



Forty-sixth regular session
Item 18 of the agenda
(GC(46)/19)

**IMPLEMENTATION OF THE NPT SAFEGUARDS AGREEMENT
BETWEEN THE AGENCY AND THE DEMOCRATIC PEOPLE'S
REPUBLIC OF KOREA**

Resolution adopted on 20 September 2002 during the 9th plenary meeting

The General Conference,

- (a) Recalling the Board of Governors' 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 and GC(45)RES/16,
- (b) Noting with serious concern both the lack of tangible progress reflected in the Director General's report contained in document GC(46)/16 and that the DPRK has still not allowed the Agency to implement its NPT comprehensive safeguards agreement with the DPRK,
- (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 Democratic People's Republic of Korea (DPRK) with its safeguards agreement with the Agency,
- (d) Noting that the 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,
- (e) Noting the previously stated intention of the DPRK to come into full compliance with its safeguards agreement with the IAEA and the continuing IAEA-DPRK discussions on outstanding safeguards issues,
- (f) Noting that additional factors, as described in the Director General's report contained in document GC(46)/16, further underline the need for full and timely co-operation by the

DPRK with the Agency in regard to the verification of the correctness and completeness of the DPRK's initial declaration,

(g) Regretting the withdrawal of the DPRK from the Agency and expressing the hope that the DPRK will rejoin,

(h) Welcoming again both the presentation by the Agency in May 2001 of a detailed proposal for the first concrete steps needed for the verification of the correctness and completeness of the DPRK's initial declaration and the Secretariat's continuing readiness to start this work at short notice,

(i) Noting that some interaction has taken place between the Agency and the DPRK since the forty-fifth General Conference, but that this has not led to tangible progress on important outstanding issues, and

(j) Noting ongoing political developments in North East Asia and expressing the hope that they may contribute to progress towards full implementation of the relevant agreements,

1. Strongly endorses actions taken by the Board of Governors and commends the Director General and the Secretariat for their impartial efforts to implement the IAEA-DPRK safeguards agreement;

2. Recognizes the important role of the IAEA in monitoring the freeze of nuclear facilities in the DPRK and commends the Secretariat for its continuous efforts to monitor the freeze of specified facilities in the DPRK as requested by the United Nations Security Council;

3. Notes with growing concern that, although the DPRK is a party to the NPT, the Agency continues to be unable to verify the correctness and completeness of the initial declaration of nuclear material made by the DPRK and is therefore unable to conclude that there has been no diversion of nuclear material in the DPRK;

4. Reiterates its deep concern over the continuing non-compliance of the DPRK with the IAEA-DPRK safeguards agreement;

5. Urges again the DPRK to comply fully and promptly with its safeguards agreement, *inter alia* by taking all steps the Agency deems necessary to preserve all information relevant to verifying the correctness and completeness of the DPRK's initial declaration;

6. Encourages strongly the DPRK to respond positively and without further delay to the Agency's detailed proposal of May 2001 for the first concrete steps needed for verification of the correctness and completeness of the DPRK's initial declaration;

7. Calls upon the DPRK to begin promptly full co-operation with the Agency for the verification of the correctness and completeness of its initial declaration in view of the considerations contained in paragraph six of the Director General's report GC(46)/16 and the independent technical judgment

stated since 1999 by the Director General that the work required would take three to four years assuming full co-operation by the DPRK; and

8. Decides to remain seized of this matter and include in the agenda for its forty-seventh regular session an item entitled "Implementation of the NPT safeguards agreement between the Agency and the Democratic People's Republic of Korea".