



## Security Council

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### **Letter dated 17 December 2014 from the Chair of the Security Council Committee established pursuant to resolution 1718 (2006) addressed to the President of the Security Council**

I have the honour to transmit herewith the report of the Security Council Committee established pursuant to resolution 1718 (2006), containing an account of the Committee's activities from 1 January to 31 December 2014. The report, which was approved by the Committee, is being submitted in accordance with the note by the President of the Security Council of 29 March 1995 (S/1995/234).

I should be grateful if the present letter and the report were brought to the attention of the members of the Security Council and issued as a document of the Council.

(Signed) Sylvie **Lucas**  
Chair  
Security Council Committee established  
pursuant to resolution 1718 (2006)



## **Report of the Security Council Committee established pursuant to resolution 1718 (2006)**

### **I. Introduction**

1. The present report of the Security Council Committee established pursuant to resolution 1718 (2006) covers the period from 1 January to 31 December 2014.
2. The Bureau of the Committee consisted of Sylvie Lucas (Luxembourg) as Chair and the representatives of Chad and Jordan as Vice-Chairs.
3. The Committee carried out its activity in accordance with its programme of work for the period from 1 May 2014 to 30 April 2015, which was adopted on 13 May 2014.

### **II. Background**

4. In response to nuclear tests and launches conducted by the Democratic People's Republic of Korea that used ballistic missile technology, the Security Council has adopted four resolutions in which it imposed and/or strengthened various sanctions on that country: resolutions 1718 (2006), 1874 (2009), 2087 (2013) and 2094 (2013). The measures include an arms embargo, an embargo relating to nuclear, ballistic missile and other weapons of mass destruction programmes, a ban on the export of luxury goods, a travel ban and/or assets freeze on designated individuals and entities and a ban on the provision of financial services. There are also procedures for exemptions to the measures.
5. The Security Council Committee established pursuant to resolution 1718 (2006) is mandated to oversee the implementation of the measures, examine and take appropriate action regarding alleged sanctions violations and make recommendations to strengthen the effectiveness of the measures.
6. A panel of experts, established pursuant to resolution 1874 (2009), acts under the direction of and assists the Committee to implement its mandate to monitor, promote and facilitate the implementation of measures imposed in the resolutions. The mandate of the Panel of Experts was most recently renewed by the Security Council under resolution 2141 (2014).
7. By its resolutions 2087 (2013) and 2094 (2013), the Security Council strengthened the existing sanctions regime in several key areas. A fact sheet outlining the main provisions of the four resolutions regarding the Democratic People's Republic of Korea and providing Member States with a comprehensive overview of their obligations is available from the website of the Committee.
8. Further background information on the Democratic People's Republic of Korea sanctions regime can be found in the previous annual report (S/2013/756).

### **III. Summary of the activities of the Committee**

#### **Informal meetings and open briefings**

9. The Committee met six times in informal consultations, on 24 January, 24 February, 10 April, 16 June, 3 September and 11 December.

10. On 1 July, the Committee, with the assistance and participation of the Panel of Experts, held an open briefing for Member States to share information about the work of the Committee and the Panel and about best practices and lessons learned in implementing the measures contained in the relevant resolutions and to provide the wider membership with an occasion to interact more directly with the Committee and the Panel.

#### **Reports to the Security Council**

11. Pursuant to paragraph 12 (g) of resolution 1718 (2006), the Committee should report at least every 90 days to the Security Council on its work. Accordingly, the Chair briefed the Council on 20 February, 20 May, 5 August and 10 November 2014.

#### **Reports from Member States on the implementation of resolutions 1718 (2006), 1874 (2009), 2087 (2013) and 2094 (2013)**

12. Six Member States reported to the Committee on the implementation of resolutions 1718 (2006), 1874 (2009), 2087 (2013) and 2094 (2013).

#### **Communications from and to Member States related to alleged violations concerning measures imposed by the Council in relevant resolutions**

13. The Committee received 29 reports of alleged violations concerning measures imposed by the Security Council.

14. In letters dated 5, 6 and 10 March, six Member States reported a series of launches using ballistic missile technology by the Democratic People's Republic of Korea in February and March. Seven Member States sent 21 letters to the Committee, dated 2, 3, 7, 10, 11, 16, 17, 18 and 31 July and 5 August, following another such series of launches in June and July 2014. Following consultations convened on 27 March and 17 July to address the serious situation arising from the recent ballistic missile launches by the Democratic People's Republic of Korea, the members of the Security Council unanimously condemned these launches as violations of resolutions 1718 (2006), 1874 (2009), 2087 (2013) and 2094 (2013) and agreed to consult on an appropriate response.

15. On 28 March, the Committee received a letter from a Member State informing it of an attempted sale by the Democratic People's Republic of Korea of items subject to the measures imposed under resolutions 1718 (2006), 1874 (2009), 2087 (2013) and 2094 (2013). The Committee received further information from that Member State on 10 September.

