

---

## US-DPRK AGREED FRAMEWORK

**Signed:** October 21, 1994.

### Treaty Text

Under the Agreed Framework, the DPRK agreed to halt the operations and infrastructure development of its nuclear program in return for a package of nuclear, energy, economic, and diplomatic benefits from the United States.

According to the Agreed Framework, the DPRK agreed to:

- freeze and eventually dismantle its graphite-moderated reactors; seal, cease activities at, and eventually dismantle its reprocessing facilities; cooperate in finding a safe method to store existing spent fuel from its 5 MW experimental reactor and to dispose of such fuel in a safe manner that does not involve reprocessing in the DPRK;
- allow the [International Atomic Energy Agency \(IAEA\)](#) to monitor the freeze of its reactors; allow the implementation of its safeguards agreement under the nuclear [Non-Proliferation Treaty \(NPT\)](#); allow the IAEA to resume ad-hoc and routine inspections of facilities not subject to the freeze upon conclusion of a Supply Agreement for the light-water reactor (LWR) project;
- come into full compliance with its safeguards agreement with the IAEA upon conclusion of a significant portion of the LWR project; remain a party to the NPT; and
- take consistent steps to implement the North-South Joint Declaration on the Denuclearization of the Korean Peninsula; and engage in North-South dialogue.

In return for its obligations above, the DPRK was guaranteed the following:

- two LWRs with a total generating capacity of approximately 2,000 MW(e), financed and supplied by an international consortium, by 2003;
- 150,000 tons of heavy fuel oil by October 1995 for heating and electricity production foregone due to the freeze of its graphite-moderated reactors, and 500,000 tons annually thereafter until the completion of the first LWR; and

- formal assurances from the United States against the threat or use of nuclear weapons.

In addition, the Agreed Framework required the United States and the DPRK to:

- reduce barriers to trade and investment, including restrictions on telecommunications services and financial services and transactions; open liaison offices in each other's capitals; and
- upgrade bilateral relations to ambassadorial level as progress is made on issues of concern to each side.

**Verification and Compliance:** The [Korean Peninsula Energy Development Organization \(KEDO\)](#) was established 9 March 2003 to monitor verification of the Agreed Framework. The IAEA is the body responsible for verifying compliance with the agreement.

### **Developments:**

*For related information, see sections on [Joint Declaration of South and North Korea](#), [KEDO](#), and [IAEA](#)*

**2003:** Six-Party Talks between North Korea, South Korea, Japan, China, Russia, and the United States began 27-29 August. See Six-Party Talks for additional information.

**2002:** Through April, US and South Korean officials attended several meetings to discuss the possible resumption of US negotiations with North Korea to reinvigorate the 1994 Agreed Framework. South Korean presidential aide Lim Dong Won met with North Korean officials, including leader Kim Jong II, who agreed to receive US diplomat Jack Pritchard to discuss restarting US-North Korean negotiations on the Agreed Framework. At issue were the IAEA inspections of North Korea's nuclear facilities, called for in the 1994 agreement when a "significant portion" of the new reactors is completed. US officials said the inspections could take three to four years to conduct, making their early commencement necessary to avoid interruption or delay in US aid for building the two LWRs intended to supply electricity to North Korea. North Korean officials, however, were reluctant to allow the inspections in the wake of US President Bush's January "axis of evil" speech, and due to concerns that the United States will renege on its pledge to help the country complete the LWRs.

On 16 October, the United States announced that during a visit to the DPRK, Assistant Secretary James A. Kelly and his delegation advised the North Koreans that the United States had recently acquired information indicating that North Korea has a program to enrich uranium for nuclear weapons in violation of the Agreed Framework and other agreements. North Korean officials acknowledged that they have such a program.

On 14 November, US President George W Bush declared that November oil shipments to the North would be the last if the North did not agree to put a halt to its weapons programs.

On 12 December, DPRK threatened to reactivate nuclear facilities for energy generation, saying the Americans' decision to halt oil shipments leaves it with no choice. DPRK also blamed the United States for violating the 1994 pact.

**2001:** On 22 February, North Korea threatened to abandon its participation in the Agreed Framework if the Bush administration followed a "different" North Korea policy from that of the Clinton administration. North Korea accused the United States of not sincerely implementing the Agreed Framework and emphasized that, should the United States continue to delay implementation, it would not bound to the agreement any longer. The United States stated in response that it was willing to continue dialogue with the DPRK on security issues and that it would honor the Agreed Framework.

