



Conseil de sécurité

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Note de la Présidente du Conseil de sécurité

Au paragraphe 2 de sa résolution [2569 \(2021\)](#), le Conseil de sécurité a demandé au Groupe d'experts créé en application de la résolution [1874 \(2009\)](#) de lui présenter un rapport final contenant ses conclusions et recommandations. La Présidente communique donc ci-après le rapport émanant du Groupe d'experts (voir annexe).



Annexe

Lettre datée du 25 février 2022, adressée au Président du Conseil de sécurité par le Groupe d'experts créé en application de la résolution 1874 (2009)

Le Groupe d'experts créé en application de la résolution 1874 (2009) du Conseil de sécurité a l'honneur de communiquer ci-joint, conformément au paragraphe 2 de la résolution 2569 (2021) du Conseil, le rapport final sur ses travaux.

Le rapport a été présenté le 4 février 2022 au Comité du Conseil de sécurité créé par la résolution 1718 (2006), qui l'a examiné le 23 février 2022.

Le Groupe d'experts vous serait reconnaissant de bien vouloir porter le texte de la présente lettre et du rapport à l'attention des membres du Conseil de sécurité et de le faire publier comme document du Conseil.

Le Groupe d'experts créé en application
de la résolution 1874 (2009) du Conseil de sécurité

Pièce jointe**Lettre datée du 4 février 2022, adressée à la Présidente
du Comité du Conseil de sécurité créé par la résolution
1718 (2006) par le Groupe d'experts créé en application
de la résolution 1874 (2009)**

Comme suite à l'examen technique effectué par le Secrétariat, à la demande des États Membres, à l'issue de l'établissement, par consensus, par le Groupe d'experts, de son rapport du 28 janvier, le Groupe d'experts créé en application de la résolution 1874 (2009) a l'honneur de communiquer ci-joint, conformément au paragraphe 2 de la résolution 2569 (2021), le rapport final sur ses travaux.

Le Groupe d'experts vous serait reconnaissant de bien vouloir porter le texte de la présente lettre et du rapport à l'attention des membres du Comité du Conseil de sécurité créé par la résolution 1718 (2006).

Le Groupe d'experts créé en application
de la résolution 1874 (2009) du Conseil de sécurité

Résumé

Durant la période considérée, la République populaire démocratique de Corée a continué de maintenir et de mettre au point ses programmes d'armes nucléaires et de missiles balistiques, en violation des résolutions du Conseil de sécurité. Bien qu'aucun essai nucléaire ou tir de missile balistique intercontinental n'ait été signalé, la République populaire démocratique de Corée a continué de renforcer ses capacités de production de matières fissiles nucléaires. Une accélération marquée a été observée sur le plan de la mise à l'essai et de la démonstration de nouveaux missiles à courte, voire à moyenne portée, associant des technologies balistiques et de guidage, à propergol liquide ou solide, et se poursuivait à la fin de janvier 2022. Parmi les nouvelles technologies mises à l'essai, on compterait une ogive planante hypersonique et un corps de rentrée manœuvrable. La République populaire démocratique de Corée a démontré des capacités grandissantes de déploiement rapide, une vaste mobilité (notamment en mer) et une meilleure capacité de résistance de ses systèmes de missiles. Elle a continué d'entretenir et de développer ses infrastructures nucléaires et de missiles balistiques et de chercher à obtenir à l'étranger des matières, des technologies et des connaissances concernant ces programmes, notamment par des moyens cybernétiques et des recherches scientifiques conjointes.

La République populaire démocratique de Corée a continué de fermer strictement ses frontières, en réponse à la maladie à coronavirus (COVID-19). Durant la période considérée, les niveaux de marchandises et de personnes entrant et sortant du pays étaient historiquement bas et le commerce licite et illicite, notamment d'articles de luxe, a largement cessé, malgré une reprise du trafic ferroviaire transfrontières au début de 2022. Là où des échanges ont été observés, la divergence des interprétations par les États Membres des dispositions du régime de sanctions et l'utilisation erronée des codes de pays ont continué d'entraver la surveillance de statistiques du commerce très faibles.

Les exportations de charbon de la République populaire démocratique de Corée par voie maritime ont beau avoir augmenté au second semestre de 2021, le niveau est resté relativement faible. La quantité d'importations illicites de pétrole raffiné s'est fortement accrue pendant la même période, mais à un niveau beaucoup plus faible que les années précédentes. La livraison directe à la République populaire démocratique de Corée par des navires-citernes ne lui appartenant pas ont cessé, probablement à la suite des mesures de lutte contre la COVID-19 : seuls des navires-citernes de la République populaire démocratique de Corée ont livré du pétrole, ce qui a dénoté un changement marqué de méthode. Le contournement complexe des sanctions maritimes s'est poursuivi, facilité par des réseaux de financement et de propriété délibérément brouillés. Si la flotte marchande battant pavillon de la République populaire démocratique de Corée a continué de grandir, le nombre de navires de pêche étrangers observés dans les eaux nationales était moins important.

Quelques ressortissants de la République populaire démocratique de Corée ont continué de percevoir des revenus à l'étranger, les mesures de fermeture des frontières liées à la COVID-19 empêchant leur rapatriement direct. Les cyberattaques, en particulier sur les crypto-actifs, continuent de constituer une importante source de revenus pour le Gouvernement de la République populaire démocratique de Corée.

La situation humanitaire en République populaire démocratique de Corée a continué de se dégrader, la fermeture des frontières liée à la COVID-19 étant probablement le facteur le plus important dans ce déclin. L'absence presque totale d'information en provenance de la République populaire démocratique de Corée signifie que les conséquences humanitaires non voulues à plus long terme des sanctions des Nations Unies touchant la population civile continuent d'être difficiles

à dissocier des autres facteurs. Le Groupe d'experts a mené à nouveau son enquête auprès des organisations humanitaires, dont certaines sont parvenues à fournir une aide à la République populaire démocratique de Corée en 2021. On trouvera dans le présent rapport un résumé de leurs réponses.

Le présent rapport comporte 30 recommandations formulées à l'intention du Conseil de sécurité, du Comité du Conseil de sécurité créé par la résolution [1718 \(2006\)](#) et des États Membres (voir annexe 93). Le Groupe d'experts continue d'être reconnaissant aux États Membres qui appuient son mandat de manière constructive, tout en notant que l'engagement parcellaire de certains États Membres, entités et personnes doit encore s'améliorer.

