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DOI:10.1017/ilm.2017.14

# INTRODUCTORY NOTE TO UNITED NATIONS SECURITY COUNCIL RESOLUTION 2270

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[March 2, 2016]

## Introduction

The resolution adopted by the Security Council on March 2, 2016, expressed grave concern for the nuclear test conducted by the Democratic People's Republic of Korea (North Korea) on January 6, 2016.[1] The resolution underlined that the activity was expressly prohibited by earlier UN sanctions and reiterated that the proliferation of nuclear, chemical, and biological weapons is considered a "threat to international peace and security."[2] While this resolution reestablished some existing sanctions, it was intended to go further than previous resolutions and to impose the toughest sanctions yet. Mechanisms utilized included ratcheting down possible loopholes by requiring member states to shut down any use of their flag vessels, aircraft, ports, or airspace to use by North Korea and to shut down any kind of education to its nationals in perpetuating its nuclear ambitions.

## Background

North Korea and South Korea were both admitted to the United Nations in 1991, giving legitimacy to North Korea as a sovereign nation. Both North and South Korea signed a joint declaration on the denuclearization of the Korean Peninsula in 1992. The United States and North Korea, in a bilateral agreement, negotiated the Agreed Framework, under which the United States offered food and fuel aid as well as light-water reactors in exchange for North Korea's agreement to end its nuclear weapons development. The framework also kept open further talks toward normalizing relations.

## North Korea's Nuclear Ambitions

However, when North Korea began conducting nuclear tests again in 2006, the United States abandoned the Agreed Framework with North Korea. The sanctions of UN Security Council Resolution 1718 (2006) were adopted in the hope of dissuading North Korea from pursuing its nuclear ambitions and included a strong demand that North Korea "immediately retract its announcement of withdrawal from the Treaty on the Non-Proliferation of Nuclear Weapons."[3]

The Six-Party Talks—which were initiated in 2003 in an effort to end North Korea's nuclear program through negotiations with China, North Korea, Japan, South Korea, the Russian Federation, and the United States—coalesced around the September 19, 2005, Joint Statement issued by the parties, under which North Korea promised to abandon its nuclear program.[4] However, further progress in the following years was hindered by setbacks in negotiations and North Korea's continued provocations through missile tests, which were followed by various sanctions against the state.

Today, North Korea is so heavily sanctioned that more sanctions may have little effect.[5] Humanitarian concerns expressed by the UN Security Council, while appropriate, are also likely doing little to prevent North Korea's government from choosing nuclear weapons development over food for their people, which is seen as a trade-off for the survival of the Kim dynasty and the sovereignty of their nation.

Efforts by the UN Security Council are up against the history that North Korea is the only state to withdraw from the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) of the Treaty's 191 members. (Four states never joined: Israel, Pakistan, India, and South Sudan.) It has become increasingly apparent that UN member states acting in concert are the key to ultimately isolating North Korea sufficiently to cut off nuclear proliferation supplies and expertise.

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https://doi.org/10.1017/ilm.2017.14 Published online by Cambridge University Press

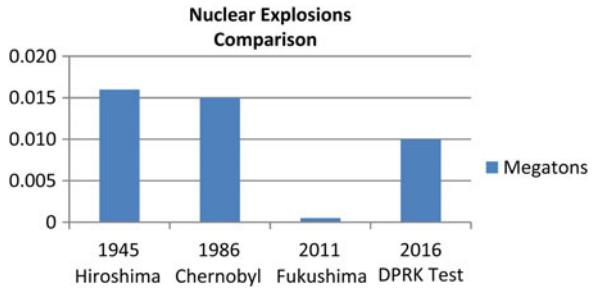
In fact, they have become even closer allies with another nation, similarly situated under the watchful eye of the UN Security Council and the International Atomic Energy Agency (IAEA): Iran. Both nations are symbiotically benefiting from the strengths of the other: Iran with better plutonium enrichment development and North Korea with better ballistic missile technology.[6] The Joint Comprehensive Plan of Action, an international agreement initiated in 2015 to curb Iran's nuclear program, has no restriction on Iran engaging in nuclear development outside of Iran, so a collaboration with North Korea is potentially ideal. Further evidence of this collaboration is the presence of a delegation of Iranian nuclear experts for the third North Korean nuclear test in February 2013 and the reciprocal visit by the North Koreans to Iran lasting until June 2015.[7]

The global community has also increasingly watched China regarding its intentions toward North Korea as either its protector, its ally, or its enforcer. Signals that China may be distancing itself from North Korea's disregard of international law and international sanctions include China's recent refusal to complete a coal transaction with North Korea.[8]

Pressure from other member states is likely the only possible action that might impact the current cycle of North Korean resistance to UN Security Council chiding. Resolution 2270 targeted nuclear weapons testing, but swept in concerns about chemical and biological weapons as well, showing no indication of softening on North Korea. There were two particular mechanisms that signaled that the UN Security Council was using their most powerful international laws to confront North Korea. First, the reference to UN Security Council Resolution 1540 (2004)—which created the single strongest UN mechanism for oversight of the proliferation of nuclear, chemical, and biological weapons[9]—was a signal to all member states that their cooperation was vital to their nonproliferation commitment in international law. Second was the reference to UN Security Council Resolution 1718 (2006),[10] which compelled members to join in the trade embargoes against North Korea, to observe any cargo transiting through their ports and territories, and to cooperate fully in ending North Korea's nuclear ambitions.

