred to the resolutions set out in documents GOV/2003/3 and GOV/2002/60<sup>{3}</sup> 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.

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### **Statement by the DPRK on Nuclear Test**

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

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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."

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### **UN Security Council Resolution 1718**

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

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*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.

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**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]

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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.

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### **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.)

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### **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.)

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### **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.)

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### **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]

[Eds... 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:

(i) **Nuclear Fuel Fabrication Plant:** The Agency has identified key processes and essential equipment involved in the conversion of yellow cake to uranium metal. It installed containment and surveillance (C/S) measures, and made photographic records of the status of the facility. The DPRK provided access to the nuclear material located at the plant (uranium intermediate products, uranium metal ingots, UO<sub>2</sub> powder, fuel rods for the 5 MW(e) Experimental Nuclear Power Plant, and fuel rod cores for the 50 MW(e) Nuclear Power Plant) for monitoring. The DPRK agreed to provide the Agency with access to any location at the plant to perform the necessary periodic monitoring and verification activities.

(ii) **Radiochemical Laboratory:** The Agency has identified the key processes and essential equipment. The Agency also noted the design changes made since 2002, which included the introduction of mechanical decladding, the installation of pulse columns for co-extraction and the conversion of PuO<sub>2</sub> to plutonium metal. The plutonium metal line at the facility now includes fluorination, melting and casting, but no further treatment of metal, which was stated to have taken place elsewhere. The nuclear material inventory of the Radiochemical Laboratory contains uranium solutions, and low-, medium-, and high-level wastes, which are now subject to Agency monitoring. The DPRK has informed the Agency that some of the wastes have been solidified and moved to a building, which the Agency has visited, located next to the Radiochemical Laboratory. The Agency has installed

C/S measures and radiation monitoring devices covering key processes and equipment at the Radiochemical Laboratory. Where C/S measures cannot be applied because of practical reasons, the DPRK agreed to provide the Agency with access to any location at the plant to perform the necessary periodic monitoring and verification activities. The Agency also has made photographic records of the status of the facility.

(iii) **5 MW(e) Experimental Nuclear Power Plant:** The Agency has identified the technical buildings and essential equipment. The DPRK has stated that except for the nuclear fuel in the core, and a small number of damaged irradiated fuel rods in the transfer hatch and refueling machine, no other nuclear fuel is present at the facility. The Agency installed C/S and radiation monitoring devices covering the core, damaged irradiated fuel rods, and the spent fuel transfer routes and selected essential equipment. The Agency also has made photographic records of the status of the facility. The DPRK agreed to provide the Agency with access to any location at the plant to perform the necessary periodic monitoring and verification activities.

(iv) **50 MW(e) Nuclear Power Plant:** There has been no construction work at this installation since 2002. The Agency has made photographic records of the status of the plant. The Agency also has visited the location where the graphite for the reactor core is stored. The status of the facility is being confirmed through periodic visits.

(v) **200 MW(e) Nuclear Power Plant:** There has been no construction at this installation since 2002. The Agency has made photographic records of the status of the plant. The status of the facility is being confirmed through periodic visits.

#### 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.

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### 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]

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#### 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.

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### 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>

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### **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.

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### **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.

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### **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.

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### 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]

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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.

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### Implementation of the NPT Safeguards Agreement Between the Agency and the Democratic People's Republic of Korea

[Resolution GC(52)/RES/14,  
Resolution adopted 4 October 2008]

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#### 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 explosive test proclaimed by the DPRK on 9 October 2006, and recognizing the importance of implementing United Nations Security Council resolution 1718,

(d) Conscious that the Korean Peninsula free of nuclear weapons would contribute positively to regional and global peace and security, and that the DPRK's abandonment of all nuclear weapons and existing nuclear programmes would serve that objective,

(e) Recognizing the importance of the Joint Statement concluded at the end of the fourth round of the Six-Party Talks in September 2005, in which the parties agreed to the goal and basic principles for future discussions,

(f) Recognizing also the importance of the Six-Party agreements of 13 February 2007 on initial actions for the implementation of the Joint Statement and of 3 October 2007 on second phase actions,

(g) Having considered the Director General's report contained in document GC(52)/14, which confirmed that the Agency had verified the shutdown status of the Yongbyon nuclear facility and was continuing to implement an *ad hoc* monitoring and verification arrangement with the cooperation of the DPRK, and

(h) Acknowledging positively the progress made in disablement work at the Yongbyon nuclear facilities according to the agreement reached at the Six-Party Talks, but noting with concern the recent halt in disablement work at Yongbyon and steps by DPRK as described in the oral report by the Secretariat during the September Board of Governors meetings,

1. Stresses its desire for a diplomatic resolution of the DPRK nuclear issue which achieves the verifiable denuclearization of the Korean Peninsula;

2. Supports the Six-Party Talks and stresses the importance of the commitments of all participants to the full implementation of the 19 September 2005 Joint Statement, in a phased manner in line with the principle of "Action for Action";

3. Welcomes the commitments made in the Six-Party agreements of 13 February 2007 and 3 October 2007, and stresses the importance of the efforts that have been made by the Parties to fully meet those commitments;

4. Stresses the importance of an early resumption of disablement and of working to complete disablement and other parallel actions as agreed at the sixth round of the Six-Party Talks;

