

REPORT ON VERIFICATION MEASURES RELATING TO NORTH KOREA'S NUCLEAR PROGRAMS

Section 1405 (c)(3) of the Supplemental Appropriations Act, 2008 (P.L. 110-252), requires the Secretary of State to submit to the appropriate congressional committees, within 15 days after the date of enactment of that Act, a report on verification measures relating to North Korea's nuclear programs under the Six-Party Talks Agreement of February 13, 2007, with specific focus on how such verification measures are defined under the Six-Party Talks Agreement and understood by the United States government. The report is to include, among other elements, a description of:

(i) how the United States will confirm that North Korea has "provided a complete and correct declaration of all of its nuclear programs";

(ii) how the United States will maintain a high and ongoing level of confidence that North Korea has fully met the terms of the Six-Party Talks Agreement relating to its nuclear programs;

(iii) any diplomatic agreement with North Korea regarding verification measures relating to North Korea's nuclear programs under the Six-Party Talks Agreement (other than implementing arrangements made during on-site operations); and

(iv) any significant and continuing disagreement with North Korea regarding verification measures relating to North Korea's nuclear programs under the Six-Party Talks Agreement.

Background. As stated in the Joint Statement of the Fourth Round of the Six-Party Talks of September 19, 2005 ("Joint Statement"), the goal of the Six-Party Talks is the verifiable denuclearization of the Korean Peninsula in a peaceful manner. The February 13, 2007, agreement on Initial Actions for the Implementation of the Joint Statement ("February 13 agreement") and the October 3, 2007, agreement on Second-Phase Actions for the Implementation of the Joint Statement ("October 3 agreement") reiterated that goal.

In the February 13 agreement, North Korea agreed to shut down and seal for the purpose of eventual abandonment its main nuclear facility at Yongbyon and invite back International Atomic Energy Agency (IAEA)

personnel to conduct all necessary monitoring and verifications as agreed between the IAEA and the DPRK. On July 18, 2007, the IAEA confirmed that the nuclear facility at Yongbyon was shut down and sealed. Since that time, IAEA staff has been continuously present at the Yongbyon facility to confirm its continued shut down status.

In the October 3 agreement, North Korea agreed to disable all existing nuclear facilities subject to abandonment under the September 2005, Joint Statement and the February 13 agreement and to provide a complete and correct declaration of all of its nuclear programs. As a first step in this process, the core nuclear facilities at Yongbyon – the 5-MW(e) nuclear reactor, the reprocessing plant (Radiochemical Laboratory), and the fuel rod fabrication facility – were to be disabled by December 31, 2007, thus ending North Korea's capability to produce plutonium at Yongbyon. Eleven specific disablement actions were subsequently identified and agreed upon by U.S. and North Korean technical personnel for these three core facilities. (The agreed disablement actions are listed in Annex I.)

Since November, 2007, U.S. nuclear experts have been on the ground in Yongbyon to observe and verify that North Korea is abiding by its commitment and implementing the specified disablement actions. North Korea has completed eight of the eleven agreed disablement actions and has made progress on the ninth action, the removal of spent fuel rods. North Korea has removed half of the 8,000 spent fuel rods from the reactor. At least once a week, the U.S. personnel in Yongbyon visit the reprocessing plant and the fuel rod fabrication facility – the sites of the first eight completed disablement actions – to confirm that none of those actions have been reversed.

On May 8, 2008, North Korea provided the United States copies of 314 volumes – more than 18,000 pages of documentation – of operating and production records for the 5 MW(e) reactor and reprocessing plant at Yongbyon.

On June 26, 2008, the DPRK submitted a declaration of its nuclear programs. In a separate document referred to in its June 26 submission, the DPRK also acknowledged our concerns about the DPRK's uranium enrichment and proliferation activities, specifically with regard to Syria. We will continue to engage the DPRK on these issues until the DPRK resolves

these concerns in a verifiable manner. On June 27, 2008, the DPRK collapsed the cooling tower at the 5-MW(e) reactor.

(i) How the United States will confirm that North Korea has "provided a complete and correct declaration of all of its nuclear programs."

All the members of the Six-Party Talks have agreed that the DPRK's declaration of its nuclear programs will be subjected to a verification process aimed at resolving any discrepancies so that it can eventually be considered complete and correct. On July 12, 2008, the Six Parties agreed on a set of principles for a verification protocol. The DPRK's initial declaration serves as a starting point for obtaining a complete picture of North Korean nuclear activities, including its nuclear weapons and weapons-related activities and infrastructure. We anticipate verification would include the identification of other facilities for inspection, disablement, dismantlement, or other disposition, as necessary, for the DPRK to fulfill its commitment to abandon all nuclear weapons and existing nuclear programs. Any discrepancies or omissions in its declaration will have to be addressed by North Korea until the declaration is deemed to the satisfaction of all Parties to be complete and correct.

