

**Security Council Committee established
pursuant to resolution 1718 (2006)**

Updated on 15 November 2017

(Originally issued on 26 June 2014)

**Implementation Assistance Notice No. 6: Diplomatic missions in the Democratic People's
Republic of Korea**

The Security Council Committee established pursuant to resolution 1718 (2006) believes that the following information may be useful to Member States in observing paragraph 21 of Security Council resolution 1874 (2009), paragraph 17 of resolution 2087 (2013), paragraph 32 of resolution 2094 (2013), paragraph 35 of resolution 2270 (2016), paragraph 31 of resolution 2321 (2016)) and paragraph 27 of resolution 2375 (2017), which emphasize that certain measures that the Security Council has imposed with regard to the DPRK should be undertaken without prejudice to the activities of diplomatic missions in the DPRK, pursuant to the Vienna Convention on Diplomatic and Consular Relations.

1. In resolutions 1874 (2009), 2087 (2013), 2094 (2013), 2270 (2016), 2321 (2016) and 2375 (2017), the Security Council emphasized 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 diplomatic missions in the DPRK pursuant to the Vienna Convention on Diplomatic and Consular Relations.” Paragraph 8 (a) (iii) obligates States to prevent the direct or indirect supply, sale, or transfer to the DPRK, through their territories or by their nationals, or using their flag vessels or aircraft, and whether or not originating in their territories, of luxury goods. Paragraph 8 (d), as expanded by paragraph 8 of resolution 2094 (2013), obligates States to impose an assets freeze on individuals and entities that have been designated by the Security Council or Committee as well as individuals and entities acting on the behalf or at the direction of those previously designated.
2. Paragraph 32 of resolution 2270 (2016) decides that the asset freeze imposed by paragraph 8 (d) of resolution 1718 (2006) shall apply to all the funds, other financial assets and economic resources outside of the DPRK that are owned or controlled, directly or indirectly, by entities of the Government of the DPRK or the Worker's Party of Korea, or by individuals or entities acting on their behalf or at their direction, or by entities owned or controlled by them, that the State determines are associated with the DPRK's nuclear or ballistic missile programs or other activities prohibited by resolutions 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013) or 2270 (2016), decides further that all States except the DPRK shall ensure that any funds, financial assets or economic resources are prevented from being made available by their nationals or by any individuals or entities within their territories, to or for the benefit of such individuals or entities, or individuals or entities acting on their behalf or at their direction, or entities owned or controlled by them, and decides that these measures shall not apply with respect to funds, other financial assets and economic resources that are required to carry out

activities of the DPRK's missions to the United Nations and its specialized agencies and related organizations or other diplomatic and consular missions of the DPRK, and to any funds, other financial assets and economic resources that the Committee determines in advance on a case-by-case basis are required for the delivery of humanitarian assistance, denuclearization or any other purpose consistent with the objectives of resolution 2270 (2016).

3. Paragraph 31 of resolution 2321 (2016) decides that States shall take the necessary measures to close existing 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 or the activities of the United Nations or its specialized agencies or related organizations or any other purpose consistent with the objectives of the resolution.
4. According to paragraph 14 of resolution 2321 (2016) States are called upon to reduce the number of staff at DPRK diplomatic missions and consular posts.
5. In resolution 2371 (2017), the Security Council designated the Foreign Trade Bank (FTB) and the Korea National Insurance Corporation (KNIC) to be subject to the measures specified in paragraph 8 (d) of Security Council resolution 1718 (2006). In paragraph 26 of the same resolution, the Security Council decided that the measures specified in paragraph 8 (d) of resolution 1718 (2006) shall not apply with respect to financial transactions with the DPRK Foreign Trade Bank or the Korea National Insurance Corporation if such transactions are solely for the operation of diplomatic or consular missions in the DPRK or humanitarian assistance activities that are undertaken by, or in coordination with, the United Nations.
6. Some Member States have notified the Committee that their embassies in the DPRK encountered operational difficulties as a result of sanctions. To survey the extent and severity of these problems, on 4 October 2012, the Committee invited the 27 Member States with a diplomatic presence in the DPRK to provide additional information on difficulties their embassies and representative offices in the DPRK may be experiencing.
7. Among those responding to the Committee's request for specific information, ten Member States noted difficulties of various types and severity; including difficulties regarding international financial transactions; difficulties importing foreign vehicles and difficulties procuring goods and services in Pyongyang. Six Member States explicitly stated they experienced no problems as a result of relevant Security Council resolutions and assessed that the most likely cause of operational difficulties are the DPRK's economic policies, which may limit the availability of everyday goods and deter foreign commercial organizations; and DPRK state restrictions, including on movement around the DPRK.
8. The Committee observes that the sanctions are not intended to affect activities of diplomatic missions in the DPRK in accordance with the Vienna Convention on Diplomatic Relations.

9. The Committee will periodically monitor operational difficulties experienced by diplomatic missions in the DPRK to determine if there are ways to improve the compliance of relevant Security Council resolutions in this context.

Recommendations for Member States

1. The Committee encourages Member States, when implementing paragraphs 8 (a) (iii) and 8 (d) of resolution 1718 (2006), paragraph 32 of resolution 2270 (2016) and paragraph 31 of resolution 2321 (2016) on financial or other entities in their jurisdiction, to expedite relevant licensing or other approvals for activities of diplomatic missions in the DPRK pursuant to the Vienna Convention on Diplomatic Relations and consistent with their national laws and regulations.
2. The Committee encourages Member States to implement the provisions of paragraphs 8 (a) (iii) and 8 (d) of resolution 1718 (2006), paragraph 32 of resolution 2270 (2016) and paragraph 31 of resolution 2321 (2016) without prejudice to the activities of diplomatic missions in the DPRK pursuant to the Vienna Convention on Diplomatic Relations.
3. The Committee encourages Member States to inform, when applicable and consistent with their national laws and regulations, their nationals and private sector of the meaning of relevant provisions of Security Council resolutions regarding diplomatic missions and paragraphs 8(a) (iii) and 8(d) of resolution 1718 (2006), paragraph 32 of resolution 2270 (2016) and paragraph 31 of resolution 2321 (2016).
4. In paragraph 16 of resolution 2371 (2017), the Security Council demanded that the DPRK fully comply with its obligations under the Vienna Convention on Diplomatic Relations and the Vienna Convention on Consular Relations.
5. The Committee encourages that the DPRK take reasonable measures to facilitate the operation of diplomatic missions in the DPRK, including by providing alternative banking channels, if necessary.
6. Member States are encouraged to report, as necessary, operational difficulties experienced by their diplomatic missions in the DPRK, which they believe to be a result of the implementation by Member States of paragraphs 8 (a) (iii) and 8 (d) of resolution 1718 (2006), paragraph 32 of resolution 2270 (2016) and paragraph 31 of resolution 2321 (2016). In submitting such reports to the Committee, the Committee requests that Member States identify which of these paragraphs is being implemented in a way that affects the activities of diplomatic missions in the DPRK pursuant to the Vienna Convention on Diplomatic Relations.

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