5. Supports the continuation of monitoring and verification activities by the Agency at the Yongbyon nuclear facilities as agreed in the Six-Party Talks and acknowledges the Agency's activities in relation to the disablement process;
6. Welcomes the agreement by the Six Parties on 12 July 2008 to establish a verification regime within the Six-Party Talks framework and looks forward to an early agreement on an effective mechanism;
7. Stresses the essential verification role of the Agency and welcomes the Press Communiqué of the Heads of Delegation Meeting of the sixth round of the Six-Party Talks of 12 July 2008 in this regard;
8. 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, and calls upon the DPRK 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 safeguards;
9. Calls upon the DPRK to come into full compliance with the Treaty on the Non-Proliferation of Nuclear Weapons;
10. Supports the international community's peaceful efforts in all available and appropriate forums to address the challenge posed by the DPRK nuclear issue; and
11. Decides to remain seized of the matter and to include the item in the agenda for its fifty-third (2009) regular session.

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.

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**Briefing on North Korea with Special Envoy for the Six-Party Talks Ambassador Sung Kim, Assistant Secretary of State for Public Affairs Sean McCormack, Assistant Secretary of State for Verification, Compliance, and Implementation Paula DeSutter, and Acting Assistant Secretary of State for International Security and Nonproliferation Patricia McNerney**

[Washington, DC, 11 October 2008]

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

[11 October 2008]

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- 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

**MR. MCCORMACK:** Good morning, everybody. I want to thank you for coming in on a Saturday morning. I see a few faces that we don't normally see in the briefing room.

You have a couple of pieces of paper in front of you. One of them is a fact sheet that I'm going to read here just for the record. You also have in front of you a fact sheet called Existing Sanctions and Reporting Provisions Related to North Korea. I think that's a useful reference for part of our discussion a little bit later on. So let me get started here. I'm going to read a couple of statements which we'll have in paper form for you, and we're also going to invite a couple of other guest speakers up here: Ambassador Sung Kim from the EAP Bureau, Acting Assistant Secretary Patty McNerney, Assistant Secretary Paula DeSutter. They're going to make brief statements and then we can get into a Q&A session and talk about this morning's events.

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<sup>th</sup>, 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<sup>st</sup> to the 3<sup>rd</sup> for intensive talks on verification measures, and Ambassador Sung Kim was part of that delegation. He can talk a little bit in depth and from firsthand accounts about those negotiations.

Based on these discussions, the United States and North Korea negotiators agreed – and I have to emphasize this is an agreement – 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 the

Six-Party documents applies to proliferation and uranium enrichment activities.

The U.S.-North Korea 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 and these measures will serve as a baseline for a verification protocol to be finalized and adopted by the Six Parties in the near future.

And let me just a couple addenda to this, and our experts can speak to this in a bit more depth. Every element of verification that we sought is included in this package. That's an important point. Every single thing that we sought going in is part of this package. And on the point about the intensive consultations, I think Ambassador Kim can speak to that a bit more, but we also had intensive consultations with our Japanese colleagues. And in the course of those consultations, Japan made it clear that the agreement should be formalized, including in writing, at the level of the Six Parties. And we agree with that, and I have to emphasize here that this is already in agreement.

So what you are, in essence, doing is – the next step is living up to a key tenant of the Six-Party Talks, and that is that an agreement between any two parties will ultimately be guaranteed and formalized by all the Six Parties. So again, Ambassador Kim can speak a little bit more to that, but that's an important point. And you already have the fact sheet on the existing measures, and then this is a statement from me and we'll put this out on paper form afterwards.

The Democratic People's Republic of North Korea has agreed to a series of verification measures that represent significant cooperation concerning the verification of North Korea's denuclearization actions. Those understandings are detailed in a separate fact sheet which I have just read to you. Based upon the cooperation and agreements North Korea has recently provided and the fact that the DPRK has met the statutory criteria for rescission, the Secretary of State this morning rescinded the designation of the DPRK as a state sponsor of terrorism, and that was effective with her signature.

North Korea has stated it will resume disablement of its nuclear facilities. This demonstrates that the Six Party principle of action for action is working. We welcome the recent progress made in discussions between Japan and the DPRK toward addressing Japan's concerns, particularly those arising from the DPRK's past abductions of Japanese nationals. We strongly urge North Korea to address Japan's concerns without further delay. The United States wholeheartedly supports Japan's position on the abduction issue. We have not forgotten and will never forget the suffering of the abductees and their families.

North Korea remains subject to numerous sanctions resulting from its 2006 nuclear test, its proliferation activities, its human rights violations, and its status as a communist state. You have a list of those. The United States will continue to work toward the verifiable end of all North Korean nuclear programs and activities. We will not stop until this work is done.

So at this point, what I'd like to do is turn it over to Ambassador Kim and then we'll go through our other speakers and then we can get right to questions.

**QUESTION:** Just --

**MR. MCCORMACK:** Was there something --

**QUESTION:** Well, you addressed – I just want to ask that you – the one line where you said – talked about the verification protocol to be finalized and adopted by the Six Parties in the near future, maybe Ambassador Kim could speak with – but when exactly in the near future?

**MR. MCCORMACK:** In the near future. I think Sung Kim can speak to that.

**QUESTION:** Okay.

**AMBASSADOR KIM:** Thanks. Thanks, Sean. Good morning. I think Sean covered most of the important points, but I thought I'd

give you some negotiating history so that you have a better sense of how this – how we arrived at the agreement.

