Security Council Committee established pursuant to resolution 1718 (2006)

Updated on 24 April 2018 (Originally issued on 21 January 2011)

Implementation Assistance Notice No. 2: Guidelines on the Preparation and Submission of National Implementation Reports

The Committee established pursuant to resolution 1718 (2006) believes the information below may assist States in preparing and submitting reports to the Committee on measures they have taken to implement certain provisions in resolutions 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013), 2270 (2016), 2321 (2016), 2356 (2017), 2371 (2017), 2375 (2017) and 2397 (2017).

1. Paragraph 17 of resolution 2397 (2017) requires all States to report to the Security Council within ninety days of the adoption of the resolution, and thereafter upon request by the Committee, on concrete measures they have taken in order to implement effectively the provisions of the resolutions.

2. Paragraph 26 of resolution 2397 (2017) reaffirms its support to the Six Party Talks, calls for their resumption, and reiterates its support for the commitments set forth in the Joint Statement of 19 September 2005 issued by China, the DPRK, Japan, the Republic of Korea, the Russian Federation, and the United States, including that the goal of the Six-Party Talks is the verifiable denuclearization of the Korean Peninsula in a peaceful manner, that the United States and the DPRK undertook to respect each other's sovereignty and exist peacefully together, and that the Six Parties undertook to promote economic cooperation, and all other relevant commitments. Paragraph 27 of resolution 2397 (2017) reiterates the importance of maintaining peace and stability on the Korean Peninsula and in north-east Asia at large, and expresses its commitment to a peaceful, diplomatic and political solution to the situation and welcomes efforts by Council members as well as other States to facilitate a peaceful and comprehensive solution through dialogue and stresses the importance of working to reduce tensions in the Korean Peninsula and beyond. Paragraph 30 of resolution 2375 (2017) urges further work to reduce tensions so as to advance the prospects for a comprehensive settlement. Finally, paragraph 31 of resolution 2375 (2017) underscores the imperative of achieving the goal of complete, verifiable and irreversible denuclearization of the Korean Peninsula in a peaceful manner.

3. The Committee encourages all States to prepare and submit these national implementation reports promptly in accordance with the above resolutions. These reports play an important role in helping the Committee and its Panel of Experts facilitate States' efforts to fully implement their obligations.

4. Recognizing that preparing these reports may be burdensome for some States, and in accordance with paragraph 17 of resolution 2397 (2017), the Committee and its Panel of Experts stand ready to assist States, upon request, in preparing and submitting such reports in a timely manner.

5. Towards that end, the Committee has prepared an updated optional checklist template (attached). This checklist is cross-referenced for convenience to the Fact Sheet compiling certain measures imposed by Security Council resolutions 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013), 2270 (2016), 2321 (2016), 2356 (2017), 2371 (2017), 2375 (2017) and 2397 (2017).

6. The Committee encourages States to use this optional checklist template when providing detailed and comprehensive information regarding the concrete steps States have taken (e.g. new procedures, legislation, regulations or policies, list of relevant ministries/agencies involved, etc.) to implement the various measures.

Have concrete measures, procedures, legislation, regulations or policies been adopted in order to	Yes/ No	Indicate measures (in detail)	Additional information	Remarks
<u>1. Prevent the direct or indirect supply, sale or transfer to DPRK of</u> (<i>Fact Sheet sections I to IV, X, XI, XV, and XVII. h</i>))				
(a) all arms and related materiel ¹ ?				
(b) nuclear, ballistic missile or other WMD-related items or technology ² ?				
(c) luxury goods ³ ?				
(d) any item that could contribute to prohibited programmes or activities or evasion of sanctions?				
(e) prohibited items for repair, servicing, refurbishing, testing, reverse- engineering, and marketing, regardless of whether ownership or control is transferred?				
(f) new helicopters and new or used vessels?				
(g) aviation fuel , including aviation gasoline , naptha-type jet fuel , kerosene-type jet fuel , and kerosene-type rocket fuel (unless the Committee approves in advance on an exceptional case-by-case basis the transfer to the DPRK of such products for verified essential humanitarian needs, subject to arrangement for effective monitoring of delivery and use)?				

