



# Security Council

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

### **Note verbale dated 18 March 2019 from the Permanent Mission of Australia to the United Nations addressed to the Chair of the Committee**

The Permanent Mission of Australia to the United Nations presents its compliments to the Chair of the Security Council Committee established pursuant to resolution [1718 \(2006\)](#) and has the honour to transmit the report of Australia pursuant to paragraphs 8 and 17 of Security Council resolution [2397 \(2017\)](#) (see annex).



**Annex to the note verbale dated 18 March 2019 from the  
Permanent Mission of Australia to the United Nations addressed to  
the Chair of the Committee**

**Report of Australia on the implementation of Security Council  
resolution 2397 (2017)**

1. In paragraph 8 of Security Council resolution 2397 (2017), adopted on 22 December 2017, the Council expressed concern that nationals of the Democratic People's Republic of Korea continue to work in other States for the purpose of generating foreign export earnings that the Democratic People's Republic of Korea uses to support its prohibited nuclear and ballistic missile programmes despite the adoption of paragraph 17 of resolution 2375 (2017), decided that Member States shall repatriate to the Democratic People's Republic of Korea all nationals of that country earning income in a Member State's jurisdiction and all government safety oversight attachés of the Democratic People's Republic of Korea monitoring its workers abroad immediately, and no later than 24 months from the date of adoption of resolution 2397 (2017), unless the Member State determines that a national of the Democratic People's Republic of Korea is a national of that Member State or a national of the Democratic People's Republic of Korea whose repatriation is 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, and further decided that all Member States shall provide a midterm report by 15 months from the date of adoption of resolution 2397 (2017) of all nationals of the Democratic People's Republic of Korea earning income in a Member State's jurisdiction that 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, and all Member States shall provide final reports by 27 months from the date of adoption of the resolution.

2. Regarding government safety oversight attachés of the Democratic People's Republic of Korea, we note that the Democratic People's Republic of Korea does not have a resident diplomatic mission or consular posts in Australia and that no officials of that country are currently accredited to Australia.

3. In 2006, Australia implemented strict restrictions on the issuance or continuation of visas for nationals of the Democratic People's Republic of Korea (other than those granted humanitarian, protection and refugee visas). As a result of the comprehensive travel ban, visas have been granted to nationals of that country in a limited number of cases only, for example, to enable them to attend international sporting events or events of humanitarian benefit.

4. After carefully examining its immigration records and conducting a detailed assessment of 38 individuals initially identified as persons of potential interest, Australia has concluded that there are no persons within its jurisdiction covered by operative paragraph 8 of resolution 2397 (2017). Accordingly, no nationals of the Democratic People's Republic of Korea have been repatriated to the country since the adoption of resolution 2397 (2017), in December 2017.

5. In paragraph 17 of its resolution 2397 (2017), the Security Council decided that Member States shall report to the Security Council within 90 days of the adoption of the resolution, and thereafter upon request by the Committee, on concrete measures they have taken in order to implement effectively the provisions of the resolution, and requested the Panel of Experts, in cooperation with other United Nations sanctions

monitoring groups, to continue its efforts to assist Member States in preparing and submitting such reports in a timely manner.

6. Paragraph 3 of resolution [2397 \(2017\)](#), designating individuals and entities listed in annexes I and II to the resolution, was implemented by Australia on 23 December 2017.

7. The provisions of resolution [2397 \(2017\)](#) have been implemented into Australian law by the Charter of the United Nations (Sanctions – Democratic People’s Republic of Korea) Amendment (Resolution 2397) Regulations 2018, the Charter of the United Nations (Sanctions – Democratic People’s Republic of Korea) Amendment (Shipping) Regulations 2018 and the Customs Legislation Amendment (Prohibited Exports and Imports) Regulations 2018.

8. The Government of Australia is currently preparing amendments to the Maritime Powers Regulation 2014 to implement the outstanding provisions in resolution [2397 \(2017\)](#) related to ship seizure and impoundment for up to six months. The Government aims to have the regulations enacted as soon as possible.

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