As Sean mentioned, the Six Parties have been pursuing strong verification measures to reliably verify the North Korean declaration for some time now. We have continued to conduct very intensive consultations with all of our five party partners in addition to our discussions with the North Koreans. In fact, verification activities really began even before the declaration was submitted in June. In early May, as you may recall, the North Koreans gave us 18,000 pages of documents related to their Yongbyon facilities. An analysis of those documents have given us some useful information.

In conjunction with the submission of the declaration on June 26<sup>th</sup>, the China – the Chinese, as the chair of the Six-Party process, announced that the parties agreed that that declaration would be subject to full verification and that there is an agreement within the Six Parties on principles to guide the verification regime. This was further refined during the July 10-12 Six Party heads of delegation meeting as well as the denuclearization working group meeting. And I think Sean mentioned the press communiqué that the Chinese issued as a result of those discussions.

We continue to have follow-up discussions with all of the parties throughout, including on the margins of the informal Six-Party ministerial meeting in Singapore on July 23<sup>rd</sup>. After further discussion with the parties, on twenty – August 22<sup>nd</sup>, a revised draft verification paper was circulated. We did not receive any substantive response from the North Koreans, but they did invite a U.S. delegation led by Assistant Secretary Hill to visit North Korea last week.

And during that visit, we had detailed and substantive discussions on a set of verification measures. And as Sean mentioned, we reached agreement on these verification measures. Now these measures will have to be codified in the Six-Party process. As Secretary Rice likes to say, we need to "Six-Partyize" this bilateral agreement, and that is our – that is the next step. You asked about the timing of the Six-Party meeting. We have been talking to the Chinese, and I think the Chinese would like to call a meeting as soon as possible, possibly within this month, to finalize and adopt this verification package.

I just want to mention again that we have continued to have very intensive consultations with all of our parties, especially Japan. In fact, just a couple of days ago, an NSC colleague and I were in Tokyo and met with Japanese counterparts for four to five hours going through details of the agreement that we had reached with the North Koreans. And there have been several senior-level communication with Japanese leaders as well.

I also want to mention – remind you a couple – of other very important points. As Sean just read in the press statement, we welcome the recent progress between Japan and the DPRK to address Japan's concerns, particularly the abductions issue. We strongly urge the North Koreans to implement their agreement as soon as possible. I also want to mention that we remain deeply concerned about the human rights situation in North Korea in general, and that we have made clear to the North Koreans that the human rights situation would be an important concern that needs to be addressed as we move forward towards – in the Six-Party process as well as in improving bilateral relationship. Thanks.

**MR. MCCORMACK:** What we'll do is we'll have Acting Assistant Secretary McNerney come up and then Assistant Secretary DeSutter. Then we can get into your questions.

**MS. MCNERNEY:** Good morning. I just wanted to talk a little bit generally about what we've done from the perspective of the International Security and Nonproliferation Bureau in conjunction with my colleague, Paula DeSutter, who can talk to some of the specifics about verification.

We've basically been focused since October 3<sup>rd</sup> of last year, when Korea agreed it would provide us with a complete and correct declaration of its nuclear programs. In order to assess that completeness and correctness of the declaration that was provided by North Korea, the United States and the Six Parties affirmed that we need to see a robust verification mechanism in order to assess the completeness and correctness. On July 12<sup>th</sup>, we met in Beijing and the Six Parties – as you know, Sean described – released a

communiqué that laid out some of the general elements of such a verification regime.

Verifying North Korea's nuclear declaration will be a serious challenge and we're not going into this naively. This is the most secret and opaque regime in the entire world. Secretary Rice outlined, for that reason, some of the elements that we need to see in a declaration. These included – this was her statement of June 18<sup>th</sup> – and these include on-site access to facilities and sites in North Korea; collection and removal of environmental and material samples; forensic analysis of materials and equipment; access to documents and other records; as well as interviews with North Korean personnel involved in the nuclear program. The agreement that we are discussing today meets all of these criteria.

Since we began the Six-Party process, we've learned more than we knew about North Korea's nuclear program. As Sung mentioned, our experts have had the opportunity to review 18,000 pages of operating records from the Yongbyon facility. We know that North Korea has pursued a uranium enrichment – we assess that they pursued one in the past. And as we've gotten deeper into the process, we've been troubled by additional information about its uranium enrichment capability.

We've been engaged in these negotiations on behalf of the Six Parties for the past several months in order to develop such a regime, as outlined by the Secretary. This agreement and associated understandings are now being reviewed by the Six Parties and we believe will serve as a baseline for a formalized verification protocol that would be discussed in the coming weeks. Once agreed by the Six Parties, we believe we will have a solid basis for undertaking a robust verification regime. This will be a lengthy process, however, and progress will depend on the North Korean cooperation.

I'd also like to just highlight the fact sheet, again, on the existing sanctions. North Korea will still remain one of the most sanctioned countries in the world in terms of U.S. law. In fact, all exports by the United States remain subject to licensing by the Commerce Department, as well as many prohibitions from the missile standpoint, the nonproliferation of nuclear weapons standpoint. And so the lifting today certainly does not remove at all the leverage that we will maintain as we move forward in this process. Thank you.