On 6 March, US Secretary of State Colin Powell announced that the United States planned to engage with North Korea and pick up where President Clinton had left off. The administration noted some "promising elements" that had been left on the table. President Bush further noted that he was looking forward, at some point in the future, to having a dialogue with the DPRK, however such dialogue would require complete verification of the terms of a potential agreement. The DPRK called the new US policy hostile.

On 6 June, the United States announced its determination to resume "serious discussions" on a "broad agenda" with the DPRK, i.e., comprehensive negotiations, including "improved implementation of the Agreed Framework, verifiable missile ban and North Korean conventional forces on the peninsula." Some experts interpret this new comprehensive approach as linkage between progress on nuclear issues with missile, and conventional issues in dealing with North Korea. The DPRK refused to resume talks with the United States on such a comprehensive basis, accus-

ing the Bush administration of committing to a policy of isolation and suppression of North Korea. The DPRK stated that instead of holding comprehensive discussions, bilateral talks should focus on compensating the DPRK for the loss of electricity due to delays in the construction of the LWRs under the Agreed Framework and warned that the accord was in danger of collapse. The Bush administration stated that it was committed to the Agreed Framework, however, construction of the LWRs, required by the accord, had not yet begun.

However, on 7 June, President Bush announced that his administration would not immediately resume negotiations with the DPRK, he expressed concerns about the ability to verify any agreement with a closed society like North Korea. US officials stated that the administration was conducting a comprehensive review of US policy towards the DPRK.

US Congress Republican leaders urged the administration to reconsider the terms of the Agreed Framework by abandoning the LWR project in favor of conventional power plants to meet North Korea's civilian energy needs. They called into question Pyongyang's "track record" and said that North Korea's regime could hardly be trusted with LWR technology or fissile material.

On 13 June, US special envoy Jack Pritchard met North Korea's UN envoy in New York, beginning a dialogue between the Bush administration and the government in Pyongyang. This meeting was followed by the US administration's decision to resume negotiations with North Korea after a three-month review.

**2000:** In February, testifying before the United States Congress, President Clinton claimed that North Korea remained in compliance with the Agreed Framework; that implementation of the 1992 Joint Declaration on the Denuclearization of the Korean Peninsula was progressing; and that steps had been taken to increase dialogue between North and South Korea. The president, however, waived the certification of two other issues: whether North Korea had diverted the US assistance (food or fuel oil) to military purposes; and whether North Korea was seeking to produce fissile material.

In his statement to the 2000 NPT Review Conference in New York on 24 April, the Director-General of the IAEA, Mohamed El Baradei, noted that with regard to the DPRK, there is regrettably little to report since the 1995 NPT Conference. The Agency remained unable to verify the correctness and completeness of the DPRK's initial declaration of its nuclear material

subject to safeguards and could not, therefore, provide any assurance about non-diversion. The DPRK remained in non-compliance with its safeguards agreement, which remained valid and in force. The DPRK, however, continues to accept IAEA activities solely in the context of the Agreed Framework, which it had concluded in October 1994 with the United States. As requested by the Security Council, the Agency was monitoring a “freeze” of the DPRK’s graphite-moderated reactors and related facilities under that agreement. The degree of cooperation the IAEA received from the DPRK continued to be limited and was linked by the DPRK to its perception of progress in implementing the Agreed Framework.

On 25-27 May, the United States conducted a second inspection of the Kumchang-ri site and concluded that conditions there had not changed since the first inspection. Following the June 2000, North-South summit, the United States relaxed some economic sanctions on North Korea.

**1999:** On 5 January, as a result of the developments around the suspected secret nuclear facility in Kumchang-ri, the LWR project was postponed.

During the January meeting between the United States and the DPRK, the latter agreed to grant the United States one “visit” to the site in return for one million tons of grain. The United States later threatened to halt the LWR project and heavy fuel oil shipments if access was not granted by 1 June. Some progress was made at the talks; both parties agreed to consider the option of food assistance through the UN World Food Program in return for US access to the site.

After the February-March meetings, where the sides reached understanding on the Kumchang-ri issue, on 16 March, they announced a formal agreement. According to the agreement, the United States committed to donate food through the UN World Food Program, institute bilateral food programs with North Korea, and take steps to improve political and economic relations with North Korea. In return, North Korea pledged to permit multiple site visits by a US team to the entire site. Both parties reaffirmed their commitment to the Agreed Framework and principles of US-North Korean bilateral relations as expressed in the 11 June 1993 US-North Korean Joint Statement.

