

## **ANNEX II<sup>\*</sup>**

### **UN Sanctions and Exemption Procedures: DPRK**

**UN sanctions on the Democratic People’s Republic of Korea (DPRK):**

Provisions of Security Council Resolutions 1718, 1874, 2087, and 2094 and exemption procedures from the 1718 Committee’s “Guidelines of the Committee for the Conduct of its Work”<sup>1</sup>

**1. Sanctions measures**

- Ban on the supply to the DPRK conventional arms,<sup>2</sup> and related technical training, advice, services, or assistance,<sup>3</sup> and financial transactions, except small arms and light weapons subject to notifying the Committee<sup>4</sup>
- Ban on the supply to the DPRK of non-conventional arms,<sup>5</sup> and related technical training, advice, services, or assistance (as per footnote 2); as per the lists of prohibited items<sup>6</sup>
- Ban on the export by the DPRK of conventional and non-conventional arms and procurement and transport by Member States,<sup>7</sup> including financial transactions, technical training, advice, services, or assistance<sup>8</sup>
- Arms embargo on listed individuals and entities<sup>9</sup>
- Ban on the supply of luxury goods to the DPRK includes technical training, advice, services, or assistance under Resolution 1718, para. 8<sup>10</sup>
- Asset freeze<sup>11</sup>
- Financial sanctions<sup>12</sup>
- Travel ban<sup>13</sup>
- Bunkering services<sup>14</sup>
- Disposal of prohibited items<sup>15</sup>
- Cargo inspection,<sup>16</sup> reporting, and refusal to allow inspection<sup>17</sup>

**2. Other (discretionary) provisions**

- Financial services<sup>18</sup>
- Transportation—aircraft and vessels<sup>19</sup>
- Specialized teaching or training<sup>20</sup>

**3.. Exemptions**

- Small arms and light weapons<sup>21</sup>
- Asset freeze,<sup>22</sup> basic expenses<sup>23</sup>
- Asset freeze, extraordinary expenses,<sup>24</sup> judicial, administrative or arbitral lien or judgment<sup>25</sup>
- Travel ban<sup>26</sup>
- Bunkering, for humanitarian purposes<sup>27</sup>

**4. Procedures for applying for exemptions**

- Small arms and light weapons<sup>28</sup>

- Asset freeze<sup>29</sup>
- Travel ban<sup>30</sup>

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\* Annex II to Enrico Carisch and Loraine Rickard-Martin, “United Nations Sanctions on Iran and North Korea: An Implementation Manual,” New York: International Peace Institute. March 2014.

<sup>1</sup> UN Security Council Resolution 1718 (October 14, 2006) UN Doc. S/RES/1718, available at [www.un.org/ga/search/view\\_doc.asp?symbol=S/RES/1718%20\(2006\)](http://www.un.org/ga/search/view_doc.asp?symbol=S/RES/1718%20(2006)); UN Security Council Resolution 1874 (June 12, 2009) UN Doc. S/RES/1874, available at [www.un.org/ga/search/view\\_doc.asp?symbol=S/RES/1874\(2009\)](http://www.un.org/ga/search/view_doc.asp?symbol=S/RES/1874(2009)); UN Security Council Resolution 2087 (January 22, 2013) UN Doc. S/RES/2087, available at [www.un.org/ga/search/view\\_doc.asp?symbol=S/RES/2087\(2013\)](http://www.un.org/ga/search/view_doc.asp?symbol=S/RES/2087(2013)); UN Security Council Resolution 2094 (March 7, 2013) UN Doc. S/RES/2094, available at [www.un.org/ga/search/view\\_doc.asp?symbol=S/RES/2094\(2013\)](http://www.un.org/ga/search/view_doc.asp?symbol=S/RES/2094(2013)); Security Council Committee Established Pursuant to Resolution 1718 (2006), “Guidelines of the Committee for the Conduct of Its Work,” available at [www.un.org/sc/committees/1718/pdf/guidelines\\_20\\_jun\\_07.pdf](http://www.un.org/sc/committees/1718/pdf/guidelines_20_jun_07.pdf).