**MR. MCCORMACK:** Assistant Secretary Paula DeSutter.

**ASSISTANT SECRETARY DESUTTER:** You know, Sean, you need one of those podiums that goes up and down, you know, so I would look more statuesque.

**MR. MCCORMACK:** Would you like one done?

**ASSISTANT SECRETARY DESUTTER:** Let me tell you that what Sean said is exactly right. All of the elements of verification that we sought, and that includes the verifiers – and you know how we are – are included in the various documents and agreements that they've obtained with the North Koreans.

Now that's a breakthrough, but not because there's anything novel or unique in the verification measures that we've been pursuing. They're – every different regime, every type of problem, whether it's bio or, you know, fissile material, has different requirements. The question is, what is the verification question you're trying to answer and how do you structure the rights and responsibilities of the various parties so that the way is forward for us to go in and implement a verification agreement?

So there are things that are agreed in here that most countries in the world that have experience with – with arms control and verification wouldn't blink an eye at, sampling, how are we going to deal with the problem of undeclared sites, documentation, taking samples out of countries. All of these are things that have been done in verification in the past, and what is the breakthrough is that we have now obtained North Korean agreement to all of those elements. And so again, you know, it isn't tied up in a pretty bow that Sung can hand out to you, but the elements are agreed and that's very important. It's a very big step.

As Patty mentioned, there is a lot of work that will be required. This is going to be difficult. And you know, I think those of you who have dealt with the verification bill on Libya or anything else know that verifiers, by nature and by their job description, tend to be skeptical.

We don't trust anybody. We want to see the data. We want to do the work. We've also learned that this can be done in a fairly cooperative process if the other side is willing, and we're hoping that we can move forward on that basis.

One of the other things that was agreed that I think is important is that all of the parties can participate in these inspections, and we have envisioned all along that we would have teams of inspectors where we've coordinated this and take advantage of, you know, different attributes and skills and capabilities that they have. And so I think that the ways is open.

We, of course, like everybody else, look forward to it being tied up in a bow. But the big achievement is that they have now agreed to everything that we wanted. And I know that the Secretary felt very strongly that there would be no rescission until that was done. And so we are – as verifiers, we're never exactly optimistic, but very cautiously optimistic and keenly aware that the verifiers are going to have a lot of work to do in the future. And so if you have questions later, I'll be happy to --

**QUESTION:** Can I --

**MR. MCCORMACK:** Okay. Why don't we go ahead and take your questions.

**QUESTION:** Can I follow up here? Let me just ask two good – before people get into specifics, and I'm sure they will, I just want to ask two pretty broad questions. One is, what gives you confidence that the North Koreans are actually going to agree to the protocol? Has this – have these – has this agreement, that codified agreement that you reached with the North Koreans, and the related other understandings, has that been deposited with the Chinese? Are they willing – do you have confidence that, in fact, the protocol will actually be done?

And then secondly, do you have a commitment from the North Koreans that now that the rescission has taken place, that they will stop what they are doing at Yongbyon in terms of moving to restart it and, in fact, again begin to revert to a disablement plan?

**MR. MCCORMACK:** Let me answer very generally and then I can turn to Ambassador Kim.

On the first of those, this is an agreement. The United States was, if you will, point person for the other four parties in negotiating this. But the key principle of the Six-Party Talks is that any agreement must be agreed upon and, in essence, guaranteed by all the parties. So it's no longer just a bilateral agreement; the stage we are at is a bilateral agreement between the United States and North Korea. The next step is to go to the Six and have this formalized, and then the step after that, should all agree, is to have it implemented. Then the – in terms of the North Korean actions, they – the statement that I read, they have agreed that they are going to immediately start completing work on their disablement actions.

**QUESTION:** But --

**MR. MCCORMACK:** I think Ambassador Kim – why don't I have Ambassador Kim say his first --

**QUESTION:** Does that mean they'll allow the IAEA inspectors back into the facility?

**AMBASSADOR KIM:** Thanks. This is not the first time that we are taking an agreement or an arrangement reached bilaterally into the Six-Party process. It's worked well in the past and I have confidence that this time, again, we'll be able to finalize and adopt the agreement we reached with the North Koreans, the package, in the Six-Party process.

You know, the understandings that you mentioned were reached through very intensive consultations, and were reaffirmed subsequently through our communications through the New York channel. So I think we and the other partners in the five – other five party partners have confidence that we will be able to turn this package into a Six-Party protocol.

**QUESTION:** But still, the question about the – what's going on right now --

**AMBASSADOR KIM:** Yeah, we – North Koreans have committed that the disablement activities in Yongbyon will resume

immediately. In fact, I -- we expect to see a statement out of Pyongyang -- I don't know the exact timing, but sometime soon.

**MR. MCCORMACK:** Okay. Glenn.

**QUESTION:** Yeah, just one specific question, then a broad question. First of all, my understanding is that declared facilities is about 15 sites, most of which are at Yongbyon, maybe some university sites. It does not include the nuclear test site or any military facilities, so in essence, you're saying that they still have veto power over whether to go to the nuclear test site or to military facilities?

And then more broadly, you know, the devil is in the details. And broad agreement on elements is interesting, but it -- you know, the actual document you put forth in July had many more specific things that you were seeking, which I don't necessarily see here. And you know, many outside experts and even some U.S. officials say that this agreement is simply a cynical effort to keep the process on life support until the next president takes office a hundred days from now, and then it will collapse. And in fact, Senator McCain last night put out a rather tough statement that was critical of how Japan's interests were ignored in what he called an agreement for its own sake.