To what extent should international law be used in combination with diplomatic pressure on member nations? That would depend on the likelihood that North Korea is increasingly capable of producing and using nuclear weapons. The test that was the trigger for Resolution 2270 was estimated by NORSAR (the seismological observatory at Kjeller, Norway) to be less than the equivalent of ten thousand tons of TNT. The equivalency measure of bombs is in megatons, or one million tons of TNT. Nuclear bombs and hydrogen bombs (much more powerful) are significantly larger (for example, the USSR nuclear bomb in 1961, the largest on record, was fifty megatons). A comparison of the North Korea test with nuclear power plant explosions as well as Hiroshima, a small bomb in comparison to modern weapons, yields the following:

- Hiroshima (1945) 16 KT, or .016 megatons of TNT
- Tsar's bomb, USSR (1961) 50,000 KT, or 50 megatons of TNT
- Chernobyl (1986) 15 ±3 KT, or .015 megatons of TNT (Scale 7)
- Fukushima's Nuclear Power Plant (Scale 7)
    - First event: .0005 megatons of TNT
    - Second event: .0000005 megatons of TNT




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The International Atomic Energy Commission, in its association with the United Nations, is the international body that monitors nuclear power and non-proliferation. In 2007, the IAEA sent an inspection team to North Korea to ensure non-proliferation[11] and they announced successful closure of the North Korean reactor. A decade later, there have been no further inspections, and, with six nuclear tests in 2016 as well as China's recent commitment to enforcing sanctions against North Korea, the momentum may be changing and the timing ripe for the UN Security Council and the IAEC to focus on negotiating an inspection.

## ENDNOTES

1 IAEA, *IAEA and DPRK: Chronology of Key Events* (last updated Mar. 6, 2017), *at* https://www.iaea.org/newscenter/focus/dprk/chronology-of-key-events.

2 S.C. Res. 2270 (Mar. 2, 2016).

3 S.C. Res. 1718, ¶ 3 (Oct. 14, 2006).

4 *Six-Party Talks, Beijing, China*, U.S. DEP'T OF STATE (Sept. 19, 2005), *at* https://www.state.gov/p/eap/regional/c15455.htm.

5 *See* S.C. Res. 1695 (July 15, 2006); S.C. Res. 1718 (Oct. 14, 2006); S.C. Res. 1874 (June 12, 2009); S.C. Res. 2087 (Jan. 22, 2013).

6 Refael Ofek & Dany Shoham, *Iran Is Progressing Toward Nuclear Weapons via North Korea* (Begin-Sadat Center for Strategic Studies Center Perspectives Paper No. 415, 2017).

7 *Id.*

8 *See China Issues Official List of North Korea Embargo Products*, THE HANKYOREH (Apr. 6, 2016), *at* http://english.hani.co.kr/arti/english_edition/e_northkorea/738498.html.

9 S.C. Res. 1540 (Apr. 28, 2004). *See also* S.C. Res. 1887 (Sept. 24, 2009).

10 S.C. Res. 1718 (Oct. 14, 2006).

11 IAEA, *IAEA Team Confirms Shutdown of DPRK Nuclear Facilities* (July 18, 2007), *at* https://www.iaea.org/newscenter/pressreleases/iaea-team-confirms-shutdown-dprk-nuclear-facilities.

https://doi.org/10.1017/ilm.2017.14 Published online by Cambridge University Press

UNITED NATIONS SECURITY COUNCIL RESOLUTION 2270*
[March 2, 2016]

United Nations S/RES/2270 (2016)

# Security Council

Distr.: General
2 March 2016

**Resolution 2270 (2016)**

**Adopted by the Security Council at its 7638th meeting, on 2 March 2016**

*The Security Council*,

*Recalling* its previous relevant resolutions, including resolution 825 (1993), resolution 1540 (2004), resolution 1695 (2006), resolution 1718 (2006), resolution 1874 (2009), resolution 1887 (2009), resolution 2087 (2013) and resolution 2094 (2013), as well as the statements of its President of 6 October 2006 (S/PRST/2006/41), 13 April 2009 (S/PRST/2009/7) and 16 April 2012 (S/PRST/2012/13),

*Reaffirming* that proliferation of nuclear, chemical and biological weapons, as well as their means of delivery, constitutes a threat to international peace and security,

*Expressing* gravest concern at the nuclear test conducted by the Democratic People's Republic of Korea ("the DPRK") on 6 January 2016 in violation of resolutions 1718 (2006), 1874 (2009), 2087 (2013) and 2094 (2013), and at the challenge such a test constitutes to the Treaty on Non-Proliferation of Nuclear Weapons ("the NPT") and to international efforts aimed at strengthening the global regime of non-proliferation of nuclear weapons, and the danger it poses to peace and stability in the region and beyond,

*Underlining* once again the importance that the DPRK respond to other security and humanitarian concerns of the international community,

*Underlining* also that measures imposed by this resolution are not intended to have adverse humanitarian consequences for the civilian population DPRK,

*Regretting* the DPRK's diversion of financial, technical and industrial resources toward developing its nuclear weapons and ballistic missile program, and condemning its declared intent to develop nuclear weapons,

*Expressing* deep concern at the grave hardship that the DPRK people are subjected to,

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*Expressing* great concern that the DPRK's arms sales have generated revenues that are diverted to the pursuit of nuclear weapons and ballistic missiles while DPRK citizens have great unmet needs,