¹ The lists of prohibited conventional arms-, nuclear-, ballistic missile- and other WMD-related items, materials, equipment, goods and technology, as well as luxury goods, are available on the website of the Committee, https://www.un.org/sc/suborg/en/sanctions/1718/ prohibited-items.

² See above.

³ See above.

Have concrete measures, procedures, legislation, regulations or policies been adopted in order to	Yes/ No	Indicate measures (in detail)	Additional information	Remarks
 (h) All industrial machinery (HS codes 84 and 85), transportation vehicles (HS codes 86 through 89), and iron, steel, and other metals (HS codes 72 through 83) 				
(i) all condensates and natural gas liquids				
(j) all refined petroleum products				
(k) crude oil				

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Have concrete measures, procedures, legislation, regulations or policies been adopted in order to	Yes/ No	Indicate measures (in detail)	Additional information	Remarks
These measures shall not apply with respect to:				
 These measures shall not apply with respect to: a) the sale or supply of aviation fuel to civilian passenger aircraft outside the DPRK exclusively for consumption during its flight to the DPRK and its return flight. States are called upon to exercise vigilance to ensure that no more fuel is provided to DPRK-flagged civil passenger aircraft than is necessary for the relevant flight, including a standard margin for safety of flight. b) the supply, sale, or transfer to the DPRK of refined petroleum products, including diesel and kerosene, in the aggregate amount of up to 500,000 barrels during a period of twelve months beginning on January 1, 2018, and for twelve month periods thereafter, provided that: i. The Member State notify the 1718 Committee every 30 days of the amount of such supply, sale or transfer to the DPRK of refined petroleum products involve no individuals or entities that are associated with the DPRK's nuclear or ballistic missile programmes or other activities 				
 nuclear of ballistic missile programmes of other activities prohibited by the relevant resolutions, including designated individuals or entities, or individuals or entities acting on their behalf or at their direction, or entities owned or controlled by them, directly or indirectly, or individuals or entities assisting in the evasion of sanctions; iii. The supply, sale or transfer of refined petroleum products are exclusively for livelihood purposes of DPRK nationals and unrelated to generating revenue for the DPRK's nuclear or ballistic missile programmes or other activities prohibited by the relevant resolutions. 				

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Have concrete measures, procedures, legislation, regulations or policies been adopted in order to	Yes/ No	Indicate measures (in detail)	Additional information	Remarks
 c) supply, sale, or transfer to the DPRK of crude oil that for twelve months periods after 22 December 2017, does not exceed 4 million barrels or 525,000 tons in the aggregate per twelve-month period, and decides that all Member States providing crude oil shall provide a report to the Committee every 90 days from 22 December 2017 onward of the amount of crude oil provided to the DPRK, unless the Committee approves in advance on a case-by-case basis a shipment of crude oil is exclusively for livelihood purposes of DPRK nationals and unrelated to the DPRK's nuclear or ballistic missile programmes or other activities prohibited by the relevant resolutions. d) supply, sale or transfer to the DPRK of all industrial machinery (HS codes 84 and 85), transportation vehicles (HS codes 86 through 89), and iron, steel, and other metals (HS codes 72 through 83) shall not apply with respect to the provision of spare parts needed to maintain the safe operation of DPRK commercial civilian passenger aircraft (currently consisting of the following aircraft models and types: An-24R/RV, An-148-100B, II-18D, II-62M, Tu-134B-3, Tu-154B, Tu-204-100B, and Tu-204-300). 				
<u>2. Prohibit the procurement from the DPRK of:</u> (Fact Sheet sections I to IV, and XI to XIV)				
(a) all arms and related materiel?				
(b) nuclear, ballistic missile or other WMD-related items or technology?				
(c) any item that could contribute to prohibited programmes or activities or evasion of sanctions?				