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I. Introduction

1. Au paragraphe 2 de sa résolution 2569 (2021), le Conseil de sécurité a demandé au Groupe d'experts créé en application de la résolution 1874 (2009) de présenter au Comité du Conseil de sécurité créé par la résolution 1718 (2006) un rapport final contenant ses conclusions et recommandations. Le rapport du Groupe d'experts couvre la période du 4 août 2021 au 28 janvier 2022. La République populaire démocratique de Corée a maintenu en place les mesures restrictives, notamment les contrôles des frontières en réponse à la pandémie de maladie à coronavirus (COVID-19) en cours, durant la période considérée, mais en janvier 2022, une reprise restreinte des transports transfrontières a été observée (voir annexe 1).

II. Activités récentes liées au programme nucléaire et au programme de missiles balistiques

Programme nucléaire

2. Le Groupe d'experts a continué de surveiller le programme nucléaire de la République populaire démocratique de Corée. Bien qu'aucun essai nucléaire n'ait été signalé durant la période considérée, des activités de rénovation et de construction ont été constatées dans des installations nucléaires dans tout le pays, et certains indices donnent à penser que le réacteur 5 MWe de Yongbyon a fonctionné et que des activités se sont déroulées à la mine et à l'usine de concentration de Pyongsan. Le Groupe d'experts note que cette activité persistante et l'expansion des installations nucléaires semblent être conformes aux objectifs stratégiques du Gouvernement de la République populaire démocratique de Corée dans le cadre de son programme nucléaire, annoncé au huitième Congrès du Parti du travail de Corée, en janvier 2021 (voir annexe 2).

Site de Yongbyon

3. Un État Membre a estimé que les travaux relatifs à la construction extérieure du réacteur à eau légère avaient été achevés, tandis que les travaux intérieurs continuaient d'avancer. L'imagerie satellite analysée par le Groupe d'experts d'août à septembre 2021 montre la construction intensive d'un bâtiment dans la zone se trouvant au sud du réacteur à eau légère (voir annexe 3), situé hors du périmètre actuel de la zone des réacteurs de Yongbyon (voir fig. I), qui ne serait donc pas d'une importance fondamentale.

4. En juillet 2021, un État Membre a relevé les signes d'une reprise des opérations au réacteur de 5 MWe de la centrale nucléaire expérimentale de Yongbyon. D'après l'analyse de l'imagerie satellite du Groupe d'experts (voir annexe 4), des rejets intermittents d'eau de refroidissement du réacteur ont été observés depuis juillet. Un panache de vapeur de la salle du réacteur a été constaté à la fin de novembre et une imagerie thermique de septembre à novembre a indiqué la mise en marche du réacteur¹. Le Groupe d'experts n'a pas corroboré cette observation de manière indépendante.

5. L'imagerie satellite a montré, de mai à septembre 2021, le retrait partiel du toit d'un des bâtiments du réacteur 50 MWe. Un groupe de réflexion² a estimé que ce

¹ Voir www.38north.org/2021/11/north-koreas-yongbyon-nuclear-complex-further-evidence-of-5-mwe-reactor-operations et <https://beyondparallel.csis.org/thermal-imagery-analysis-of-yongbyon>.

² Voir www.38north.org/2021/09/dismantlement-of-spent-fuel-storage-building-at-yongbyons-50-mwe-reactor.

bâtiment avait été conçu au départ afin de contenir un bassin de stockage pour du combustible irradié. L'imagerie satellite de juin et de septembre 2021 a corroboré cette évaluation, montrant des travaux de construction et des travaux de terrassement dans les zones adjacentes. Le complexe du réacteur n'avait jamais été achevé et on pensait qu'il avait été abandonné (voir annexe 5).

6. Aucune activité importante n'a été observée au laboratoire de radiochimie ou à la centrale thermique depuis le précédent rapport du Groupe d'experts³. Le Directeur général de l'Agence internationale de l'énergie atomique a mentionné le 24 novembre 2021 que rien n'indiquait que le laboratoire ait été en activité depuis le début du mois de juillet 2021 (voir annexe 6). Un État Membre a estimé que la République populaire démocratique de Corée avait pu procéder au retraitement de barres de combustible irradié, ce que le Groupe d'experts n'a pas été en mesure de confirmer.

7. Depuis septembre 2021, le retrait possible de dispositifs de refroidissement⁴ de l'installation d'enrichissement par centrifugation de Yongbyon a été détecté et de nouvelles activités de construction ont été observées à proximité. Des panaches de fumée dans le bâtiment de production de dioxyde d'uranium ont été aperçus par intermittence, de mars à septembre. La poursuite des activités dans le bâtiment de production de dioxyde d'uranium indique que la République populaire démocratique de Corée est à même de poursuivre sa production de matières fissiles nucléaires (voir annexe 7).

8. L'imagerie satellite dénote de nouvelles activités de construction à l'usine de production de combustible pilote, qui servait dans les années 1980 d'usine originelle de production de combustible pour le réacteur 5MWe (voir annexe 8)⁵.

Mine d'uranium et usine de concentration de Pyongsan

9. L'analyse de l'imagerie satellite du Groupe d'experts indique une nouvelle construction dans un bâtiment, l'installation d'un convoyeur dans un des puits de mine et des activités régulières de wagons à l'usine. Le Groupe d'experts a observé l'expansion persistante de déchets solides dans les bassins de réception des résidus. Ces activités indiquent que la mine et l'usine sont opérationnelles (voir annexe 9).

Site d'essai de Punggye-ri

10. Le Groupe d'experts n'a pas relevé de signes indiquant la mise en opération du site.

Autres sites

11. Le Groupe d'experts a continué d'observer des activités à proximité de Kangson⁶, suspectée d'être une usine clandestine d'enrichissement d'uranium, dont des mouvements constants de véhicules sur le site et, depuis juillet 2021, de nouvelles activités de construction près du bâtiment principal. La finalité des travaux de construction n'est pas claire (voir annexe 10).

12. Le Groupe d'experts continue de surveiller le secteur de Yongdokdong qui ferait partie du programme de militarisation nucléaire de la République populaire démocratique de Corée, notamment comme centre de stockage d'armes nucléaires⁷. Il a observé l'activité de plusieurs véhicules à l'entrée des tunnels. Il a également corroboré des informations externes indiquant la possibilité de l'existence, dans le secteur, d'un stockage d'explosifs (voir annexe 11).

³ S/2021/777, par. 5 et annexe 5.

⁴ S/2021/211, par. 3 et annexe 2.

