

DPRK SANCTIONS

**COUNTERING DPRK PROLIFERATION
ACTIVITIES**





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INTRODUCTION

Sanctions regimes against the Democratic People's Republic of Korea (DPRK) primarily target the country's weapons of mass destruction (WMD) and ballistic missile programs. The DPRK continues to advance these programs, in violation of robust international economic and financial sanctions, with both the willful and inadvertent support of foreign persons and entities.

The United Nations (UN) has raised concerns about the widespread presence of DPRK nationals in Africa and their involvement in prohibited activities, such as executing financial transactions on behalf of national entities, engaging in illicit trade of arms and dual-use commodities, maintaining links with legitimate financial institutions abroad through DPRK state-owned enterprise subsidiaries or joint ventures, and acquiring correspondent banking services for front companies and persons linked to DPRK proliferation efforts.

A closer understanding of existing sanctions regimes imposed by the UN, European Union (EU), and United States will support the adoption of more effective sanctions compliance and enforcement practices in government and the private sector. It will also help develop new government offices, agencies, and capabilities to provide

national governments greater control and oversight of economic sectors that the DPRK and its affiliates seek to exploit.

There is no standard due diligence process for governments to ensure that a person's activities or entity's operations within its jurisdiction are compliant with all applicable sanctions regimes. Nonetheless, due diligence and the charge to promote, ensure, and (whenever necessary) enforce compliance is a continuing obligation. Both government and non-government organizations must be alert to the ways in which sanctioned parties can exploit or otherwise affect their operations, even if they do not deal with a sanctioned party or country directly. To engage in nearly any activity or transaction, either directly or indirectly, with parties and end users in or associated with the DPRK—especially with its WMD and ballistic missile programs—constitutes a violation of UN, EU, and U.S. sanctions. For example, here are two activities that constitute a violation of sanctions:

- ◆ An entity exports an item to a nonsanctioned country with the knowledge that the exported item will be re-exported (as-is or integrated into another product) to a sanctioned country or end user.
- ◆ The immediate counterparty to a transaction is owned or controlled by a sanctioned party under cover of an alias, a subsidiary organization, or a front company.

Governments can play a critical role in countering DPRK proliferation activities in East and South Africa by using their knowledge of sanctions regimes to ensure compliance with sanction requirements.

SANCTIONS OVERVIEW

What are sanctions?

Sanctions are measures adopted by a governing body against a designated target (i.e., country, regime, entity, group, or person) to protect the governing body's national or international security interests and to defend against threats to international peace and security.

What is the purpose of sanctions?

Sanctions are political and/or economic restrictions designed to constrain the sanctioned target's ability to sustain activities of concern. Sanctions are meant to change the target's behavior so that it complies with international law or the sanctioning authority's demands.

Sanctions against designated targets tend to take the form of restrictive or coercive measures, such as the freezing of assets, the withdrawal of financial services, trade bans or restrictions, travel bans or restrictions, and suspension from international organizations.

What is a sanctions regime?

A "sanctions regime" refers to the collective body of sanctions targeting a particular country or government—in this case, the DPRK and the government of the DPRK—and certain activities—in this case, nuclear proliferation.

This document discusses three sanctions regimes targeting the DPRK. Two of these regimes are multilateral, maintained by the UN and EU, and one is unilateral, maintained by the United States.

DEFINITIONS

PERSON:

Depending on the sanctions regime, a “person” may refer to a “natural person” or a “legal person.” A “natural person” refers to a human being (private individual). A “legal person” is an ambiguous term that may refer to a human or nonhuman entity or to a “juridical person” (a firm, entity, or government group that is recognized by law as having the rights and obligations of a human being). This terminology is most often used in the context of the U.S. sanctions regime.

ENTITY:

An “entity” typically refers to a collective body (a partnership, association, trust, joint venture, company, corporation, group, subgroup, vessel, aircraft, government department or agency, or other organization).

MAIN SANCTIONS REGIMES* — UN, EU, U.S.

Both the EU and United States recognize and implement all sanctions adopted by the UN, which are to be implemented and enforced globally by all UN member states.

The EU and United States have also adopted autonomous sanctions, export controls, and other restrictive measures and penalties for additional persons, entities, and activities linked to DPRK proliferation to tighten control and oversight within their respective jurisdictions and to advance their own national security interests.

There are two primary ways a party, who either directly or indirectly engage, facilitate, or otherwise contribute to DPRK proliferation, can become subject to sanctions:

- ◆ Persons and entities can be “designated” by the sanctioning authority, listed by name and explicitly targeted for affiliating with a sanctioned party or for engaging in a sanctioned activity or transaction.
- ◆ Under “comprehensive” sanctions, nondesignated persons and entities can be subject to sanctions if they meet criteria qualifying them as a member of or closely affiliated with a sanctioned party or as a party to sanctioned activities.

* The United Kingdom also maintains a substantial sanctions regime against the DPRK.

Comprehensive sanctions can also target an entire country. Statewide sanctions, for example, might take the form of a prohibition on persons or entities within the sanctioning regime's jurisdiction from engaging in transactions or activities with any persons or entities of the targeted country.

- ♦ Sanctions can also target certain industries (sectors), activities (practices), naval vessels and aircraft, etc.
 - ♦ Sanctions regimes against the DPRK, which prohibit a person or entity to engage, facilitate, or otherwise contribute to the DPRK's proliferation efforts, typically include, but are not limited to, research, development, financing, procurement and acquisitions, trade of goods or services, and transactions with or sponsorship of persons or entities linked to DPRK proliferation.
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SANCTIONS REGIMES

The following sections summarize the governing structures and legal authorities that enable these sanctions regimes against the DPRK.

United Nations

United Nations Security Council Resolutions	8–15
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European Union

EU Council Decisions and Regulations	16–23
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United States

Statutes	25–27
Proclamations	27
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United Nations

The UN imposes sanctions through **UN Security Council Resolutions (UNSCRs)**. Under Article 25 of the UN Charter, all UN Member States are bound to carry out decisions of the UN Security Council in accordance with the terms and conditions of the Present Charter. Chapter VII resolutions, which include those leveling sanctions against the DPRK, make an explicit determination that the situation under consideration constitutes a threat to the peace, a breach of the peace, or an act of aggression. An explicit reference will take either of the following forms: “*Acting* under Chapter VII of the Charter of the United Nations...,” or in the body of the Resolution, it will say, this resolution: “*Requires*, all Member States...[perform a certain action].”¹ The UN has adopted 27 UNSCRs concerning the DPRK, 21 of which enable the UN sanctions regime.²

UNSCRs apply globally and are meant to be adopted and enforced around the world by all member states; UN sanctions constitute the most widely recognized sanctions regime against the DPRK. Because, implementation and enforcement of UN sanctions are delegated to member states, the ways in which and the extent to which these sanctions are observed in practice varies.

