

General Conference

GC(58)/RES/15

Date: September 2014

General Distribution

Original: English

Fifty-eighth regular session

Item 18 of the agenda
(GC(58)/22)

Implementation of the NPT safeguards agreement between the Agency and the Democratic People's Republic of Korea

Resolution adopted on 26 September 2014 during the ninth plenary meeting

The General Conference,

- (a) Recalling previous reports by the Agency's Director General regarding nuclear activities in the Democratic People's Republic of Korea (DPRK), as well as relevant resolutions of the Agency's Board of Governors and General Conference,
- (b) Recalling with deep concern the steps taken by the DPRK which led the Board of Governors to find that the DPRK was in non-compliance with its safeguards agreement and to report the DPRK's non-compliance to the United Nations Security Council,
- (c) Further recalling with grave concern the nuclear tests by the DPRK on 9 October 2006, on 25 May 2009, and on 12 February 2013, in violation of United Nations Security Council resolutions 1718 (2006), 1874 (2009), and 2087 (2013),
- (d) Conscious that a Korean Peninsula free of nuclear weapons would contribute positively to regional and global peace and security,
- (e) Recognizing the importance of the Six-Party Talks, in particular all the commitments made by the Six Parties in the 19 September 2005 Joint Statement, and on 13 February and 3 October 2007, including the commitment to denuclearization,
- (f) Recalling the important role that the Agency has played in monitoring and verification activities at the Yongbyon nuclear facilities, including as agreed in the Six-Party Talks,
- (g) Noting that the Agency unfortunately was not able to conduct monitoring and verification activities in the DPRK following the discontinuation of the DPRK's invitation to the Agency, as noted in the report of the Director General (GC(58)/21),
- (h) Noting with deep concern the DPRK's decision to cease all cooperation with the Agency, its demand on 14 April 2009 that Agency inspectors leave the DPRK and remove all Agency containment and surveillance equipment from its facilities, and the subsequent actions

announced by the DPRK, including the reactivation of all facilities at Yongbyon, reprocessing of spent fuel and weaponization of the extracted plutonium, and development of uranium enrichment technology,

(i) Recalling with grave concern the DPRK's 30 March 2014 statement announcing that it would consider conducting a "new form of nuclear test",

(j) Noting the Director General's report that the nuclear programme of the DPRK remains a matter of serious concern, and that the DPRK's public statements reiterating its claim to a "right" to conduct further nuclear tests, its intention to readjust and restart its nuclear facilities at Yongbyon, including the 5 MW(e) graphite-moderated reactor and the uranium enrichment facility, as well as previous statements about uranium enrichment activities, and the construction of a light water reactor are deeply regrettable, and noting that such actions are clear violations of relevant United Nations Security Council resolutions,

(k) Noting with concern that the DPRK's policy of building its nuclear forces, as outlined in the Director General's report, is contrary to its denuclearization commitments,

(l) Stressing the importance of a complete understanding of the DPRK's entire nuclear programme,

(m) Expressing serious concern about the DPRK's ongoing efforts to further develop its nuclear capabilities as outlined in the Director General's report, including steam discharges and the outflow of cooling water at the 5 MW graphite moderated reactor, signatures which are consistent with the reactor's operation, the construction of an extension to, and further renovation of, the centrifuge enrichment facility at Yongbyon including the installation of support structures, and the construction activities at the light water reactor,

(n) Noting the Director General's report that contrary to the requirements of relevant United Nations Security Council resolutions, the DPRK has not abandoned its existing nuclear programme in a complete, verifiable and irreversible manner or ceased all related activities, and

(o) Having considered the Director General's report contained in document GC(58)/21,

1. Condemns the three nuclear tests conducted by the DPRK in violation and flagrant disregard of the relevant United Nations Security Council resolutions;

2. Calls upon the DPRK to refrain from conducting any further nuclear test pursuant to the relevant United Nations Security Council Resolutions;

3. Strongly deplores all the DPRK's ongoing nuclear activities, as outlined in the Director General's report, including the restart of the 5 MW graphite moderated reactor, the operation, extension and further renovation of the uranium enrichment facility, and construction activities at the light water reactor at Yongbyon; and urges the DPRK to halt all such activities and any efforts to readjust or expand its nuclear facilities;

4. Stresses its desire for a diplomatic resolution of the DPRK nuclear issue so as to achieve the complete, verifiable and irreversible denuclearization of the Korean Peninsula;

5. Supports the Six-Party Talks as an effective mechanism for dealing with the DPRK nuclear issue, stresses the importance of the full implementation of the 19 September 2005 Joint Statement, and underscores the need for continued efforts by all the parties concerned in this regard, with a view to creating the favorable conditions for the resumption of the Six-Party Talks aimed at achieving substantive progress towards the complete, verifiable, and irreversible denuclearization of the Korean Peninsula, and maintaining peace and security in the Korean Peninsula and North East Asia;

6. Strongly urges the DPRK to honour its commitment to denuclearization and the 19 September 2005 Joint Statement of the Six-Party Talks;
7. Strongly urges the DPRK to fully comply with all its obligations under United Nations Security Council resolutions 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013) and other relevant resolutions, and to fulfill its commitments under the 19 September 2005 Joint Statement of the Six-Party Talks, including abandoning all its nuclear weapons and existing nuclear programmes, and immediately ceasing all related activities;
8. Stresses the importance of all Member States fully implementing their obligations pursuant to United Nations Security Council resolutions 1718 (2006), 1874 (2009), 2087 (2013), and 2094 (2013), including the DPRK's non-proliferation obligations;
9. Reaffirms that the DPRK cannot have the status of a nuclear-weapon State in accordance with the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), as stated in United Nations Security Council resolutions 1718 (2006) and 1874 (2009), and in the Final Document of the 2010 Review Conference of the Parties to the NPT;
10. Calls upon the DPRK to come into full compliance with the NPT and to cooperate promptly with the Agency in the full and effective implementation of Agency comprehensive safeguards, including all necessary safeguards activities provided for in the safeguards agreement, which the Agency has not been able to conduct since 1994, and to resolve any outstanding issues that may have arisen due to the long absence of Agency safeguards and the lack of Agency access since April 2009;
11. Deplores the DPRK's actions to cease all cooperation with the Agency, strongly endorses actions taken by the Board of Governors, commends the impartial efforts of the Director General and the Secretariat to apply comprehensive safeguards in the DPRK, and encourages the Secretariat to maintain its readiness to play an essential role in verifying the DPRK's nuclear programme, including the capability to re-establish implementation of safeguards-related activities in the DPRK;
12. Supports the international community's peaceful efforts in all available and appropriate forums to address the challenge posed by the DPRK; and
13. Decides to remain seized of the matter and to include the item "Implementation of the NPT safeguards agreement between the Agency and the Democratic People's Republic of Korea" in the agenda for its fifty-ninth (2015) regular session.