So I was just wondering if you could respond to some of the criticism that has been circulating out there, as well as address that specific question about what exactly are the declared sites.

**MR. MCCORMACK:** All right. Let me --

**ASSISTANT SECRETARY DESUTTER:** I'll do declared sites. I don't do cynical efforts. (Laughter.)

**MR. MCCORMACK:** Right, let me take a crack at sort of the broad perspective of how Secretary Rice and the Administration view the Six-Party process of moving -- in trying to move this process forward.

She very strongly feels that it is our responsibility, up until January 20<sup>th</sup>, 2009, to act as good stewards of the national interest, and to act in the best interests of this country and the national security and foreign policy interests of this country. We will continue to do that without compromising on principle until January 20<sup>th</sup> and when we hand over responsibility to the next team that comes in. So we enter into this -- you know, we enter into this agreement with that thought in mind.

I have to come back to a key element, and Paula can probably speak to some of the details and perhaps Ambassador Kim as well. Every single element of verification that we sought going in is part of this package. And Paula can speak to some of the details there and Ambassador Kim can speak to some of the details that you're talking about.

**QUESTION:** But we did --

**MR. MCCORMACK:** The fact sheet -- I know the fact sheet that we handed out is -- it gives very general areas and I think that they can talk to some of the details there. In terms of the politics, we're not going to talk about the politics; we're not going to talk about political campaigns.

But I can tell you the Secretary and the President wouldn't take these kinds of decisions if they didn't think that these decisions would help us, the United States, ultimately get to the goal of denuclearizing the Korean Peninsula, again, without compromising on principle. And very clearly, if this process is to play out in its completion, others will have to finish it. We have three months here or so left, a little bit more. But again, this is a principled decision based on fundamental U.S. interests.

Paula, why don't you talk about some of the details.

**ASSISTANT SECRETARY DESUTTER:** Yeah, let me talk about the language on mutual consent to undeclared sites. First, it's very important in this particular case that we do have access to undeclared sites. The declared sites are, we know, inadequate and don't fully describe the North Korean nuclear program.

And so -- but the term, mutual consent, I think a lot of people have -- take pause at that and say, well, you know, they get a veto. Well, let me just remind you, one of the things that I discussed with Ambassador Hill several times is that you'll never hear anybody that's a verifier from my bureau say, what we must have is

challenge inspection or anytime, anywhere inspection. Because for me, that gives you a false sense of security; it doesn't really mean much.

And remember, anytime we do verification activities -- okay, with maybe one exception -- we are there in another country that has rights. If we want to go to a place, generally speaking, we are going to be asking the host country to provide transportation. They're going to have to provide escorts. They're going to have to ensure that we get the access we need when we get to the site. All of those things have to happen, okay? So the idea of mutual consent is not a showstopper for us. And, you know, one of the ways that I think about it is, you know, we know that there are several different -- couple categories of undeclared sites. One of the things that we can do is do a site survey.

But we're not -- I mean, I wouldn't be comfortable with a situation where, you know, we have to go give them a consultation that requires that we give them everything we know about the facility. This is going to need to be done in as professional a way as possible, and there is experience with doing that, with giving a country -- you know, here is a geo-location that we need to go see. And once we go see that, we need to see if it needs to go on to the declaration, and we need to conduct verification activities there. So it will be a step-by-step process, but the idea that the United States was going to go into North Korea or any other country and say, here's where we're going, by God, and our helicopter is going to fly there tomorrow whether you like it or not -- not going to happen. It's just not the way things are done.

And so the mutual consent, it's going to have to be watched, okay? We are going to have to be very mindful as we get into the more specific conversations with them about verification that they understand what we're trying to do and we communicate it clearly to a country that, again, remember, doesn't really have experience with this.

Most of you are too young to have dealt with the INF treaty. I'm not, and when -- okay, there is an exception. (Laughter.) But a part of that was -- remember, there had never been a case -- people said the Soviet Union will never, ever agree to the on-site measures that we've got in mind there, and yet they did, and it was a big decision. There are times, there are issues where having on-site inspection isn't going to solve your problem. There are cases where it's absolutely essential and we believe that this is it.

**QUESTION:** Just to clarify, the nuclear test site is not one of the declared facilities? And do you have any sort of understanding that the United States will be able to go there?

**ASSISTANT SECRETARY DESUTTER:** We have -- simply haven't had those conversations, okay? I mean, we have not given them a list of locations that we want to go to. It certainly is high on my list.

**QUESTION:** But it's not on their list of declared sites?

**ASSISTANT SECRETARY DESUTTER:** Okay. Actually -- that's actually kind of fuzzy, because they did declare the expenditure of material there. And so is it formally declared as a site? No, but indirectly. And so that'll be something that we'd want to see. So --

**AMBASSADOR KIM:** Just sort of -- the information that you have written in the fact sheet is obviously a summary of the agreement itself. I think when the --

**QUESTION:** Can we see the actual agreement?

**AMBASSADOR KIM:** No, because I think it needs to be Six-Partyized first, I think. But when the verification package is --

**QUESTION:** (Inaudible.)

**AMBASSADOR KIM:** Yes. (Laughter.) That's nice, isn't it? When the agreement -- the verification package is finalized and adopted in the Six-Party process, hopefully sometime soon, I think you will be able to see that what we have in the protocol is substantially same as the earlier versions.