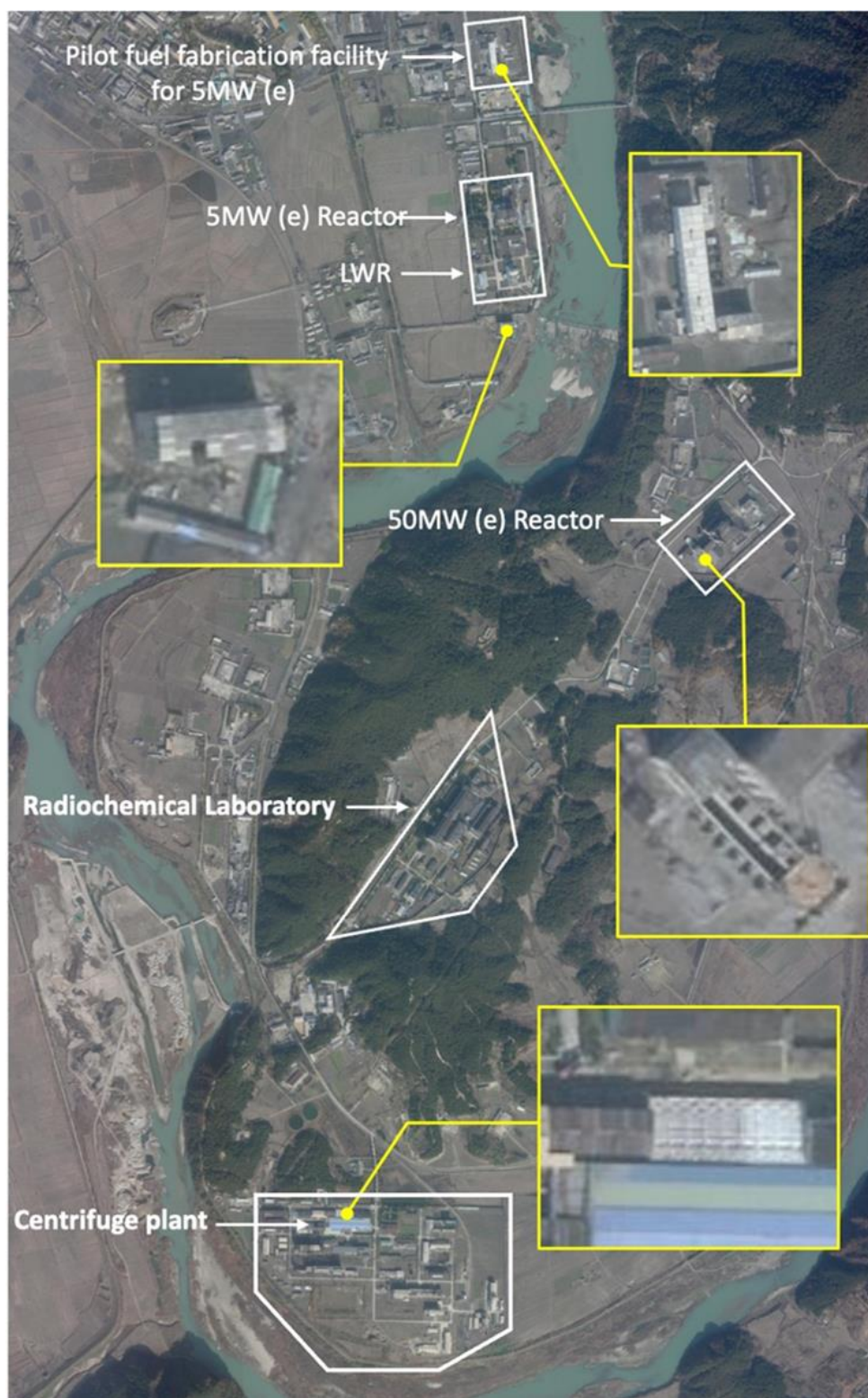
⁵ Agence internationale de l'énergie atomique, document GOV/2011/53-GC(55)/24, par. 29.

⁶ S/2021/777, par. 9 et annexe 10.

⁷ Ibid., par. 10 et annexe 11.

Figure I
Activités de construction et de rénovation à Yongbyon

Coordonnées des parties nord-ouest (39° 48' 22" N 125° 44' 25" E) et sud-est (39° 45' 57" N 125° 46' 08" E) de la carte



Source : Planet Labs, 6 novembre 2021.

Transferts intangibles de technologie et activités des universités de la République populaire démocratique de Corée

13. Le Groupe d'experts a poursuivi son enquête sur le transfert intangible de technologie auquel participent des scientifiques de la République populaire démocratique de Corée dans des domaines d'activité particuliers cités au paragraphe 11 de la résolution [2321 \(2016\)](#) du Conseil de sécurité. Il note que des études universitaires avancées dans plusieurs domaines (voir [S/2021/777](#), par. 11) pourraient être liées à la mise au point d'armes nucléaires, à la conception de missiles balistiques et à la mise au point éventuelle d'autres armes de destruction massive. Il redoute que des étudiants ou des universitaires de la République populaire démocratique de Corée soient en mesure de réunir des informations sensibles liées à la prolifération en ayant accès à des bases de données et à des milieux scientifiques. Il a répertorié à ce propos 16 études qui ont été publiées conjointement entre 2017 et 2019 par des institutions de la République populaire démocratique de Corée et un certain nombre d'universités chinoises, auxquelles ont participé des chercheurs spécifiques de la République populaire démocratique de Corée (voir annexe 12). Des informations en accès libre laissent entendre que les sept chercheurs suivants de la République populaire démocratique de Corée au moins sont affiliés simultanément à des universités tant chinoises que de la République populaire démocratique de Corée : Kim Myonghak⁸, Ri Kwang⁹, Ju Jong-Min¹⁰, Pak Sung-Nam, Kim Myong Chol, Kang Kwang-song¹¹ et Choe Jongchol. Le Groupe d'experts a écrit à la Chine pour lui demander de préciser la nature des études conjointes et le statut de ces personnes. La Chine a répondu que « d'après l'enquête, il n'existe pas d'échanges universitaires ou de collaborations scientifiques interdits entre les universités chinoises et la République populaire démocratique de Corée » (voir annexe 13). Les enquêtes sur un certain nombre d'articles scientifiques conjoints se poursuivent¹².

14. Le Groupe d'experts enquête sur des échanges universitaires entrepris entre l'Université de science et de technologie de Pyongyang et des universitaires et chercheurs étrangers qui y ont donné des conférences dans divers domaines (voir annexes 14 à 16).

15. Le Groupe d'experts a également demandé des informations à la Malaisie au sujet de la possibilité d'échanges techniques (voire historiques) entre l'Université de technologie Kim Chaek de la République populaire démocratique de Corée et une entreprise établie à Kuala Lumpur. Il enquête pour établir si celle-ci est liée à Glacom (voir également par. 135 à 138 et annexes 17 et 18).