Have concrete measures, procedures, legislation, regulations or policies been adopted in order to	Yes/ No	Indicate measures (in detail)	Additional information	Remarks
(d) prohibited items for repair, servicing, refurbishing, testing, reverse- engineering, and marketing, regardless of whether ownership or control is transferred?				
(e) coal, iron, iron ore, gold, titanium ore, vanadium ore, rare earth minerals, copper, nickel, silver, zinc, lead and lead ore food and agricultural products (HS codes 12, 08, 07), machinery (HS code 84), electrical equipment (HS code 85), earth and stone including magnesite and magnesia (HS code 25), wood (HS code 44), and vessels (HS code 89)?				
(f) statues (unless the Committee approves on a case-by-case basis in advance)?				
(g) seafood (including fish, crustaceans, mollusks, and other aquatic invertebrates in all forms) and fishing rights ?				
(h) textiles (including but not limited to fabrics and partially or fully completed apparel products)				

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Ha	ve concrete measures, procedures, legislation, regulations or policies been adopted in order to	Yes/ No	Indicate measures (in detail)	Additional information	Remarks
Thes	e measures shall not apply with respect to:				
a)	Coal procurements that are notified by the exporting State to the Committee in advance and confirmed on the basis of credible information that the coal has originated outside the DPRK and was transported through the DPRK solely for export from the Port of Rajin (Rason), and that such transactions are unrelated to generating revenue for the DPRK's nuclear or ballistic				
b)	missile programs or other prohibited activities; For sales and transactions of iron and iron ore for which written contracts have been finalized prior to 5 August 2017, all States may allow those shipments to be imported into their territories up to 30 days from 5 August 2017 with notification provided to the Committee containing all details on				
c)	those imports by no later than 45 days after 5 August 2017. For sales and transaction of lead and lead ore for which written contracts have been finalized prior to 5 August 2017, all States may allow those shipments to be imported into their territories up to 30 days from 5 August 2017 with notification provided to the Committee containing details on these imports have been 45 days after 5 August 2017.				
d)	those imports by no later than 45 days after 5 August 2017. The supply, sell or transfer of textiles approved by the Committee on a case-by-case basis in advance, and sales, supplies, and transfers of textiles for which written contracts have been finalized prior to 11 September 2017, all States may allow those shipments to be imported into their territories up to 90 days from 11 September 2017 with notification provided to the Committee containing details on those imports by no later than 135 days				
e)	after 11 September 2017. For supply, sell or transfer of food and agricultural products, machinery, electrical equipment, earth and stone including magnesite and magnesia, wood and vessels for which written contracts have been finalized prior to 22 December 2017, all States may only allow those shipments to the imported into their territories up to 30 days from 22 December 2017 with notification provided to the Committee containing details on those imports by no later than 45 days after 22 December 2017.				

Have concrete measures, procedures, legislation, regulations or policies been adopted in order to	Yes/ No	Indicate measures (in detail)	Additional information	Remarks
3. Prevent the transfer to or from DPRK of financial transactions, technical training, advice, services (including brokering or other intermediary services) and assistance related to: (Fact Sheet section IV)				
(a) all arms and related materiel?				
(b) nuclear, ballistic missile or other WMD-related items or technology?				
(c) any item that could contribute to prohibited programmes or activities or evasion of sanctions?				
(d) engagement in the hosting of trainers, advisors, or other officials for the purpose of military-, paramilitary- or police-related training?				
<u>4. Prohibit the transfer of any items</u> if a designated individual or entity ⁴ is the originator, intended recipient or facilitator of the item's transfer <u>; in accordance</u> with its national legal processes, freeze funds, other financial assets and <u>economic resources</u> owned or controlled by, and ensure that none are made available to benefit designated individuals or entities, entities of the Government of the DPRK or the Worker's Party of Korea, those acting on their behalf or at their direction and entities owned or controlled by them? (<i>Fact Sheet sections III and VII</i>)				