*Expressing* serious concern that the DPRK has continued to violate relevant Security Council resolutions through repeated launches of ballistic missiles in 2014 and 2015, as well as the submarine-launched ballistic missile ejection test in 2015 and *noting* that all such ballistic missile activities contribute to the DPRK's development of nuclear weapons delivery systems and increase tension in the region and beyond,

*Expressing* continued concern that the DPRK is abusing the privileges and immunities accorded under the Vienna Conventions on Diplomatic and Consular Relations,

*Expressing* its gravest concern that the DPRK's ongoing nuclear-, and ballistic missile-related activities have further generated increased tension in the region and beyond, and *determining* that there continues to exist a clear threat to international peace and security,

*Acting* under Chapter VII of the Charter of the United Nations, and taking measures under its Article 41,

1. *Condemns* in the strongest terms the nuclear test conducted by the DPRK on 6 January 2016 in violation and flagrant disregard of the Council's relevant resolutions, and further *condemns* the DPRK's launch of 7 February 2016, which used ballistic missile technology and was in serious violation of resolutions 1718 (2006), 1874 (2009), 2087 (2013), and 2094 (2013);

2. *Reaffirms* its decisions that the DPRK shall not conduct any further launches that use ballistic missile technology, nuclear tests, or any other provocation, and shall suspend all activities related to its ballistic missile program and in this context re-establish its pre-existing commitments to a moratorium on missile launches, and *demands* that the DPRK immediately comply fully with these obligations;

3. *Reaffirms* its decisions that the DPRK shall abandon all nuclear weapons and existing nuclear programs in a complete, verifiable and irreversible manner, and immediately cease all related activities;

4. *Reaffirms* its decision that the DPRK shall abandon all other existing weapons of mass destruction and ballistic missile programs in a complete, verifiable and irreversible manner;

5. *Reaffirms* that, pursuant to paragraph 8 (c) of resolution 1718 (2006), 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 nuclear-related, ballistic missile-related or other weapons of mass destruction-related items, materials, equipment, goods and technology, and *underscores* that this provision prohibits the DPRK from engaging in any form of technical cooperation with other Member States on launches using ballistic missile technology, even if characterized as a satellite launch or space launch vehicle;

6. *Decides* that the measures in paragraph 8 (a) of resolution 1718 (2006) shall also apply to all arms and related materiel, including small arms and light weapons and their 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 and related materiel;

7. *Affirms* that the obligations imposed in paragraphs 8 (a), 8 (b) and 8 (c) of resolution 1718 (2006), as extended by paragraphs 9 and 10 of resolution 1874 (2009), apply with respect to the shipment of items to or from the DPRK for repair, servicing, refurbishing, testing, reverse-engineering, and marketing, regardless of whether ownership or control is transferred, and *underscores* that the measures specified in paragraph 8 (e) of resolution 1718 (2006) shall also apply to any individual traveling for the purposes of carrying out the activities described in this paragraph;

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8. *Decides* that the measures imposed in paragraphs 8 (a) and 8 (b) of resolution 1718 (2006) shall also apply to any item, except food or medicine, if the State determines that such item could directly contribute to the development of the DPRK's operational capabilities of its armed forces, or to exports that support or enhance the operational capabilities of armed forces of another Member State outside the DPRK, and *decides* also that this provision shall cease to apply to the supply, sale or transfer of an item, or its procurement, if:

(a) the State determines that such activity is exclusively for humanitarian purposes or exclusively for livelihood purposes which will not be used by DPRK individuals or entities to generate revenue, and also not related to any activity prohibited by resolutions 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013) or this resolution, provided that the State notifies the Committee in advance of such determination and also informs the Committee of measures taken to prevent the diversion of the item for such other purposes, or

(b) the Committee has determined on a case-by-case basis that a particular supply, sale or transfer would not be contrary to the objectives of resolutions 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013) or this resolution;

9. *Recalls* that paragraph 9 of resolution 1874 (2009) requires States to prohibit the procurement from the DPRK of technical training, advice, services or assistance related to the provision, manufacture, maintenance or use of arms and related materiel, and *clarifies* that this paragraph prohibits States from engaging in the hosting of trainers, advisors, or other officials for the purpose of military-, paramilitary- or police-related training;

10. *Decides* that the measures specified in paragraph 8 (d) of resolution 1718 (2006) shall apply also to the individuals and entities listed in Annex I and II of this resolution and to any individuals or entities acting on their behalf or at their direction, and to entities owned or controlled by them, including through illicit means;

11. *Decides* that the measures specified in paragraph 8 (e) of resolution 1718 (2006) shall apply also to the individuals listed in Annex I of this resolution and to individuals acting on their behalf or at their direction;

12. *Affirms* that "economic resources," as referred to in paragraph 8 (d) of resolution 1718 (2006), includes assets of every kind, whether tangible or intangible, movable or immovable, actual or potential, which potentially may be used to obtain funds, goods, or services, such as vessels (including maritime vessels);

13. *Decides* that if a Member State determines that a DPRK diplomat, governmental representative, or other DPRK national acting in a governmental capacity, is working on behalf or at the direction of a designated individual or entity, or of an individual or entities assisting in the evasion of sanctions or violating the provisions of resolutions 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013) or this resolution, then the Member State shall expel the individual from its territory for the purpose of repatriation to the DPRK consistent with applicable national and international law, provided that nothing in this paragraph shall impede the transit of representatives of the Government of the DPRK to the United Nations Headquarters or other UN facilities to conduct United Nations business, and *decides* that the provisions of this paragraph shall not apply with respect to a particular individual if: a) the presence of the individual is required for fulfillment of a judicial process, b) the presence of the individual is required exclusively for medical, safety or other humanitarian purposes, or c) the Committee has determined on a case-by-case basis that the expulsion of the individual would be contrary to the objectives of resolutions 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013) and this resolution;