<sup>2</sup> Resolution 1718, para. 8 (a) (i) “Any battle tanks, armoured combat vehicles, large calibre artillery systems, combat aircraft, attack helicopters, warships, missiles or missile systems as defined for the purpose of the United Nations Register on Conventional Arms, or related materiel including spare parts, or items as determined by the Security Council or the Committee established by paragraph 12 below (the Committee).”

<sup>3</sup> Resolution 1718, para. 8 (c), “All Member States shall prevent any transfers to the DPRK by their nationals or from their territories, or from the DPRK by its nationals or from its territory, of technical training, advice, services or assistance related to the provision, manufacture, maintenance or use of the items in subparagraphs (a) (i) and (a) (ii) above.”

<sup>4</sup> Resolution 1874, para. 10. “Decides that the measures in paragraph 8 (a) of resolution 1718 (2006) shall also apply to all arms and related materiel, as well as to financial transactions, technical training, advice, services or assistance related to the provision, manufacture, maintenance or use of such arms, except for small arms and light weapons and their related materiel, and calls upon States to exercise vigilance over the direct or indirect supply, sale or transfer to the DPRK of small arms or light weapons, and further decides that States shall notify the Committee at least five days prior to selling, supplying or transferring small arms or light weapons to the DPRK.”

<sup>5</sup> Resolution 1718, para. 8 (a) (ii) “All items, materials, equipment, goods and technology as set out in the lists in documents S/2006/814 and S/2006/815, unless within 14 days of adoption of this resolution the Committee has amended or completed their provisions also taking into account the list in document S/2006/816, as well as other items, materials, equipment, goods and technology, determined by the Security Council or the Committee, which could contribute to DPRK’s nuclear-related, ballistic missile-related or other weapons of mass destruction- related programmes.”

<sup>6</sup> Nuclear programme-related prohibited items in International Atomic Energy Agency (IAEA), “Communication Received from the Permanent Mission of the United States of America to the International Atomic Energy Agency regarding Certain Member States’ Guidelines for the Export of Nuclear Material, Equipment and Technology,” Information Circular, IAEA Doc. INFCIRC/254/Rev.11/Part 1, November 12, 2012;

Dual-use equipment list of prohibited items in IAEA, “Communication Received from Certain Member States Regarding Guidelines for Transfers of Nuclear-related Dual-use Equipment, Material, Software and Related Technology” Information Circular, IAEA Doc. INFCIRC/254/Rev.8/Part 2, June 30, 2010;

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Ballistic missile-related programme in UN Security Council, “*Annex to the Letter Dated 13 December 2012 from the Permanent Representative of the United States of America to the United Nations Addressed to the President of the Security Council: Items, Materials, Equipment, Goods and Technology Related to Ballistic Missile Programmes* (December 20, 2012) UN Doc. S/2012/947 (as per Resolution 2087 (2013), para. 5(b); Chemical and biological related prohibited items: S/2006/853, and S/2006/853/Corr.1; and Consolidated list of additional items and luxury goods, available at [www.un.org/sc/committees/1718/pdf/List\\_Items\\_and\\_Luxury\\_Goods.pdf](http://www.un.org/sc/committees/1718/pdf/List_Items_and_Luxury_Goods.pdf) .

Superseded previous lists (Resolution 1718, para. 8; (a) (ii); Resolution 1874, para. 23; and Resolution 2094, para. 20).

<sup>7</sup> Resolution 1718, para. 8 (b), “The DPRK shall cease the export of all items covered in subparagraphs (a) (i) and (a) (ii) above and that all Member States shall prohibit the procurement of such items from the DPRK by their nationals, or using their flagged vessels or aircraft, and whether or not originating in the territory of the DPRK.”