UN SECURITY COUNCIL RESOLUTIONS

UNSCR 2397³ Strengthened measures targeting the supply, sale, or transfer of all refined petroleum products to the DPRK, reducing the annual aggregate limit on refined petroleum exports to the DPRK to 500,000 barrels per year; placed an annual limit of 4 million barrels on crude oil exports to the DPRK and introduced related reporting requirements for supplying member states;

Imposed a total ban on the DPRK’s export of food and agricultural products, machinery, electrical equipment, minerals, stone, wood, coal, and vessels; prohibited the DPRK from selling or transferring fishing rights;

¹ United Nations Security Council (UNSC), “Sanctions,” webpage, undated. For the UNSC Sanctions webpage, go to: <https://www.un.org/sc/suborg/en/sanctions/information>.

² Six of these UNSCRs apply to the Korean War (1951–1953) and UN membership.

³ UNSCR 2397, December 22, 2017. For UNSCR 2397, go to: <https://www.treasury.gov/resource-center/sanctions/Programs/Documents/2397.pdf>.

Imposed a total ban on the supply, sale, or transfer of all industrial machinery, transportation vehicles, iron, steel, and other metals to the DPRK (with the exception of spare parts to maintain DPRK commercial civil passenger aircraft);

Required member states to repatriate all DPRK nationals earning income and all DPRK government safety oversight attaches monitoring DPRK workers abroad within their jurisdiction within 24 months of this UNSCR;

Required member states to seize, inspect, and freeze any vessel in their ports and territorial waters for engaging in, facilitating, or otherwise contributing to prohibited activities; prohibited the provision of insurance or re-insurance services to any vessels involved in prohibited activities; required all member states to de-register any vessels involved in prohibited activities; prohibited member states from providing classification services to any vessels involved in prohibited activities;

Required member states to notify the 1718 Committee of identifying information and measures taken to carry out appropriate actions authorized by UNSCR provisions with regard to vessels in their territory or on the high seas designated as subject to the assets freeze, port entry ban, or other relevant measures;

Added 16 persons and one entity to the UN sanctions list.

Date: December 22, 2017

UNSCR 2375⁴ Imposed total ban on the supply, sale, or transfer of all condensates and natural gas liquids to the DPRK; placed an annual aggregate limit of 2 million barrels on all refined petroleum exports to the DPRK; imposed restrictions on the annual supply, sale, or transfer of crude oil to the DPRK; imposed total ban on DPRK export of textiles; prohibited member states from providing new or renewing work authorizations for DPRK nationals; expanded financial sanctions by prohibiting all joint ventures or cooperative entities or expansion of existing joint ventures with DPRK entities or persons; directed 1718 Committee to

⁴ UNSCR 2375, September 11, 2017. For UNSCR 2375, go to: <https://www.treasury.gov/resource-center/sanctions/Programs/Documents/2375.pdf>.

designate all vessels transporting prohibited items from the DPRK and to designate additional WMD-related and conventional arms-related items; added one person and three entities to the UN sanctions list.

Date: September 11, 2017

UNSCR 2371⁵ Imposed total ban on the export of coal, iron, iron ore, lead, lead ore, and seafood from the DPRK; authorized 1718 Committee to designate vessels related to activities prohibited in UNSCRs pertaining to the DPRK⁶; prohibited new or expanded joint ventures and cooperative commercial entities with the DPRK; prohibited deployment and use of chemical weapons, calling for the DPRK's accession to the [Chemical Weapons Convention]; directed the 1718 Committee to develop arrangements with INTERPOL to issue Special Notices and to designate additional WMD- and conventional arms-related items; added nine persons and four entities to the UN sanctions lists.

Date: August 5, 2017

UNSCR 2356⁷ Added 14 persons and four entities to the UN sanctions list.

Date: June 2, 2017

UN SANCTIONS APPLY:

- 1) globally, as they are not limited by geopolitical borders
- 2) to all 193 UN member states.

For a list of UN member states, visit <http://www.un.org/en/member-states>

⁵ UNSCR 2371, August 5, 2017. For UNSCR 2371, go to: <http://unscr.com/en/resolutions/doc/2371>.

⁶ The "1718 Committee" is the UN Security Council Sanctions Committee on North Korea, established pursuant to UNSCR 1718 in 2006. It is a subsidiary body of the Security Council that oversees the adoption, monitoring, and enforcement of sanctions measures against the DPRK. The Committee's responsibilities have broadened as subsequent resolutions have expanded sanctions against the DPRK. In 2009, the Security Council established a Panel of Experts (PoE) to support the 1718 Committee through subject matter expertise and analysis. The PoE plays a critical role evaluating cases of non-compliance, i.e. violation or evasion of sanctions.

⁷ UNSCR 2356, June 2, 2017. For UNSCR 2356, go to: <http://unscr.com/en/resolutions/doc/2356>.

UNSCR 2321⁸ Expanded the arms embargo on the DPRK to include items listed in a new conventional arms dual-use commodities list; expanded “cargo inspection” to include personal items or baggage being transported by persons traveling via air, rail, ship, and road;

Expanded maritime provisions to include prohibiting the lease, charter, or provision of crew services to the DPRK; registering vessels in the DPRK; obtaining authorization for a vessel to use the DPRK’s flag; the lease, operation, ownership, or provision of any vessel classification, certification, or associated service or insurance of a DPRK-flagged vessel; the provision of insurance or re-insurance services to vessels owned, controlled, or operated by the DPRK; introduced measures to designate vessels related to prohibited programs and activities; prohibited the sale, supply, or transfer of new helicopters and vessels to the DPRK;

Tightened restrictions and placed an annual aggregate limit on coal exports from the DPRK to member states and their nationals, and introduced a real-time reporting requirement to monitor these exports; banned the supply, sale, or transfer of copper, nickel, silver, and zinc by the DPRK to member states and their nationals; placed limits on the amount of fuel member states can provide to DPRK-flagged civil passenger aircraft;

Added new items to list of prohibited luxury goods;

Required member states to reduce the number of staff at DPRK diplomatic missions and consular posts and to limit the number of bank accounts to one per diplomatic mission or consular post and one per DPRK diplomat and consular officer; imposed entry and transit restrictions for DPRK officials and members of the DPRK armed forces; banned the use of property in member states’ territory for purposes other than diplomatic or consular activities; required member states to expel individuals believed to be working on behalf of or at the direction of a DPRK bank or financial institution;

⁸ UNSCR 2321, November 30, 2016. UNSCR 2321, go to: <https://www.treasury.gov/resource-center/sanctions/Programs/Documents/2321.pdf>.



Suspended scientific and technical cooperation with the DPRK; clarified restrictions on specialized teaching and training to include material science, advanced chemical engineering, advanced mechanical engineering, advanced electrical engineering, and advanced industrial engineering;

Prohibited the supply, sale, or transfer of statues by the DPRK and procurement of statues from the DPRK by member states;

Added 11 persons and ten entities to the sanctions list.

