

C O N F I D E N T I A L USVIENNA 003148

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DEA: ACDA COL
<ORIG> ATS-INC
<TOR> 970416121240
<INTD>
VZCZCINC3663

~~DENIED IN FULL~~
~~B1, 1.4(B), 1.4(D)~~

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ACTION FM-00
INFO LOG-00 ACDA-10 ACDE-00 AID-00 CRA-01 CYAE-00 COMB-00
CYME-00 OASY-00 DINT-00 DODE-00 SRPP-00 DS-00 EAP-01
EB-00 EUR-01 EXIM-01 E-00 FRB-00 H-01 TEDE-00
INR-00 IO-00 ITC-01 L-01 ADS-00 MMP-00 M-00
NRC-01 NRRC-00 NSAE-00 NSCE-00 OES-01 OIC-02 OMB-01
OPIC-01 PA-00 PRS-00 P-00 CIO-00 SP-00 SSO-00
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EAP FOR CAROTENUTO, RNP FOR KURTZ
E.O. 12958: DECL: OADR

UNITED STATES DEPARTMENT OF STATE
REVIEW AUTHORITY: APPEALS REVIEW PANEL
CLASSIFICATION: CONFIDENTIAL REASON: 1.4(B), 1.4(D)
DECLASSIFY AFTER: 15 APR 2022
APPEAL ACTION: ADDITIONAL INFORMATION RELEASED
REASON(S): B1, 1.4(B), 1.4(D)
DATE/CASE ID: 08 JUL 2010 200403448

<TAGS>
TAGS: AORC, ENRG, IAEA, KNMF, KN, KS, FARM, TRGY
<SUBJ>
SUBJECT: GAO TELECONFERENCE WITH IAEA ON DPRK ISSUES

CLASSIFIED BY JOHN B. RITCH III, AMBASSADOR, UNVIE.
REASON: 1.5(B)

<TEXT>
1. (C) ON 3 APRIL, THE GENERAL ACCOUNTING OFFICE
(ZAVALAS, TURNER) CONDUCTED A 75-MINUTE INTERVIEW WITH
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[REDACTED]
[REDACTED] VIA TELEPHONE ON DPRK/AGREED FRAMEWORK
ISSUES. UNVIE SCIENCE ATTACHE WAS IN ATTENDANCE.

2. (C) MOST GAO QUESTIONS CONCERNED FUNDAMENTALS OF THE
AGREED FRAMEWORK FOCUSING ON THE INSPECTION ACTIVITIES
ASSOCIATED WITH THE AGREED FRAMEWORK (I.E., "WHAT
FACILITIES ARE 'SUBJECT TO THE FREEZE'?, WHAT ARE 'AD
HOC' AND 'ROUTINE' INSPECTIONS?")

3. (C) A FEW QUESTIONS TOUCHED ON POLITICALLY SENSITIVE
ASPECTS OF THE AGREED FRAMEWORK. [REDACTED]

MISSION INCLUDES THE FOLLOWING BY WAY OF ILLUSTRATION:

GAO QUESTION: HAS DPRK "FULLY COOPERATED" IN IAEA'S

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N. Korea state cables, memos (1997)

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MONITORING EFFORT? IF NOT, WHAT PROBLEMS EXIST?

RESPONSE: COOPERATION FROM THE DPRK SIDE REMAINS LIMITED WITH REGARD TO MONITORING THE FREEZE. THE DPRK HAS ACCEPTED SOME VERIFICATION ACTIVITIES, SUCH AS CONTAINMENT AND SURVEILLANCE MEASURES WHICH THE AGENCY NEEDS TO CARRY OUT TO VERIFY THE FREEZE, BUT HAS DECLINED OTHER MEASURES SUCH AS THE MEASUREMENT OF LIQUID WASTES AT THE REPROCESSING PLANT TO VERIFY THAT THERE IS NO MOVEMENT OR ANY OPERATION INVOLVING THESE NUCLEAR WASTES.

GAO QUESTION: IS IAEA SATISFIED THAT DPRK IS FULFILLING ITS OBLIGATIONS UNDER THE NPT? IS THE DPRK IN COMPLIANCE WITH THE TREATY? IF NOT, WHY NOT?

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RESPONSE: UNDER ARTICLE III OF THE NPT, THE IAEA IS RESPONSIBLE FOR VERIFYING THAT NON-NUCLEAR WEAPON STATES PARTIES TO THE NPT ARE NOT DIVERTING NUCLEAR MATERIAL FROM PEACEFUL USES TO NUCLEAR WEAPONS OR OTHER NUCLEAR EXPLOSIVE DEVICES. ACCEPTANCE OF IAEA SAFEGUARDS BY NON-NUCLEAR WEAPON STATES PARTY TO THE NPT IS REQUIRED UNDER THE TREATY BECAUSE THE PARTIES NEED CREDIBLE ASSURANCE THAT NUCLEAR MATERIAL AND INSTALLATIONS ARE USED EXCLUSIVELY FOR PEACEFUL PURPOSES. THE DPRK HAS NOT FULLY ACCEPTED IAEA SAFEGUARDS.

GAO QUESTION: IS THE DPRK IN COMPLIANCE WITH ITS SAFEGUARDS AGREEMENT?

RESPONSE: THE SAFEGUARDS IMPLEMENTATION REPORT FOR 1995 STATES THAT THE IAEA REMAINED UNABLE TO VERIFY THE INITIAL DECLARATION OF NUCLEAR MATERIAL, AS REQUIRED BY THE SAFEGUARDS AGREEMENT, BY THE DPRK AND THAT THE DPRK WAS STILL NOT IN FULL COMPLIANCE WITH ITS SAFEGUARDS AGREEMENT. THIS IS STILL THE CASE.

GAO QUESTION: TO WHAT EXTENT HAS THE DPRK COOPERATED WITH IAEA'S NEEDS VIS-A-VIS THE PRESERVATION OF HISTORY OF INFORMATION RELATED TO THE OPERATING HISTORY OF DPRK'S NUCLEAR PROGRAM?

RESPONSE: NO PROGRESS HAS BEEN MADE ON THE PRESERVATION OF INFORMATION WHICH MUST REMAIN AVAILABLE TO ENABLE THE IAEA TO VERIFY IN THE FUTURE THE CORRECTNESS AND COMPLETENESS OF THE DPRK'S INITIAL DECLARATION UNDER ITS SAFEGUARDS AGREEMENT AND TO VERIFY

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COMPLIANCE WITH THE IAEA/DPRK SAFEGUARDS AGREEMENT. THE IAEA'S REQUIREMENTS WITH RESPECT TO THE PRESERVATION OF INFORMATION WERE PROVIDED IN WRITING TO THE DPRK ALREADY IN SEPTEMBER 1995. THE DPRK TEAM STATED THAT THE IAEA'S REQUIREMENTS WERE "EXCESSIVE" AND NOT IN LINE WITH THE

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PROGRESS IN THE IMPLEMENTATION OF THE AGREED FRAMEWORK
BETWEEN THE U.S. AND DPRK. THE IAEA CANNOT PROVIDE ANY
ASSURANCE THAT ALL THE REQUIRED INFORMATION IS ACTUALLY
BEING PRESERVED.

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