

**Security Council**

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**Security Council Committee established
pursuant to resolution [1718 \(2006\)](#)****Letter dated 7 December 2017 from the Permanent Representative
of Thailand to the United Nations addressed to the Chair of
the Committee**

With reference to paragraph 40 of Security Council resolution [2270 \(2016\)](#), paragraph 36 of resolution [2321 \(2016\)](#), paragraph 18 of resolution [2371 \(2017\)](#) and paragraph 19 of resolution [2375 \(2017\)](#), I have the honour to transmit herewith the report of the Kingdom of Thailand on measures that the Kingdom has taken to implement the provisions of the four resolutions (see annex).

(Signed) Virachai **Plasai**
Ambassador and Permanent Representative



Annex to the letter dated 7 December 2017 from the Permanent Representative of Thailand to the United Nations addressed to the Chair of the Committee

Report of Thailand on the implementation of Security Council resolutions [2270 \(2016\)](#), [2321 \(2016\)](#), [2371 \(2017\)](#) and [2375 \(2017\)](#)

Thailand has committed to the implementation of Security Council resolutions [1718 \(2006\)](#), [1874 \(2009\)](#), [2087 \(2013\)](#), [2094 \(2013\)](#), [2270 \(2016\)](#), [2321 \(2016\)](#), [2356 \(2017\)](#), [2371 \(2017\)](#) and [2375 \(2017\)](#). While Thailand is deeply concerned about the nuclear and ballistic missile testing of the Democratic People's Republic of Korea, which causes rising tensions in the region, Thailand remains in full support of resolving the situation and achieving the denuclearization of the Korean Peninsula in a peaceful manner and without adverse effects on the livelihood of the people of the Democratic People's Republic of Korea.

The Thai cabinet has endorsed the implementation of all Security Council resolutions regarding the Democratic People's Republic of Korea, including resolutions [2371 \(2017\)](#) and [2375 \(2017\)](#), and instructed all relevant agencies to undertake, in accordance with the laws and regulations of Thailand, all of the provisions therein.

In addition, the relevant Thai agencies have also carried out the following undertakings:

1. Import-export control

Arms and related materiel

1.1 Under the Export and Import of Goods Act (1979), the Ministry of Commerce has issued announcements to prohibit the import, export and transfer of prohibited items as provided by the respective resolutions. The import, export and transfer of all arms and related materiel have been prohibited by respective announcements.

Items or technology related to weapons of mass destruction

1.2 Thailand promulgated the Nuclear Energy for Peace Act (2016) on 1 February 2016. The Act contains provisions on the control of nuclear and radioactive materials, as well as penalties for those who violate or fail to comply with such provisions.

1.3 The Department of Industrial Works of the Ministry of Industry is responsible for the control of hazardous substances, including radioactive materials and chemicals under the Hazardous Substance Act (1992), which is also in compliance with the Chemical Weapons Convention.

1.4 Additional import-export control measures are under consideration by relevant Thai authorities to ensure full implementation of resolutions.

Luxury goods and other items

1.5 Announcements on the prohibition of the import, export and transfer of other items, including luxury goods, are in place and under regular revision by the Ministry of Commerce so as to ensure that the measures are well enforced, correspond to the additional items or goods that fall under the sanction measures and do not affect the livelihood of the people of the Democratic People's Republic of Korea.

1.6 According to the information of the Ministry of Energy, there have been no imports from or exports to the Democratic People's Republic of Korea of condensates and natural gas liquids, crude oil or refined petroleum products. The Department of Energy Business of the Ministry of Energy and the Airports of Thailand Public Company Limited have notified suppliers of the measures prohibiting the supply, sale or transfer of aviation fuel to the Democratic People's Republic of Korea.

1.7 According to the Department of Primary Industries and Mines of the Ministry of Industry, Thailand did not import any coal from the Democratic People's Republic of Korea during the period from 2011 to 2016.