Date: November 30, 2016

UNSCR 2270⁹ Expanded arms embargo and nonproliferation measures to include small arms, light weapons, a ban on any item related to prohibited DPRK programs, dual-use items linked to nuclear/missile development, and the capabilities of the DPRK's armed forces; mandated inspection of cargo destined for or originating from the DPRK;

Prohibited the lease or charter of vessels and aircraft to the DPRK; prohibited operating vessels using DPRK flags; banned flights of any plane or port calls of any vessel linked to or involving prohibited items, activities, or designated persons or entities;

Expanded financial measures, including an asset freeze on the government of the DPRK and the Korean Workers' Party entities linked to prohibited programs; required member states to close existing DPRK bank branches within their territories; prohibited DPRK banks from opening new branches abroad; required member states to close existing bank branches or other offices in the DPRK if related to prohibited programs, prohibited member states from opening branches of financial institutions in the DPRK;

Imposed sectoral sanctions by prohibiting the export of coal, iron, iron ore, gold, titanium ore, and rare earth minerals;

Prohibited specialized training of DPRK nationals that could

⁹ UNSCR 2270, March 2, 2016. For UNSCR 2270, go to: <https://www.treasury.gov/resource-center/sanctions/Programs/Documents/2270.pdf>.

contribute to the proliferation of nuclear weapons, their delivery systems, or their military or paramilitary capabilities;

Compelled expulsion of DPRK nationals abroad, including diplomats and foreign nationals, who are known to assist in illicit activities and the evasion of sanctions.

Date: March 2, 2016

UNSCR 2094¹⁰ Imposed targeted financial sanctions; expanded prohibited items list concerning nuclear, ballistic missile, and other WMD-related materials; prohibited limited set of luxury goods; expanded sanctions designation criteria to include individuals and entities that have contributed to the DPRK's prohibited programs; added three persons and two entities to sanctions list; expanded designations criteria to include individuals and entities that have contributed to the DPRK's prohibited programs.

Date: March 7, 2013

UNSCR 2087¹¹ Expanded measures related to member states' rights to seize and destroy material connected to the DPRK's nuclear weapons program; expanded measures imposed on persons and entities suspected of involvement with the DPRK's nuclear program; expanded designation criteria to include individuals and entities that have assisted in the evasion of sanctions or violation of UNSCRs targeting the DPRK's proliferation efforts.

Date: January 22, 2013

UNSCR 1874¹² Expanded measures targeting the import and export of arms to and from the DPRK, prohibited the provision of financial services and transfer of financial resources that contribute to prohibited programs/activities; required member states to report on inspections, seizures, disposals, and the sale, supply, or transfer of small arms or light weight weapons to the DPRK.

Date: June 12, 2009

¹⁰ UNSCR 2094, March 7, 2013. For UNSCR 2094, go to: http://www.un.org/ga/search/view_doc.asp?symbol=S/RES/2094%282013%29.

¹¹ UNSCR 2087, January 22, 2013. For UNSCR 2087, go to: <https://www.treasury.gov/resource-center/sanctions/Programs/Documents/2087.pdf>.

¹² UNSCR 1874, June 12, 2009. For UNSCR 1874, go to: <https://www.treasury.gov/resource-center/sanctions/Documents/1874.pdf>.



UNSCR 1718¹³ Established Security Council Committee 1718 (1718 Committee), responsible for oversight and management of the UN sanctions regime against the DPRK; imposed an arms embargo, asset freeze, and travel ban on persons involved in the DPRK's nuclear program; banned the direct and indirect supply, sale, or transfer to the DPRK through their territories or by their nationals of the following items: battle tanks, armored combat vehicles, large caliber artillery systems, combat aircraft, attack helicopters, warships, missiles or missile systems as defined for the purpose of the UN Register on Conventional Arms, or related materiel (including spare parts); prohibited the supply, sale, or transfer of listed items using DPRK-flagged vessels or aircraft, whether or not originating in the territory of the DPRK.

Date: October 14, 2006

UNSCR 1695¹⁴ Required member states to exercise vigilance and prevent the transfer of missiles or missile-related materials, items, goods, and technology to or from the DPRK, and the transfer of any financial resources in relation to the DPRK's missile or WMD programs.

Date: July 15, 2006

UNSCR 825¹⁵ Urged the DPRK to consider its withdrawal from the Nuclear Non-Proliferation Treaty and abide by its international obligations. This resolution served as the official, major diplomatic effort to bring the DPRK into compliance with international standards regarding nuclear proliferation prior to imposing sanctions.

Date: May 11, 1993

UNSCRS RELATED TO KOREAN WAR:

UNSCR 82 / UNSCR 84 / UNSCR 85 / UNSCR 90 / UNSCR 702

This group of UNSCRs pertains to the Korean War (Resolutions 82–90) and the DPRK's UN Membership (Resolution 702). UNSCRs related to nonproliferation and enabling the ongoing UN sanctions regime against the DPRK started with Resolution 825, May 11, 1993.

¹³ UNSCR 1718, October 14, 2006. For UNSCR 1718, go to: http://www.un.org/ga/search/view_doc.asp?symbol=S/RES/1718%20%282006%29.

¹⁴ UNSCR 1695, July 15, 2006. For UNSCR 1695, go to: <http://unscr.com/en/resolutions/doc/1695>.

¹⁵ UNSCR 825, May 11, 1993. For UNSCR 825, go to: <http://unscr.com/en/resolutions/doc/825>.



UN SANCTIONS LISTS AND IMPLEMENTATION ASSISTANCE DOCUMENTS

UN sanctions lists available on the UNSC website are updated in real time upon receipt of reports by member states and the UNSC containing updates or revisions. The Sanctions Committee page also includes information on procedures for listing and delisting designated targets, implementing sanctions, reporting sanctions violations, exemptions to sanctions, and documents highlighting important DPRK sanctions. For the 1718 Sanctions Committee webpage, go to: <https://www.un.org/securitycouncil/sanctions/1718>.

UNSCRs

- a. For a list of UNSCRs pertaining to the DPRK, including the dates of adoption and unofficial description of each, go to: <https://www.un.org/securitycouncil/sanctions/1718/resolutions>.
- b. For graphs on currently active sanctions regimes and restrictions produced by the UNSC Practices and Charter Research Branch, go to: http://www.un.org/en/sc/repertoire/data/sanctions_regimes_graphs.pdf.

DESIGNATED PERSONS AND ENTITIES

- a. For the Consolidated UN Sanctions List, which includes all individuals and entities subject to sanctions imposed by the UNSC, go to: <https://www.un.org/securitycouncil/content/un-sc-consolidated-list>.
- b. For a list of vessels designated, go to: <https://www.un.org/securitycouncil/sanctions/1718/materials/list-of-designated-vessels>.

PROHIBITED ITEMS

- a. For the UN's list of prohibited exports and imports from the DPRK, including conventional arms and dual-use commodities linked to WMD and ballistic-missile program developments, go to: <https://www.un.org/securitycouncil/sanctions/1718/prohibited-items>.
- b. For the UN's list of additional prohibited luxury goods and other items, go to: https://www.un.org/securitycouncil/sites/www.un.org.securitycouncil/files/list_items_and_luxury_goods.pdf.

IMPLEMENTATION ASSISTANCE

- a. For a list of UN implementation assistance notices designed to inform and assist UN member states in carrying out their obligations under relevant UNSCRs, go to: <https://www.un.org/securitycouncil/sanctions/1718/implementation-notices>.