As an initial step in verification process, North Korea on May 8, 2008, provided the United States with copies of over 18,000 pages of documentation, consisting of operating records for the five-megawatt reactor [5 MW(e)] and the fuel rod reprocessing plant (Radiochemical Laboratory) at the Yongbyon nuclear complex, the site of North Korea's plutonium production. Ongoing review by U.S. experts of these documents, which date back to 1986, has yielded data which will serve as a starting point for verifying the DPRK's declaration.

The Six Parties are expected to work on developing a detailed verification process at the earliest possible date. We will press for on-site access to facilities and sites related to all of North Korea's nuclear programs; access to nuclear materials; access to obtain environmental and material samples and to conduct forensic analysis of materials and equipment; access to additional documentation, such as design documents, operating and production records, reports, logbooks, and other records for all nuclear-related facilities and operations for review, copying and removal from the country; and interviews with scientists and technicians in North Korea. In

addition, we will press the DPRK to allow verification equipment to be brought into the DPRK and deployed.

In the September 19, 2005, Joint Statement, the DPRK committed to abandon all nuclear weapons and existing nuclear programs and return, at an early date, to the NPT and IAEA safeguards. A credible verification process is important to ensure ultimately that the DPRK has met these commitments under the September 19, 2005, Joint Statement. In light of the level of development of the DPRK's nuclear program, such a verification process should meet international standards relevant to nuclear verification, as well as include additional measures necessary to achieve full implementation of the DPRK's commitments under the September 19, 2005, Joint Statement. North Korean cooperation will be critical to this verification effort, which will require resourceful application of the best effort we can put forward, as well as the participation of the IAEA and the assistance of other nations.

(ii) How the United States will maintain a high and ongoing level of confidence that North Korea has fully met the terms of the Six-Party Talks Agreement relating to its nuclear programs.

The Six Parties, including North Korea, have expressed their understanding of the importance of verification to obtain a declaration that is complete and correct and ultimately to verify the abandonment by the DPRK of all its nuclear weapons and existing nuclear programs. We intend to work with the other Parties and with the IAEA, as appropriate, to achieve that goal. If we have concerns about North Korean activities in this regard, we will be prepared to address them.

(iii) Any diplomatic agreement with North Korea regarding verification measures relating to North Korea's nuclear programs under the Six-Party Talks Agreement (other than implementing arrangements made during on-site operations).

The DPRK and the other parties to the Six-Party Talks have agreed that the DPRK's declaration will be subjected to a process of verification aimed at resolving any discrepancies and ensuring achievement of a declaration that can be considered complete and correct. China, as Chair of the Six-Party Talks, issued a statement on June 26, 2008, announcing that the Six Parties agreed that the DPRK's declaration will be subject to verification. During the Six-Party Talks Heads of Delegation meeting in

Beijing July 10-12, the Parties reached consensus on principles for verification to include visits to facilities, review of documents, interviews with personnel, and other measures subject to agreement among the Parties.

(iv) Any significant and continuing disagreement with North Korea regarding verification measures relating to North Korea's nuclear programs under the Six-Party Talks Agreement.

Discussions with the North Koreans regarding verification measures are ongoing. As noted above, the goal of the Six-Party Talks -- as stated in the September 19, 2005, Joint Statement of the Six Parties -- is the verifiable denuclearization of the Korean Peninsula in a peaceful manner. All parties to the Six-Party Talks have agreed that the DPRK's declaration and its ultimate denuclearization will be subjected to a process of verification and have begun to negotiate a verification protocol. The consistent position of the United States has been that in addition to the Six Parties the IAEA should play a role in verifying the DPRK's declaration of its nuclear programs. Once the Six Parties have established a verification regime, we will consult on any significant and continuing disagreement.

Annex I

Disablement Actions in the Second Phase of the Implementation of the Joint Statement, 16 November 2007

I. Disablement of the 5MWe Reactor

- a: Discharge reactor to spent fuel pond
- b: Remove control rod drive mechanisms
- c: Sever secondary cooling loop and cooling tower interior structure

II. Disablement of the Reprocessing Plant

- a: Remove drive mechanisms for fuel cask transfers
- b: Remove receiving cell door mechanism and overhead crane
- c: Remove mechanism for fuel shearing/decladding
- d: Sever process equipment steam line valves

III. Disablement of the Fuel Rod Fabrication Facility

- a: Remove uranium fuel rod casting furnaces and machine equipment
- b: Remove uranium metal reduction furnaces
- c: Remove ore concentrate dissolver tanks, empty process tanks/pipes
- d: Disablement of fresh fuel