

uranium enrichment and other sensitive aspects of the nuclear fuel cycle to have access to nuclear power. He reiterated that the United States, the United Kingdom, France, China, the Russian Federation and Germany could offer the Islamic Republic of Iran assistance in the development of a civil nuclear power programme if it complied with the requirements of the Council.¹⁰²

At the same meeting, the representative of Qatar commented that it was important that the Non-Proliferation Treaty was implemented for all States in the Middle East without selectivity or discrimination. He welcomed the work plan agreement of August 2007 between the Islamic Republic of Iran and IAEA regarding the IAEA safeguards regime and urged all parties to the debate to maintain restraint and not attempt to affect the independence of IAEA.¹⁰³

C. Non-proliferation/Democratic People's Republic of Korea

Initial proceedings

Decision of 14 October 2006 (5551st meeting): resolution 1718 (2006)

At the 5551st meeting, on 14 October 2006,¹⁰⁴ statements were made by the representatives of Argentina, China, France, Japan, the Russian Federation, the United Kingdom and the United States and the representatives of the Democratic People's Republic of Korea and the Republic of Korea. The President (Japan) drew the attention of the Council to a letter transmitting a statement by the spokesman of the Ministry of Foreign Affairs of the Democratic People's Republic of Korea.¹⁰⁵ In the letter, the spokesman stated that the underground nuclear test conducted on 9 October 2006 was a measure to bolster the self-defence capacity of the Democratic People's Republic of Korea and "was entirely attributable to the United States nuclear threat, sanctions and pressure". He complained that as soon as the Democratic People's

Republic of Korea, which had already pulled out of the Treaty on the Non-Proliferation of Nuclear Weapons, had declared that it had conducted a nuclear test "the United States manipulated the Security Council to issue a resolution pressurizing Pyongyang, an indication of the disturbing moves to impose collective sanctions upon it". Nonetheless, while the Democratic People's Republic of Korea had conducted the nuclear test, he declared that his country maintained its will to denuclearize the Korean peninsula through dialogue and negotiations. However, if the United States increased pressure upon the Democratic People's Republic of Korea, it would continue to take physical countermeasures, and consider it as a declaration of war. The President also drew attention to three letters dated 13 October 2006 from the representative of France,¹⁰⁶ transmitting lists of items, materials, equipment, goods and technology related to nuclear, ballistic missile and other weapons of mass destruction.

The President drew the attention of the Council to a draft resolution;¹⁰⁷ it was put to vote and adopted unanimously as resolution 1718 (2006), by which the Council, acting under Chapter VII of the Charter and taking measures under its Article 41:

Demanded that the Democratic People's Republic of Korea not conduct any further nuclear test or launch of a ballistic missile;

Demanded that the Democratic People's Republic of Korea immediately retract its announcement of withdrawal from the Treaty on the Non-Proliferation of Nuclear Weapons;

Decided that the Democratic People's Republic of Korea should suspend all activities related to its ballistic missile programme;

Decided that the Democratic People's Republic of Korea should abandon all nuclear weapons and existing nuclear programmes in a complete, verifiable and irreversible manner;

Decided also that the Democratic People's Republic of Korea should abandon all other existing weapons of mass destruction and ballistic missile programmes in a complete, verifiable and irreversible manner;

Decided to impose measures relating to the export or import from the Democratic People's Republic of Korea of certain goods and materials.

Most members of the Council welcomed the resolution and stressed the need to respond firmly and

¹⁰² S/PV.5807, pp. 2-3.

¹⁰³ *Ibid.*, p. 3.

¹⁰⁴ For more information on the discussion at this meeting, see chap. XI, part I, sect. B, with regard to Article 39 of the Charter; chap. XI, part III, sect. B, with regard to Article 41; and chap. XI, part IX, sect. B, with regard to Article 51.

¹⁰⁵ S/2006/801.

¹⁰⁶ S/2006/814, S/2006/815 and S/2006/816.

¹⁰⁷ S/2006/805.

swiftly to the irresponsible actions of the Democratic People's Republic of Korea. They stressed that the Democratic People's Republic of Korea, *inter alia*, needed to implement the provisions of all Council resolutions, including resolution 1695 (2006), by which the Council had demanded suspension of the ballistic missile programme and verifiable dismantlement of nuclear development in the Democratic People's Republic of Korea, and return to the six-party talks. Most representatives stressed that if the Democratic People's Republic of Korea implemented the relevant provisions of the resolution, the sanctions measures would be suspended or lifted. The representatives of the Russian Federation and Japan¹⁰⁸ expressed regret that the Democratic People's Republic of Korea had ignored the message in the statement by the President of the Security Council of 6 October 2006.¹⁰⁹ A number of members also commented on humanitarian concerns, stating that the sanctions were not targeted towards the suffering people in the Democratic People's Republic of Korea.¹¹⁰

The representative of the United States said that the proclaimed test of a nuclear device by the Democratic People's Republic of Korea posed one of the gravest threats to international peace and security ever confronted by the Security Council. He stressed that the strong and clear message sent to the Democratic People's Republic of Korea extended to "other would-be proliferators", and expressed disappointment that the Government of the Democratic People's Republic of Korea had broken its word again. Underlining that the Council needed to be prepared if the Democratic People's Republic of Korea again decided to ignore the resolutions, he stated that the United States and other members could, at any point in time, strengthen the measures against the Democratic People's Republic of Korea and return to the Council for further action. He concluded by reassuring the allies of the United States in the region that his Government remained committed to their security and that it sought to increase defence cooperation with its

allies, including cooperation on ballistic missile defence.¹¹¹

The representative of the United Kingdom stated that the Council had a duty to condemn provocative behaviour which constituted a threat to international peace and security.¹¹²