16. Le Groupe d'experts n'a pas encore reçu d'information en réponse à ses demandes antérieures relatives à des échanges universitaires entre l'université de technologie Kim Chaek, l'université Kim Il Sung et des instituts universitaires étrangers¹³.

Programme de missiles balistiques

17. Après l'essoufflement apparent des activités menées dans le cadre du programme de missiles balistiques durant les huit premiers mois de 2021 ([S/2021/777](#), par. 14), l'ampleur du programme a de nouveau été révélée de septembre 2021 à janvier 2022 par l'entremise d'une vaste exposition statique de tous les systèmes

⁸ Identifiant universel du chercheur : 0000-0001-6619-5670.

⁹ Identifiant universel du chercheur : 0000-0002-3687-4602.

¹⁰ Identifiant universel du chercheur : 0000-0003-0500-0125.

¹¹ Identifiant universel du chercheur : 0000-0002-4907-1673.

¹² [S/2021/211](#), par. 13.

¹³ [S/2021/777](#), par. 12 et 13.

d'armes modernes de la République populaire démocratique de Corée, dont tous les nouveaux missiles balistiques et les tirs d'essai d'un vaste éventail de nouveaux systèmes de missiles (voir fig. II à XIV).

18. Cette tendance est conforme à la dynamique stratégique du programme d'armes de la République populaire démocratique de Corée, annoncée par Kim Jong Un au huitième Congrès du Parti du travail de Corée le 9 janvier 2021 (voir annexe 19). Cinq objectifs militaires stratégiques¹⁴ avaient été déclarés. Il semble que ceux liés à la mise au point de diverses plateformes de lancement utilisant des missiles balistiques à propergol solide ou liquide semblent avoir été graduellement accomplis.

19. Cette nouvelle évolution analysée par le Groupe d'experts a mis en relief plusieurs résultats opérationnels et technologiques précis :

- la capacité de déploiement rapide, la vaste mobilité et la capacité d'adaptation accrue des missiles balistiques de la République populaire démocratique de Corée (comme le montrent les missiles balistiques à courte portée, tirés depuis une plateforme ferroviaire, dissimulés dans les tunnels ferroviaires (voir par. 25 et annexes 20 et 21) et d'autres technologies, comme cela a été démontré, à la suite d'une série de tirs ;
- la mise en place de nouvelles technologies associant un propulseur de missile balistique à propergol liquide, pré-alimenté à l'usine, avec une ogive planante hypersonique et la technologie de corps de rentrée manœuvrable (voir par. 23 et 24 et annexes 22 et 24) ;
- la tentative d'adapter et d'utiliser un des nouveaux missiles balistiques à courte portée à propergol solide en tant que missile balistique lancé par sous-marin, en vue d'un déploiement en mer (voir par. 24 et annexes 23, 25 et 26).

¹⁴ Il s'agit de : a) pousser continuellement la production d'ogives nucléaires surdimensionnées ; b) d'accroître le niveau de précision de façon à pouvoir frapper et annihiler toute cible stratégique dans un rayon de 15 000 kilomètres avec une précision extrême ; c) de mettre au point et d'introduire des ogives hypersoniques en vol plané ; d) de mettre au point des fusées balistiques intercontinentales sous-marines et terrestres propulsées par des moteurs à combustible solide ; e) d'acquérir un sous-marin à propulsion nucléaire et une arme stratégique nucléaire à lancement sous-marin.

Figure II

**Essais de tirs de missiles balistiques de septembre 2021 à janvier 2022
et exposition d'armes « Légitime défense 2021 » le 12 octobre 2021¹⁵**



Source : Agence centrale de presse coréenne et Télévision centrale coréenne, du 16 septembre 2021 au 18 janvier 2022¹⁶ et Planet Labs, le 17 octobre 2021 à 1 h 46 en temps universel coordonné (UTC) ; le 18 octobre 2021 à 5 h 18 UTC ; et le 20 octobre 2021 à 4 h 43 UTC.

¹⁵ La République populaire démocratique de Corée a montré, à l'occasion de précédents tirs, qu'elle avait modifié ou falsifié des images photographiques, vraisemblablement à des fins de propagande.

¹⁶ Voir www.nknews.org/pro/wp-content/uploads/kcna-watch/kcna_kp_en/images/MM00289748.jpg?t=1649371935222 ; Télévision centrale coréenne, « Exposition d'armes « Légitime défense 2021 » à l'«Exposition des trois révolutions» », vidéo diffusée au journal de 20 heures. Consultable au <https://kcna-watch.org/kctv-archive/61658f2826e3a> ; articles datés du 12 janvier 2022, *Rodong Sinmun*. Consultables au <https://kcna-watch.org/?t=1649723100702> ; et

20. À cet égard, une synergie est apparue entre l'exposition d'armes « Légitime défense 2021 » (voir fig. III à XIV et annexe 20) et les essais de tir jusqu'en janvier 2022 (voir tableaux 1 et 2). En 2021, le tir d'essai le 15 septembre du missile balistique à courte portée depuis une plateforme ferroviaire (voir annexe 21) faisait partie d'une reprise d'essais dynamiques de systèmes d'armes, qui avaient commencé les 11 et 12 septembre avec des essais d'un type différent de nouveau système de missile¹⁷. Cela a été suivi le 28 septembre du tir d'essai d'un nouveau missile associant des technologies de missile balistique et de guidage appelé « Hwasong-8 » par la République populaire démocratique de Corée, qui a été décrit comme un « missile hypersonique » (voir annexe 22). Le 30 septembre, un nouvel essai de « missile antiaérien » a eu lieu, démontrant une amélioration du système de contrôle, selon la République populaire démocratique de Corée¹⁸ et, le 19 octobre, le tir d'essai d'un missile qu'elle a décrit comme « un nouveau type de missile balistique lancé par sous-marin » a été effectué en mer (voir annexe 23). Le 5 janvier 2022, le tir d'essai d'un autre nouveau missile associant des technologies de missile balistique et de guidage a été décrit par la République populaire démocratique de Corée comme portant un « corps de rentrée manœuvrable hypersonique » et, le 11 janvier, un autre tir d'essai du même type de missile qui pourrait, selon des États Membres être un « missile hypersonique », a constitué, selon un État Membre, une amélioration par rapport aux missiles mis à l'essai le 28 septembre 2021 et le 5 janvier 2022 (voir

Agence centrale de presse coréenne, images datées des 15 au 17 janvier 2022. Consultables au <https://kcnawatch.org/#gallery-1> et au <https://kcnawatch.org/#gallery-9>.