<sup>8</sup> Resolution 1874, para. 9, “Decides that the measures in paragraph 8 (b) of resolution 1718 (2006) shall also apply to all arms and related materiel, as well as to financial transactions, technical training, advice, services or assistance related to the provision, manufacture, maintenance or use of such arms or materiel.”

<sup>9</sup> Resolution 2087, para.9, “Clarifies that the measures imposed in resolutions 1718 (2006) and 1874 (2009) prohibit the transfer of any items if a State relevant to a transaction has information that provides reasonable grounds to believe that a designated individual or entity is the originator, intended recipient or facilitator of the item’s transfer.”

<sup>10</sup> Resolution 1718, para. 8 (a) (iii), “including, but not limited to items specified in annex IV of resolution 2094(2013), para. 23, ‘without prejudice to the activities of the diplomatic missions in the DPRK” (res. 1874(2009), para. 21; res. 2087(2013), para. 17; and res. 2094(2013), para. 32).”

<sup>11</sup> Resolution 1718, para. 8 (d), “All Member States shall, in accordance with their respective legal processes, freeze immediately the funds, other financial assets and economic resources which are on their territories at the date of the adoption of this resolution or at any time thereafter, that are owned or controlled, directly or indirectly, by the persons or entities designated by the Committee or by the Security Council as being engaged in or providing support for, including through other illicit means, DPRK’s nuclear-related, other weapons of mass destruction-related and ballistic missile- related programmes, or by persons or entities acting on their behalf or at their direction, and ensure that any funds, financial assets or economic resources are prevented from being made available by their nationals or by any persons or entities within their territories, to or for the benefit of such persons or entities; See also res. 2094(2013), para. 8., res. 2094(2013), para. 11.”

<sup>12</sup> Resolution 2094, para. 11, “Decides that Member States shall, in addition to implementing their obligations pursuant to paragraphs 8 (d) and (e) of resolution 1718 (2006), prevent the provision of financial services or the transfer to, through, or from their territory, or to or by their nationals or entities organized under their laws (including branches abroad), or persons or financial institutions in their territory, of any financial or other assets or resources, including bulk cash, that could contribute to the DPRK’s nuclear or ballistic missile programmes, or other activities prohibited by resolutions 1718 (2006), 1874 (2009), 2087 (2013), or this resolution, or to the evasion of measures imposed by resolutions 1718 (2006), 1874 (2009), 2087 (2013), or this resolution, including by freezing any financial or other assets or resources on their territories or that hereafter come within their territories, or that are subject to their jurisdiction or that hereafter become subject to their jurisdiction, that are associated with such programmes or activities and applying enhanced monitoring to prevent all such transactions in accordance with their national authorities and legislation.”

Resolution 2094, para. 15, “Decides that all Member States shall not provide public financial support for trade with the DPRK (including the granting of export credits, guarantees or insurance to their nationals or entities involved in such trade) where such financial support could contribute to the DPRK’s nuclear or ballistic missile programmes, or other activities prohibited by resolutions 1718 (2006), 1874 (2009), 2087 (2013), or this resolution, or to the evasion of measures imposed by resolutions 1718 (2006), 1874 (2009), 2087 (2013), or this resolution.”

<sup>13</sup> Resolution 1718, para. 8 (e), “All Member States shall take the necessary steps to prevent the entry into or transit through their territories of the persons designated by the Committee or by the Security Council as being responsible for, including through supporting or promoting, DPRK policies in relation to the DPRK’s nuclear-related, ballistic missile-related and other weapons of mass destruction-related programmes, together with their family members, provided that nothing in this paragraph shall oblige a state to refuse its own nationals entry into its territory.”