14. *Decides* that, if a Member State determines that an individual who is not a national of that State is working on behalf of or at the direction of a designated individual or entity or assisting the evasion of sanctions or violating the provisions of resolutions 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013) or this resolution, then Member States shall expel the individual from their territories for the purpose of repatriation to the individual's state of nationality, consistent with applicable national and international law, unless the presence of the individual is required for fulfillment of a judicial process or exclusively for medical, safety or other humanitarian purposes, or the Committee has

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determined on a case-by-case basis that the expulsion of the individual would be contrary to the objectives of resolutions 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013) or this resolution, provided that nothing in this paragraph shall impede the transit of representatives of the Government of the DPRK to the United Nations Headquarters or other UN facilities to conduct United Nations business;

15. *Underscores* that, as a consequence of implementing the obligations imposed in paragraph 8 (d) of resolution 1718 (2006) and paragraphs 8 and 11 of resolution 2094 (2013), all Member States shall close the representative offices of designated entities and prohibit such entities, as well as individuals or entities acting for or on their behalf, directly or indirectly, from participating in joint ventures or any other business arrangements, and *underscores* that if a representative of such an office is a DPRK national, then States are required to expel the individual from their territories for the purpose of repatriation to the DPRK consistent with applicable national and international law, pursuant to and consistent with paragraph 10 of resolution 2094 (2013);

16. *Notes* that the DPRK frequently uses front companies, shell companies, joint ventures and complex, opaque ownership structures for the purpose of violating measures imposed in relevant Security Council resolutions, and, in this regard, *directs* the Committee, with the support of the Panel, to identify individuals and entities engaging in such practices and, if appropriate, designate them to be subject to the measures imposed in resolutions 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013) and this resolution;

17. *Decides* that all Member States shall 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 or the development of nuclear weapon delivery systems, including teaching or training in advanced physics, advanced computer simulation and related computer sciences, geospatial navigation, nuclear engineering, aerospace engineering, aeronautical engineering and related disciplines;

18. *Decides* that all States shall inspect the cargo within or transiting through their territory, including in their airports, seaports and free trade zones, 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 or at their direction, or entities owned or controlled by them, or by designated individuals or entities, or that is being transported on DPRK flagged aircraft or maritime vessels, for the purposes of ensuring that no items are transferred in violation of resolutions 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013) and this resolution, and calls upon States to implement such inspections in a manner that minimizes the impact on the transfer of cargo that the State determines is for humanitarian purposes;

19. *Decides* that Member States shall prohibit their nationals and those in their territories from leasing or chartering their flagged vessels or aircraft or providing crew services to the DPRK, and *decides* that this prohibition shall also apply with respect to any designated individuals or entities, any other DPRK entities, any other individuals or entities whom the State determines to have assisted in the evasion of sanctions or in violating the provisions of resolutions 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013) or this resolution, any individuals or entities acting on behalf or at the direction of any of the aforementioned, and any entities owned or controlled by any of the aforementioned, *calls upon* Member States to de register any vessel that is owned, operated or crewed by the DPRK, further *calls upon* Member States not to register any such vessel that is de-registered by another Member State pursuant to this paragraph, and *decides* that this provision shall not apply with respect to such leasing, chartering or provision of crew services notified to the Committee in advance on a case-by-case basis accompanied by: a) information demonstrating that such activities are exclusively for livelihood purposes which will not be used by DPRK individuals or entities to generate revenue, and b) information on measures taken to prevent such activities from contributing to violations of the aforementioned resolutions;

20. *Decides* that all States shall 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

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associated service, or insuring any vessel flagged by the DPRK, and *decides* that this measure shall not apply to activities notified in advance by the Committee on a case-by-case basis, following provision to the Committee of detailed information on the activities, including the names of individuals and entities involved in them, information demonstrating that such activities are exclusively for livelihood purposes which will not be used by DPRK individuals or entities to generate revenue and on measures taken to prevent such activities from contributing to violations of resolutions 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013) or this resolution;

21. *Decides* that all States shall deny permission to any aircraft to take off from, land in or overfly, unless under the condition of landing for inspection, 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), 2094 (2013) or this resolution, except in the case of an emergency landing, and *calls upon* all States, when considering whether to grant overflight permission to flights to assess known risk factors;

22. *Decides* that all Member States shall prohibit the entry into their ports of any vessel if the Member 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 resolutions 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013) or this resolution, 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 this resolution;

23. *Recalls* that the Committee has designated the DPRK firm Ocean Maritime Management (OMM), *notes* that the vessels specified in Annex III of this resolution are economic resources controlled or operated by OMM and therefore subject to the asset freeze imposed in paragraph 8 (d) of resolution 1718 (2006), and *underscores* that Member States are required to implement the relevant provisions of that resolution;

24. *Decides* that the DPRK shall abandon all chemical and biological weapons and weapons-related programs, and shall act strictly in accordance with its obligations as a State Party to the Convention on the Prohibition of the Development, Production, or Stockpiling of Bacteriological (Biological) and Toxin Weapons and Their Destruction, and *calls upon* the DPRK to accede to the Convention of the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and Their Destruction, and then to immediately comply with its provisions;