**MR. MCCORMACK:** Sue.

**QUESTION:** Yeah. If the North does not fulfill its verification promises, then what happens? Would they be put once again on the state sponsors of terrorism list? And do you have a package of

punitive measures prepared in case they don't comply with what they've said they're going to do?

**AMBASSADOR KIM:** I mean, I don't want to – speculation on North Korean noncompliance. I think we need to focus on the next step, which is to make this into a Six-Party protocol. And you know, they're obligated to cooperate with verification activities. In fact, they stated in their declaration that they would cooperate fully with the verification activities. And in numerous discussions, they have reaffirmed that they're prepared to cooperate fully with verification activities, so we will hold them up to their word.

**ASSISTANT SECRETARY DESUTTER:** Let me just add a little bit. They're – okay, all right, I'm going to go a little bit further. Everybody remember the START treaty?

**QUESTION:** Mm-hmm.

**ASSISTANT SECRETARY DESUTTER:** Okay. We knew when that treaty was finished that it was so detailed, it was so complicated, it was hard, we knew that there were going to be problems, okay? We're not naïve, okay? As verifiers, we try not to be. And so this is going to be in part – I mean, in the first instance, I think really it's going to be sitting down with the North Koreans and doing a little bit of education about how to do that. Usually, if there's one way that you approach it with them, there can be another way to do that. I mean, we had that experience with Libya.

Now, if this was going to be a -- in a best of all possible worlds, North Korea would follow the Libya approach where they made it faster, they made it easier, they enabled the United States and the UK at the end of the day to certify their compliance. There is – there should be no anticipation by anybody that there are going to be no bumps in the road. This is going to be a bumpy road because it really hasn't ever been traveled in North Korea. However, we're building a road, and probably, you guys know that if I was – if I felt that this set of documents didn't provide a way forward, you know, I probably wouldn't be standing up here, so --

**QUESTION:** Your former boss, John Bolton, has been very – is very angry about the U.S. coming to this decision. What's your response to his criticism?

**ASSISTANT SECRETARY DESUTTER:** All of my former bosses are almost always right about everything – no. John is the epitome of a skeptical policymaker, and that's appropriate. I mean, nobody – I don't think the Secretary would want anybody to take this and not say that it should be challenged and we should be pushed to make sure that we're doing the best possible job.

And so, you know, I'll tell you this. I have – my first boss in verification, I invite him out periodically and ask him to do a survey, you know, to see how we're doing, how am I doing. And I don't do it that often, and the reason is because when he tells me, it makes me cry. So we all can do better and – you know, those outside voices are important for us to listen to. And so I think we try to do that to make sure that we're doing the best possible job, so--

**QUESTION:** For Sung Kim?

**QUESTION:** Yeah, are you seeing any tangible steps to resume disablement from the inspectors on the ground? What's – we don't really know in the past few days what's been happening with the U.S. inspectors on the ground.

**AMBASSADOR KIM:** The U.S. inspectors are still on the ground prepared to resume monitoring activities. The commitment we have from the DPRK is that they will resume disablement activities as soon as possible after this announcement. So I expect to see some activity over the weekend.

**MR. MCCORMACK:** Charlie.

**QUESTION:** Yes, probably for Sean, but can you take us back and tell us when the President signed off on this, when the Secretary actually signed it upstairs? Is this a document that'll --

**MR. MCCORMACK:** Right. I don't have exact times for you. The President, late yesterday afternoon, early evening made the decision to move forward on this. And the Secretary actually signed the document, I think, somewhere shortly after 7:30 this morning.

**QUESTION:** Here in the building?

**MR. MCCORMACK:** No, I think she was at her residence.

**QUESTION:** Sean.

**MR. MCCORMACK:** Yeah.

**QUESTION:** Is there any prospect that this next Six-Party meeting will be ministerial-level? And if not, are you envisaging a ministerial-level before the end of the year?

**MR. MCCORMACK:** This will be a heads of delegation meeting and --

**AMBASSADOR KIM:** Most likely.

**MR. MCCORMACK:** Most likely a heads of delegation meeting. I can't rule out a ministerial-level meeting at some point in the future, but at this point, none is scheduled.

Helene.

**QUESTION:** Can you expand on the agreement on sampling and tell me whether it's your understanding that the United States inspectors will be taking samples out of the country?

**ASSISTANT SECRETARY DESUTTER:** Oh, they have water right down here. Yeah, and this was a very big deal for us. Samples are, you know, sort of standard fare. You see the IAEA do it all the time. And what it does is -- because a part of what we will be looking for at facilities is what nuclear material may be there, what may have been there in the past, what may, you know, be going on. And so to take the samples, you've got to bring them back, and we will be using the Air Force Technical Applications Center, who also does some work for the IAEA, and they're fantastic and they do very technical analysis, that it simply wouldn't be possible to do on site.

And so the agreement includes taking samples and bringing them back home. It also includes getting access to documents that we can bring back home. So we have wonderful experts across the board in different elements, but they're not going to be able to look at a fairly complex document over there and come up with an analysis of what it means.

