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Item 19 of the Conference's provisional agenda

(GC(52)/1)

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

Report by the Director General

A. Introduction

1. The Director General, in his report (GC(51)/19) to the 51st regular session of the General Conference on 17 August 2007, stated, inter alia, that 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”.
2. Having considered the Director General’s report, the General Conference adopted resolution GC(51)/RES/16, on 20 September 2007, in which it, inter alia: welcomed the Six-Party agreement of 13 February 2007 on Initial Actions for the Implementation of the Joint Statement,¹ and the initiation of actions thereunder, including the shutdown and sealing of the Yongbyon nuclear facility; endorsed the monitoring and verification activities by the Agency on the shutdown and sealing of the Yongbyon nuclear facility pursuant to the Six-Party agreement of 13 February 2007; expressed deep concern regarding the nuclear explosive test proclaimed by the DPRK on 9 October 2006, and recognized the importance of implementing United Nations Security Council resolution 1718, while welcoming the recent progress achieved by the Six-Party Talks; expected the DPRK to take further steps, including the provision of a complete declaration of all nuclear programmes and the disablement of all existing nuclear facilities; encouraged all concerned parties to implement corresponding commitments in line with the principle of “action for action”; encouraged the DPRK to work towards the expeditious implementation of the 19 September 2005 Joint Statement, and in particular to implement fully its

¹ “Initial Actions for the Implementation of the Joint Statement” issued as GOV/INF/2007/6 (2 March 2007). The “Joint Statement on the Korean Peninsula Nuclear Issue”, issued as GOV/INF/2007/14, dated 2 July 2007, inter alia, stated that the DPRK committed to abandoning all nuclear weapons and existing nuclear programmes and returning, at an early date, to the Treaty on the Non-Proliferation of Nuclear Weapons and to IAEA safeguards.

commitment to abandon all nuclear weapons and existing nuclear programmes, as a step towards the goal of the verifiable denuclearization of the Korean Peninsula; stressed the desire for a peaceful resolution through dialogue to the DPRK nuclear issue, leading to a nuclear-weapon-free Korean Peninsula, with a view to maintaining peace and security in the region; called upon the DPRK to come into full compliance with the Treaty on the Non-Proliferation of Nuclear Weapons (NPT); called upon the DPRK to cooperate promptly with the Agency in the full and effective implementation of IAEA comprehensive safeguards and to resolve any outstanding issues that may have arisen due to the long absence of safeguards; strongly endorsed the actions taken by the Board of Governors and commended the impartial efforts of the Director General and the Secretariat to apply comprehensive safeguards in the DPRK; and stressed the essential verification role of the IAEA. The General Conference also decided to remain seized of the matter and to include the item in the agenda for its 52nd (2008) regular session.

3. The current report, which is being submitted to the Board of Governors and the General Conference, covers developments since the 51st regular session of the General Conference regarding the application of safeguards in the DPRK, and the implementation of the ad hoc arrangement for monitoring and verification of the shutdown and sealing of the Yongbyon nuclear facility.²

B. Application of Safeguards in the DPRK

4. As stated in the Director General's report to the 51st General Conference,³ 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 that, following initial verification, the DPRK had 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.

5. Since 17 July 2007, the Agency has continued to monitor and verify the shut down status of the above mentioned installations. The Six-Party Talks issued a joint statement on 3 October 2007, in which the parties agreed, inter alia, to the disablement by the DPRK of all existing nuclear facilities subject to abandonment under the September 2005 Joint Statement and the 13 February 2007 agreement. The Agency has been able to observe and document activities related to the disablement of the installations as part of its ad hoc monitoring and verification activities. The current status of the facilities is summarized in the following paragraphs.

6. **Nuclear Fuel Fabrication Plant:** The Agency has continued to monitor the shut down status of the plant. The disablement activities, which the Agency has observed, have included the removal and storage of essential equipment and the flushing-out and further processing of the in-process nuclear material. The DPRK has continued to provide access to the Agency to monitor this nuclear material during the disablement activities. The subsequent changes to the plant design have been documented by the Agency through visual observation and photographic records.

² As stated in the Director General's report to the 51st General Conference (GC(51)/19 of 17 August 2007), on 3 July 2007, the Director General reported to the Board of Governors on 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, and on 9 July 2007, the Board of Governors authorized the Director General, subject to the availability of funds, to implement the ad hoc arrangement.

³ (GC(51)/19).

7. **Radiochemical Laboratory:** The disablement activities, which the Agency has observed, have included, inter alia, the removal and storage of some of the essential equipment. The subsequent changes to the plant design have been documented by the Agency through visual observation and photographic records.

8. **5 MW(e) Experimental Nuclear Power Plant:** The Agency has documented the on-going core discharge activities. As of August 2008, over half of the spent fuel rods from the reactor core had been discharged, measured by the Agency and transferred to the adjacent spent fuel pond. These fuel rods, as well as those remaining in the reactor core, are under Agency surveillance. The changes to the facility design by the DPRK, including the cooling tower demolition in July 2008, have been documented by the Agency through visual observation and photographic records.

9. On 18 August 2008, the Agency was informed at the Yongbyon site that the DPRK had decided to suspend disabling activities at the 5 MW(e) reactor. At the time of this report, the Agency continued to perform its monitoring activities at this facility under the terms of the ad hoc monitoring and verification arrangement.

10. **50 MW(e) Nuclear Power Plant:** There has been no construction work at this installation since 2002. The Agency has made photographic records and has confirmed the status of the facility through periodic visits.

11. **200 MW(e) Nuclear Power Plant:** There has been no construction work at this installation since 2002. The Agency has made photographic records and has confirmed the status of the facility through periodic visits.

12. In his introductory statement to the Board of Governors, on 2 June 2008, the Director General noted, inter alia, that the Agency had not been requested by the Six-Party Talks to participate in the disablement of the Yongbyon facility.

13. In his statements to the Board on 18 July 2003 and 2 June 2008, the Director General mentioned, inter alia, that, until the legal status of the DPRK vis-à-vis the NPT had been clarified, the Agency's safeguards responsibilities towards the DPRK remained uncertain. The Director General noted that if the DPRK was considered to still be a party to the NPT, then its comprehensive NPT safeguards agreement remained in force, all of its nuclear material and facilities should be declared to the Agency and the Agency should resume its verification of the correctness and completeness of the DPRK's declarations. He added, however, that if the DPRK was considered as no longer being party to the NPT, the Agency's INFCIRC/66-type safeguards agreement with the DPRK (INFCIRC/252) with respect to the IRT Research Reactor, located at Yongbyon⁴, and associated nuclear material would have to be implemented. He added that it was important that the Agency receive guidance at the earliest opportunity.

14. Extrabudgetary contributions to fund the Agency's current ad hoc monitoring and verification arrangement, until mid-2009, have been pledged or provided by the European Union, Japan and the United States.

⁴ The Agency has not visited these facilities since December 2002.

C. Conclusion

15. The Agency has continued to verify the shutdown status of the Yongbyon and Taechon nuclear facilities and is continuing to implement the ad hoc monitoring and verification arrangement with the cooperation of the DPRK. While it does not take part in the disablement activities, the Agency has been able to observe and document these activities, which started in November 2007, as part of its ad hoc monitoring and verification activities.

16. The Director General will continue to report on developments, as appropriate.