16. On 19 December 2013, the Committee received a letter from an organization requesting confirmation that its proposal to provide technical assistance to the Democratic People's Republic of Korea did not contravene the applicable sanctions regime. In its reply of 30 April 2014, the Committee confirmed that, while the project was not prohibited by the relevant resolutions, given that some of the items involved might fall within the definition by some Member States of "luxury goods", it also recommended that the organization undertake due diligence in ensuring that all items procured under the project were not prohibited and establish proper monitoring mechanisms to ensure that the stated items would be used only for the purposes of the project.

17. On 28 July, a Member State requested additional information concerning an individual subject to the assets freeze and travel ban in accordance with the sanctions list of the Security Council Committee established pursuant to resolution 1718 (2006). In its response of 25 August, the Committee confirmed that the individual was not the listed individual.

18. On 14 August, the Committee received a letter from an organization requesting confirmation that its proposal for technical assistance for the Democratic People's Republic of Korea did not contravene the sanctions regime. The Committee continues to consider the request in order to provide a substantive response.

#### **Implementation assistance notices**

19. The Committee adopted three implementation assistance notices: on 7 February, to provide information on the proper implementation of paragraph 22 of resolution 2094 (2013); on 26 June, regarding diplomatic missions in the Democratic People's Republic of Korea; and on 28 July, regarding the *Chong Chon Gang* incident. The documents are available from the website of the Committee. During the reporting period, the Committee sent 47 communications to 12 Member States with reference to the implementation of the sanctions measures.

### **IV. Exemptions**

20. No requests for exemptions were submitted for the Committee's consideration.

### **V. Sanctions list**

#### **Sanctions list of the Security Council Committee established pursuant to resolution 1718 (2006)**

21. Upon receipt of a request for designation and relevant information regarding an individual and/or entity engaged in or providing support for, including through illicit means, the nuclear-related, other weapons of mass destruction-related and ballistic missile-related programmes of the Democratic People's Republic of Korea, the Committee will make a decision on the request, pursuant to paragraph 12 (e) of resolution 1718 (2006) and on the basis of the criteria contained in paragraph 8 (d) and/or (e) of the resolution. In paragraph 27 of resolution 2094 (2013), the Security Council directs the Committee to respond effectively to violations of the measures

decided in resolutions 1718 (2006), 1874 (2009), 2087 (2013) and 2094 (2013), also directs the Committee to designate additional individuals and entities to be subject to the measures imposed in resolutions 1718 (2006), 1874 (2009), 2087 (2013) and 2094 (2013) and decides that the Committee may designate any individuals for measures under paragraphs 8 (d) and (e) of resolution 1718 (2006) and entities for measures under paragraph 8 (d) of resolution 1718 (2006) that have contributed to the nuclear or ballistic missile programmes of the Democratic People's Republic of Korea or other activities prohibited by resolutions 1718 (2006), 1874 (2009), 2087 (2013) or 2094 (2013) or to the evasion of measures imposed by resolutions 1718 (2006), 1874 (2009), 2087 (2013) or 2094 (2013). Both the Committee and the focal point for delisting can receive delisting requests; however, only the Committee can decide on the delisting of designated individuals and entities.

22. On 28 July 2014, the Committee approved the addition of one entity to its sanctions list, subject to the measures imposed by the Security Council in paragraphs 8 (d) and (e) of resolution 1718 (2006) and paragraphs 8, 9 and 10 of resolution 2094 (2013), for having contributed to activities prohibited by the Council in the resolutions, namely, the arms embargo imposed by the Council in resolution 1718 (2006), as modified by the Council in resolution 1874 (2009), and for having contributed to the evasion of the measures imposed by the Council in those resolutions.

23. On 2 April, 20 June and 30 July, the Committee approved updates, including on identifying information contained in the sanctions list subject to the measures imposed by the Security Council in paragraphs 8 (d) and (e) of resolution 1718 (2006) and paragraphs 8, 9 and 10 of resolution 2094 (2013).

24. As at the end of the reporting period, there were 12 individuals and 20 entities designated under the sanctions regime. The list is available from the website of the Committee.

### **Lists of items prohibited from export to and import from the Democratic People's Republic of Korea**

25. On 2 April, the Committee approved updates to the lists of items prohibited from export to and import from the Democratic People's Republic of Korea.

26. The Committee determined that the lists of items identified in information circulars of the International Atomic Energy Agency on guidelines for the export of nuclear material, equipment and technology (INFCIRC/254/Rev.12/Part1) and on guidelines for transfers of nuclear-related dual-use equipment, materials, software and related technology (INFCIRC/254/Rev.9/Part2) supersede the lists of items contained in the previous information circulars (INFCIRC/254/Rev.11/Part1 and INFCIRC/254/Rev.8/Part2) and shall be subject to the measures imposed by the Security Council in paragraphs 8 (a), (b) and (c) of resolution 1718 (2006).

27. In addition, the Committee determined that the list of items, materials, equipment, goods and technology related to ballistic missile programmes contained in the annex to the previous report of the Committee (S/2014/253) supersedes the prior list (see S/2012/947) and shall be subject to the measures imposed by the Security Council in paragraphs 8 (a), (b) and (c) of resolution 1718 (2006). The list

of items prohibited from export to and import from the Democratic People's Republic of Korea are available from the website of the Committee.

