



Security Council

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Security Council Committee established pursuant to resolution [1718 \(2006\)](#)

Note verbale dated 19 March 2020 from the United States Mission to the United Nations addressed to the Chair of the Committee

The United States Mission to the United Nations has the honour to submit to the Security Council Committee established pursuant to resolution [1718 \(2006\)](#) the report of the United States with respect to paragraph 8 of Security Council resolution [2397 \(2017\)](#) (see annex).



Annex to the note verbale dated 19 March 2020 from the United States Mission to the United Nations addressed to the Chair of the Committee

Report of the United States of America on the implementation of Security Council resolution 2397 (2017)

The present report has been provided by the United States of America in line with paragraph 8 of Security Council resolution 2397 (2017).

The Security Council acknowledged in its resolution 2397 (2017) that the revenue generated by workers of the Democratic People's Republic of Korea overseas contributed to the country's prohibited nuclear weapons and ballistic missile programmes. The Council expressed concern that nationals of the Democratic People's Republic of Korea continued to work in other States for the purpose of generating foreign export earnings that the country used to support those programmes, despite the previous adoption of paragraph 17 of resolution 2375 (2017).

Therefore, the Security Council decided that Member States should repatriate to the Democratic People's Republic of Korea all nationals of that country earning income in that Member State's jurisdiction and all government safety oversight attachés from the Democratic People's Republic of Korea monitoring workers abroad from that country immediately but no later than 24 months from the date of adoption of the resolution, unless the Member State determined that a national of the Democratic People's Republic of Korea was a national of that Member State or a national whose repatriation was prohibited, subject to applicable national and international law, including international refugee law and international human rights law, and the United Nations Headquarters Agreement and the Convention on the Privileges and Immunities of the United Nations.

The Security Council further decided that Member States should provide:

(a) A midterm report, by 15 months from the date of adoption of resolution 2397 (2017), on all nationals of the Democratic People's Republic of Korea earning income in that Member State's jurisdiction who were repatriated over the 12-month period starting from the date of adoption of the resolution, including an explanation of why less than half of such nationals were repatriated by the end of that 12-month period, if applicable;

(b) Final reports by 27 months from the date of adoption of resolution 2397 (2017).

In March 2019, the United States reported to the Committee that, at that time, it had no repatriation obligation under paragraph 8 of Security Council resolution 2397 (2017).

To meet the final report requirement, the United States Government has consulted its national authorities responsible for work authorizations and visa issuance.

All nationals of the Democratic People's Republic of Korea seeking to enter the United States for employment purposes are generally required to apply for a visa in advance, pursuant to section 212 (a) (7) of the Immigration and Nationality Act (Title 8, United States Code, sect. 1182 (a) (7)). The United States has examined its visa and entry-exit records and determined that no national of the Democratic People's Republic of Korea has been issued a visa in a work-authorized classification covered under the present report and valid from 23 December 2018 to 22 December 2019.

In addition, from 23 December 2018 to 22 December 2019, there have been no nationals of the Democratic People's Republic of Korea present in the United States who: (a) were granted work-authorized visas prior to 23 December 2018 but stayed later than that date; (b) switched visa categories after entering the United States on a visa that was not work-authorized; (c) were paroled in without a visa but later acquired work-authorized status; (d) otherwise acquired employment authorization; or (e) would fall under any other category that would require repatriation under paragraph 8 of resolution [2397 \(2017\)](#).

Accordingly, the United States continues to have no repatriation obligation under paragraph 8 of Security Council resolution [2397 \(2017\)](#). Its national authorities will continue to ensure that the United States remains in compliance with paragraph 8 of the resolution.

The United States will continue to meet its obligations under Security Council resolutions related to the Democratic People's Republic of Korea. The repatriation requirement for overseas workers of the Democratic People's Republic of Korea under paragraph 8 of Security Council resolution [2397 \(2017\)](#) is applicable to all Member States. The United States stands ready to work, both nationally and through the Committee, with States in need of assistance in meeting their obligations.