INTERPOL Special Notice (mentioned in the summary of UNSCR 2371)

- a. The INTERPOL Special notice alerts national law enforcement agencies that a given individual or entity is subject to UN sanctions, or that the sanctions list has been updated. For more information on INTERPOL Special Notice, go to: <https://www.interpol.int/en/How-we-work/Notices/INTERPOL-United-Nations-Security-Council-Special-Notices>.

European Union

The EU sanctions regime on the DPRK is a multilateral sanctions regime which complies with UN sanctions and designations and adopts autonomous sanctions to reinforce and augment UNSCRs pursuant to its own national security interests.

Council Decisions

- ◆ Implemented and enforced by EU member states
- ◆ May require adoption of corresponding national legislation.

EU Regulations

- ◆ Binding upon persons and entities within the EU's jurisdiction
- ◆ Do not require EU member states to adopt legislation in order to comply with their terms.

In addition to the UN designations recognized (transposed) by the EU, 59 persons and nine entities are currently designated under autonomous EU sanctions.

EU sanctions apply:

- ◆ Within the territory, airspace, and territorial waters of all EU member states
 - ◆ Onboard any aircraft or naval vessel under the jurisdiction of an EU member state
 - ◆ To any person inside or outside the territory of the EU who is a national of an EU member state
 - ◆ To any legal person, entity, or body inside or outside the territory of the EU which is incorporated or constituted under law of an EU member state, including branches of EU companies in third countries
 - ◆ To any legal person, entity, or body in respect of any business done in whole or in part with the EU.
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COUNCIL DECISIONS AND REGULATIONS

COUNCIL DECISION (Common Foreign and Security Policy [CFSP]) 2018/611¹⁶

April 19, 2018

Added four persons involved in DPRK nuclear program financing to the EU sanctions list.

COUNCIL IMPLEMENTING REGULATION (EU) 2018/87¹⁷

January 22, 2018

Added 17 persons involved in illegal trade activities and activities aimed at facilitating the evasion of sanctions imposed by the UN to the EU sanctions list.

COUNCIL REGULATION (EU) 2017/1858¹⁸

October 16, 2017

Imposed a total ban on EU investment in the DPRK in all sectors; total ban on the sale of refined petroleum products and crude oil to the United Kingdom; lowered the amount of personal remittances from €15,000 to €5,000; member states agreed not to renew work authorizations for DPRK nationals currently in their territory, except for refugees or persons benefiting from international protection; added three persons and six entities to the EU sanctions list.

COUNCIL DECISION (CFSP) 2017/667¹⁹

Added four persons involved in DPRK proliferation activities.

¹⁶ Council Decision (CFSP) 2018/611 of April 19, 2018, amending Decision (CFSP) 2016/849 concerning restrictive measures against the DPRK, *Official Journal of the European Union*, Vol. 61, April 19, 2018. For Council Decision 2018/611, go to: <https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1540471511828&uri=CELEX:32018D0611>.

¹⁷ Council Implementing Regulation (EU) 2018/87 of January 22, 2018, implementing Regulation (EU) 2017/1509 concerning restrictive measures against the DPRK, *Official Journal of the European Union*, Vol. 61, January 22, 2018. For Council Implementing Regulation 2018/87, go to: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=OJ:L:2018:0161:TOC>.

¹⁸ Council Regulation (EU) 2017/1858 of October 16, 2017, amending Regulation (EU) 2017/1509 concerning restrictive measures against the DPRK, Korea, *Official Journal of the European Union*, Vol. 60, October 16, 2017. For Council Regulation 2017/1858, go to: <https://eur-lex.europa.eu/eli/reg/2017/1858/oj>.

¹⁹ Council Decision (CFSP) 2017/667 of April 6, 2017, amending Decision (CFSP) 2016/849 concerning restrictive measures against the DPRK, *Official Journal of the European Union*, Vol. 60, April 6, 2017. For Council Decision 2017/667, go to: <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32017D0667&from=EN>.



COUNCIL REGULATION (EU) 2017/658²⁰

April 6, 2017

Imposed a total ban on investment in the nuclear and conventional arms-related, metallurgy and metal working, and aerospace industries; total ban on provision of certain services to persons or entities in the DPRK (including computer-related and mining services, and services linked to manufacturing in the chemical, mining, and refining industries); added four persons to the EU's restrictive measures list.

COUNCIL REGULATION (EU) 2016/841²¹

Gives effect to measures provided for in Council Decision (CFSP) 2016/849.

COUNCIL DECISION (CFSP) 2016/849²²

May 27, 2016

Imposed a total ban on the import of petroleum products and luxury goods from the DPRK; prohibited supply, sale, or transfer to the DPRK of items, materials, and equipment relating to dual-use goods and technology; prohibited transfer of funds to and from the DPRK; prohibited all investment by the DPRK in the EU and by EU nationals or entities in the mining, refining, and chemical industry sectors in the DPRK and in entities engaged in the DPRK's illegal programs; prohibited aircraft operated by DPRK carriers or originating from the DPRK from landing in, taking off, or flying through EU territory and air space; prohibited any naval vessel owned, operated, or crewed by the DPRK from entering EU ports.

²⁰ Council Regulation (EU) 2017/658 of 6 April 2017 amending Regulation (EC) No 329/2007 concerning restrictive measures against the DPRK, *Official Journal of the European Union*, Vol. 60, April 6, 2017. For Council Regulation 2017/658, go to: <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32017R0658&from=EN>.

²¹ Council Decision (CFSP) 2016/849 of May 27, 2016, concerning restrictive measures against the DPRK and repealing Decision 2013/183/CFSP, *Official Journal of the European Union*, Vol. 59, May 27, 2016. For Council Decision 2016/849, go to: <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32016D0849&from=EN>.

²² Council Regulation (EU) 2016/841 of May 27, 2016, amending Regulation (EC) No 329/2007 concerning restrictive measures against the DPRK, *Official Journal of the European Union*, Vol. 59, May 28, 2016. For Council Regulation 2016/841, go to: <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32016R0841&from=BG>.

COUNCIL DECISION (CFSP) 2016/785²³

May 19, 2016

Added 18 persons and one entity to the EU sanctions list.

COUNCIL DECISION (CFSP) 2015/1066²⁴

July 2, 2015

Added six persons and one entity to the EU sanctions list.

COUNCIL DECISION (CFSP) 2014/212²⁵

April 14, 2014

Reviewed EU autonomous listings of individuals and entities on the EU sanctions list, de-listed one person (no grounds for continuing autonomous sanctions) and one entity (already on the transposed UN sanctions list).

COUNCIL DECISION (CFSP) 2013/88²⁶

February 18, 2013

Imposed ban on the export of certain goods (most notably types of aluminum) to the DPRK; banned the trade in gold, precious metals, and diamonds with the government of the DPRK; banned delivery of new DPRK banknotes and coins to or for the benefit of the Central Bank of the DPRK; imposed restrictions on establishment of branches and subsidiaries of DPRK banks; prohibited issuing or purchasing

²³ Council Decision (CFSP) 2016/785 of May 19, 2016, amending Decision 2013/183/CFSP concerning restrictive measures against the DPRK, *Official Journal of the European Union*, Vol. 59, May 20, 2016. For Council Decision 2016/785, go to: <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32016D0785&from=EN>.