¹⁷ Les essais de missiles de croisière à longue portée ont été décrits par la République populaire démocratique de Corée comme « une arme stratégique de grande importance ». Selon l'Agence centrale de presse coréenne, « des missiles de croisière à longue portée nouvellement mis au point par l'Académie des sciences de la défense ont été tirés avec succès » le 13 septembre 2021 et « la mise au point du missile de croisière à longue portée, arme stratégique d'une grande importance pour la réalisation de l'objectif clef du plan quinquennal de développement des sciences de la défense et du système d'arme, défini au huitième Congrès du Parti, a été poursuivie conformément au procédé d'élaboration scientifique et fiable du système d'armement ces deux dernières années et, durant cette période, des essais détaillés de composants de missiles, de nombreux essais de poussée au sol des moteurs, divers essais en vol, des essais de contrôle et de guidage et des essais de puissance des ogives et autres ont été menés avec succès ». Selon un État Membre, le même missile semble avoir été montré à l'exposition « Légitime défense 2021 » ; il s'agirait d'un missile de croisière subsonique équipé de deux ailerons et d'un turboréacteur, une entrée d'air et une pédale d'accélération à propulsion solide étant utilisées dans la phase initiale de mise à feu ; ces spécifications, si elles étaient confirmées, fourniraient à la République populaire démocratique de Corée une capacité sensiblement supérieure à celle dont bénéficient déjà des missiles comme le missile de croisière Kumsong-3, et le missile lui apporterait une diversification précieuse dans son arsenal de missiles balistiques à courte portée, compte tenu de ses capacités de vol à basse altitude et de sa manœuvrabilité (distance parcourue signalée de 1 500 kilomètres et temps de vol de 7 580 secondes). Si ce missile est considéré par la République populaire démocratique de Corée comme une « arme stratégique », son éventuelle capacité nucléaire exigerait que la taille de l'arme nucléaire soit considérablement réduite. Un autre État Membre a ajouté que le missile avait suivi une trajectoire en ovale et une trajectoire en huit au-dessus des terres et des eaux territoriales de la République populaire démocratique de Corée et atteint ses cibles. Les tirs d'essai ont montré que les indicateurs techniques tels que la puissance de poussée du moteur à turbine nouvellement mis au point, le contrôle de la navigation des missiles et leur précision d'impact par le mode guidé mixte répondaient aux exigences de la conception.

¹⁸ Selon la Voix de Corée de la République populaire démocratique de Corée, « un missile antiaérien nouvellement mis au point a subi un tir d'essai réussi, le 1^{er} octobre 2021. L'Académie des sciences de la défense a annoncé que la remarquable fonction de combat du dernier missile antiaérien avait été confirmée, ce qui augmentait considérablement la rapidité de réaction, la précision du guidage et la distance de frappe de la cible dont bénéficiait le système de contrôle du missile, au moyen de l'introduction de nouvelles technologies majeures, notamment celle de contrôle du double gouvernail et le moteur de vol à double impulsion. Il a déclaré que le récent tir d'essai revêtait concrètement une grande importance, concernant la recherche et le développement de divers types de systèmes de missiles antiaériens ».

annexe 24). Le 14 janvier 2022, un nouveau tir d'essai de missile balistique à courte portée a été effectué depuis une plateforme ferroviaire. Les missiles étaient analogues au KN-23 (voir S/2021/211, par. 20). Cela a été suivi le 17 janvier 2022 du tir d'essai de deux autres missiles balistiques à courte portée analogues au KN-24 (voir S/2021/211, par. 20) (voir annexe 21)¹⁹. Les vues de la Chine sur les tirs de missile figurent à l'annexe 20-3.

21. La République populaire démocratique de Corée a également continué d'adapter ses infrastructures de production industrielle ainsi que ses chantiers navals (voir annexes 25 à 27)²⁰. Bien que les sanctions internationales imposées par les États Membres et les contrôles exercés aient considérablement réduit les capacités d'achat et de prolifération de la République populaire démocratique de Corée, cette dernière continue de chercher à obtenir les composantes à double usage et la technologie nécessaires pour son programme d'armes de destruction massive (voir par. 26 à 38 et annexe 28) ainsi qu'une coopération scientifique (voir par. 13 et annexe 12).

22. Selon des États Membres, l'étalage de plusieurs missiles nouveaux par type de catégorie à l'exposition « Légitime défense 2021 » témoigne de la volonté de la République populaire démocratique de Corée de manifester son fort attachement à la mise au point et à la pérennisation de son programme de missiles balistiques, malgré la crise économique aiguë qu'elle traverse. En mettant simultanément au point des technologies de missile balistique très diverses à propulseur à liquide ou à poudre, utilisant divers types de plateformes de lancement et un large éventail de transporteurs-érecteurs-lanceurs, de lanceurs sur rail ou de lanceurs sous-marins, la République populaire démocratique de Corée doit poursuivre simultanément divers sous-programmes de recherche et de développement et de production établis par bon nombre d'équipes techniques et de génie spécialisées distinctes.

¹⁹ Deux experts ont estimé que la nature et la technologie des projectiles tirés par la République populaire démocratique de Corée mentionnées dans le présent paragraphe n'étaient pas tout à fait claires.

²⁰ Activité dans le secteur et les bases liés au programme de missiles balistiques ; chantier naval du sud de Sinpo (40° 01' 20" N 128° 09' 47" E), février-juin 2021 (voir annexe 25) ; chantier naval de Nampo (38° 43' 08" N 125° 23' 28" E), novembre 2020-juin 2021 (voir annexe 26) ; et usine de chars de Kusong (usine n° 95, 40° 03' 23" N 125° 13' 20" E) et n° 112 (40° 04' 07" N 125° 11' 52" E) (voir annexe 27).

Exposition d'armes « Légitime défense 2021 »

Figure III

Exposition d'armes « Légitime défense 2021 » à l'« Exposition des trois révolutions » du 12 octobre 2021

(39° 04' 49" N 125° 45' 23" E)



Source : Télévision centrale coréenne²¹, 12 octobre 2021, Planet Labs, 5 septembre 2021 à 2 h 10 UTC et 1^{er} octobre 2021 à 2 h 20 UTC.

²¹ Agence centrale de presse coréenne, vidéo diffusée au journal de 20 heures sur l'exposition d'armes « Légitime défense 2021 » à l'« Exposition des trois révolutions » (39° 04' 49" N 125° 45' 23" E). Consultable au <https://kcnawatch.org/kctv-archive/61658f2826e3a/>.