Resolution 2094 paras. 9 and 10, “Decides that the measures specified in paragraph 8 (e) of resolution 1718 (2006) and the exemptions set forth in paragraph 10 of resolution 1718 (2006) shall also apply to any individual whom a State determines is working on behalf or at the direction of a designated individual or entity or individuals assisting the evasion of sanctions or violating the provisions of resolutions 1718 (2006), 1874 (2009), 2087 (2013), and this resolution, and further decides that, if such an individual is a DPRK national, then States shall expel the individual from their territories for the purpose of repatriation to the DPRK consistent with applicable national and international law, unless the presence of an individual is required for fulfillment of a judicial process or exclusively for medical, safety or other humanitarian purposes, provided that nothing in this paragraph shall impede the transit of representatives of the Government of the DPRK to the United Nations Headquarters to conduct United Nations business.”

<sup>14</sup> Resolution 1874, para. 17, “Decides that Member States shall prohibit the provision by their nationals or from their territory of bunkering services, such as provision of fuel or supplies, or other servicing of vessels, to DPRK vessels if they have information that provides reasonable grounds to believe they are carrying items the supply, sale, transfer, or export of which is prohibited by paragraph 8 (a), 8 (b), or 8 (c) of resolution 1718 (2006) or by paragraph 9 or 10 of this resolution, unless provision of such services is necessary for humanitarian purposes or until such time as the cargo has been inspected, and seized and disposed of if necessary, and underlines that this paragraph is not intended to affect legal economic activities.”

<sup>15</sup> Resolution 1874, para. 14, “Decides to authorize all Member States to, and that all Member States shall, seize and dispose of items the supply, sale, transfer, or export of which is prohibited by paragraph 8 (a), 8 (b), or 8 (c) of resolution 1718 or by paragraph 9 or 10 of this resolution that are identified in inspections pursuant to paragraph 11, 12, or 13 in a manner that is not inconsistent with their obligations under applicable Security Council resolutions, including resolution 1540 (2004), as well as any obligations of parties to the NPT, the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction of 29 April 1997, and the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction of 10 April 1972, and decides further that all States shall cooperate in such efforts.”

Resolution 1874, para. 15., “Requires any Member State, when it undertakes an inspection pursuant to paragraph 11, 12, or 13, or seizes and disposes of cargo pursuant to paragraph 14, to submit promptly reports containing relevant details to the Committee on the inspection, seizure and disposal.”

Resolution 2087, para. 8, “Recalls paragraph 14 of resolution 1874 (2009), recalls further that States may seize and dispose of items consistent with the provisions of resolutions 1718 (2006), 1874 (2009) and this resolution, and further clarifies that methods for States to dispose include, but are not limited to, destruction, rendering inoperable, storage or transferring to another State other than the originating or destination States for disposal.”

<sup>16</sup> Resolution 1718, para. 8 (f), “In order to ensure compliance with the requirements of this paragraph, and thereby preventing illicit trafficking in nuclear, chemical or biological weapons, their means of delivery and related materials, all Member States are called upon to take, in accordance with their national authorities and legislation, and consistent with international law, cooperative action including through inspection of cargo to and from the DPRK, as necessary.”

Resolution 1874, para. 11, “Calls upon all States to inspect, in accordance with their national authorities and legislation, and consistent with international law, all cargo to and from the DPRK, in their territory, including seaports and airports, if the State concerned has information that provides reasonable grounds to believe the cargo contains items the

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supply, sale, transfer, or export of which is prohibited by paragraph 8 (a), 8 (b), or 8 (c) of resolution 1718(2006) or by paragraph 9 or 10 of this resolution, for the purpose of ensuring strict implementation of those provisions.”

Resolution 1874, para. 12, “Calls upon all Member States to inspect vessels, with the consent of the flag State, on the high seas, if they have information that provides reasonable grounds to believe that the cargo of such vessels contains items the supply, sale, transfer, or export of which is prohibited by paragraph 8 (a), 8 (b), or 8 (c) of resolution 1718 (2006) or by paragraph 9 or 10 of this resolution, for the purpose of ensuring strict implementation of those provisions.”