²⁴ Council Decision (CFSP) 2015/1066 of July 2, 2015, amending Decision 2013/183/CFSP concerning restrictive measures against the DPRK, *Official Journal of the European Union*, Vol. 58, July 3, 2015. For Council Decision 2015/1066, go to: <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32015D1066&from=EN>.

²⁵ Council Decision 2014/212/CFSP of April 14, 2014, amending Decision 2013/183/CFSP concerning restrictive measures against the DPRK, *Official Journal of the European Union*, Vol. 57, April 15, 2014. For Council Decision 2014/212, go to: <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32014D0212&from=EN>.

²⁶ Council Decision 2013/88/CFSP of February 18, 2013, amending No. 329/2007 concerning restrictive measures against the DPRK, *Official Journal of the European Union*, February 18, 2013. For Council Decision 2013/88, go to: <https://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2013:046:0028:0036:EN:PDF>.



DPRK public or public-guaranteed bonds; prohibited the opening of new branches subsidiaries, or representative offices of DPRK banks in the EU; prohibited establishment of joint ventures or the taking of an ownership interest by DPRK banks in banks in the EU; prohibited EU financial institutions from opening representative offices or subsidiaries in the DPRK.

COMMISSION IMPLEMENTING REGULATION (EU) NO. 1355/2011²⁷

December 19, 2011

Added three persons and 12 entities to the EU sanctions list.

COUNCIL DECISION (CFSP) 2010/800²⁸

December 22, 2010

Added one person and six entities to the EU sanctions list.

COUNCIL REGULATION (EU) NO. 567/2010²⁹

June 29, 2010

Adopted a revised EU list of items, materials, equipment, goods, and technology that could contribute to the DPRK's nuclear-related, WMD, or other ballistic missile-related programs subject to export and import bans and restrictive measures.

COUNCIL REGULATION (EU) NO. 1283/2009³⁰

December 22, 2009

Adopted an export ban on certain dual-use goods; first autonomous

²⁷ Commission Implementing Regulation (EU) No. 1355/2011 of December 20, 2011, amending Council Regulation (EC) No. 329/2007 concerning restrictive measures against the DPRK, *Official Journal of the European Union*, Vol. 54, December 21, 2011. For Commission Implementing Regulation 1355/2011, go to: <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=OJ:L:2011:338:FULL&from=EN>.

²⁸ Council Decision 2010/800/CSFP of 22 December 2010 concerning restrictive measures against the DPRK and repealing Common Position 2006/795/CSFP, *Official Journal of the European Union*, Vol. 53, December 22, 2011. For Council Decision 2010/800, go to: <https://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2010:341:0032:0044:EN:PDF>.

²⁹ Council Regulation (EU) No. 567/2010 of June 29, 2010, amending Regulation (EC) No. 329/2007 concerning restrictive measures against the DPRK, *Official Journal of the European Union*, Vol. 53, June 30, 2010. For Council Regulation 567/2010, go to: <https://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2010:163:0015:0029:EN:PDF>.

designation of persons and entities to the EU's sanctions list, including 13 persons and four entities subject to asset freezing and to travel bans.

COUNCIL DECISION (CFSP) 2009/599³¹

August 4, 2009

First transposition of UN designations of persons and entities subject to sanctions (asset freezing and travel bans); included five persons and eight entities.

COMMON POSITION (CFSP) 2009/573³²

July 27, 2009

Banned exports of certain items which could contribute to the DPRK's nuclear-related, ballistic missile-related, or other WMD-related programs.

COMMON POSITION (CFSP) 2006/795³³

November 20, 2006

Adopted its first restrictive measures against the DPRK; imposed an arms embargo on the DPRK; imposed asset freeze and travel ban on persons involved in the DPRK nuclear program; imposed ban on certain imports and exports to the DPRK that contribute to its nuclear program.

³⁰ Council Regulation (EU) No. 1283/2009 of December 22, 2009, concerning restrictive measures against the DPRK, *Official Journal of the European Union*, Vol. 52, December 23, 2009. For Council Regulation 1283/2009, go to: <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=OJ:L:2009:346:FULL&from=EN>.

³¹ Council Decisions 2009/599/CFSP of August 4, 2009, implementing Common Position 2006/795/CFSP concerning restrictive measures against the DPRK, *Official Journal of the European Union*, Vol. 52, August 5, 2009. For Council Decision 2009/599, go to: <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32009D0599&from=EN>.

³² Common Position (CFSP) 2009/573 of July 29, 2009, amending Council Regulation (EC) No. 329/2007 concerning restrictive measures against the DPRK, *Official Journal of the European Union*, Vol. 52, July 27, 2009. For Council Common Position 2009/573, go to: <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32009E0573&from=EN>.

³³ Common Position (CFSP) 2006/795 of March 27, 2007, concerning restrictive measures against the DPRK, *Official Journal of the European Union*, Vol. 50, March 28, 2007. For 2006/795, go to: <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32006E0795&from=EN>.



EU SANCTIONS LISTS AND IMPLEMENTATION ASSISTANCE DOCUMENTS

EU sanctions lists are available on the EU website. They are updated soon after receipt of reports by member states and the European Council (EC) containing updates or revisions to Council Decisions or Council Regulations. The Sanctions Overview page also includes information on types of sanctions, procedures for listing and delisting designated targets, implementing sanctions, reporting sanctions violations, and exemptions to sanctions: <https://www.consilium.europa.eu/en/policies/sanctions/>

DESIGNATED PERSONS AND ENTITIES

- a. For the Consolidated EU Sanctions List, which includes all individuals and entities subject to sanctions imposed by the EU: <https://www.consilium.europa.eu/en/policies/sanctions>

Or visit https://eeas.europa.eu/headquarters/headquarters-homepage_en/8442/Consolidated%20list%20of%20sanctions to set up an account to access the Financial Sanctions Database platform to access and search using the EU Financial Sanctions Database.

- b. Visit <https://scsanctions.un.org/search> to search a comprehensive list of persons and entities designated under the UN.

In addition, there are third-party databases that you can search that cross all three sanctions regimes: <https://namescan.io/FreeSanctionsCheck.aspx>

Note: The most current lists of persons and entities subject to restrictive measures by the EU are published at: <https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32016D0849&from=EN>

PROHIBITED ITEMS

- a. For the EU's list of prohibited luxury goods in Annex III to Council Regulation (EC) No. 329/2007, visit <https://www.un.org/securitycouncil/sanctions/1718/prohibited-items>

IMPLEMENTATION ASSISTANCE

- a. For guidelines on implementation and evaluation of restrictive measures (sanctions) in the framework of the EU Common Foreign and Security Policy, visit: <http://data.consilium.europa.eu/doc/document/ST-5664-2018-INIT/en/pdf>



United States

Multiple legal authorities enable the U.S. sanctions regime against the DPRK. These authorities take the form of executive orders (EOs) issued by the President and public laws (statutes) passed by the U.S. Congress. The U.S. Department of the Treasury's Office of Foreign Assets Control (OFAC) further codifies these authorities in its regulations, which are published as the Code of Federal Regulations (CFR). Modifications are published in the Federal Register.³³ **OFAC is the primary entity responsible for managing U.S. sanctions.**

Other U.S. government entities with responsibilities and missions linked to sanctions include the U.S. Department of Treasury's Financial Crimes Enforcement Network (FinCEN), the Bureau of Industry and Security in the U.S. Department of Commerce, the Bureau of International Security and Nonproliferation—Office of Export Control Cooperation, and the U.S. Department of State Directorate of Defense Trade Controls.