The representative of Japan stressed that the combination of ballistic missile capacity and nuclear capability of the Democratic People's Republic of Korea, with its proven record of reckless behaviour as a proliferator, constituted a grave threat to peace and security. He expressed regret that the test violated the Japan-Democratic People's Republic of Korea Pyongyang Declaration, the Joint Statement of 19 September 2005 and other agreements. Mentioning that the Government of Japan had announced firm measures in protest of the nuclear test including denial of permission to enter Japanese ports to all vessels of the Democratic People's Republic of Korea, he urged other members to swiftly implement the provisions of the resolution.¹¹³

The representative of China expressed firm opposition to the nuclear test and support for the firm and appropriate response of the Council. However, he voiced disapproval against the practice of inspecting cargo to and from the Democratic People's Republic of Korea and, therefore, expressed reservations about the relevant provisions of the resolution. He strongly urged the members to adopt a prudent and responsible attitude to prevent provocative steps that might intensify the tension. He emphasized that the Government of China remained committed to a peaceful solution to the nuclear issue in the Korean peninsula, and expressed his belief in the six-party talks as a realistic measure. He voiced firm opposition to the use of force, and expressed satisfaction that the parties concerned had indicated the importance of diplomatic efforts.¹¹⁴

The representative of the Russian Federation called for a strong but carefully vetted response to prevent further escalation of tension. He stressed that any sanctions measures should not remain in place indefinitely, and that goals such as bringing the Democratic People's Republic of Korea back to the

¹⁰⁸ S/PV.5557, p. 5 (Russian Federation); and p. 7 (Japan).

¹⁰⁹ S/PRST/2006/41. See section 27 (Letter dated 4 July 2006 from the Permanent Representative of Japan to the United Nations addressed to the President of the Security Council) of the present chapter.

¹¹⁰ S/PV.5551, p. 3 (United States); and p. 5 (United Kingdom, Russian Federation).

¹¹¹ *Ibid.*, pp. 2-3.

¹¹² *Ibid.*, p. 5.

¹¹³ *Ibid.*, pp. 6-7.

¹¹⁴ *Ibid.*, pp. 4-5.

Treaty on the Non-Proliferation of Nuclear Weapons could be achieved only through political and diplomatic means.¹¹⁵

The representative of the Democratic People's Republic of Korea rejected the resolution, asserting that it was "gangster-like" for the Council to adopt a coercive measure, while neglecting the nuclear threat, moves for sanctions and pressure of the United States against his country. He claimed that even though the Democratic People's Republic of Korea had made every effort to settle the nuclear issue through dialogue and negotiations, the United States Administration had responded to its patient and sincere effort with a policy of sanctions and blockade. He also stated that the denuclearization of the Korean peninsula was the ultimate goal of the Democratic People's Republic of Korea. The representative concluded that the nuclear test did not contradict the Joint Statement of 19 September 2005, under which it had committed itself to dismantling its nuclear weapons and to abandoning its existing nuclear programme, because his Government had clarified that it would not need nuclear weapons once the United States had dropped its hostile policy and confidence had been built between the two countries.¹¹⁶

The representative of the Republic of Korea stated that the nuclear test was an unacceptable breach of the Joint Statement of 19 September 2005 and the Joint Declaration on the Denuclearization of the Korean Peninsula signed in 1991. He concluded that the acts of the Democratic People's Republic of Korea would never be condoned and that their impact on inter-Korean relations could be only negative.¹¹⁷

The representative of Argentina pointed out that the letters dated 13 October 2006 from the representative of France¹¹⁶ had been circulated only to identify the items referred to in the resolution and not to legislate on the control of dual-use material and technologies in areas covered by specific treaties.¹¹⁸

Deliberations of 11 January 2007 (5618th meeting)

At its 5618th meeting, on 11 January 2007, the Council heard a briefing by the Chairman of the

¹¹⁵ Ibid., pp. 5-6.

¹¹⁶ Ibid., pp. 7-8.

¹¹⁷ Ibid., pp. 8-9.

¹¹⁸ Ibid., p. 6.

Security Council Committee established pursuant to resolution 1718 (2006) on the activities of the Committee from 14 October 2006 to 11 January 2007. The representatives of France, the United Kingdom and the United States made statements.

The Chairman informed the Council that the Committee had revised the chemical and biological programmes list. He said that the Committee had received reports from 46 countries and the European Union on the steps that they had taken with a view to implementing effectively the provisions of paragraph 8 of resolution 1718 (2006). He also noted that the Committee had received letters from the International Air Transport Association and the Permanent Mission of Ukraine to the United Nations, seeking guidance on or providing notification of cooperation with the Government of the Democratic People's Republic of Korea. He noted that the Committee had concluded that any definition of luxury goods would be the national responsibility of individual Member States, and that the resolution did not intend to have a negative humanitarian impact on the Democratic People's Republic of Korea.¹¹⁹

The representative of the United States called for a prompt adoption of amendments to the lists of items, materials, equipment, goods and technology prohibited from export to or import from the Democratic People's Republic of Korea. She added that the Committee guidelines should be adopted no later than the end of January, but that their adoption was not a precondition for Committee or Council action.¹²⁰

The representative of France asked the Committee to begin work on identifying individuals and entities covered by the measures of freezing assets and restricting travel; consider adding articles to the lists; and specify that the resolution's provisions did not ban vaccines or basic products.¹²¹

The representative of the United Kingdom urged the remaining 146 Member States of the United Nations to submit reports on the steps they had taken to implement the terms of the resolution.¹²²

¹¹⁹ S/PV.5618, pp. 2-3.

¹²⁰ Ibid., p. 3.

¹²¹ Ibid., pp. 3-4.

¹²² Ibid., p. 4.