On 24 March, the IAEA reported that critical parts of the North Korean 50 MW gas graphite reactor at Yongbyon had been missing since 1994 when IAEA inspectors first arrived at the site. The parts were vital for controlling nuclear reactions in the reactor’s gra-

phite core and they could be used to construct another nuclear reactor.

On 13 May, North Korea confirmed that the Kumchang-ri site would be open for inspections to 15 US arms inspectors beginning 18 May. When the inspection team arrived, it was allowed to measure the dimensions of all underground areas at the main complex, videotape and photograph agreed above-ground facilities, and take soil and water samples to be analyzed for radioactive substances. According to a US State Department spokesman, the team witnessed no effort by North Korea to conceal the facility at Kumchang-ri during the visit. He said the site was incomplete and dismissed allegations that nuclear equipment could have been removed prior to the inspectors’ arrival. It was concluded that the site at Kumchang-ri did not contain a plutonium-production reactor or reprocessing plant, either completed or under construction, and that the site was not suitable for a reprocessing plant. Despite the inspection team’s findings, the United States continued to remain suspicious that Kumchang-ri might be intended for other nuclear-related uses. The United States further concluded that Kumchang-ri did not violate the Agreed Framework. It was announced that the next US inspection team was scheduled to visit the site at Kumchang-ri in May 2000. The purpose of the second visit would be to examine the feasibility of Kumchang-ri being utilized for commercial purposes.

**1998:** On 2 January, the United States announced that the DPRK might be building an underground nuclear weapons-related facility at Kumchang-ri. Later it was reported that US intelligence had evidence that 15,000 North Korean workers were building an underground nuclear facility in a mountainside 25 kilometers from its nuclear center at Yongbyon. Although the exact nature of the facility was unclear, the United States intelligence sources concluded that the facility was intended to be either a nuclear reactor or a nuclear reprocessing plant. US officials estimated that it would take between two to six years to complete the construction. However, there was no evidence yet that North Korea had violated the Agreed Framework; pouring cement for the plant would constitute a violation. The United States requested access to the Kumchang-ri site, but the DPRK turned down this request claiming that the site was intended for civilian use.

On 17 March, the DPRK refused to cooperate with IAEA inspectors, citing delays in the implementation of the Agreed Framework. The IAEA inspectors were prevented from taking samples of nuclear waste and from taking samples from the high-temperature water

plant of the 5 MW gas graphite reactor. Earlier, North Korea had said that nobody could predict what would happen unless the United States sought new practical measures and took decisive action to implement its obligations under the Agreed Framework. This statement came as a response to the US claim that it would not complete the reactor project as long as the DPRK did not fully comply with its IAEA obligations. Further, the DPRK announced that because the United States and KEDO were not in compliance with their obligations under the Agreed Framework, pressure was growing for North Korea to unseal its 5 MW reactor. The DPRK pointed to delays in heavy fuel oil shipments, delays in the LWR project, and the persistence of the economic embargo.

On 15 July, the US General Accounting Office (GAO) reported that North Korea had not allowed the IAEA to install monitoring devices in nuclear waste tanks. The tanks were connected to a complex and inaccessible piping system that, if operating, would permit the waste to be removed and/or altered. The GAO report warned that North Korea might have secretly removed some of the nuclear waste to hide evidence of an earlier diversion of plutonium.

After the 31 August test of the Taepodong-1 intermediate-range ballistic missile (IRBM), the US Congress eliminated funding for the heavy fuel oil shipment to the DPRK, and Japan also suspended its food aid and normalization talks with Pyongyang.

On 10 September, the Clinton administration put forth a package of agreements for North Korea aimed at defusing tensions on the Korean Peninsula and restarting the stalled diplomatic initiatives. US State Department officials said that the United States would demand that the suspected underground nuclear-related site at Kumchang-ri be opened up to international inspections. It stated that this was a non-negotiable condition for further US compliance with the Agreed Framework. The United States and the DPRK reached an agreement, under which North Korea pledged to resume the packing of its nuclear spent fuel rods (the process was suspended in April 1998), and the United States reaffirmed its commitment to heavy fuel oil shipments and additional stipulations of the Agreed Framework. Both countries agreed to further negotiations. The DPRK still denied that it was building a secret underground nuclear facility.