Resolution 1874, para. 13, “Calls upon all States to cooperate with inspections pursuant to paragraphs 11 and 12, and, if the flag State does not consent to inspection on the high seas, decides that the flag State shall direct the vessel to proceed to an appropriate and convenient port for the required inspection by the local authorities pursuant to paragraph 11.”

Resolution 1874, para. 15, “Requires any Member State, when it undertakes an inspection pursuant to paragraph 11, 12, or 13, or seizes and disposes of cargo pursuant to paragraph 14, to submit promptly reports containing relevant details to the Committee on the inspection, seizure and disposal.”

Resolution 2094, para 16, “Decides that all States shall inspect all cargo within or transiting through their territory that has originated in the DPRK, or that is destined for the DPRK, or has been brokered or facilitated by the DPRK or its nationals, or by individuals or entities acting on their behalf, if the State concerned has credible information that provides reasonable grounds to believe the cargo contains items the supply, sale, transfer, or export of which is prohibited by resolutions 1718 (2006), 1874 (2009), 2087 (2013), or this resolution, for the purpose of ensuring strict implementation of those provisions.”

<sup>17</sup> Resolution 2094, para. 17, “Decides that, if any vessel has refused to allow an inspection after such an inspection has been authorized by the vessel’s flag State, or if any DPRK-flagged vessel has refused to be inspected pursuant to paragraph 12 of resolution 1874 (2009), all States shall deny such a vessel entry to their ports, unless entry is required for the purpose of an inspection, in the case of emergency or in the case of return to its port of origination, and decides further that any State that has been refused by a vessel to allow an inspection shall promptly report the incident to the Committee.”

<sup>18</sup> Resolution 1874, para. 18., “Calls upon Member States, in addition to implementing their obligations pursuant to paragraphs 8 (d) and (e) of resolution 1718 (2006), [asset freeze and travel ban] to prevent the provision of financial services or the transfer to, through, or from their territory, or to or by their nationals or entities organized under their laws (including branches abroad), or persons or financial institutions in their territory, of any financial or other assets or resources that could contribute to the DPRK’s nuclear-related, ballistic missile-related, or other weapons of mass destruction-related programs or activities, including by freezing any financial or other assets or resources on their territories or that hereafter come within their territories, or that are subject to their jurisdiction or that hereafter become subject to their jurisdiction, that are associated with such programs or activities and applying enhanced monitoring to prevent all such transactions in accordance with their national authorities and legislation.”

Resolution 1874, para. 19, “Calls upon all Member States and international financial and credit institutions not to enter into new commitments for grants, financial assistance, or concessional loans to the DPRK, except for humanitarian and developmental purposes directly addressing the needs of the civilian population, or the promotion of denuclearization, and also calls upon States to exercise enhanced vigilance with a view to reducing current commitments.”

Resolution 1874, para. 20, “Calls upon all Member States not to provide public financial support for trade with the DPRK (including the granting of export credits, guarantees or insurance to their nationals or entities involved in such trade) where such financial support could contribute to the DPRK’s nuclear-related or ballistic missile-related or other WMD-related programs or activities.”

Resolution 2094, para. 12, “Calls upon States to take appropriate measures to prohibit in their territories the opening of new branches, subsidiaries, or representative offices of DPRK banks, and also calls upon States to prohibit DPRK banks from establishing new joint ventures and from taking an ownership interest in or establishing or maintaining correspondent relationships with banks in their jurisdiction to prevent the provision of financial services if they have information that provides reasonable grounds to believe that these activities could contribute to the DPRK’s nuclear or ballistic missile programmes, or other activities prohibited by resolutions 1718 (2006), 1874 (2009), 2087 (2013), and this resolution, or to the evasion of measures imposed by resolutions 1718 (2006), 1874 (2009), 2087 (2013), or this resolution.”

