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(GC(60)/20)

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

Resolution adopted on 30 September 2016 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, on 12 February 2013, on 6 January 2016, and most recently, on 9 September 2016, in violation of United Nations Security Council resolutions 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013), and 2270 (2016),
- (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 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, the development of uranium enrichment technology, and the construction of a light water reactor,

(h) 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 in 2012, and noting that the Agency's knowledge of developments in the DPRK's nuclear programme is limited,

(i) Stressing the importance of a complete understanding of the DPRK's entire nuclear programme, and welcoming that the Agency has continued to collect and evaluate safeguards-relevant information regarding the DPRK's nuclear programme, as noted in the Director General's report (GC(60)/16)),

(j) Noting the Director General's report that the continuation and further development of the DPRK's nuclear programme remain a major cause for concern, including indications consistent with the operation of the Yongbyon Experimental Nuclear Power Plant (5 MW(e)) reactor, except for a period sufficient for the reactor to have been de-fuelled and subsequently re-fuelled, the operation of the Radiochemical Laboratory, which, in previous reprocessing campaigns, involved the use of the spent fuel discharged from the 5 MW(e) reactor, the use of the reported centrifuge enrichment facility and associated construction work, construction activities at the light water reactor site and other locations within the Yongbyon site, and ongoing uranium mining, milling and concentration activities at Pyongsan, and noting that such actions are clear violations of relevant United Nations Security Council resolutions,

(k) Recalling with grave concern the DPRK's announcements that it readjusted and started normal operation of all nuclear facilities at Yongbyon including the uranium enrichment facility and the 5 MW(e) reactor, that it reprocessed spent nuclear fuel rods removed from the Yongbyon nuclear reactor and is producing highly enriched uranium for nuclear weapons, its 6 January 2016 claim that it had conducted an "H-bomb" test, and its 9 September 2016 claim that it had tested a "nuclear warhead that has been standardized," and that the DPRK's policy of building its nuclear forces and its statements asserting the need to bolster and diversify its nuclear deterrent capability, including claiming advances in the areas of nuclear warhead miniaturization, are contrary to its denuclearization commitments,

(l) 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,

(m) Reiterating the international community's firm opposition to the DPRK's possession of nuclear weapons,

(n) Reiterating support for the IAEA's efforts to maintain preparedness to conduct monitoring and verification in the DPRK, and

(o) Having considered the Director General's report contained in document GC(60)/16,

1. Condemns in the strongest terms the five nuclear tests conducted by the DPRK, including on 6 January 2016 and 9 September 2016, 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 deplodes all the DPRK's ongoing nuclear activities, as outlined in the Director General's report, including the restart and operation of the 5 MW(e) reactor and the Radiochemical Laboratory (Reprocessing Facility), the extension and operation of the uranium enrichment facility, and ongoing construction activities at the light water reactor site and other locations at Yongbyon; and urges the DPRK to halt all such activities, and any efforts to readjust or expand its nuclear facilities, aimed at the production of fissile material;
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 favourable 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 renounce its policy of building its nuclear forces, and 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), 2270 (2016) and other relevant resolutions, and to take concrete steps 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), 2094 (2013), and 2270 (2016), 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. Deplodes 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 and encourages 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 sixty-first (2017) regular session.