25. *Decides* to adjust the measures imposed by paragraph 8 of resolution 1718 (2006) and this resolution through the designation of additional goods, *directs* the Committee to undertake its tasks to this effect and to report to the Security Council within fifteen days of adoption of this resolution, and further *decides* that, if the Committee has not acted, then the Security Council will complete action to adjust the measures within seven days of receiving that report;

26. *Directs* the Committee to review and update the items contained in S/2006/853/CORR.1 no later than sixty days from the adoption of this resolution and on an annual basis thereafter;

27. *Decides* that the measures imposed in paragraphs 8 (a) and 8 (b) of resolution 1718 (2006) shall also apply to any item if the State determines that such item could contribute to the DPRK's nuclear or ballistic missile programs or other weapons of mass destruction programs, activities prohibited by resolutions 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013), and this resolution, or to the evasion of measures imposed by resolutions 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013), and this resolution;

28. *Reaffirms* paragraphs 14 through 16 of resolution 1874 (2009), and paragraph 8 of resolution 2087 (2013), and *decides* that these paragraphs shall apply also with respect to any items the supply, sale or transfer of which is prohibited by resolutions 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013) or this resolution identified in inspections conducted pursuant to paragraph 18 of this resolution;

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29. *Decides* that the DPRK shall not supply, sell or transfer, directly or indirectly, from its territory or by its nationals or using its flag vessels or aircraft, coal, iron, and iron ore, and that all States shall prohibit the procurement of such material from the DPRK by their nationals, or using their flag vessels or aircraft, and whether or not originating in the territory of the DPRK, and *decides* that this provision shall not apply with respect to:

(a) Coal that the procuring State confirms on the basis of credible information has originated outside the DPRK and was transported through the DPRK solely for export from the Port of Rajin (Rason), provided that the State notifies the Committee in advance and such transactions are unrelated to generating revenue for the DPRK's nuclear or ballistic missile programs or other activities prohibited by resolutions 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013) or this resolution; and,

(b) Transactions that are determined to be exclusively for livelihood purposes and unrelated to generating revenue for the DPRK's nuclear or ballistic missile programs or other activities prohibited by resolutions 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013) or this resolution;

30. *Decides* that the DPRK shall not supply, sell or transfer, directly or indirectly, from its territory or by its nationals or using its flag vessels or aircraft, gold, titanium ore, vanadium ore, and rare earth minerals, and that all States shall prohibit the procurement of such material from the DPRK by their nationals, or using their flag vessels or aircraft, and whether or not originating in the territory of the DPRK;

31. *Decides* that all States shall prevent the sale or supply, by their nationals or from their territories or using their flag vessels or aircraft, of aviation fuel, including aviation gasoline, naptha-type jet fuel, kerosene-type jet fuel, and kerosene-type rocket fuel, whether or not originating in their territory, to the territory of the DPRK, or unless the Committee has approved in advance on an exceptional case-by-case basis the transfer to the DPRK of such products for verified essential humanitarian needs, subject to specified arrangements for effective monitoring of delivery and use, and *decides* also that this provision shall not apply with respect to 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;

32. *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 this resolution, *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 this resolution;

33. *Decides* that States shall prohibit in their territories the opening and operation of new branches, subsidiaries, and representative offices of DPRK banks, *decides* further that States shall prohibit financial institutions within their territories or subject to their jurisdiction from establishing new joint ventures and from taking an ownership interest in or establishing or maintaining correspondent relationships with DPRK banks, unless such transactions have been approved by the Committee in advance, and *decides* that States shall take the necessary measures to close such existing branches, subsidiaries and representative offices, and also to terminate such joint ventures, ownership interests and correspondent banking relationships with DPRK banks within ninety days from the adoption of this resolution;

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34. *Decides* that States shall prohibit financial institutions within their territories or subject to their jurisdiction from opening new representative offices or subsidiaries, branches or banking accounts in the DPRK;

35. *Decides* that States shall take the necessary measures to close existing representative offices, subsidiaries or banking accounts in the DPRK within ninety days, if the State concerned has credible information that provides reasonable grounds to believe that such financial services could contribute to the DPRK's nuclear or ballistic missile programs, or other activities prohibited by resolutions 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013) or this resolution, and *decides* further that this provision shall not apply if 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 resolutions 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013) or this resolution;

36. *Decides* that all States shall prohibit public and private financial support from within their territories or by persons or entities subject to their jurisdiction 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 programs or other activities prohibited by resolutions 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013) or this resolution, including paragraph 8;

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

38. *Recalls* that the Financial Action Task Force (FATF) has called upon countries to apply enhanced due diligence and effective countermeasure to protect their jurisdictions from the DPRK's illicit financial activity, and *calls upon* Member States to apply the FATF Recommendation 7, its Interpretive Note, and related guidance to effectively implement targeted financial sanctions related to proliferation;

39. *Reaffirms* the measures imposed in paragraph 8 (a) (iii) of resolution 1718 (2006) regarding luxury goods, and *clarifies* that the term "luxury goods" includes, but is not limited to, the items specified in Annex V of this resolution;

40. *Calls upon* all States to report to the Security Council within ninety days of the adoption of this resolution, and thereafter upon request by the Committee, on concrete measures they have taken in order to implement effectively the provisions of this resolution, *requests* the Panel of Experts established pursuant to resolution 1874 (2009), in cooperation with other UN sanctions monitoring groups, to continue its efforts to assist States in preparing and submitting such reports in a timely manner, and *directs* the Committee to prioritize outreach to those Member States who have never submitted implementation reports as requested by the Security Council;