Resolution 2094, para. 13, “Calls upon States to take appropriate measures to prohibit financial institutions within their territories or under their jurisdiction from opening representative offices or subsidiaries or banking accounts in the DPRK if they have information that provides reasonable grounds to believe that such financial services could contribute to the DPRK’s nuclear or ballistic missile programmes, and other activities prohibited by resolutions 1718 (2006), 1874 (2009), 2087 (2013), and this resolution.”

Resolution 2094, para. 14, “Expresses concern that transfers to the DPRK of bulk cash may be used to evade the measures imposed in resolutions 1718 (2006), 1874 (2009), 2087 (2013), and this resolution, and clarifies that all States shall apply the measures set forth in paragraph 11 of this resolution to the transfers of cash, including through cash couriers, transiting to and from the DPRK so as to ensure such transfers of bulk cash do not contribute to the DPRK’s nuclear or ballistic missile programmes, or other activities prohibited by resolutions 1718 (2006), 1874 (2009), 2087 (2013), or this resolution, or to the evasion of measures imposed by resolutions 1718 (2006), 1874 (2009), 2087 (2013), or this resolution.”

<sup>19</sup> Resolution 2094, para. 18, “Calls upon States to deny permission to any aircraft to take off from, land in or overfly their territory, if they have information that provides reasonable grounds to believe that the aircraft contains items the supply, sale, transfer or export of which is prohibited by resolutions 1718 (2006), 1874 (2009), 2087 (2013), or this resolution, except in the case of an emergency landing.”

Resolution 2094, para. 19, “Requests all States to communicate to the Committee any information available on transfers of DPRK aircraft or vessels to other companies that may have been undertaken in order to evade the sanctions or in violating the provisions of resolution 1718 (2006), 1874 (2009), 2087 (2013), or this resolution, including renaming or re-registering of aircraft, vessels or ships, and requests the Committee to make that information widely available.”

<sup>20</sup> Resolution 1874, para. 28, “Calls upon all Member States to exercise vigilance and prevent specialized teaching or training of DPRK nationals within their territories or by their nationals, of disciplines which could contribute to the DPRK’s proliferation sensitive nuclear activities and the development of nuclear weapon delivery systems.”

<sup>21</sup> Resolution 1874, para. 10, “Decides that the measures in paragraph 8 (a) of resolution 1718 (2006) shall also apply to all arms and related materiel, as well as to financial transactions, technical training, advice, services or assistance related to the provision, manufacture, maintenance or use of such arms, except for small arms and light weapons and their related materiel, and calls upon States to exercise vigilance over the direct or indirect supply, sale or transfer to the DPRK of small arms or light weapons, and further decides that States shall notify the Committee at least five days prior to selling, supplying or transferring small arms or light weapons to the DPRK.”

<sup>22</sup> Resolution 1874, para. 21; Resolution 2087, para. 17; and Resolution 2094, para. 32, “Emphasizes that all Member States should comply with the provisions of paragraphs 8 (a) (iii) and 8 (d) of resolution 1718 (2006) without prejudice to the activities of the diplomatic missions in the DPRK pursuant to the Vienna Convention on Diplomatic Relations.”

<sup>23</sup> Resolution 1718, para. 9, “Decides that the provisions of paragraph 8 (d) above do not apply to financial or other assets or resources that have been determined by relevant States:(a) To be necessary for basic expenses, including

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payment for foodstuffs, rent or mortgage, medicines and medical treatment, taxes, insurance premiums, and public utility charges, or exclusively for payment of reasonable professional fees and reimbursement of incurred expenses associated with the provision of legal services, or fees or service charges, in accordance with national laws, for routine holding or maintenance of frozen funds, other financial assets and economic resources, after notification by the relevant States to the Committee of the intention to authorize, where appropriate, access to such funds, other financial assets and economic resources and in the absence of a negative decision by the Committee within five working days of such notification.”