Additional measures and information

1.8 Upon receiving informal communications from a Member State on the alleged import of coal from the Democratic People's Republic of Korea into Thailand by a vessel flagged by the Democratic People's Republic of Korea called Tai An in March 2017, the Thai authorities concerned swiftly took action to verify the case. It was found that a Thai company had placed the order for the coal which, on paper, appeared to be from China. In the light of the relevant Security Council resolutions, the Thai authorities concerned advised the company against the import. The Company later decided to suspend the importation. The vessel was then steered away from Thai territorial waters.

1.9 In order to ensure the full implementation of measures related to the supply, sale or transfer to the Democratic People's Republic of Korea of all arms and related materiel, any other prohibited items and luxury goods, while not imposing barriers to trade and minimizing the humanitarian impact, the list of all prohibited items is revised on a regular basis, providing clear definitions, scope and Harmonized System codes, as a guideline for implementing agencies. It would be most beneficial to the implementation of the relevant resolutions if the Committee and/or the Panel of Experts could provide at their earliest convenience a consolidated list of prohibited items and their Harmonized System codes to guide Member States in their compliance.

2. Travel ban and asset freeze

Asset freeze

2.1 The Counter-Terrorism and Proliferation of Weapons of Mass Destruction Financing Act (2016) was passed on 30 December 2016 and entered into force on 31 December 2016. Under the Act, the Anti-Money Laundering Office has enforced asset freeze measures on, and regularly updated the lists of, designated persons and entities based on the designated lists under sanction measures related to terrorism and the proliferation of weapons of mass destruction, and has created its own designated list of persons and entities suspected of being involved in acts of terrorism.

Travel ban

2.2 The Department of Consular Affairs of the Ministry of Foreign Affairs strictly follows its established guidelines for granting all types of visas to nationals of countries in the risk category, which includes the Democratic People's Republic of Korea, and also checks against the travel ban lists and other pertinent information on an individual's identity.

2.3 The Immigration Bureau has been informed of the list of designated individuals and entities, and has updated its database of persons on the blacklist and

the watch list. The database can be linked with the Advanced Passenger Processing System.

2.4 The National Intelligence Agency has been vigilant in monitoring individuals and entities suspected of being associated with the Democratic People's Republic of Korea regime through the gathering and sharing of intelligence with relevant domestic and foreign partners.

2.5 The Department of Consular Affairs is reviewing the guidelines on courtesy visas in order to introduce a new category of single-entry visa for holders of diplomatic and official passports who wish to enter Thailand for purposes other than official duties. This new single-entry courtesy visa has already been applied to diplomats and officials of the Democratic People's Republic of Korea on short visits to Thailand.

2.6 The Department of Consular Affairs rejected the visa applications of four nationals of the Democratic People's Republic of Korea who were to attend a training course on satellite-related technology in Thailand.

2.7 Thailand cooperates closely with the international community, particularly upon request, in verifying information on the designated individuals and entities of concern.

3. Prohibition on financial transactions, technical training, advice, services (including brokering or other intermediary services) and assistance to the Democratic People's Republic of Korea

Financial assistance

3.1 As per 2.1, the Anti-Money Laundering Office has enforced asset freeze measures on, and regularly updated the lists of, designated persons and entities based on the designated lists under sanction measures under the Counter-Terrorism and Proliferation of Weapons of Mass Destruction Financing Act. In addition to the asset freeze, the Act also imposes criminal liability upon persons who have committed an offence of terrorism or proliferation financing, including the provision of financial assistance to the designated persons or entities.

3.2 The Anti-Money Laundering Office and the Bank of Thailand have notified financial institutions and designated non-financial business professions of the resolutions, providing them with guidance on related transactions and instructing them to monitor illegal transactions related to the nuclear weapons programme of the Democratic People's Republic of Korea and to report promptly to Thai authorities on any suspected transaction.

3.3 Thailand has not provided any grants, financial assistance or concessional loans to the Democratic People's Republic of Korea, and has no plan to do so.

3.4 On 28 September 2016, following severe flooding in the north-eastern region of the Democratic People's Republic of Korea, which caused the loss of lives, population displacement and considerable damage to buildings and critical infrastructure, Thailand made an emergency donation of \$30,000 through the International Federation of Red Cross and Red Crescent Societies office in Beijing to support humanitarian operations in the affected areas.

