

**Security Council**

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**Letter dated 16 December 2015 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 2015. 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) Román **Oyarzun Marchesi**  
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 2015.
2. The Bureau of the Committee consisted of Román Oyarzun Marchesi (Spain) as Chair and the representatives of Chad and Jordan as Vice-Chairs.

### **II. Background**

3. 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 asset freeze on designated individuals and entities and a ban on the provision of financial services. Exemptions to the measures are also provided for.
4. 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.
5. 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 the measures imposed in the resolutions. The mandate of the Panel was most recently renewed by the Security Council in resolution 2207 (2015).
6. By its resolutions 2087 (2013) and 2094 (2013), the Security Council strengthened the existing sanctions regime in several key areas. A factsheet 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.<sup>1</sup>
7. Further background information on the Democratic People's Republic of Korea sanctions regime can be found in the previous annual reports of the Committee.

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

8. The Committee met five times in informal consultations, on 28 January, 11 February, 20 April, 4 September and 18 December, in addition to conducting its work through written procedures.

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<sup>1</sup> See [www.un.org/sc/suborg/en/sanctions/1718/implementation-notice](http://www.un.org/sc/suborg/en/sanctions/1718/implementation-notice).

9. The Committee received briefings by the Coordinator of the Panel of Experts on 28 January, 11 February, 20 April and 4 September. On 11 February, the Committee discussed the Panel's final report (S/2015/131), submitted pursuant to resolutions 2094 (2013) and 2141 (2014), and the Panel's recommendations addressed to the Committee and Member States.

10. On 26 February, 28 May, 26 August and 4 November, the Chair of the Committee briefed the Security Council on the activities of the Committee, pursuant to paragraph 12 (g) of resolution 1718 (2006).

11. The Committee received three reports from Member States on the implementation of resolutions 1718 (2006), 1874 (2009), 2087 (2013) and 2094 (2013).

12. The Committee received 14 reports of alleged violations concerning measures imposed by the Security Council.

13. In letters dated 3, 4, 5, 9, 17 and 26 March, seven Member States reported launches of two Scud-class short-range ballistic missiles by the Democratic People's Republic of Korea on 2 March. Seven Member States sent seven letters to the Committee, dated 15, 18, 19, 20 and 21 May, following information that the Democratic People's Republic of Korea had conducted an underwater ballistic-missile-related ejection test on 8 May.

14. Following consultations convened on 20 April to address the serious situation arising from the recent ballistic missile launches by the Democratic People's Republic of Korea, the members of the Committee and the Security Council unanimously condemned the launches as violations of resolutions 1718 (2006), 1874 (2009), 2087 (2013) and 2094 (2013) and agreed to consult on an appropriate response.

15. On 31 March, the Committee received a letter from a Member State regarding a request for assistance in relation to the *Mu Du Bong* incident. Following the Committee's response to the Member State, the Committee received further information from that Member State on 21 July pertaining to a request for assistance under Article 50 of the Charter of the United Nations. The Committee is continuing its consideration of the request.

16. On 23 January, the Committee provided a response to 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. To determine the proposal's compliance with the sanctions regime, the Committee requested further clarifications on a number of issues, which resulted in a reduced version of the initial proposal, reflecting technical adjustments in order to prevent the risk of diversion of relevant items, training and services. In its reply of 27 October, the Committee recommended that, while the project was not prohibited by the relevant resolutions, the organization undertake due diligence in ensuring compliance by the authorities of the Democratic People's Republic of Korea involved, that it should employ effective measures to minimize the risk of potential diversion and misuse of the training and services provided and that it should report to the Committee on the project's implementation.

17. On 23 February, 1 June and 14 October, the Committee received three letters from an organization requesting confirmation that its proposals for technical

assistance for the Democratic People's Republic of Korea did not contravene the sanctions regime. The Committee continues to consider the requests in order to provide a substantive response.

18. The Committee sent 32 communications to 16 Member States and other stakeholders with reference to the implementation of the sanctions measures.

#### **IV. Exemptions**

19. Exemptions to the arms embargo are set out in paragraph 10 of resolution 1874 (2009).

20. Exemptions to the asset freeze are set out in paragraph 9 of resolution 1718 (2006).

21. Exemptions to the travel ban are set out in paragraph 10 of resolution 1718 (2006) and paragraph 10 of resolution 2094 (2013).

22. In addition, exemptions relating to the provision of bunkering services and financial services are set out in paragraphs 17 and 19, respectively, of resolution 1874 (2009).

23. During the reporting period, no requests for exemptions were received by the Committee.

#### **V. Sanctions list**

24. The criteria for the designation of individuals and entities 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, or other activities prohibited by the relevant resolutions, subject to the travel ban and asset freeze, are set out in paragraphs 8 (d) and (e) of resolution 1718 (2006), paragraph 12 of resolution 2087 (2013) and paragraph 27 of resolution 2094 (2013). The procedures for requesting listing and delisting are described in the Committee's guidelines for the conduct of its work.