<sup>24</sup> Resolution 1718, para. 9 (b), “To be necessary for extraordinary expenses, provided that such determination has been notified by the relevant States to the Committee and has been approved by the Committee; or (c) To be subject of a judicial, administrative or arbitral lien or judgement, in which case the funds, other financial assets and economic resources may be used to satisfy that lien or judgement provided that the lien or judgement was entered prior to the date of the present resolution, is not for the benefit of a person referred to in paragraph 8 (d) above or an individual or entity identified by the Security Council or the Committee, and has been notified by the relevant States to the Committee.”

<sup>25</sup> Resolution 1718, para. 9 (c), “To be subject of a judicial, administrative or arbitral lien or judgement, in which case the funds, other financial assets and economic resources may be used to satisfy that lien or judgement provided that the lien or judgement was entered prior to the date of the present resolution, is not for the benefit of a person referred to in paragraph 8 (d) above or an individual or entity identified by the Security Council or the Committee, and has been notified by the relevant States to the Committee.”

<sup>26</sup> Resolution 1718, para. 10, “Decides that the measures imposed by paragraph 8 (e) above shall not where the Committee determines on a case-by-case basis that such travel is justified on the grounds of humanitarian need, including religious obligations, or where the Committee concludes that an exemption would otherwise further the objectives of the present resolution.”

Resolution 2094, para. 10, “Decides that the measures specified in paragraph 8 (e) of resolution 1718 (2006) and the exemptions set forth in paragraph 10 of resolution 1718 (2006) shall also apply to any individual whom a State determines is working on behalf or at the direction of a designated individual or entity or individuals assisting the evasion of sanctions or violating the provisions of resolutions 1718 (2006), 1874 (2009), 2087 (2013), and this resolution, and further decides that, if such an individual is a DPRK national, then States shall expel the individual from their territories for the purpose of repatriation to the DPRK consistent with applicable national and international law, unless the presence of an individual is required for fulfilment of a judicial process or exclusively for medical, safety or other humanitarian purposes, provided that nothing in this paragraph shall impede the transit of representatives of the Government of the DPRK to the United Nations Headquarters to conduct United Nations business.”

<sup>27</sup> Resolution 1874, para.17, “Decides that Member States shall prohibit the provision by their nationals or from their territory of bunkering services, such as provision of fuel or supplies, or other servicing of vessels, to DPRK vessels if they have information that provides reasonable grounds to believe they are carrying items the supply, sale, transfer, or export of which is prohibited by paragraph 8 (a), 8 (b), or 8 (c) of resolution 1718 (2006) or by paragraph 9 or 10 of this resolution, unless provision of such services is necessary for humanitarian purposes or until such time as the cargo has been inspected, and seized and disposed of if necessary, and underlines that this paragraph is not intended to affect legal economic activities.”

<sup>28</sup> Resolution 1874, para. 10, “Decides that the measures in paragraph 8 (a) of resolution 1718 (2006) shall also apply to all arms and related materiel, as well as to financial transactions, technical training, advice, services or assistance related to the provision, manufacture, maintenance or use of such arms, except for small arms and light weapons and their related materiel, and calls upon States to exercise vigilance over the direct or indirect supply, sale or transfer to the DPRK of small arms or light weapons, and further decides that States shall notify the Committee at least five days prior to selling, supplying or transferring small arms or light weapons to the DPRK.”



<sup>29</sup> 1718 Committee, “Guidelines of the Committee for the Conduct of Its Work,” para. 10, “Requests for Exemptions to Assets Freeze Pursuant to Paragraph 9 of Resolution 1718 (2006), 4 (a) The Committee shall receive notifications in writing from Member States of their intention to authorize, where appropriate, access to frozen funds or other financial assets or economic resources to cover expenses, as provided for in paragraphs 9(a) and (b) of resolution 1718 (2006). The Committee, through the Secretariat, will inform the submitting State of receipt of the notification and the Committee’s position at the conclusion of the five-day notification period; (b) Notifications under paragraph 9(c) require no Committee decision; (c) Notifications and requests should, as appropriate, include the following information:

- i. Recipient (name and address)
- ii. Recipient’s bank information (name and address of bank, account number)
- iii. Purpose of payment
- iv. Amount of installment
- v. Number of installments
- vi. Payment starting date
- vii. Bank transfer or direct debit
- viii. Interests
- ix. Specific funds being unfrozen
- x. Other information.”