The United States, largely through OFAC, implements UNSCRs pertaining to the DPRK. The United States augments these sanctions with its own set of sanctions, export controls, and financial regulations.

³³ The U.S. Department of the Treasury maintains a repository of information, including official U.S. documents and UN sanctions. See: U.S. Department of the Treasury, "Resource Center: North Korea Sanctions," webpage, undated. For the U.S. Department of the Treasury's North Korea Sanctions webpage, go to: <https://www.treasury.gov/resource-center/sanctions/Programs/pages/nkorea.aspx>; OFAC, North Korea Sanctions Program, U.S. Department of the Treasury, November 2, 2016. For an overview of OFAC's North Korea Sanctions Program, to include an introduction, overview of authorities, prohibited transactions, authorized and exempt transactions, and penalties, go to: <https://www.treasury.gov/resource-center/sanctions/Programs/Documents/nkorea.pdf>.

STATUTES

Countering America's Adversaries Through Sanctions Act (CAATSA), Title III, Korean Interdiction and Modernization of Sanctions Act³⁴

Date: August 2, 2017

Imposed sanctions against Iran, North Korea, and Russia. Modified and increased the President's authority to impose sanctions on persons in violation of UNSCRs regarding the DPRK; prohibited U.S. financial institutions from establishing or maintaining correspondent accounts used by foreign institutions to provide indirect financial services to North Korea; prohibited foreign governments from receiving certain types of U.S. foreign assistance if they provide to or receive from the DPRK defense articles or services; provided sanctions against DPRK cargo and shipping, goods produced in whole or part by DPRK convict or forced labor, and foreign persons that employ DPRK laborers; required the Department of State to submit a determination on whether the DPRK meets the criteria for designation as a state sponsor of terrorism.

North Korean Sanctions and Policy Enhancement Act of 2016³⁵

Date: February 18, 2016

Imposed sanctions on any person who engages in, facilitates, or contributes to the DPRK's proliferation of WMD, arms-related materials, luxury goods, human rights abuses, other illicit activities, and activities undermining cyber security and the provision of materials for such activities. Mandated sanctions for all persons involved in the DPRK's mineral or metal trade. Allowed the President to sanction entities that provide support to persons sanctioned by the UN. Required the Treasury to determine whether the DPRK should be listed as a jurisdiction of money laundering concern (would imply application of new financial restrictions). Allowed the President to waive sanctions contained in the act to facilitate humanitarian activities in the DPRK.

³⁴ Pub. L. 115-44, Countering America's Adversaries Through Sanctions Act, Title III, Korean Interdiction and Modernization of Sanctions Act, August 2, 2017. To read Pub. L. 115-44, go to: https://www.treasury.gov/resource-center/sanctions/Programs/Documents/hr3364_pl115-44.pdf.

³⁵ Pub. L. 114-122, North Korean Sanctions and Policy Enhancement Act of 2016, February 18, 2016. To read Pub. L. 114-122, go to: <https://www.congress.gov/bill/114th-congress/house-bill/757>.



International Emergency Economic Powers Act (IEEPA), 50 U.S.C. §§ 1701-1706³⁶

Date: January 3, 2012

Authorized the President to regulate commerce after declaring a national emergency in response to an unusual or extraordinary threat to the United States which has a foreign source (provides authorization for EOs sanctioning the DPRK for WMD- and ballistic missile-related activities, etc.)

Section 5 of the United Nations Participation Act of 1945 (ANPA), 22 U.S.C. § 287c, Economic and Communication Sanctions Pursuant to United Nations Security Council Resolution³⁷

Date: December 20, 1945

Provides for adoption of sanctions imposed by the UN through UNSCRs.

Violent Crime Control and Law Enforcement Act of 1994 18 U.S.C. §2399A, Providing Material Support to Terrorists (1994) 18 U.S.C. §2399B, Providing Material Support to Designated Foreign Terrorist Organizations (1996)³⁸

The DPRK has provided support to terrorist organizations in the past. In 1988, the DPRK was listed following the 1987 bombing of a Korean Airlines flight, though this was not the country's only known nexus to terrorist organizations at the time. The DPRK had sold ballistic missile technology to Iran and Syria, which are on the U.S.'s list of sponsors of terrorism (and Libya, which was de-listed in 2006). It had also sold missile technology to Pakistan and Yemen, and given asylum to Japanese communist terrorist group members of the Arab-JRA. In October 2008, the DPRK was de-listed as a state sponsor of terrorism for meeting all of its nuclear inspection requirements. On 20 November

³⁶ 50 U.S.C. §§ 1701–1706, International Emergency Economic Powers Act (IEEPA), January 3, 2012.

To read this statute, go to: <https://www.treasury.gov/resource-center/sanctions/Documents/ieepa.pdf>.

³⁷ 22 U.S.C. § 287c, United Nations Participations Act, January 3, 2003. To read this statute, go to: <https://www.treasury.gov/resource-center/sanctions/Documents/unpa.pdf>.

³⁸ 18 U.S.C. §2399A–B, Violent Crime Control and Law Enforcement Act, 1994. To read this statute, go to: <https://www.treasury.gov/resource-center/sanctions/Documents/aedpa.pdf>; or see: <https://www.govinfo.gov/content/pkg/USCODE-2011-title18/pdf/USCODE-2011-title18-part1-chap113B-sec2339B.pdf>.



2017, the DPRK was re-listed as a state sponsor of terrorism, following a series of violent events that year.

Inclusion on the list of state sponsors of terrorism results in the imposition of strict sanctions, under 4 main categories: restrictions on U.S. foreign assistance; a ban on defense exports and sales; certain controls over exports of dual use items; and various financial and miscellaneous restrictions.

Dates: 1994, 1996, 2017

PROCLAMATIONS

Proclamation 8271—Termination of the Exercise of Authorities Under the Trading with the Enemy Act With Respect to North Korea³⁹

Date: June 27, 2008

EXECUTIVE ORDERS (EO)

E.O. 13810⁴⁰

Blocks all property and interests in property of the DPRK and DPRK nationals in the United States within the possession or control of a U.S. person, to include any overseas branch, and prohibits that such property or interest be transferred, paid, exported, withdrawn, or otherwise dealt in (applied to) any person determined by the Secretary of the Treasury, in consultation with the Secretary of State:

- i) to operate in the construction, energy, financial services, fishing, information technology, manufacturing, medical, mining, textiles, or transportation industries in North Korea;

³⁹ For Proclamation 8271, Termination of the Exercise of Authorities Under the Trading with the Enemy Act, June 27, 2008, go to: <https://www.treasury.gov/resource-center/sanctions/Documents/ieepa.pdf>.