⁴ The Consolidated List of Entities and individuals subject to assets freeze and/or travel ban is available on the Committee's website https://www.un.org/sc/suborg/sites/www.un.org.sc.suborg/files/1718.pdf

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Have concrete measures, procedures, legislation, regulations or policies been adopted in order to	Yes/ No	Indicate measures (in detail)	Additional information	Remarks
 5. Prevent (restrict) entry or transit of designated individuals together with their family members; of <u>any individual acting on behalf or at the direction of</u> a designated individual or entity or violating the sanctions or assisting in their evasion; of members of the Government of the DPRK, officials of that Government, and members of the DPRK armed forces if the State determines that such members or officials are associated with the DPRK's nuclear or ballistic missile programmes or other activities prohibited by resolutions? The travel ban does not apply to such individuals and entities when the Committee determines on a case-by-case basis that such travel is justified on the grounds of humanitarian need, including religious obligations, or the Committee concludes that an exemption would further the objectives of the resolutions. States can submit requests for exemptions from the travel ban for designated individuals and entities following the instructions set out in the Committee Guidelines. Expel such an individual for the purpose of repatriation to the DPRK or to the individual's state of nationality consistent with applicable national and international law, provided that these measures shall not impede the transit of representative of the Government of the DPRK to the United Nations Headquarters or other UN facilities to conduct United Nations business. These measures shall not apply with respect to a particular individual of: The presence of the individual is required for fulfilment of judicial process; The presence of the individual is required exclusively for medical, safety or other humanitarian purposes; or The Committee has determined on a case-by-case basis that the expulsion of the individual would be contrary to the objectives of the resolutions. 				

Have concrete measures, procedures, legislation, regulations or policies been adopted in order to	Yes/ No	Indicate measures (in detail)	Additional information	Remarks
6. Financial measures: (Fact Sheet section IX)				
(a) Prevent provision of financial services, or transfer of any financial or other assets or resources, including bulk cash and gold and through cash and gold couriers, and the clearing of funds through all Member States' territories, which could contribute to DPRK's prohibited programmes or activities, or to the evasion of sanctions, and exercise enhanced vigilance in this regard?				
(b) Prohibit DPRK banks from opening and operation of new branches, subsidiaries, or representative offices; establishing new joint ventures; or taking an ownership interest in or establishing or maintaining correspondent relationships with banks in a State's jurisdiction or within its territory, unless such transactions have been approved by the Committee in advance ?				
(c) Prohibit financial institutions from opening representative offices or subsidiaries or banking accounts in the DPRK?				
(d) Prohibit States from having representative offices, subsidiaries or banking accounts in the DPRK, unless the Committee determines on a case-by-case basis that such offices, subsidiaries or accounts are required for the delivery of humanitarian assistance or the activities of diplomatic missions in the DPRK pursuant to the Vienna Convention on Diplomatic Relations or the activities of the United Nations or its specialized agencies or related organizations, or for any other purposes consistent with the resolutions?				