<sup>30</sup> Committee, “Guidelines of the Committee for the Conduct of Its Work,” para. 11, “Requests for Exemptions to Travel Restrictions Pursuant to Paragraph 10 of Resolution 1718 (2006)

- (a) In paragraph 10 of resolution 1718 (2006), the Security Council decided that the travel restrictions imposed under paragraph 8(e) of the resolution shall not apply where the Committee determines on a case by case basis that such travel is justified on the ground of humanitarian need, including religious obligation, or where the Committee concludes that an exemption would otherwise further the objectives of the resolution 1718 (2006).
- (b) Each request for exemption to the travel restrictions imposed under paragraph 8(e) of resolution 1718 (2006) shall be submitted in writing, on behalf of the listed individual, to the Chairperson of the Committee through the Permanent Mission to the United Nations of any Member State, including inter alia the State of which the listed individual is a national or resident, the State(s) of transit and/or the State of final destination.
- (c) Except in cases of emergency, to be determined by the Committee, all requests shall be received by the Chairperson no less than five working days before the commencement date of the proposed travel.
- (d) All requests should include the following information, with accompanying documents:
  - i. the name, designation, nationality and passport number(s) of the person(s) undertaking the proposed travel.
  - ii. the purpose(s) for the proposed travel, with copies of supporting documents furnishing details connected to the request such as specific dates and times of meetings or appointments.
  - iii. the proposed dates and times of departure from and return to the country from which the travel commenced.
  - iv. the complete itinerary for such travel including the points of departure and return and all transit stops.
  - v. details of the mode of transport to be used, including where applicable, record locator, flight numbers and names of vessels.
  - vi. a statement of specific justification for the exemption.
- (e) Any request for extension(s) of exemptions approved by the Committee under paragraph 10 of resolution 1718 (2006) shall also be subject to the provisions above, and shall be received by the Committee Chairperson in writing, attaching a revised itinerary, no less than five working days before the expiry of the approved exemption period, and circulated to Committee members.

- (f) The Committee shall receive written confirmation from the government in whose territory the listed individual resides, with supporting documents, confirming the itinerary and date on which the listed individual traveling under an exemption granted by the Committee returned to the country of residence.
- (g) Any changes to the required travel information previously submitted to the Committee, particularly the points of transit, shall require the prior approval of the Committee and shall be received by the Committee Chairperson and circulated to Committee members no less than two working days prior to the commencement of the travel, except in cases of emergency.
- (h) The Committee Chairperson shall be immediately informed in writing in the event of advancement or postponement of travel for which the Committee has already issued an exemption. Submission to the Committee Chairperson of written notification will be sufficient in cases where the time of departure is advanced or postponed no more than 48 hours and the previously submitted itinerary remains otherwise unchanged. If travel is to be advanced or postponed more than 48 hours before or after the date previously approved by the Committee, then a new exemption request must be submitted, and should be received by the Chairperson and circulated to Committee members in conformity with paragraphs (a), (b) and (c) above.
- (i) In cases of emergency medical evacuations to the nearest appropriate State, the Committee will determine whether the travel is justified within the exemption of paragraph 10 of resolution 1718 (2006), once notified of the name of the traveler, the reason for travel, the date and time of evacuation, along with flight details, including transit points and destination(s) and shall also be promptly provided with a doctor's note containing as many details as possible of the nature of the medical emergency and the facility where treatment was received by the patient without prejudice to the respect of medical confidentiality, as well as information regarding the date, time, and mode of travel by which the patient returned to his/her country of residence."