I mean, this is going to be getting -- it's a puzzle, all right? And we need to be able to, at the end of the day, say -- and, you know, if we find something that the North Koreans don't have on the declaration, we say, okay, you need to add that to the declaration, okay? This should be an iterative process. So those analyses need to come back and then help us with what are the next steps, what are the next things that we need to make sure we get a handle on.

**QUESTION:** So does this mean you can bring all samples you want out of the country? They don't have the right to stop you from taking any samples out?

**ASSISTANT SECRETARY DESUTTER:** They have agreed to the removal of samples.

**QUESTION:** But they have agreed to the removal of all samples? Because it is worded a little ambiguously in the fact sheet here.

**ASSISTANT SECRETARY DESUTTER:** My understanding is that -- I mean, when you say samples, it means all samples. Okay. My instant reaction when you said that was, well, you know, if it's really big and heavy, we'll have to figure something out. But yeah, the plan is to collect samples and remove them for analysis here in the U.S. or elsewhere.

**QUESTION:** But Paula, will you be working in tandem at the IAEA on this kind of thing? Are they being brought back into the equation or is this strictly the Six Party's inspectors?

**ASSISTANT SECRETARY DESUTTER:** Yeah, they're being brought back into it. And that's really important, because remember, at the end of the day, what we want to have is a denuclearized North Korea -- peninsula. And so at the end of it, the IAEA needs to have a clean balance, a materials balance that says the material that was there is now removed. And so in order for that to happen, they're going to have to have access to the information, and they know a lot about, for example, Yongbyon, where, you know, giving us advice and suggestions about what to do is going to be very important. And so Patty may have more ahead on it.

**QUESTION:** How has their role changed, if at all? Because this says consultative and support role. Is that different from what they have been doing?

**MS. MCNERNEY:** Currently, the only thing the IAEA is doing is basically monitoring the shutdown and sealing of the Yongbyon facilities. In the Phase II piece of it, which was to start the disablement actions, they've been monitoring that themselves, but that wasn't part of the Phase II agreement. We expect, through this language, that we'll work very cooperatively with the IAEA in this third phase. They do not have their standard role under this agreement, so I think we have to be clear on that, but that is because we have the Six Parties doing the actual verification work.

That said, it is certainly our goal that IAEA be integrated as fully as possible into our activities, but there is no, sort of, the generally spelled out kinds of processes for the IAEA under this agreement. And just to add to --

**QUESTION:** So the level of their involvement will be decreased; right?

**MS. MCNERNEY:** No, it will -- the level of their involvement will be static, I think, at this point. They will stay on the ground. In fact, the North Koreans have recently reissued their visas, so they will be staying there at the site. We hope to integrate them into our work as closely as possible. The sort of key element at the end of this is that in order for North Korea to rejoin the international nonproliferation regime says that they will have to get right with the IAEA. So they can do that at the end of this process, they can do that in the middle, or they can do that right from the start. And so our hope is that we would have the ability for the IAEA to be fully integrated.

Just another word on, sort of, removal of samples and so forth. The agreement calls for the removal of samples. Just as with disablement, it called for our people to get in there with their equipment. That said, we always work through, sort of processes and coordinating equipment coming in and getting the right documentation. So all of this will be a process as we move forward and I think we just have to recognize that as sort of standard fare when you're talking about international verification regimes, the agreements, the comprehensive safeguards agreements that tend to be the baseline by which we do this internationally. So we'll have a lot of that process as we move forward.

Even when you get a safeguards agreement with a country, including the additional protocol, there are many steps along the way in actually implementing that agreement. So it doesn't sort of stop with this agreement, and I want to really make that clear.

**MR. MCCORMACK:** All right. Let's just take a couple of more questions here. I know there's a lot of demand.

Kirit.

**QUESTION:** Could one of you give us just a sense, going forward, on the timeline of when you expect the verification to begin, if you could, and then how long you think it might take? I mean, I understand maybe that's an open-ended process, but just to give us a sense of when you might expect people to get there on the ground and start working.

**MR. MCCORMACK:** Who wants to take that one?

**AMBASSADOR KIM:** As I said, the next step is to finalize and adopt this document in the Six-Party process. The North Koreans have indicated that they're ready to start cooperating with us as soon as this package is adopted in the Six-Party process. So we would like to begin activities soon thereafter. I think in terms of the duration of the verification effort, it may take months, possibly longer than a year?

**ASSISTANT SECRETARY DESUTTER:** Let me tell you that how long it will take is going to depend very largely on North Korea and its level of cooperation. Remember in the Libya case, they took us to facilities that we didn't know about, that they hadn't originally declared. That makes it faster.

And remember that -- and another exciting part of this agreement is that they have agreed that the verification activities apply not just to plutonium, not just to Yongbyon, but to HEU and to the proliferation activities. And so what -- each piece that we do, we hope that that will be additive and make it more efficient. I mean, we don't -- we're going to want to conduct an efficient and smart verification regime because that makes more sense for everybody. But if the North Koreans are, you know, ready, willing and able to add facilities -- okay, functional facilities, for example -- we know that material

leaves Yongbyon, and at some point, it becomes a pit in a bomb. We know that happens in one or more places. So where are those places, how are we going to get to them?

So again, we're going to have to conduct verification activities at a number of facilities, make sure that everything that we've discovered that's relevant is added to the declaration so that at the end of the day, we can say -- and remember, we're verifiers. We're never -- there's never going to be a hundred percent confidence that we're done. There will be questions. There will be ambiguities. The best we can do is say, here are the activities we have undertaken; these are the things that we have discovered; these are the things that we have gotten declared; here is the analysis that we have; and we want to attain a reasonable degree of confidence that we've done that.