## **VI. Panel of Experts**

28. The Committee continued to be assisted by the Panel of Experts.

29. Following the adoption on 5 March of resolution 2141 (2014), the Secretary-General, on 4 April, appointed eight individuals to the Panel of Experts, currently serving until 5 April 2015 (see S/2014/248). The areas of the Panel's expertise are nuclear issues, air transport, other weapons of mass destruction and conventional arms, customs and export controls, finance, maritime transport and weapons of mass destruction arms control and non-proliferation policy. On 5 August, the Secretary-General appointed a new finance expert, following the resignation of the previous expert on 30 June (see S/2014/569). On 2 September, the Secretary-General appointed a new missile technology expert to succeed the previous expert, who reached the maximum period of service under the applicable rules and regulations of the United Nations on 26 September (see S/2014/643). The air transport expert was appointed as Coordinator following the end of the previous Coordinator's tenure. On 30 September, the Secretary-General appointed a weapons of mass destruction arms control and non-proliferation policy expert, following the resignation on 16 August of the previous expert (see S/2014/710).

30. On 7 February, in accordance with paragraph 29 of resolution 2094 (2013), the Panel provided its final report to the Committee, which was transmitted to the Security Council on 6 March and issued as a document of the Council (S/2014/147).

31. On 24 February, the Committee discussed the Panel's final report (S/2014/147) submitted pursuant to resolution 2094 (2013) and the Panel's six recommendations addressed to the Committee and Member States. The report was transmitted to the Security Council on 6 March.

32. On 1 August, in accordance with paragraph 2 of resolution 2141 (2014), the Panel provided its midterm report to the Committee, which was transmitted to the Security Council on 4 September.

33. During the reporting period, at the invitation of the countries concerned, the Panel conducted visits to Germany, Japan, Mexico, Mongolia, Panama, South Africa, Ukraine, the United Kingdom of Great Britain and Northern Ireland and the United States of America to discuss the measures taken by those countries to implement resolutions 1718 (2006), 1874 (2009), 2087 (2013) and 2094 (2013). The Panel also held informal consultations with government officials and national experts of Member States and with representatives of several international organizations and entities, such as the Eastern and Southern Africa Anti-Money Laundering Group, the Financial Action Task Force, the International Maritime Organization and the World Customs Organization. It also participated in relevant international meetings, conferences and seminars.

34. The Panel continued its investigation into incidents of non-compliance and alleged violations and submitted eight incident reports to the Committee. Of those reports, two pertained to arms and related materiel, three to weapons of mass destruction and three to luxury goods.

## VII. Secretariat administrative and substantive support

35. The Security Council Affairs Division provided administrative and substantive support to the Chair and members of the Committee. Support was also provided to Member States to promote understanding of the sanctions regime and to facilitate the implementation of the sanctions measures.

36. The Division also managed the website of the Committee in accordance with the guidelines of the Committee, including by updating the sanctions list. In 2014, in response to resolutions 2083 (2012) and 2161 (2014), and to further promote the implementation of Security Council sanctions regimes by national authorities, the Division standardized the format of all Council sanctions lists and established the Consolidated United Nations Security Council Sanctions List, comprising the names included in all the sanctions lists of the Council sanctions committees.

37. As part of the Division's effort to recruit well-qualified experts to serve on sanctions monitoring groups, teams and panels, and as is done annually, a note verbale was sent to all Member States in December to request the nomination of qualified candidates for membership of the Division's roster of experts. Upon the receipt of nominations, the Division will assess the suitability of nominated candidates for its roster, for future consideration for the relevant expert panels. The roster, developed in partnership with the United Nations Office for South-South Cooperation, uses a versatile technological platform to screen candidates against available terms of references for experts positions and manages their profiles for consideration for current and future positions on expert panels. The roster is designed to ensure that the sanctions committees have access to a broad pool of qualified candidates, with due regard for geographical diversity and gender balance. An invitation to join the roster does not guarantee actual selection or consideration for available positions.

38. The Division continued to provide administrative and substantive support to the expert panels. It conducted a work plan and development workshop and an induction workshop in June and November, respectively, for the newly appointed members of the Panel of Experts with the aim of facilitating and promoting a better understanding of the Panel's mandate and its work. It also assisted in the preparation of the Panel's midterm and final reports.

39. At the invitation of the countries concerned, the Division conducted a visit to Mexico to support the work of the Panel and a visit to Thailand to provide assistance to the Thai authorities in the implementation of resolutions 1718 (2006), 1874 (2009), 2087 (2013) and 2094 (2013).

40. To promote greater cooperation among the different panels, the Division organized a second annual inter-panel coordination workshop, held in New York on 16 and 17 December. The event was attended by members of all the 11 expert panels. The focus of the workshop was on enhancing cooperation with the United Nations system. Moreover, the Division created a collaborative web-based platform allowing each panel of experts to securely manage its own information and to promote working-level communication across panels in the fields of arms, finance, aviation, customs and transport.