41. *Calls upon* all States to supply information at their disposal regarding non-compliance with the measures imposed in resolutions 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013) or this resolution;

42. *Encourages* all States to examine the circumstances of previously reported sanctions violations, particularly the items seized or activities prevented pursuant to the relevant resolutions, so as to assist in ensuring full and appropriate implementation of these resolutions, especially paragraph 27 of this resolution, and *notes* in this regard the reporting of the Panel of Experts and the information regarding sanctions violations that the Committee has released publicly;

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43. *Directs* the Committee to respond effectively to violations of the measures decided in resolutions 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013), and this resolution, and, in this regard, *directs* the Committee to designate additional individuals and entities to be subject to the measures imposed in resolutions 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013), and this resolution;

44. *Directs* the Committee to continue its efforts to assist Member States in implementing the measures imposed on the DPRK, and, in this regard, *requests* the Committee to draft and circulate a comprehensive compilation of all the measures imposed in resolutions 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013), and this resolution so as to facilitate Member State implementation;

45. *Directs* the Committee to update the information contained on the Committee's list of individuals and entities, including new aliases and front companies, and *directs* the Committee to complete this task within 45 days of the adoption of this resolution and every twelve months thereafter;

46. *Decides* that the mandate of the Committee, as set out in paragraph 12 of resolution 1718 (2006), shall apply with respect to the measures imposed in resolution 1874 (2009), 2094 (2013) and this resolution;

47. *Emphasizes* the importance of all States, including the DPRK, taking the necessary measures to ensure that no claim shall lie at the instance of the DPRK, or of any person or entity in the DPRK, or of persons or entities designated for measures set forth in resolutions 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013) or this resolution, or any person claiming through or for the benefit of any such person or entity, in connection with any contract or other transaction where its performance was prevented by reason of the measures imposed by this resolution or previous resolutions;

48. *Underlines* that measures imposed by resolutions 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013) and this resolution are not intended to have adverse humanitarian consequences for the civilian population of the DPRK or to affect negatively those activities, including economic activities and cooperation, that are not prohibited by resolutions 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013) or this resolution, and the work of international organizations and non-governmental organization carrying out assistance and relief activities in the DPRK for the benefit of the civilian population of the DPRK;

49. *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 to refrain from any actions that might aggravate tensions;

50. *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;

51. *Affirms* that it shall keep the DPRK's actions under continuous review and is prepared to strengthen, modify, suspend or lift the measures as may be needed in light of the DPRK's compliance, and, in this regard, *expresses its determination* to take further significant measures in the event of a further DPRK nuclear test or launch;

52. *Decides* to remain seized of the matter.

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**Annex I**
**Travel Ban/Asset Freeze (Individuals)**

1. CHOE CHUN-SIK
   a. *Description*: Choe Chun-sik was the director of the Second Academy of Natural Sciences (SANS) and was the head of the DPRK's long-range missile program.
   b. *AKA*: Choe Chun Sik; Ch'oe Ch'un Sik
   c. *Identifiers*: DOB: 12 October 1954; Nationality: DPRK
2. CHOE SONG IL
   a. *Description*: Tanchon Commercial Bank Representative in Vietnam
   b. *AKA*: NA
   c. *Identifiers*: Passport: 472320665; Passport Date of Expiration: 26 Sep 2017; Passport: 563120356; Nationality: DPRK
3. HYON KWANG IL
   a. *Description*: Hyon Kwang Il is the Department Director for Scientific Development at the National Aerospace Development Administration.
   b. *AKA*: Hyon Gwang Il
   c. *Identifiers*: DOB: 27 May 1961; Nationality: DPRK
4. JANG BOM SU
   a. *Description*: Tanchon Commercial Bank Representative in Syria
   b. *AKA*: Jang Pom Su
   c. *Identifiers*: DOB: 15 April 1957; Nationality: DPRK
5. JANG YONG SON
   a. *Description*: Korea Mining Development Trading Corporation (KOMID) Representative in Iran
   b. *AKA*: NA
   c. *Identifiers*: DOB: 20 February 1957; Nationality: DPRK
6. JON MYONG GUK
   a. *Description*: Tanchon Commercial Bank Representative in Syria
   b. *AKA*: Cho'n Myo'ng-kuk
   c. *Identifiers*: Passport:4721202031; Passport Date of Expiration: 21 Feb 2017; Nationality: DPRK; DOB: 18 Oct 1976
7. KANG MUN KIL
   a. *Description*: Kang Mun Kil has conducted nuclear procurement activities as a representative of Namchongang, also known as Namhung.
   b. *AKA*: Jiang Wen-ji
   c. *Identifiers*: Passport: PS 472330208; Passport Date of Expiration: 4 July 2017; Nationality: DPRK