Have concrete measures, procedures, legislation, regulations or policies been	Yes/	Indicate measures	Additional	Remarks
 (e) Prohibit States' nationals or in their territories, the opening, maintenance, and operation of joint ventures or cooperative entities, new and existing with the DPRK entities or individuals, with DPRK entities or individuals, whether or not acting for or on behalf of the government of the DPRK. All States shall close any such existing joint venture or cooperative entity within 120 days of 11 September 2017 if such joint venture or cooperative entity and States shall close any such existing joint venture or cooperative entity within 120 days after the Committee on a case-by-case basis, and States shall close any such existing joint venture or cooperative entity within 120 days after the Committee has denied a request for approval. This measure shall not apply with respect to: 	No	(in detail)	information	Remarks
 (i) joint ventures or cooperative entities, in particular those that are non-commercial, public utility infrastructure projects not generating profit, that have been approved by the Committee in advance on a case-by-case basis. (j) existing China-DPRK hydroelectric power infrastructure projects and the Russia-DPRK Rajin-Khasan port and rail project solely to export Russia-origin coal as permitted by paragraph 8 of resolution 2371 (2017). 				
(k) No provision of public and private financial support from within their territories or by persons or entities subject to their jurisdiction for trade with DPRK, except as approved in advance by the Committee on a case-by-case basis?				
7. Prevent new commitments for grants, financial assistance or concessional loans to DPRK, except for humanitarian and developmental purposes, or the promotion of denuclearization? (<i>Fact sheet section</i> $IX(d)$)				

Have concrete measures, procedures, legislation, regulations or policies been adopted in order to	Yes/ No	Indicate measures (in detail)	Additional information	Remarks
8. Inspect in the State's territory, including in its airports, seaports and free trade zones, the cargo to or from the DPRK, or brokered or facilitated by the DPRK or its nationals, or by individuals or entities acting on their behalf, or transported on DPRK flagged vessel or aircraft? (<i>Fact Sheet section XVI</i>)				
 (a) Under certain conditions and with certain exceptions, inspect vessels on the high seas and prohibit the provision of bunkering services to DPRK vessels if the State has information that provides reasonable grounds to believe their cargo contains prohibited items? 				
(b) Prohibit their nationals and those in their territories from leasing or chartering their flagged vessels or aircraft or providing crew services to the DPRK?				
This measure shall apply without exception, unless the Committee approves on a case-by-case basis in advance .				
(c) Prohibit their nationals from procuring vessel and aircraft crewing services from the DPRK?				
(d) Prohibit their nationals, persons subject to their jurisdiction and entities incorporated in their territory or subject to their jurisdiction from registering vessels in the DPRK, obtaining authorization for a vessel to use the DPRK flag, and from owning, leasing, operating, providing any vessel classification, certification or associated service, or insuring any vessel flagged by the DPRK?				
This measure shall apply without exception, unless the Committee approves on a case-by-case basis accompanied in advance.				

Have concrete measures, procedures, legislation, regulations or policies been adopted in order to	Yes/ No	Indicate measures (in detail)	Additional information	Remarks
(e) Prohibit their nationals, persons subject to their jurisdiction and entities incorporated in their territory or subject to their jurisdiction from providing insurance or re-insurance services to vessels owned, controlled, or operated, including through illicit means, by the DPRK?				
This measure shall apply without exception, unless the Committee determines on a case-by-case basis that the vessel is engaged in activities exclusively for livelihood purposes which will not be used by DPRK individuals or entities to generate revenue or exclusively for humanitarian purposes.				
(f) De-register any vessel that is owned, controlled, or operated by the DPRK, and shall not register any such vessel that has been de-registered by another Member State pursuant to paragraph 24 of resolution 2321 (2016)?				
(g) Deny permission to any aircraft to take off from, land in or overfly Member States' territory unless under the condition of landing for inspection, if State has information that provides reasonable grounds to believe that the aircraft contains prohibited items, except in the case of an emergency landing?				
(h) Prohibit the entry into their ports of any vessel if the State has information that provides reasonable grounds to believe the vessel is owned or controlled, directly or indirectly, by a designated individual or entity, or contains cargo the supply, sale, transfer or export of which is prohibited by the resolutions, unless entry is required in the case of emergency or in the case of return to its port of origination, or for inspection, or unless the Committee determines in advance that such entry is required for humanitarian purposes or any other purposes consistent with the objectives of resolution 2270 (2016)?				