3.5 In 1990 and 1991, two companies from the Democratic People's Republic of Korea were granted permission to invest in ore mines in Thailand, but later withdrew all of their projects. Their rights and benefits under the investment promotion programme were terminated 8 years ago, after the cancellation of the projects.

Training and cooperation

3.6 Thailand is not engaging in any military, paramilitary or police-related activities involving arms and related materiel with the Democratic People's Republic of Korea, nor are the two countries engaged in any military, paramilitary or police-related training or cooperation.

3.7 Since the Cabinet endorsed the implementation of Security Council resolution 2270 (2016) and 2321 (2016), the Thailand International Cooperation Agency, which is the principal agency in Thailand responsible for international development cooperation programmes, has been more stringent in its cooperation programme with the Democratic People's Republic of Korea, focusing only on issues that contribute to improving the livelihoods of its people. In effect, any technical training that could contribute to the violation or evasion of sanction measures by the Democratic People's Republic of Korea has been suspended. Furthermore, the Agency requires counterparts from the Democratic People's Republic of Korea to submit a detailed proposal on any cooperative activity or project, including objectives, scope and a list of participants, so that a background check can be carried out and the activities can be properly designed in a way that would not be contrary to the Security Council resolutions.

3.8 The Thailand International Cooperation Agency revised its 2016–2017 plan for the Thailand-Democratic People's Republic of Korea development cooperation programme to ensure that its technical training courses do not contain any elements that may be interpreted as being related to or in support of any technology in violation of Security Council resolutions, suspending training courses involving the application of remote-sensing and geographic information systems (GIS) technology in agriculture. Although running a background check on the participants from the Democratic People's Republic of Korea is not stipulated in the Security Council resolutions as a sanction measure, it serves as a precautionary measure applied by Thailand.

3.9 All other agencies have been advised not to provide to the Democratic People's Republic of Korea any training or teaching that may contribute to its nuclear weapons programme or other prohibited programmes or activities, as well as to keep a close watch on participants from the Democratic People's Republic of Korea attending training in Thailand.

3.10 Thailand runs background checks on participants from the Democratic People's Republic of Korea attending training courses and workshops in Thailand as a precautionary measure, even though such checks are not required by the Security Council resolutions.

4. Financial measures

4.1 The Bank of Thailand has notified the Thai Bankers' Association, the Association of International Banks and the Council of State Financial Institutions to instruct their members to take necessary measures accordingly.

4.2 There are no banks of the Democratic People's Republic of Korea operating or opening new branches, subsidiaries or offices in Thailand.

4.3 There are no Thai banks operating or opening new branches, subsidiaries or offices in the Democratic People's Republic of Korea.

4.4 There are no Thai representative offices, subsidiaries or bank accounts in the Democratic People's Republic of Korea.

4.5 No public or private financial support is provided by Thailand to the Democratic People's Republic of Korea.

4.6 The Ministry of Foreign Affairs introduced a measure to limit the number of bank accounts for new diplomats from the Democratic People's Republic of Korea and also requested diplomats who are completing their terms to close their bank accounts. In that connection, new diplomats from the Democratic People's Republic of Korea who wish to open an account would need a note, to be issued only once by the Department of Protocol, to facilitate their opening of only one bank account. The Ministry has also requested the Bank of Thailand to notify banks and financial institutions in Thailand of such measures and to report to the Ministry of Foreign Affairs on the opening of any bank accounts by diplomats from the Democratic People's Republic of Korea.

4.7 The Thai cabinet has endorsed the implementation of Security Council resolutions [2371 \(2017\)](#) and [2375 \(2017\)](#) and instructed the Ministry of Commerce to undertake relevant measures on the joint ventures or cooperative entities with entities or individuals from the Democratic People's Republic of Korea, in accordance with the provisions of the resolutions.

5. Employment measures

5.1 The Thai cabinet has endorsed the implementation of Security Council resolutions [2371 \(2017\)](#) and [2375 \(2017\)](#), and instructed the Ministry of Labour to cease providing work authorizations for the nationals of the Democratic People's Republic of Korea.

5.2 The Department of Consular Affairs has suspended the granting of visas to workers of the Democratic People's Republic of Korea.

