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**COMMUNICATIONS DATED 21 MAY 1994
RECEIVED FROM THE PERMANENT MISSION OF
THE DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA
TO THE INTERNATIONAL ATOMIC ENERGY AGENCY**

The attached text of a telex communication, dated 21 May 1994, which the Director General of the General Department of Atomic Energy addressed to the Director General of the Agency is being circulated to all Member States of the Agency at the request of the Permanent Mission of the Democratic People's Republic of Korea.

TELEX COMMUNICATION

OF 21 MAY 1994
OR MR. PAK YONG NAM, DIRECTOR GENERAL,
GENERAL DEPARTMENT OF ATOMIC ENERGY OF DPRK
TO DR. HANS BLIX, DIRECTOR GENERAL,
INTERNATIONAL ATOMIC ENERGY AGENCY

Dear Mr. Blix,

I refer to your telex dated May 19, 1994.

When we were notifying your Agency on several occasions of the necessity and urgency of the refuelling campaign at the 5 MW Experimental Nuclear Power Plant, we requested you to take relevant measures, including the removal of seals, so that our refuelling operation could begin on May 4, 1994 as planned.

Your side, however, refused to accept our just request and even showed discourtesy by breaking your earlier promise to send two inspectors on April 26, 1994, for removing the seals and observing the refuelling campaign and to send additionally three inspectors later.

Such a situation has compelled us to begin inevitably to remove the relevant seals and discharge the fuel rods for technical and safety reasons.

These measures taken by our side have already been known to the public.

In the light of the above, it is clear to all that the responsibility for the beginning of the refuelling campaign without the Agency inspectors' presence lies with the Agency Secretariat that had failed to fulfil its own obligations to ensure the peaceful nuclear activities, not with our side, as we, on our part, have done all of what we were obligated to do.

Such an unreasonable behaviour on the part of the Agency constitutes a serious violation of the Agency's obligations to ensure that its inspection activities should avoid undue interference in the operation of facilities of the member states, and also an encroachment on the dignity sovereignty of an independent and sovereign state.

Our refuelling campaign began under the control of the Agency's surveillance equipments and has been under way in the presence of the Agency inspectors since May 18.

This demonstrates that the spent fuel rods are not

diverted and the continuity of safeguards remains fully maintained.

Our refuelling operation has been proceeding in such a way that it will preserve fully the technical possibility for the Agency to perform measurements of the spent fuel rods at the time when the nuclear issue is resolved on the basis of a package solution.

This notwithstanding, your side had refused at first to be present at the refuelling operation simply because of our refusal to accept your unilateral request for selection and securing of some fuel rods.

And now, you claim in a fault-finding manner that our measures would constitute a violation of our safeguards agreement-bound obligations, and, moreover, threatened to urgently report as such to the Agency's Board of Governors and the United Nations Security Council, unless we suspend the already started refuelling operation.

This is something like a thief raising a hue and cry.

Still worse, despite the fact that we have already permitted, as an exception, the smear sampling in the glove-box area and gamma mapping in building 3, which your side had described as the "inspection activities that were not completed" during the march inspection, your side dragged your feet over these inspection activities under unreasonable pretexts, until your side reluctantly sent a team of inspectors, who arrived in Pyongyang on May 17.

This alone serves as a clear evidence of how far the unjustifiable behaviour of the Agency Secretariat has gone with respect to our so-called "nuclear issue".

We have clarified our position in no uncertain terms in a number of our previous telexes addressed to your Agency with respect to the Agency's request for the selection of fuel channels and for the segregation and securing of some fuel rods.

In particular, I wish to remind you that in my telex dated May 12, 1994, I stated that "we will permit the activities necessary for selecting of fuel channels and securing of fuel rods as requested by the Secretariat if the further round of DPRK-USA talks would take place, even during the core refuelling operation, enabling us to remove the DPRK's unique NPT status within the framework of a package solution to the nuclear issue and the Secretariat appears with impartiality not to use our goodwill measures for any other purpose. We have just started the core discharge operation and so the opportunity for selecting and securing of fuel rods still remains."

It is a fact of common knowledge that our “nuclear issue” is the product of the United States’ policy of antagonizing the DPRK and therefore this is directly related to the DPRK-USA relations.

If the Agency Secretariat ignores this fact, it will mean that the Agency Secretariat blinks the reality.

We cannot accept your request for our suspension of the on-going refuelling campaign, due to the present situation of the reactor and the technical safety reasons.

The Agency Secretariat should not make any demands that would hinder the peaceful nuclear activities of the member states.

On the other hand, we agree to your proposal to send Mr. D. Perricos and Mr. V. Pouchkarev, arriving in Pyongyang on May 24 for discussion on matters related to the refuelling operation, and request you to provide us as soon as possible with information required for visa issuance.

The proposed consultation should take place without any preconditions attached.

The consultation could address the matter related to the refuelling operation and other matters as well, and in my view, if both sides hold serious consultations on the basis of the actual reality, they will be able to work out a fair solution.

Yours sincerely,

Pak Yong Nam

Director General
General Department of Atomic Energy
Democratic People’s Republic of Korea, Pyongyang