On 15 October, the DPRK again threatened to resume its nuclear program if the United States cut heavy fuel oil shipments and food assistance. It also said that inspection of the Kumchang-ri site would only occur on North Korean terms. The United States reaf-

firmed that if it were not allowed to inspect the underground site in Kumchang-ri, it would be unable to fulfill its part of the Agreed Framework. At their November 1998 meeting, the DPRK and the United States were unable to agree on the inspection of the suspected site. The United States maintained that it had strong material evidence that the site was nuclear-related, while North Korea argued that it was intended for civilian use.

In December, after a series of meetings with the DPRK on the issue of a secret nuclear-related site in Kumchang-ri, which failed to succeed, the United States stated that the Agreed Framework could be scrapped due to North Korea's refusal to allow inspections of this site. In response, North Korea once again threatened to terminate its nuclear freeze.

**1997:** On 19 March, President Clinton certified that North Korea was cooperating fully in the packing and safe storage of all spent fuel from its 5 MW gas-graphite reactor, and that it had not diverted assistance provided by the United States for unintended purposes.

On 14 April, the DPRK accused the United States of attempting to contain it and thus threatened to pull out of the Agreed Framework. On 22 April, a defector from the DPRK claimed that the country was preparing for war with South Korea and that it possessed nuclear weapons. The CIA expressed doubts about this claim. Later in June, another defector claimed that North Korea possessed nuclear weapons and that a planned nuclear test had been cancelled under pressure from the North Korean Foreign Ministry. However, the defector conceded that he did not have proof that the DPRK possessed nuclear weapons, but suggested that it would be wise for South Korea to assume that it did.

On 1 June, the IAEA Board of Governors reported that it was still unable to verify the initial declaration made by North Korea, and that the DPRK still remained in non-compliance with its nuclear safeguards agreement.

On 4 June, NAC International, the US contractor in charge of the packing, clean-up, and dismantlement project at North Korea's Yongbyon nuclear facility, said that 6,500 of North Korea's 8,000 nuclear spent fuel rods had been packed for long-term storage. Two and one-half months later, NAC announced that 90 percent of North Korea's 8,000 nuclear spent fuel rods had been properly packed for safe storage, and that the packing operation would be completed by the end of 1997.

**1996:** According to a January 1996 Russian Foreign Ministry report, North Korea would not give up its nuclear weapons program. The report stated that nuclear weapons had become symbolically important to North Korea and that North Korea had extracted 7-22 kilograms of plutonium, conducted over 70 tests of high explosive nuclear triggering devices near Yongbyon between 1991 and 1994, and had nuclear-related facilities at Pakchon, and 20 other sites including Hamhung, Kilchu, and Kusong.

On 15 January, North Korea proposed a comprehensive security dialogue with the United States, including replacement of the Armistice Agreement by a North Korea-US Peace Agreement, relaxation of tensions along the demilitarized zone, loosening of the US economic sanctions against North Korea, and provision of US assistance to North Korea. The US State Department responded affirmatively to the North Korean proposal. Later in February, the DPRK demanded that the United States remove it from the Coordinating Committee for Multilateral Export Controls (COCOM) list in exchange for honoring the Agreed Framework. The United States and South Korea cancelled their Team Spirit military exercises to demonstrate good will to North Korea.

On 23 January, the DPRK agreed that the IAEA could conduct routine and ad hoc inspections of its operational nuclear sites.

On 27 April, the US firm NAC International began the process of packing the 8,000 nuclear spent fuel rods removed from North Korea's 5 MW gas-graphite reactor in order for these fuel rods to be taken out of the storage pond, dried, put into stainless steel cans, and then shipped out of North Korea to a permanent storage site, which was not yet identified. The IAEA was denied permission to measure the plutonium levels in the rods. The inspectors were only allowed to verify whether the fuel rods had been "burnt." The IAEA later announced that it had been unable to verify North Korea's initial declaration under the NPT. North Korea responded that it would not give the IAEA information about the fuel rods from the 5 MW reactor until the new reactor (LWR project) was finished and began operations. The DPRK threatened again that it would unfreeze its nuclear program if the LWR project was not completed on time.

**1995:** On 16 January, the DPRK stated that the Agreed Framework would be threatened if it were to be supplied with South Korean nuclear reactors. On 16 January, North Korea received its first shipment of heavy fuel oil under the Agreed Framework. For the first time in 44 years, the United States relaxed some

trade restrictions with the DPRK to implement the Agreed Framework.