6. Inspection measures

6.1 Under the Customs Act (1926), the Thai Customs Department of the Ministry of Finance is mandated to control and inspect items transported by sea, over land and by air. It has the authority to board vessels in the territorial waters and contiguous zones and to stop vehicles for inspection if it has information from intelligence providing reasonable grounds to believe that the transported items are illegal, including prohibited items under Security Council resolutions.

6.2 The Office of the National Security Council is in the process of drafting the standard operating procedures and the guidelines for preventing the proliferation of weapons of mass destruction by intercepting suspected vehicles at sea, on land and by air.

6.3 If prohibited items are found during an inspection, relevant authorities can seize and dispose of the items, as well as detain vessels, trucks and other vehicles used for transportation and the crew members, with the exception of aircraft.

Inspection at airports

6.4 The Civil Aviation Authority of Thailand can inspect aircraft under its safety regulations and can also intercept an aircraft if information or intelligence provides reasonable grounds to believe that the aircraft contains prohibited items.

Inspection at sea

6.5 With regard to inspecting vessels at sea, Thailand acts in accordance with relevant international law. The Marine Department and the Marine Police Division are mandated to regulate and inspect vessels in the territorial waters and contiguous

zone, while the Royal Thai Navy is mandated to regulate vessels in the high seas. Thailand Maritime Enforcement Coordination Centre Area 1 has issued standard operating procedures on inspection at sea for suspicious vessels in the area of Thailand's jurisdiction.

6.6 Upon receiving information or intelligence from various sources, including alerts from Member States, that provide reasonable grounds to take action, the Thai authorities concerned may deny entry to suspected vessels, as occurred on a few occasions in 2015. There were also cases where the Thai authorities boarded suspected vessels, after receiving information from other countries, including in the case of Okasan (see paras. 7.3 and 7.4). In such instances, Thailand relies on those States to provide accurate intelligence as legal consequences or financial liabilities could arise as a result of taking action against innocent companies.

7. Vessels measures

7.1 The Marine Department of the Ministry of Transport has notified shipping companies and agents not to undertake any activity that might represent a violation or evasion of sanction measures, including any brokering, servicing, insuring or providing other intermediary services to vessels flagged by the Democratic People's Republic of Korea or to companies from that country, and procuring vessel and aircraft crewing services from the Democratic People's Republic of Korea.

7.2 The Marine Department has listed all (26) vessels in accordance with Security Council resolutions, and designated them for internal measures, including prohibiting them from entering Thai ports.

7.3 On 14 March 2017, the Marine Department detected that Okasan, a vessel flagged by the Democratic People's Republic of Korea, had entered Thai territorial waters without prior permission. The vessel was detained at a designated area for inspection, and crew members were investigated. The vessel was to be purchased and registered by a company in Thailand. The Marine Department informed the company that owning and registering a vessel flagged by the Democratic People's Republic of Korea was prohibited by resolutions 2270 (2016) and 2321 (2016). The vessel had to be refuelled and replenished with food and water supplies for humanitarian reasons. The vessel left Thai territorial waters on 22 March 2017.

7.4 The Thai agencies concerned have been cooperating extensively with the Ministry of Foreign Affairs in response to the requests by the Panel of Experts established pursuant to the Security Council resolution 1874 (2009) and other countries in relation to verifying information on vessels, such as the case of Ocean Maritime Management Company Limited (OMM), Gooryong Shipping Company and Okasan.

8. Additional information

8.1 The Ministry of Foreign Affairs has informed the Thai Chamber of Commerce and the relevant corporations and companies of the sanction measures and requested them to conduct activities and operations in a manner that does not violate the measures.

8.2 Thailand hosted the regional meeting on the implementation of Security Council resolutions in Bangkok in August 2017, inviting the Panel of Experts established pursuant to Security Council resolution 1874 (2009) to discuss with relevant Thai agencies and representatives from member States of the Association of Southeast Asian Nations (ASEAN). The meeting helped to generate a better understanding of the sanction measures with a view to their being fully implemented without endangering the livelihood of the citizens of the Democratic People's Republic of Korea.