



United States Department of State
Washington, D.C. 20520

NOV 6 - 2007

Dear Mr. Markey:

Thank you for your letter of October 3 regarding our efforts through the Six-Party Talks to denuclearize the Korean Peninsula and expressing your concerns regarding the process for removing the designation of North Korea as a state sponsor of terrorism.

On October 3, the Six Parties – the United States, China, Japan, Russia, North Korea, and the Democratic Peoples Republic of Korea (DPRK) – agreed on “Second Phase Actions for the Implementation of the Joint Statement.” This document outlined a roadmap for a declaration of North Korea’s nuclear programs and disablement of its core nuclear facilities at Yongbyon by the end of the year. These Second-Phase actions would effectively end North Korea’s production of plutonium, a major step towards the goal of achieving the verifiable denuclearization of the Korean Peninsula.

Under the terms of the October 3 agreement, North Korea agreed to provide a complete and correct declaration of all its nuclear programs by December 31, 2007. It also agreed to disable all existing nuclear facilities subject to the September 19, 2005 Joint Statement and the February 13, 2007 Initial Action agreement. As a start, the core nuclear facilities at Yongbyon – the 5-megawatt reactor, the fuel reprocessing plant, and the fuel fabrication facility – are to be disabled by the end of this year. As agreed by the Parties, the United States will lead disablement activities, and U.S. nuclear experts have begun preparations for the disablement process. North Korea also reaffirmed its commitment not to transfer nuclear materials, technology or know-how.

As a part of the October 3 agreement, the United States will fulfill its commitments to North Korea in parallel with North Korea’s actions on

The Honorable
Edward J. Markey,
House of Representatives.

disablement and declaration. In the February 13 agreement, the United States agreed to “begin the process of removing the designation of the DPRK as a state sponsor of terrorism.” North Korea was designated a state sponsor of terrorism in January 1988 following the bombing of a Korean Airlines flight in November 1987. Iraq’s and Libya’s designations as state sponsors of terrorism were rescinded in 2004 and 2006 respectively. No date for U.S. action on rescinding North Korea’s designation as a state sponsor of terrorism has been specified. Before the designation could be rescinded, the President would need to submit a report to Congress justifying the rescission and certifying that the Government of North Korea has not provided any support for international terrorism during the preceding six months and has provided assurances that it will not support acts of international terrorism in the future. However, as noted above, the United States has made clear to North Korea that such an action will depend on fulfillment of North Korea’s commitments on disablement and declaration and on the satisfaction of relevant statutory criteria.

Your letter expressed concern that removing the designation of North Korea as a state sponsor of terrorism would pave the way for the resumption of construction of light water reactors in North Korea and possible nuclear cooperation between the United States and North Korea. Such nuclear cooperation is not the goal or intent of the Six-Party process. In addition, even if the designation of North Korea as a state sponsor of terrorism were removed, significant legal barriers to nuclear cooperation with North Korea would remain, including several sanctions laws.

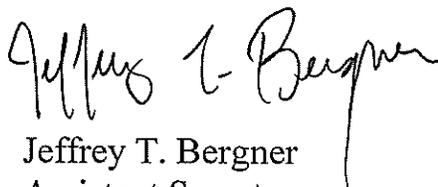
The goal of the Six-Party Talks, as enshrined in the Joint Statement of September 19, 2005, is the verifiable denuclearization of the Korean Peninsula and the prompt return of North Korea to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) and to IAEA safeguards. The United States has not proposed the resumption of construction of light water reactors in North Korea by the Korean Peninsula Energy Development Organization; indeed, that project has been terminated.

Regarding Japan, one of the five Six-Party working groups is a Japan-North Korea bilateral group. The September 2005, February 13 and October 3 agreements all provide for Japan and North Korea to have bilateral talks aimed, *inter alia*, at settling the “unfortunate past and outstanding issues of concern.” We have at every opportunity urged the DPRK to address Japan’s concerns about Japanese nationals who were abducted by the DPRK. We

will continue to do so. Although there is no North-South bilateral mechanism established within the Six-Party framework, there are opportunities for bilateral work between North Korea and South Korea within that framework and, as demonstrated by recent events, the North and South also have opportunities to address bilateral issues of concern directly.

We hope this information has been helpful. Please do not hesitate to contact us if we may be of further assistance in this or any other matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeffrey T. Bergner". The signature is written in a cursive style with a long, sweeping tail on the letter "n".

Jeffrey T. Bergner
Assistant Secretary
Legislative Affairs