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LETTER DATED 20 DECEMBER 1999 FROM THE SECRETARY-GENERAL  
ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to convey the attached communication, dated 17 December 1999, from Dr. Mohamed ElBaradei, Director General of the International Atomic Energy Agency (see annex).

I should be grateful if you would bring it to the attention of the members of the Security Council.

(Signed) Kofi A. ANNAN

Annex

Letter dated 17 December 1999 from the Director General  
of the International Atomic Energy Agency addressed to  
the Secretary-General

As you will recall, in its presidential statement of 4 November 1994 (S/PRST/1994/64), regarding the Democratic People's Republic of Korea (DPRK), the Security Council, *inter alia*, requested the International Atomic Energy Agency (IAEA) "to continue to report to it on the implementation of the Safeguards Agreement". In this regard, I enclose a copy of my written report about the DPRK (dated 25 August 1999) submitted to the General Conference of IAEA at its forty-third regular session (see enclosure I) and of resolution GC(43)/Res/3, adopted by the Conference on 1 October 1999 (see enclosure II).

Since my letter to you of 9 October 1998 (see S/1998/940), the Agency has continued to monitor the freeze of the DPRK's graphite moderated reactors and related facilities foreseen in the Agreed Framework of October 1994 between the DPRK and the United States of America. The DPRK continues to accept Agency activities solely within the context of the Agreed Framework and not under its Safeguards Agreement with the Agency, which, as you know, is binding and remains in force.

Two further rounds of technical discussions between IAEA and the DPRK were held between my letter to you of October last year and this year's General Conference, namely, from 5 to 8 October 1998 in Vienna and from 10 to 12 March 1999 in Pyongyang. Unfortunately, however, no progress was made on important issues relevant to the DPRK's compliance with its Safeguards Agreement, including those identified in my letter of 9 October 1998, such as the preservation of information required in connection with Agency verification of the accuracy and completeness of the DPRK's initial declaration. I have made clear to the Agency Board of Governors that, unless such information is preserved in a verifiable manner, it will be difficult, if not impossible, for the Agency to verify the DPRK's compliance with its Safeguards Agreement.

At meetings of the Board of Governors throughout the year, I have reported the continuing lack of progress over key issues. At the meeting on 7 June 1999, I also noted that the Agency's Safeguards Implementation Report for 1998 recorded the continuing inability of the Agency to verify the correctness and completeness of the DPRK's initial declaration of nuclear material and, therefore, our inability to conclude that there has been no diversion of nuclear material.

In the light of the information available at that time, and of my report to this year's General Conference, the Conference adopted resolution GC(43)/Res/3. This, in keeping with previous resolutions, expressed the deep concern of the Conference about the continuing non-compliance of the DPRK with its Safeguards Agreement, urged the DPRK to cooperate fully with the Agency in the implementation of that agreement, and also to take all steps the Agency may deem necessary to preserve all information relevant to verifying the accuracy and completeness of the DPRK's initial report.

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We have just completed the thirteenth round of technical discussions with the DPRK. They took place in Vienna from 13 to 16 December. During the meeting, little tangible progress was made on some of the key issues related to the preservation of information and to day-to-day activities related to the monitoring of the freeze.

I should be grateful if you would bring the text of the present letter and its enclosures to the attention of the Security Council, to which I will continue to report developments.

(Signed) Mohamed ELBARADEI

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Enclosure I

**IMPLEMENTATION OF THE AGREEMENT BETWEEN THE AGENCY AND  
THE DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA FOR THE  
APPLICATION OF SAFEGUARDS IN CONNECTION WITH THE TREATY  
ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS**

**Report by the Director General to the General Conference**



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Enclosure II

**IMPLEMENTATION OF THE AGREEMENT BETWEEN THE AGENCY AND  
THE DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA FOR THE  
APPLICATION OF SAFEGUARDS IN CONNECTION WITH THE TREATY  
ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS**

**Resolution GC(43)/Res/3 adopted on 1 October 1999  
during the ninth plenary meeting**

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