25. On 27 March, the Committee sent a note verbale addressed to all Member States, seeking from Member States, on a voluntary basis, additional information to update the sanctions list of the Committee, as well as the lists of items prohibited for export to or import from the Democratic People's Republic of Korea, in accordance with the direction expressed by the Security Council in the presidential statement of 16 April 2012 (S/PRST/2012/13) and paragraph 21 of resolution 2094 (2013).

26. As at the end of the reporting period, there were 12 individuals and 20 entities on the sanctions list of the Committee.

#### **VI. Panel of Experts**

27. On 19 January, in accordance with paragraph 29 of resolution 2094 (2013) and paragraph 2 of resolution 2141 (2014), the Panel of Experts provided its final report

to the Committee, which was transmitted to the Security Council on 23 February and issued as a document of the Council (S/2015/131).

28. On 30 March, following the adoption by the Security Council of resolution 2207 (2015) on 4 March, the Secretary-General appointed eight individuals to the Panel, with expertise in missile technology, nuclear issues, air transport, customs and export controls, weapons of mass destruction, arms control and non-proliferation policy, finance, maritime transport and other weapons of mass destruction and conventional arms (see S/2015/223). The mandate of the Panel expires on 5 April 2016.

29. On 31 July, in accordance with paragraph 2 of resolution 2207 (2015), the Panel provided its midterm report to the Committee, which was transmitted to the Security Council on 4 September.

30. The Panel continued its investigations into incidents of non-compliance and alleged violations and submitted four incident reports to the Committee. Of those reports, one pertained to the export of arms and related materiel, one to the transfer of proliferation-related items and two to the launches of ballistic missiles.

31. The Panel conducted visits to Australia, Belgium, Canada, China, France, Japan, Malaysia, Malta, Nepal, New Zealand, the Republic of Korea, the Russian Federation, Saudi Arabia, Singapore, the United Arab Emirates, 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 Financial Action Task Force, the Stockholm International Peace Research Institute and the World Customs Organization. It also participated in relevant international meetings, conferences and seminars.

32. In pursuance of its mandate, the Panel, through the Secretariat, sent 845 letters to Member States, the Committee and international and national entities.

## **VII. Secretariat administrative and substantive support**

33. The Security Council Affairs Division provided substantive and procedural support to the Chair and members of the Committee. Advisory support was also provided to Member States to promote understanding of the sanctions regime and facilitate the implementation of the sanctions measures. On 1 December, a sanctions workshop was organized for incoming members of the Security Council to familiarize them with the substantive and procedural aspects of chairing a sanctions committee, including interaction with the United Nations system, sanctions experts and other relevant actors.

34. On 14 October, the Division launched a redesigned website for the subsidiary organs of the Security Council. The new website, which is available in the six official languages of the United Nations and accessible to the visually impaired, features an improved and user-friendly layout. It offers swift and easy access to the current sanctions measures and applicable exemptions, the Consolidated United Nations Security Council Sanctions List and individual committee sanctions lists. Narrative summaries of the reasons for listing are displayed in an easy-to-navigate

and searchable format. The website also provides clear and practical explanations of the procedures for listing, delisting and exemptions.<sup>2</sup>

35. On 28 December, the Division made available all the Security Council sanctions lists in the six official languages. This builds upon last year's standardization of the format of all Council sanctions lists and the establishment of the Consolidated United Nations Security Council Sanctions List, in response to resolutions 2083 (2012) and 2161 (2014).

36. As part of the Division's effort to recruit well-qualified experts to serve on sanctions monitoring groups, teams and panels, a note verbale was sent to all Member States on 1 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. In addition, the Division sent notes verbales to all Member States notifying them of upcoming vacancies in specific sanctions panels and providing information on recruitment timelines, areas of expertise and pertinent requirements.

37. The Division continued to provide substantive advice and support to the Panel of Experts, conducting an induction for newly appointed members in New York, and assisting in the preparation of the Panel's final report in January and during the preparation of its interim report in July.

38. From 8 to 11 September, the Division, in cooperation with United Nations system partners, conducted a pilot training workshop on investigative techniques for 12 experts from sanctions monitoring groups, teams and panels. The objective of the training was to equip the participants with an understanding of basic investigative techniques, processes and tools and to strengthen their understanding of the approach to investigations within the framework of the Security Council sanctions regimes.

39. Moreover, to promote greater cooperation among the different expert panels, the Division organized a third annual inter-panel coordination workshop in New York, on 16 and 17 December. The event was attended by members of all 12 monitoring groups, teams and panels. The workshop afforded sanctions experts the opportunity to discuss strategic and technical issues relating to Security Council sanctions with representatives of the sanctions committees, as well as United Nations system, other international, private sector and non-governmental partners.

40. During the reporting period, the Secretariat established the Inter-Agency Working Group on United Nations Sanctions under the leadership of the Department of Political Affairs. The Working Group brings together 25 United Nations entities to support Security Council sanctions regimes and integrate United Nations sanctions with other peace and security efforts of the United Nations system, as appropriate.

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<sup>2</sup> The website is accessible at [www.un.org/sc/suborg/](http://www.un.org/sc/suborg/) or from the Security Council's website at [www.un.org/en/sc/](http://www.un.org/en/sc/).