At that point, you decide, are there any follow-on measures that you need to have. Like with Libya, we set up a trilateral consultative group so that if we had ongoing issues, we had a venue that we could raise them in. And so, you know, I think I would say probably years. But they could surprise us.

**QUESTION:** Just to clarify on that answer, the declaration that they gave earlier this year was focused mostly on a plutonium program.

**ASSISTANT SECRETARY DESUTTER:** Right.

**QUESTION:** And so is it fair to say that the verification that's going to proceed is going to basically start with the plutonium program, or will you be moving on parallel tracks at the same time with uranium enrichment -- possible uranium enrichment and the proliferation activities related to Syria? Or is it you first get through --

**ASSISTANT SECRETARY DESUTTER:** We will --

**QUESTION:** -- this plutonium declaration?

**ASSISTANT SECRETARY DESUTTER:** We will be starting with plutonium, okay? That's not an insignificant challenge, okay? You have to know -- we know basically where it's made. We don't know the other places that it goes to. You need to know, you know, what are the test activities. You know, there's an awful lot about the plutonium. You need to follow the material from when it comes out of a uranium mine and goes all the way through the process until it becomes a pit. And so that would be quite a bit. Now will we learn things about the uranium program by virtue of that? I hope so. I haven't -- so those are going to be hard.

**QUESTION:** But that's --

**ASSISTANT SECRETARY DESUTTER:** The plan is to start with a materials approach and try to follow the material to see where it's been. We just think that that makes the most sense. We're not going on a fishing expedition.

**QUESTION:** Okay. But -- so the uranium enrichment and proliferation is the second order of magnitude at this time?

**MS. MCNERNEY:** I wouldn't say it's -- yeah.

**MR. MCCORMACK:** We have time for one last question. Jay, you're going to be it -- no --

**MS. MCNERNEY:** I wouldn't say it's the second order of magnitude. On the proliferation, for example, one of the key things the Secretary laid out is we need access to facilities, to people, to documents. And when you start having that kind of access, building a record, you start to determine, was there proliferation of material, did -- were people involved in any kind of engagement outside of North Korea. So all of that will be part and parcel of this larger process. Same with uranium enrichment; when you start talking to some of these individuals, you start raising questions across the board. But obviously, the largest program that we all are aware of is the plutonium program, so it makes sense to start there.

**MR. MCCORMACK:** Other questions --

**AMBASSADOR KIM:** Yeah, just -- sorry, just one point of clarification. I don't want to give the impression that this is a completely bilateral effort in terms of how we sequence, how we go about carrying out verification activities. I think we need to discuss with our Six-Party partners. It is a Six-Party effort.

**MR. MCCORMACK:** All right, Jay, you got the last one.

**QUESTION:** (Inaudible) about when you were up in Pyongyang and doing the negotiations, first, what role did you get a sense that the military was having in the negotiations? I noticed that you guys met with a KPA general and my impression was that the military was not, at least prior to this, willing to meet as part of the Six-Party process. And that seemed like it was a change and maybe the military is more involved than it was previously.

And secondly, what sense you got of Kim Jong-il's kind of – was he involved? Was there a sense that he was functioning and aware of what was going on? So was that part of the negotiating process as well?

**AMBASSADOR KIM:** Our negotiations have been directly with the foreign ministry and the General Department of Atomic Energy. As I think Patti mentioned, North Korea remains a very opaque place. I mean, we don't know exactly how their decision making is formulated. But – you know, so it's difficult for us to speculate on the military's role. Ambassador Hill did meet with one of their generals on this trip and I had – believe had a substantive discussion. But it's hard to speculate, you know, what if any role they were playing in the negotiations. Again, I think it's hard to speculate on their leader's well-being. We do know that there was a period when we weren't getting any substantive response from the North Koreans.

**QUESTION:** Speaking of Chris, where is he?

**MR. MCCORMACK:** Chris?

**QUESTION:** It's a rather glaring omission from the podium here.

**MR. MCCORMACK:** No, I think we have a bright constellation.

**QUESTION:** Well – (Laughter.)

**MR. MCCORMACK:** Actually --

**QUESTION:** Not taking anything away --

**MR. MCCORMACK:** And actually, Ambassador Kim has been the point man on these verification provisions. Of course, Chris is the head of the delegation, but if you remember the last time you saw Ambassador Kim down here briefing, he had a box full of documents next to him. So he has been deeply involved in the verification provisions and I think it was wholly appropriate that he as well as our other guests were down here.

**QUESTION:** No, I'm not suggesting that it's inappropriate for them to be here.

**MR. MCCORMACK:** Yeah.

**QUESTION:** I'm just curious as to why the person who is most identified with this whole process is not here.

**QUESTION:** (Inaudible) has had an opportunity to meet with the press --

**MR. MCCORMACK:** Well, he is the head of the delegation, but this man earned it by going line by line, word by word --

**QUESTION:** Even before he was punished for – (Laughter.)

**MR. MCCORMACK:** That's true, not that – not that speaking to you is a reward. Thank you very much for coming in this morning.

### 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.

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

[Pyongyang, 13 January 2009, (KCNA)]

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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.