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8. KANG RYONG
    a. *Description*: Korea Mining Development Trading Corporation (KOMID) Representative in Syria
    b. *AKA*: NA
    c. *Identifiers*: DOB: 21 August 1969; Nationality: DPRK
9. KIM JUNG JONG
    a. *Description*: Tanchon Commercial Bank Representative in Vietnam
    b. *AKA*: Kim Chung Chong
    c. *Identifiers*: Passport: 199421147 Passport Date of Expiration: 29 Dec 2014; Passport: 381110042, Passport Date of Expiration: 25 Jan 2016; Passport: 563210184, Passport Date of Expiration: 18 Jun 2018; DOB: 07 Nov 1966, Nationality: DPRK
10. KIM KYU
    a. *Description*: Korea Mining Development Trading Corporation (KOMID) External Affairs Officer
    b. *AKA*: NA
    c. *Identifiers*: DOB: 30 July 1968, Nationality: DPRK
11. KIM TONG MY'ONG
    a. *Description*: Kim Tong My'ong is the President of Tanchon Commercial Bank and has held various positions within Tanchon Commercial bank since at least 2002. He has also played a role in managing Amroggang's affairs.
    b. *AKA*: Kim Chin-So'k, Kim Tong-Myong, Kim Jin-Sok; Kim, Hyok-Chol
    c. *Identifiers*: DOB: 1964; Nationality: DPRK
12. KIM YONG CHOL
    a. *Description*: KOMID Representative in Iran
    b. *AKA*: NA
    c. *Identifiers*: DOB. 18 February 1962; Nationality: DPRK
13. KO TAE HUN
    a. *Description*: Tanchon Commercial Bank Representative
    b. *AKA*: Kim Myong Gi
    c. *Identifiers*: Passport: 563120630; Passport Date of Expiration: 20 March 2018, D.O.B. 25 May 1972; Nationality: DPRK
14. RI MAN GON
    a. *Description*: Ri Man Gon is the Minister of the Munitions Industry Department.
    b. *AKA*: n/a
    c. *Identifiers*: DOB: 29 October 1945; Passport number: PO381230469; Passport Date of Expiration: 6 April 2016; Nationality: DPRK

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15. RYU JIN
    a. *Description*: KOMID Representative in Syria
    b. *AKA*: NA
    c. *Identifiers*: DOB: 07 August 1965; Passport Number: 563410081; Nationality: DPRK
16. YU CHOL U
    a. *Description*: Yu Chol U is the Director of the National Aerospace Development Administration.
    b. *AKA*: n/a
    c. *Identifiers*: Nationality: DPRK

List Update for Alias: Ra, Kyong-Su (KPi.008) — *New AKA*: Chang, Myong Ho

**Annex II**
**Asset Freeze (Entities)**

1. ACADEMY OF NATIONAL DEFENSE SCIENCE
    a. *Description*: The Academy of National Defense Science is involved in the DPRK's efforts to advance the development of its ballistic missile and nuclear weapons programs.
    b. *AKA*: n/a
    c. *Location*: Pyongyang, DPRK
2. CHONGCHONGANG SHIPPING COMPANY
    a. *Description*: The Chongchongang Shipping Company, through its vessel, the Chong Chon Gang, attempted to directly import the illicit shipment of conventional weapons and arms to the DPRK in July 2013.
    b. *AKA*: Chong Chon Gang Shipping Co. Ltd.
    c. *Location*: Address: 817 Haeun, Donghung-dong, Central District, Pyongyang, DPRK; Alternate Address: 817, Haeum, Tonghun-dong, Chung-gu, Pyongyang, DPRK; IMO Number: 5342883
3. DAEDONG CREDIT BANK (DCB)
    a. *Description*: Daedong Credit Bank has provided financial services to the Korea Mining Development Trading Corporation (KOMID) and Tanchon Commercial Bank. Since at least 2007, DCB has facilitated hundreds of financial transactions worth millions of dollars on behalf of KOMID and Tanchon Commercial Bank. In some cases, DCB has knowingly facilitated transactions by using deceptive financial practices.
    b. *AKA*: DCB; AKA: Taedong Credit Bank
    c. *Location*: Address: Suite 401, Potonggang Hotel, Ansan-Dong, Pyongchon District, Pyongyang, DPRK; Alternate Address: Ansan-dong, Botonggang Hotel, Pongchon, Pyongyang, DPRK; SWIFT: DCBK KKPY
4. HESONG TRADING COMPANY
    a. *Description*: The Korea Mining Development Trading Corporation (KOMID) is the parent company of Hesong Trading Corporation.
    b. *Location*: Pyongyang, DPRK

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5. KOREA KWANGSON BANKING CORPORATION (KKBC)

   a. *Description*: KKBC provides financial services in support to Tanchon Commercial Bank and Korea Hyoksin Trading Corporation, a subordinate of the Korea Ryonbong General Corporation. Tanchon Commercial Bank has used KKBC to facilitate funds transfers likely amounting to millions of dollars, including transfers involving Korea Mining Development Corporation related funds.

   b. *AKA*: KKBC

   c. *Address*: Jungson-dong, Sungri Street, Central District, Pyongyang, DPRK

6. KOREA KWANGSONG TRADING CORPORATION

   a. *Description*: The Korea Ryongbong General Corporation is the parent company of Korea Kwangsong Trading Corporation.

   b. *Address*: Rakwon-dong, Pothonggang District, Pyongyang, DPRK

7. MINISTRY OF ATOMIC ENERGY INDUSTRY

   a. *Description*: The Ministry of Atomic Energy Industry was created in 2013 for the purpose of modernizing the DPRK's atomic energy industry to increase the production of nuclear materials, improve their quality, and further develop an independent DPRK nuclear industry. As such, the MAEI is known to be a critical player in the DPRK's development of nuclear weapons and is in charge of day-to-day operation of the country's nuclear weapons program, and under it are other nuclear-related organizations. Under this ministry are a number of nuclear-related organizations and research centers, as well as two committees: an Isotope Application Committee and a Nuclear Energy Committee. The MAEI also directs a nuclear research center at Yongbyun, the site of the DPRK's known plutonium facilities. Furthermore, in the 2015 Panel of Experts (POE) report, the POE stated that Ri Je-son, a former director of the GBAE who was designated by the Committee established pursuant to resolution 1718 (2006) in 2009 for engagement in or support for nuclear related programs, was appointed as head of the MAEI on April 9, 2014.