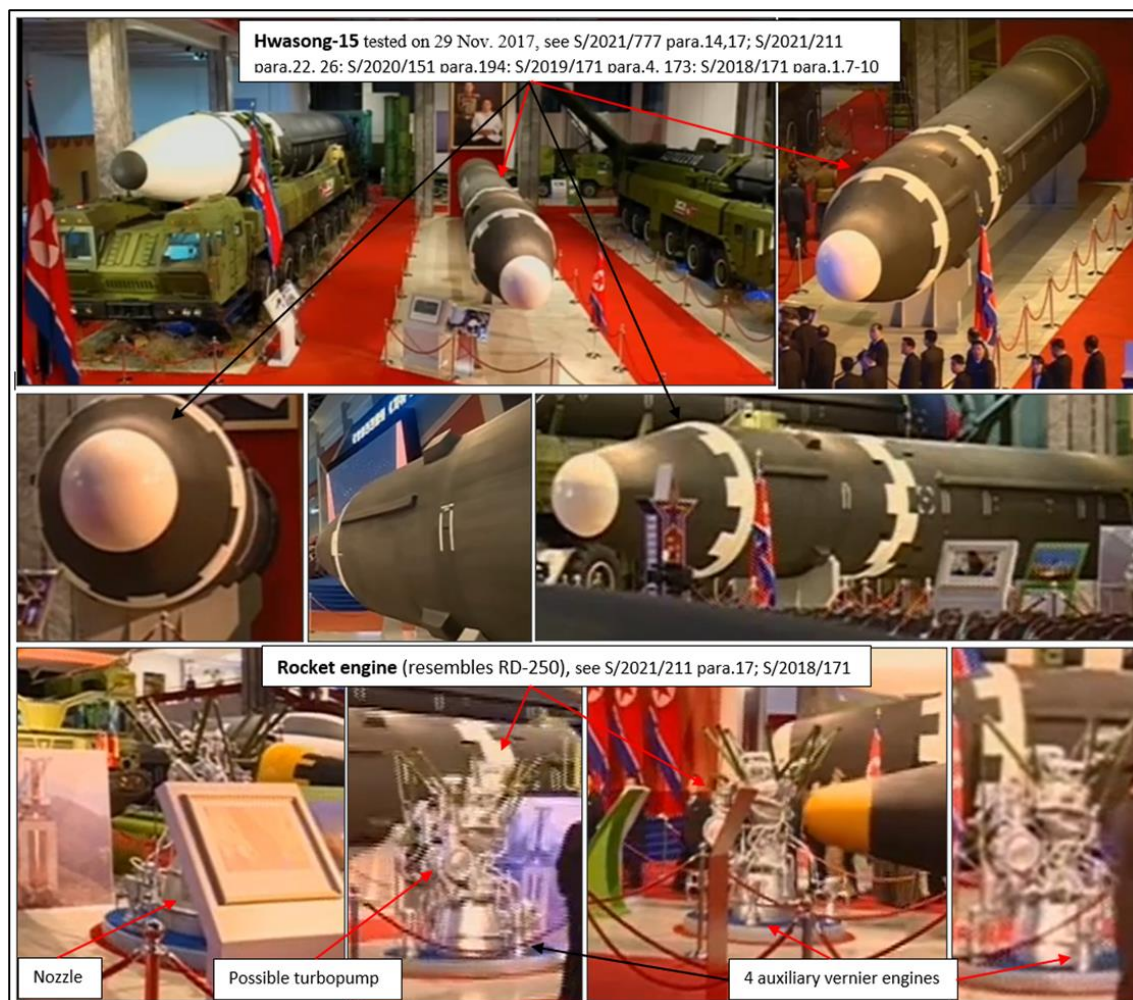
Figure IV
Nouveau missile balistique intercontinental²² à l'exposition « Légitime défense 2021 »



Source : Télévision centrale coréenne, 12 octobre 2021.

²² Nouveau missile balistique intercontinental appelé récemment « Hwasong-17 » par les médias de la République populaire démocratique de Corée et également connu sous le nom de « Hwasong-16 ».

Figure V
Missile balistique intercontinental « Hwasong-15 » mis à l'essai le 29 novembre 2017 et moteur-fusée (qui pourrait dériver du RD-250)



Source : Télévision centrale coréenne, 12 octobre 2021.

23. Le nouveau « missile hypersonique Hwasong-8 » a été montré durant l'exposition « Légitime défense 2021 » le 11 octobre 2021, après avoir probablement subi un tir d'essai le 28 septembre 2021 (voir fig. VI).

Figure VI
Nouveau missile balistique hypersonique Hwasong-8, probablement été mis à l'essai le 28 septembre 2021



Source : Télévision centrale coréenne, 12 octobre 2021, Agence centrale de presse coréenne et *Rodong Sinmun*²³.

24. Un nouveau missile associant des technologies de missile balistique et de guidage et qui, selon la République populaire démocratique de Corée, porte « l'ogive planante hypersonique » a été montré à l'exposition « Légitime défense 2021 » le 11 octobre 2021 et a vraisemblablement subi des tirs d'essai le 5 janvier et le 11 janvier 2022 (voir fig. VII, en haut, à droite). Ce nouveau missile balistique à

²³ Agence centrale de presse coréenne et *Rodong Sinmun* (anglais, version originale à la source)
« Hypersonic missile newly developed by Academy of Defence Science test-fired », 29 septembre 2021.

moyenne portée à propergol liquide semble porter un corps de rentrée manœuvrable (cône orange sur la photographie) ; on voit également le missile balistique à portée intermédiaire Hwasong-12 (KN-17 avec des marquages jaunes, dont le dernier tir d'essai a probablement été effectué le 15 septembre 2017), le missile balistique lancé par sous-marin Pukguksong-5, le missile balistique lancé par sous-marin Pukguksong-1 (KN-11, dont le dernier tir d'essai remonte probablement au 24 août 2016) et le nouveau missile balistique à courte portée lancé par sous-marin (qui a probablement été soumis à un tir d'essai le 19 octobre 2021) (voir fig. VII).

Figure VII

Missile balistique à portée intermédiaire Hwasong-12 (KN-17) (marquages jaunes) ; nouveau missile balistique possible, à moyenne portée avec un corps de rentrée manœuvrable (cône orange) ; missile balistique lancé par sous-marin Pukguksong-5 ; missile balistique lancé par sous-marin Pukguksong-1 (KN-11) ; et nouveau missile balistique à courte portée lancé par sous-marin



Source : Télévision centrale coréenne, 12 octobre 2021, et Agence centrale de presse coréenne²⁴.

²⁴ Voir Agence centrale de presse coréenne, www.nknews.org/pro/wp-content/uploads/kcna-watch/kcna_kp_en/images/MM00289748.jpg?t=1649371935222 et <https://kcna-watch.org/?t=1649723100702>.

