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International Atomic Energy Agency

BOARD OF GOVERNORS

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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 Board on 29 November 2002

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) 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,
- (c) Recalling further resolution 825 (1993) adopted by the Security Council of the United Nations on 11 May 1993 and 31 March 1994, 30 May 1994 and 4 November 1994 statements by the President of the United Nations Security Council, particularly the request to take all steps the Agency deems necessary to verify full compliance by the DPRK with its safeguards agreement with the Agency,
- (d) Noting with extreme concern recent reports of an unsafeguarded DPRK uranium enrichment programme, and the DPRK statement of 25 October 2002 that it is "entitled to possess not only nuclear weapons but any type of weapon more powerful than that,"
- (e) Mindful of the indispensable role of the IAEA in continuing to monitor the freeze on nuclear facilities in the DPRK as requested by the Security Council,
- (f) Recognizing the importance to the international community of maintaining peace, stability, and the nuclear weapons-free status of the Korean Peninsula, and declaring its readiness to promote a peaceful resolution of the DPRK nuclear issue,

(g) Noting that the IAEA Secretariat has sent two letters (17 and 18 October 2002) to the authorities of the DPRK, asking them to cooperate with the Agency and seeking clarification of reported information about a programme to enrich uranium,

(h) Having considered the report of the Director General at its meeting of 28 November 2002,

1. Reiterates its previous calls to the DPRK to comply fully and promptly with its safeguards agreement and to co-operate fully with the Agency to that end;
2. Endorses the statement by the Director General on 17 October 2002 in which he expressed “deep concern” regarding reported information that the DPRK has a programme to enrich uranium for nuclear weapons, and the action taken by the Director General to seek information from the DPRK on any such activity;
3. Insists that the DPRK urgently and constructively respond to letters from the IAEA Secretariat requesting clarification of the reported uranium enrichment programme;
4. Calls upon the DPRK to accept without delay the proposal of the Director General to despatch a senior team to the DPRK, or to receive a DPRK team in Vienna, to clarify the aforementioned uranium enrichment programme;
5. Recognises that such a programme, or any other covert nuclear activities, would constitute a violation of the DPRK’s international commitments, including the DPRK’s safeguards agreement with the Agency pursuant to the NPT;
6. Deplores the DPRK’s repeated public statements that it is entitled to possess nuclear weapons, which runs contrary to its obligations under the NPT not to develop or possess nuclear weapons;
7. Urges the DPRK to provide to the Agency all relevant information concerning the reported uranium enrichment programme, and other relevant nuclear fuel cycle facilities;
8. Urges the DPRK to cooperate with the Agency with a view to opening immediately all relevant facilities to IAEA inspection and safeguards, as required under its comprehensive safeguards agreement;
9. Urges the DPRK to give up any nuclear weapons programme, expeditiously and in a verifiable manner;
10. Requests the Director General to transmit this resolution to the DPRK, to continue dialogue with the DPRK with a view toward urgent resolution of the issues above, and to report again to the Board of Governors on the matter at its next meeting or when deemed necessary; and
11. Decides to remain seized of the matter.