On 9 February, the DPRK rejected US demands that it recommence dialogue with South Korea as a component of the Agreed Framework, contending that the two issues were separate. On 8 March, the US Senate passed an amendment to the US Defense spending bill, which required congressional approval for aid to North Korea in order to prevent the Clinton administration from accessing reprogrammed or emergency funds for the DPRK without congressional approval. On 25 March, the DPRK announced that it would discontinue the nuclear freeze if a contract for the provision of LWRs was not concluded by 21 April.

A March 1995 intelligence report compiled for President Bill Clinton said that North Korea was likely to continue its program to develop nuclear weapons despite the Agreed Framework. The report further said that North Korea would allow the dismantlement of its nuclear program to occur only if it had covertly developed another source of fissile material.

On 13 June, the United States and the DPRK issued a joint statement outlining the mutually agreed provisions for further implementation of the Agreed Framework, including provision to the DPRK of "two pressurized light water reactors with two coolant loops and a generating capacity of approximately 1,000 MW each." The two countries further agreed that a group of US experts would travel to North Korea in June to begin implementing the safe storage of nuclear spent fuel, and that KEDO would arrange the delivery of heavy-fuel oil without delay.

On 1 September, a group of technicians from the United States firm Centec-21 arrived at Yongbyon and started operations to stabilize the spent fuel storage pond and clean the water in the pond. They spent six months packing the 8,000 nuclear spent fuel rods from the fuel pool. On 10-15 September, the IAEA sent a team of inspectors to North Korea to monitor its compliance with the NPT and the Agreed Framework. The IAEA requested that it be allowed to expand its monitoring activities in North Korea and improve its technical capability to confirm that North Korea's maintenance of the 5 MW gas graphite reactor at Yongbyon and the plutonium processing facility did not reflect an attempt to revive its nuclear program.

On 18 September, the US House of Representatives adopted a resolution exhorting President Bill Clinton not to improve relations or ease economic restrictions on North Korea until it made efforts to fulfill the

terms of the North-South Declaration on the Denuclearization of the Korean Peninsula.

On 22 September, the IAEA General Conference adopted a resolution concerning nuclear safeguards in North Korea. It called on the DPRK to cooperate with the IAEA to “preserve intact” all data pertinent to determining the “accuracy and completeness” of its original nuclear inventory report until the country came into full compliance with the safeguards agreement. In his opening statement, IAEA Director General Hans Blix told the conference that unresolved concerns included the disposition of nuclear spent fuel from the DPRK’s 5 MW gas graphite reactor and installation of waste tank monitoring equipment at its reprocessing plant. On 25 September, the IAEA announced that North Korea had denied the IAEA permission to measure the amount of plutonium in the 8,000 spent fuel rods or in the liquid waste at its reprocessing facility. North Korea agreed only to allow IAEA inspectors to determine if the fuel rods were irradiated and to photograph the reprocessing facility. North Korea indicated that it would make the examination of plutonium contingent upon progress in negotiations for the LWR supply contract. The United States rejected the IAEA’s requests to verify North Korea’s nuclear history as “not implementable.” The United States wanted to store the rods and delay inspections for four or five years, after which the rods could be examined along with special inspections of North Korea’s undeclared nuclear facilities. The IAEA officials insisted that it would be impossible to verify North Korea’s nuclear past if the rods were not examined prior to storage. A US official insisted however, that the stance taken by the IAEA represented an abrogation of the Agreed Framework. The United States expressed its confidence that the DPRK would fulfill its obligations under the Agreed Framework.

On 15 December, North Korea and KEDO signed a LWR supply agreement according to the terms of the Agreed Framework. The DPRK warned the United States that it would restart its nuclear program if KEDO failed to meet all term of the contract.

**1994:** On 1 November, the DPRK Foreign Ministry spokesman announced that North Korea’s Administration Council had ordered the cessation of construction on the 50 MW and 200 MW gas-graphite reactors, as well as decided to halt operation of the 5 MW gas graphite reactor, to take measures to withdraw fuel rods that were intended to refuel it, and to cease operations at its reprocessing facility and other nuclear facilities.

On 18 November, the DPRK announced that it had frozen its nuclear program in accordance with the Agreed Framework. It promised to comply with its obligation to dismantle the components of its suspected nuclear weapon sites, and requested the United States to fulfill its promises under the Agreed Framework.

On 28 November, the IAEA confirmed that the DPRK had frozen operations at the 5 MW gas graphite reactor, reprocessing facility, and fuel fabrication facility. It also confirmed that construction had been stopped at the 50 MW gas graphite reactor at Yongbyon and the 200 MW gas graphite reactor at Taechon.