Have concrete measures, procedures, legislation, regulations or policies been adopted in order to	Yes/ No	Indicate measures (in detail)	Additional information	Remarks
(i) Prohibit the entry into their ports of vessels designated by the Committee for which it has information indicating they are, or have been, related to activities prohibited by the relevant resolutions, unless entry is required in the case of emergency or in the case of return to its port of origination, or unless the Committee determines in advance that such entry is required for humanitarian purposes or any other purposes consistent with the objectives of the relevant resolutions?				

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Have concrete measures, procedures, legislation, regulations or policies been adopted in order to	Yes/ No	Indicate measures (in detail)	Additional information	Remarks
<u>9. States shall not provide work authorizations for DPRK nationals in their</u> jurisdictions in connection with admission to their territories unless the Committee determines on a case-by-case basis in advance that employment of DPRK nationals in a member state's jurisdiction is required for the delivery of humanitarian assistance, denuclearization or any other purpose consistent with the objectives of the relevant resolutions, and decides that this provision shall not apply with respect to work authorizations for which written contracts have been finalized prior to 11 September 2017?				
States shall repatriate to the DPRK all DPRK nationals earning income in that Member State's jurisdiction and all DPRK government safety oversight attachés monitoring DPRK workers abroad immediately but no later than 24 months from 22 December 2017. All Member States shall provide a midterm report by 15 months from 22 December 2017 of all DPRK nationals earning income in that Member State's jurisdiction that were repatriated over the 12 month period starting from 22 December 2017, including an explanation of why less than half of such DPRK nationals were repatriated by the end of that 12 month period if applicable, and all Member States shall provide final reports by 27 months from 22 December 2017. This provision shall not apply if the Member State determines that a DPRK national is a national of that Member State or a DPRK national whose repatriation is prohibited, subject to applicable national and international law, including international refugee law and international human rights law, and the United Nations Headquarters Agreement and the Convention on the Privileges and Immunities of the United Nations. (<i>Fact Sheet section XVI</i>)				
<u>10. Under certain conditions, seize and dispose of prohibited items</u> found during an inspection? (<i>Fact Sheet section XVII</i>)				

Have concrete measures, procedures, legislation, regulations or policies been adopted in order to	Yes/ No	Indicate measures (in detail)	Additional information	Remarks
<u>11. Prevent specialized teaching or training of DPRK nationals</u> within their territories or by their nationals of disciplines which could contribute to the DPRK's prohibited programmes or activities?				
Suspend scientific and technical cooperation involving persons or groups officially sponsored by or representing the DPRK except for medical exchanges unless:				
a) In the case of scientific or technical cooperation in the fields of nuclear science and technology, aerospace and aeronautical engineering and technology, or advanced manufacturing production techniques and methods, the Committee has determined on a case-by-case basis that a particular activity will not contribute to the DPRK's proliferation sensitive nuclear activities or ballistic missile-related programmes; or				
b) In the case of all other scientific or technical cooperation, the State engaging in scientific or technical cooperation determines that the particular activity will not contribute to the DPRK's proliferation sensitive nuclear activities or ballistic missile-related programmes and notifies the Committee in advance of such determination. (<i>Fact Sheet section VI</i>)				

Have concrete measures, procedures, legislation, regulations or policies been adopted in order to	Yes/ No	Indicate measures (in detail)	Additional information	Remarks
 12. <u>Humanitarian Aid Exemptions</u>: States, as part of their national reporting to the Committee, are encouraged to explain, where appropriate, their domestic laws and other relevant authorities for implementing exemptions from the measures imposed by resolutions <u>1718</u> (2006),1874 (2009), 2087 (2013), 2094 (2013), 2270 (2016),2321 (2016), 2356 (2017), 2371 (2017), 2375 (2017) and 2397 (2018) that have been approved by the Committee pursuant to Paragraph 25 of UNSCR 2397 to facilitate the work of international and non-governmental organizations carrying out assistance and relief activities in the DPRK for the benefit of the civilian population of the DPRK. 				