25. Les nouveaux missiles balistiques à courte portée à propergol solide qui ont défilé et ont été soumis à des tirs d'essai de 2019 à 2021 ont été montrés à l'exposition « Légitime défense 2021 », comme le nouveau missile balistique à courte portée ressemblant au KN-23 (« nouveau type de missile tactique guidé », probablement une version modifiée et agrandie), qui a été vraisemblablement testé le 25 mars 2021²⁵. Des KN-23 ont probablement été portés par le nouveau système de missile lancé depuis une plateforme ferroviaire, mis à l'essai le 15 septembre 2021 et de nouveau le 14 janvier 2022. Les autres missiles balistiques récents à courte portée et les fusées recourant à une technologie de missiles balistiques tels que le KN-24 (probablement mis à l'essai le 17 janvier 2022), le KN-25 et le KN-09²⁶ ont été présentés à l'exposition, ainsi qu'une série de missiles de croisière et de missiles de défense antiaérienne, qui recourent à la fois à la technologie à propergol solide pour leur propulseur d'appoint ou leur moteur et à la technologie de guidage, utilisée également dans la technologie des missiles balistiques (voir fig. VIII à XIV).

²⁵ [S/2021/777](#), par. 16.

²⁶ [S/2019/691](#), annexe 32, [S/2020/151](#), par. 194, [S/2020/840](#), par. 11, et [S/2021/211](#), par. 11.

Figure VIII

Nouveaux missiles balistiques à courte portée ressemblant au KN-23 (« nouveau type de missile tactique guidé ») ; tir d'essai probable : le 25 mars 2021



Source : Télévision centrale coréenne, 12 octobre 2021.

Figure IX
Missiles balistiques à courte portée KN-23



Source : Télévision centrale coréenne, 12 octobre 2021.

Figure X

KN-24 (ou « missile balistique sol-sol Hwasong-11A ») et missile de couleur sable dont le dernier tir d'essai date probablement du 17 janvier 2022



Source : Télévision centrale coréenne, 12 octobre 2021.

Figure XI
KN-25 (lance-roquettes multiples de 600 mm) dont le dernier tir d'essai date probablement du 29 mars 2020



Source : Télévision centrale coréenne, 12 octobre 2021.

Figure XII
KN-09 (lance-roquettes multiples de 300 mm ou de 240 mm)



Source : Télévision centrale coréenne, 12 octobre 2021.

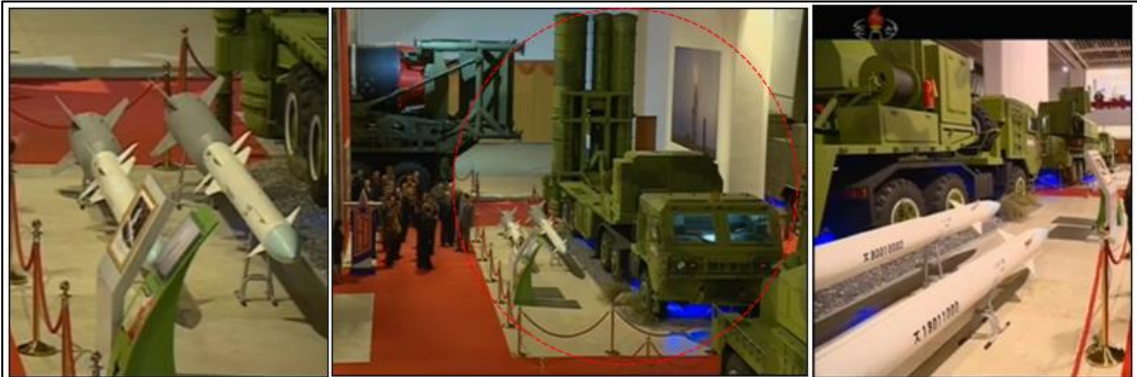
Figure XIII
**Missile de croisière : missile antinavire et missile de croisière à longue portée
 mis à l'essai le 12 septembre 2021**



Source : Télévision centrale coréenne, 12 octobre 2021.

Figure XIV

Défense aérienne : missile surface-air, mis à l'essai le 30 septembre 2021



New Surface -to-air missile

- possible test on 30 Sep. 2021

- According to the DPRK's Voice of Korea on Oct. 1 "...The Academy of Defence Science announced that remarkable combat function of the latest anti-air missile was confirmed, which drastically increased the fast response, guiding accuracy and target hitting distance of the missile control system by introducing major new technology including the twin rudder controlling technique and double impulse flight mortar. It said the recent test-firing is of great practical significance in the prospective research and development of different kinds of anti-air missile system...." available at <https://kcnawatch.org/newstream/1633035648-326818987/newly-developed-anti-air-missile-test-fired/?t=1652651737790>

Source : Télévision centrale coréenne, 12 octobre 2021.

Tableau 1

Récapitulatif des tirs de missiles ou de systèmes à technologie balistique et à propergol liquide effectués par la République populaire démocratique de Corée du 28 septembre 2021 au 11 janvier 2022 (voir annexe 20, tableau 20-1)

<i>Nombre d'essais depuis 2019</i>	<i>N° de l'essai</i>	<i>Date et heure (locale)</i>	<i>Type présumé</i>	<i>Nombre</i>	<i>Site de lancement présumé</i>	<i>Distance parcourue présumée (en kilomètres)</i>	<i>Sommet présumé de la trajectoire (en kilomètres)</i>	<i>Observations</i>	<i>Classification de l'Agence centrale de presse coréenne</i>
	N°	En 2021-2022	Missiles balistiques à propergol liquide tirés depuis 2021 : 3						
1 ^{er}	1 ^{er}	Le 28 septembre 2021 à 06 h 40 ou à 06 h 38	« Véhicule planant hypersonique » Hwasong-8 révélé à l'exposition « Légitime défense 2021 » le 11 octobre 2021, après le tir d'essai du 28 septembre (Agence centrale de presse coréenne) – missile balistique à courte portée – longueur totale du missile : environ 14,5 m pour un corps de 1,4 m de diamètre – longueur du véhicule de rentrée : environ 4,7 m pour un diamètre arrière de quelque 90 cm – transporteur-érecteur-lanceur à 6 essieux	1	Depuis le nord de Mupyong-ni (province de Chagang), direction est, vers les eaux au large de la côte orientale	200	60	– La mention par la République populaire démocratique de Corée d'une « ampoule de carburant pour missiles » utilisée dans les missiles balistiques à propergol liquide permet de charger de propergol le missile à l'usine (Agence centrale de presse coréenne) – Le corps principal du missile semblait être constitué d'un propulseur à propergol liquide ressemblant au missile balistique mono-étage à portée intermédiaire Hwasong-12, mais plus court – L'éventuel véhicule planant hypersonique ressemblait à un véhicule existant ^a ; il semble être aux premiers stades de développement, dont le déploiement réel nécessiterait un temps considérable – Il a été établi qu'il volait à une distance d'environ Mach 3 à l'époque	L'Académie des sciences de la défense a effectué le premier tir d'essai du missile hypersonique Hwasong-8 depuis Toyang-ni (province de Chagang) le 28 (Agence centrale de presse coréenne, 29 septembre 2021) ^b
2 ^e	1 ^{er}	Le 5 janvier 2022 à 08 h 10	Missile balistique à courte ou moyenne portée – « ogive planante hypersonique » montrée à l'exposition de missiles « Légitime défense 2021 » le 11 octobre 2021, avant le tir d'essai du 5 janvier (Agence	1	De la province de Chagang, direction est, vers les eaux au large de la côte orientale	500 (ou plus)	50	– La forme de l'ogive des missiles mis à l'essai le 28 septembre et le 5 janvier était différente. Il s'agirait de l'un des autres types de missiles, dévoilé pour la première fois en octobre – Le corps principal du missile semblait être constitué d'un propulseur à propergol liquide ressemblant au missile balistique mono-étage à portée intermédiaire Hwasong-12, mais plus court	Ogive planante hypersonique (Agence centrale de presse coréenne, 7 janvier 2022) ^c