   b. *AKA*: MAEI

   c. *Address*: Haeun-2-dong, Pyongchon District, Pyongyang, DPRK

8. MUNITIONS INDUSTRY DEPARTMENT

   a. *Description*: The Munitions Industry Department is involved in key aspects of the DPRK's missile program. MID is responsible for overseeing the development of the DPRK's ballistic missiles, including the Taepo Dong-2. The MID oversees the DPRK's weapons production and R&D programs, including the DPRK's ballistic missile program. The Second Economic Committee and the Second Academy of Natural Sciences — also designated in August 2010 — are subordinate to the MID. The MID in recent years has worked to develop the KN08 road-mobile ICBM.

   b. *AKA*: Military Supplies Industry Department

   c. *Location*: Pyongyang, DPRK

9. NATIONAL AEROSPACE DEVELOPMENT ADMINISTRATION

   a. *Description*: NADA is involved in the DPRK's development of space science and technology, including satellite launches and carrier rockets.

   b. *AKA*: NADA

   c. *Location*: DPRK

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10. OFFICE 39

    a. *Description*: DPRK government entity.

    b. *AKA*: Office #39; AKA: Office No. 39; AKA: Bureau 39; AKA: Central Committee Bureau 39; AKA: Third Floor; AKA: Division 39

    c. *Location*: DPRK

11. RECONNAISSANCE GENERAL BUREAU

    a. *Description*: The Reconnaissance General Bureau is the DPRK's premiere intelligence organization, created in early 2009 by the merger of existing intelligence organizations from the Korean Workers' Party, the Operations Department and Office 35, and the Reconnaissance Bureau of the Korean People's Army. The Reconnaissance General Bureau trades in conventional arms and controls the DPRK conventional arms firm Green Pine Associated Corporation.

    b. *AKA*: Chongch'al Ch'ongguk; KPA Unit 586; RGB

    c. *Location*: Address: Hyongjesan-Guyok, Pyongyang, DPRK; Alternate Address: Nungrado, Pyongyang, DPRK.

12. SECOND ECONOMIC COMMITTEE

    a. *Description*: The Second Economic Committee is involved in key aspects of the DPRK's missile program. The Second Economic Committee is responsible for overseeing the production of the DPRK's ballistic missiles, and directs the activities of KOMID.

    b. *AKA*: N/A

    c. *Location*: Kangdong, DPRK

List Update for Alias: NAMCHONGANG TRADING CORPORATION (KPe.004) — New AKA: Namhung Trading Corporation

**Annex III**
**OMM Vessels**

| | *Ship Name* | *IMO Number* |
|---|---|---|
| 1. | CHOL RYONG (RYONG GUN BONG) | 8606173 |
| 2. | CHONG BONG(GREENLIGHT)(BLUE NOUVELLE) | 8909575 |
| 3. | CHONG RIM 2 | 8916293 |
| 4. | DAWNLIGHT | 9110236 |
| 5. | EVER BRIGHT 88 (J STAR) | 8914934 |
| 6. | GOLD STAR 3 (BENEVOLENCE 2) | 8405402 |
| 7. | HOE RYONG | 9041552 |
| 8. | HU CHANG (O UN CHONG NYON) | 8330815 |
| 9. | HUI CHON (HWANG GUM SAN 2) | 8405270 |
| 10. | JH 86 | 8602531 |
| 11. | JI HYE SAN (HYOK SIN 2) | 8018900 |
| 12. | JIN Tal | 9163154. |
| 13. | JIN TENG | 9163166 |
| 14. | KANG GYE (PI RYU GANG) | 8829593 |
| 15. | MI RIM | 8713471 |
| 16. | MI RIM 2 | 9361407 |
| 17. | O RANG (PO THONG GANG) | 8829555 |

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| | | |
|---|---|---|
| 18. | ORION STAR (RICHOCEAN) | 9333589 |
| 19. | RA NAM 2 | 8625545 |
| 20. | RANAM 3 | 9314650 |
| 21. | RYO MYONG | 8987333 |
| 22. | RYONG RIM (JON JIN 2) | 8018912 |
| 23. | SE PHO (RAK WON 2) | 8819017 |
| 24. | SONGJIN (JANG JA SAN CHONG NYON HO) | 8133530 |
| 25. | SOUTH HILL 2 | 8412467 |
| 26. | SOUTH HILL 5 | 9138680 |
| 27. | TAN CHON (RYONG GANG 2) | 7640378 |
| 28. | THAE PYONG SAN (PETREL 1) | 9009085 |
| 29. | TONG HUNG SAN (CHONG CHON GANG) | 7937317 |
| 30. | GRAND KARO | 8511823 |
| 31. | TONG HUNG 1 | 8661575 |

**Annex IV:**
**Luxury Goods**

(a) Luxury watches: wrist, pocket, and other with a case of precious metal or of metal clad with precious metal

(b) Transportation items, as follows:

  (1) aquatic recreational vehicles (such as personal watercraft)

  (2) snowmobiles (valued greater than $2,000)

(c) Items of lead crystal

(d) Recreational sports equipment

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