⁴⁰ Executive Order 13810, September 21, 2017. To read this E.O., go to: <https://www.treasury.gov/resource-center/sanctions/Programs/Documents/13810.pdf>.



ii) to own, control, or operate any port in North Korea, including any seaport, airport, or land port of entry;

iii) to have engaged in at least one significant importation from or exportation to North Korea of any goods, services, or technology;

iv) to be a North Korean person, including a North Korean person that has engaged in commercial activity that generates revenue for the government of North Korea or the Korean Workers' Party;

v) to have materially assisted, sponsored, or provided financial, material, or technological support for, or goods or services to or in support of, any person whose property and interests in property are blocked pursuant to this order; or

vi) to be owned or controlled by, or to have acted or purported to act for or on behalf of, directly or indirectly, any person whose property and interests in property are blocked pursuant to this order.

Date: September 21, 2017

E.O. 13722⁴¹

Blocks all property and interests in property of the DPRK and DPRK nationals in the United States, within the possession or control of a U.S. person, to include any overseas branch, and prohibits that such property or interest be transferred, paid, exported, withdrawn, or otherwise dealt in (applied to): any person determined by the Secretary of the Treasury, in consultation with the Secretary of State:

i) to operate in any industry in the North Korean economy as may be determined by the Secretary of the Treasury, in consultation with the Secretary of State, to be subject to this subsection, such as transportation, mining, energy, or financial services;

⁴¹ Executive Order 13722, March 16, 2016. To read this E.O., go to: https://www.treasury.gov/resource-center/sanctions/Programs/Documents/nk_eo_20160316.pdf.



ii) to have sold, supplied, transferred, or purchased, directly or indirectly, to or from North Korea or any person acting for or on behalf of the government of North Korea or the Korean Workers' Party, metal, graphite, coal, or software, where any revenue or goods received may benefit North Korea's nuclear or ballistic missile programs;

iii) to have engaged in, facilitated, or been responsible for an abuse or violation of human rights by the government of North Korea or the Korean Workers' Party or any person acting for or on behalf of either such entity;

iv) to have engaged in, facilitated, or been responsible for the exportation of workers from North Korea, including exportation to generate revenue for the government of North Korea or the Korean Workers' Party;

v) to have engaged in significant activities undermining cybersecurity through the use of computer networks or systems against targets outside of North Korea on behalf of the government of North Korea or the Korean Workers' Party;

vi) to have engaged in, facilitated, or been responsible for censorship by the government of North Korea or the Korean Workers' Party;

vii) to have materially assisted, sponsored, or provided financial, material, or technological support for, or goods or services to or in support of, any person whose property and interests in property are blocked pursuant to this order;

viii) to be owned or controlled by, or to have acted or purported to act for or on behalf of, directly or indirectly, any person whose property and interests in property are blocked pursuant to this order; or



ix) to have attempted to engage in any of the activities described in subsections (a)(i)–(viii) of this section.

Prohibits:

i) the exportation or re-exportation, direct or indirect, from the United States, or by a U.S. person, wherever located, of any goods, services, or technology to North Korea;

ii) new investment in North Korea by a U.S. person, wherever located; and

iii) any approval, financing, facilitation, or guarantee by a U.S. person, wherever located, of a transaction by a foreign person where the transaction by that foreign person would be prohibited by this section if performed by a U.S. person or within the United States.

Suspends immigrant and nonimmigrant entry into the United States of foreign persons determined to meet one or more criteria in this EO; prohibits transactions by U.S. persons and within the United States to avoid or evade, to conspire to violate or to cause a violation of prohibitions set forth in this EO.

Date: March 16, 2016

**E.O. 13687⁴²**

Blocks all property and interests in property of the DPRK and DPRK nationals in the United States, within the possession or control of a U.S. person, to include any overseas branch, and prohibits that such property or interest be transferred, paid, exported, withdrawn, or otherwise dealt in (applied to): any person determined by the Secretary of the Treasury, in consultation with the Secretary of State:

i) to be an agency, instrumentality, or controlled entity of the government of North Korea or the Workers' Party of Korea;

ii) to be an official of the government of North Korea;

iii) to be an official of the Workers' Party of Korea;

iv) to have materially assisted, sponsored, or provided financial, material, or technological support for, or goods or services to or in support of, the government of North Korea or any person whose property and interests in property are blocked pursuant to this order; or

v) to be owned or controlled by, or to have acted or purported to act for or on behalf of, directly or indirectly, the government of North Korea or any person whose property and interests in property are blocked pursuant to this order.

Suspends immigrant and nonimmigrant entry into the United States of foreign persons determined to meet one or more criteria in this EO; prohibits transactions by U.S. persons and within the United States to avoid or evade, to conspire to violate or to cause a violation of prohibitions set forth in this EO.

Date: January 2, 2015

⁴² Executive order 13687, January 2, 2015. To read this E.O., go to: <https://www.treasury.gov/resource-center/sanctions/Programs/Documents/13687.pdf>.

**E.O. 13570**⁴³

Prohibits the direct or indirect importation into the United States of any goods, services, or technology from North Korea; prohibits transactions by U.S. persons and within the United States to avoid or evade, to conspire to violate or to cause a violation of prohibitions set forth in this EO.

Date: April 18, 2011

E.O. 13551⁴⁴

Blocks all property and interests in property that are in the United States, that hereafter come within the United States, or that are or hereafter come within the possession or control of any United States person, including any overseas branch, of the following persons from being transferred, paid, exported, withdrawn, or otherwise dealt in:

- i) the persons listed in the Annex of this E.O.
- ii) persons determined by the Secretary of the Treasury, in consultation with the Secretary of State;
 - a) to have directly or indirectly imported, exported, or re-exported arms or related material to, into, or from the DPRK;
 - b) to have, directly or indirectly, provided training, advice, or other services or assistance, or engaged in financial transactions, related to the manufacture, maintenance, or use of any arms or related material to be imported, exported, or re-exported to, into, or from the DPRK, or following their importation, exportation, or re-exportation to, into, or from the DPRK;

⁴³ Executive Order 13750, April 18, 2011. To read this E.O., go to: https://www.treasury.gov/resource-center/sanctions/Programs/Documents/O4182011_nk_eo.pdf.

⁴⁴ Executive Order 13551, August 30, 2010. To read this E.O., go to: <https://www.treasury.gov/resource-center/sanctions/Programs/Documents/Executive%20Order%2013551.pdf>.



c) to have, directly or indirectly, imported, exported, or re-exported luxury goods to or into North Korea;

d) to have, directly or indirectly, engaged in money laundering, the counterfeiting of goods or currency, bulk cash smuggling, narcotics trafficking, or other illicit economic activity that involves or supports the government of North Korea or any senior official thereof;

e) to have materially assisted, sponsored, or provided financial, material, or technological support for, or goods or services to or in support of, the activities described in subsections (a)(ii)(A)–(D) of this section or any person whose property and interests in property are blocked pursuant to this order;

f) to be owned or controlled by, or to have acted or purported to act for or on behalf of, directly or indirectly, any person whose property and interests in property are blocked pursuant to this order;

g) to have attempted to engage in any of the activities described in this section.

Date: August 30, 2010

E.O. 13466⁴⁵

Blocks property and interests in property of the DPRK and DPRK nationals: prohibits U.S. persons and entities from registering vessels in the DPRK, from owning, operating, leasing, or insuring DPRK-flagged vessels, and from obtaining authorization for a vessel to fly the DPRK flag.

Date: June 26, 2008

⁴⁵ Executive Order 13466, June 26, 2008. To read this E.O., go to: <https://www.treasury.gov/resource-center/sanctions/Documents/nkeo.pdf>.



DETERMINATIONS

U.S. Treasury Determination Pursuant to Subsection 2(a)(i) of E.O. 13722⁴⁵

Determined that transportation, mining, energy, and financial services industries in the DPRK economy shall be subject to subsection 2(a)(i) of E.O. 13722.

Date: March 16, 2016

FEDERAL REGISTER NOTICES

83 FR 9182-18⁴⁶

Amended North Korea Sanctions Regulations, 31 CFR Part 510: Reissuance of U.S. DPRK sanctions regulations to implement recent EOs and to reference the North Korea Sanctions and Policy Enhancement Act and the Countering America's Adversaries Through Sanctions Act. Includes expanded provisions to issue a more comprehensive set of regulations that will provide further guidance to the public.

Date: March 5, 2018

76 FR 35740-11⁴⁷

Amending the North Korea Sanctions Regulations to implement E.O. 13570.

Date: June 20, 2011

⁴⁵ U.S. Treasury Determination Pursuant to Subsection 2(a)(i) of E.O. 13722. To read this Determination, go to: https://www.treasury.gov/resource-center/sanctions/Programs/Documents/nk_eo_20160316.pdf.

⁴⁶ Federal Register Notice 83-9182-18, March 5, 2018. To read this Notice, go to: https://www.treasury.gov/resource-center/sanctions/Programs/Documents/fr83_9182.pdf.

⁴⁷ Federal Register Notice 76-35740-11, June 20, 2011. To read this Notice, go to: https://www.treasury.gov/resource-center/sanctions/Programs/Documents/fr76_35740.pdf.

**76 FR 35379-11⁴⁸**

Removing Parts 500 and 505 from 31 CFR Chapter V pursuant to Proclamation 8271 of June 26, 2008 (replaced with more comprehensive set of sanctions, given the number of updates and amendments to 31 CFR V).

Date: June 20, 2011

75 FR 67912-10⁴⁹

North Korea Sanctions Regulations, 31 CFR Part 510: Provides an overview and definitions of the prohibitions and terms used in the U.S. sanctions regime.

Date: November 4, 2010

72 FR 4960-07⁵⁰

Foreign Assets Control Regulations—Amendment to Prohibit U.S. Persons from Registering Vessels in North Korea

Date: February 2, 2007

⁴⁸ Federal Register Notice 76-35379-11, June 20, 2011. To read this Notice, go to: https://www.treasury.gov/resource-center/sanctions/Programs/Documents/fr76_35379.pdf.

⁴⁹ Federal Register Notice 75-67912-10, November 4, 2010. To read this Notice, go to: https://www.treasury.gov/resource-center/sanctions/Programs/Documents/fr75_67912.pdf.

⁵⁰ Federal Register Notice 72-4960-07, February 2, 2007. To read this Notice, go to: https://www.treasury.gov/resource-center/sanctions/Documents/fr72_4960.pdf.

**71 FR 17345-06⁵¹**

Foreign Assets Control Regulations—Amendment to Limit the
Authorization of Property Transactions Involving North Korea

Date: April 6, 2006

CODE OF FEDERAL REGULATIONS

31 CFR PART 510⁵²

North Korea Sanctions Regulations

Date: March 5, 2018

⁵¹ Federal Register Notice 71-17345-06, April 6, 2006. To read this Notice, go to: https://www.treasury.gov/resource-center/sanctions/Documents/fr71_17345.pdf.

⁵² 31 Code of Federal Regulations Part 510, March 5, 2018. To read this Regulation, go to: <https://www.law.cornell.edu/cfr/text/31/part-510>.

U.S. SANCTIONS LISTS AND IMPLEMENTATION ASSISTANCE DOCUMENTS

U.S. Department of the Treasury

Office of Foreign Assets Control (OFAC)

See: <https://www.treasury.gov/about/organizational-structure/offices/Pages/Office-of-Foreign-Assets-Control.aspx>

Examples of available items:

- ◆ OFAC Sanctions List Search
- ◆ Alias Screening for the Names that Appear in the Consolidated Sanctions List
- ◆ OFAC Enforcement Guidelines
- ◆ OFAC Risk Matrixes
- ◆ BSA (Bank Security Act)/Anti-Money Laundering Examination Manual (OFAC)

Financial Crimes Enforcement Network (FinCEN)

See: <https://www.fincen.gov>

Specially Designated Nationals (SDNs) List; Foreign Sanctions Evaders List; Sectoral Sanctions Identifications (SSI) List

See: <https://www.treasury.gov/resource-center/sanctions/SDN-List/Pages/default.aspx>

U.S. Department of Commerce

Bureau of Industry and Security

See: <https://www.bis.doc.gov>

U.S. Department of State

Office of Export Control Cooperation, Bureau of International Security and Nonproliferation

See: <https://www.state.gov/t/isn/offices/ecc/index.htm>

This report serves as a complement to a presentation titled *DPRK Sanctions: Countering DPRK Proliferation Activities*, which summarizes existing international sanctions regimes targeting the DPRK and its activities in East and South Africa that could contribute toward the development and proliferation of conventional armaments, ballistic missiles, and WMD.

The presentation includes an overview of sanctions, with sections dedicated to

- ♦ the regimes maintained by the UN, EU, and United States,
- ♦ common organizational structures, targets, and strategic objectives of those sanctions
- ♦ the roles and responsibilities of UN member states, persons, and entities whose activities fall under the jurisdiction of those sanctions regimes.

This report outlines additional information on the legal authorities, the requirements of each sanctions regime, and resources and tools maintained by the UN, EU, and United States to support sanctions compliance efforts.

The purpose of this report is to support the increased understanding of sanctions requirements and the adoption of more effective sanctions enforcement practices in government and the private sector. The goal of the DPRK sanctions presentation and this report is to assist East and South African partner governments with the development and implementation of strategic trade controls and the respective legislation and regulations. Assisting partner governments to excel in the implementation of strategic trade controls is expected to facilitate future technology transfer and movement of national exports up the international value chain, thereby advancing economic growth and national development.



RAND National Security Research Division (NSRD) assisted the U.S. Department of State by developing a series of briefings and workshops held in East and South Africa to support increased understanding of sanctions and the adoption of more effective sanctions enforcement practices in government and the private sector.

This research was sponsored by the Department of State's Bureau of International Security and Nonproliferation, Office of Export Control Cooperation (ISN/ECC)'s Export Control and Related Border Security (EXBS) program. It was conducted within the International Security and Defense Policy Center (ISDP) of the RAND National Security Research Division (NSRD), which conducts studies and analyses for the Office of the Secretary of Defense, the Joint Staff, the Unified Combatant Commands, the defense agencies, the Navy, the Marine Corps, the U.S. Coast Guard, the U.S. Intelligence Community, allied foreign governments, and foundations.

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