<i>Nombre d'essais depuis 2019</i>	<i>N° de l'essai</i>	<i>Date et heure (locale)</i>	<i>Type présumé</i>	<i>Nombre</i>	<i>Site de lancement présumé</i>	<i>Distance parcourue présumée (en kilomètres)</i>	<i>Sommet présumé de la trajectoire (en kilomètres)</i>	<i>Observations</i>	<i>Classification de l'Agence centrale de presse coréenne</i>
			centrale de presse coréenne) – le corps de rentrée semble être manœuvrable – transporteur-érecteur-lanceur à 6 essieux					– Vitesse maximale entre Mach 3 et Mach 6	
3 ^e	2 ^e	Le 11 janvier 2022 à 07 h 27	Missile balistique à courte ou moyenne portée – « ogive planante hypersonique » montrée à l'exposition de missiles « Légitime défense 2021 » le 11 octobre 2021, avant le tir d'essai du 11 janvier (Agence centrale de presse coréenne) – le corps de rentrée semble être manœuvrable – transporteur-érecteur-lanceur à 6 essieux	1	Depuis la province de Chagang, direction est, vers les eaux au large de la côte orientale	700 (ou plus)	60	– La forme de l'ogive des missiles ressemble à ceux mis à l'essai le 5 janvier 2022 – Le corps principal du missile semble être constitué d'un propulseur à propergol liquide ressemblant au missile balistique Hwasong-12 mono-étage à portée intermédiaire, mais plus court – Vitesse maximale possible : autour de Mach 10 (environ 3 400 m/s = 12 240 km/h) – Kim Jong Un a assisté officiellement au tir d'essai du missile, tout comme Jo Yong Won, membre du présidium du bureau politique (Agence centrale de presse coréenne, 12 janvier 2022)	– « système d'arme du missile hypersonique ...600 kilomètres et vol en vrille sur 240 kilomètres... a atteint la cible à une distance de 1 000 kilomètres (Agence centrale de presse coréenne, 12 janvier 2022) ^d

Source : États Membres et Groupe d'experts.

^a Ces véhicules planants hypersoniques sont des missiles hypersoniques à propergol solide, qui avaient été montrés par un État Membre lors d'un défilé militaire en 2019.

^b Agence centrale de presse coréenne, 29 septembre 2021 : « le contrôle de la navigation et la stabilité du missile dans la section active et ses spécifications techniques, dont la manœuvrabilité sur le plan du guidage et les caractéristiques de vol plané de l'ogive hypersonique détachée ». « Le moteur ainsi que l'ampoule de carburant du missile introduite pour la première fois » ont été « confirmés ».

^c Agence centrale de presse coréenne, 7 janvier 2022 : « Le missile a effectué un mouvement latéral de 120 kilomètres par rapport à l'azimut de lancement initial » et « atteint avec précision une cible fixée à 700 kilomètres ». « Le tir d'essai a clairement démontré le contrôle et la stabilité de l'ogive planante hypersonique qui a associé un vol plané en plusieurs étapes et un fort mouvement latéral » et a été « supervisé par l'Académie des sciences de la défense ».

^d Selon un extrait de l'Agence centrale de presse coréenne du 12 janvier 2022, « l'ogive planante hypersonique a été séparée du missile lancé, a effectué un nouveau vol plané à partir d'une zone de 600 kilomètres avant d'effectuer un vol en vrille sur 240 kilomètres depuis l'azimut de lancement initial jusqu'au point d'impact pour atteindre la cible en mer à 1 000 kilomètres de distance ». Consultable sur le site Web de NK News/Agence centrale de presse coréenne au <https://kcnawatch.org/newstream/1641940310-600724419/distinguished-feat-of-wpk-in-history-of-leading-juche-based-defence-industry/?t=1649727166452>.

Tableau 2

Récapitulatif des tirs de missiles ou de systèmes à technologie balistique et à propergol solide, effectués par la République populaire démocratique de Corée du 25 mars 2021 au 17 janvier 2022^a (voir annexe 20, tableau 20-2)

<i>Nombre d'essais depuis 2019</i>	<i>N° de l'essai</i>	<i>Date et heure (locale)</i>	<i>Type présumé</i>	<i>Nombre</i>	<i>Site de lancement présumé</i>	<i>Distance parcourue présumée (en kilomètres)</i>	<i>Sommet présumé de la trajectoire (en kilomètres)</i>	<i>Observations</i>	<i>Classification de l'Agence centrale de presse coréenne</i>
	N°	En 2021-2022	Missiles balistiques à propergol solide, tirés depuis 2021 : 45						
18 ^e	1 ^{er}	Le 25 mars 2021	Nouveau missile balistique à courte portée	2	Secteur de Hamju	600	60 ou 100	Voir S/2021/777 , tableau 1	
19 ^e	2 ^e	Le 15 septembre 2021 à 12 h 34 et à 12 h 39 ou à 12 h 32 et à 12 h 37	Missile balistique à courte portée. Il s'agirait du missile balistique à courte portée KN-23, précédemment mis à l'essai comme système de missile depuis une plateforme ferroviaire et présenté à l'exposition de missiles « Légitime défense 2021 » le 11 octobre 2021	2	Depuis un wagon à l'entrée d'un tunnel situé à 39° 16' 31" N 126° 48' 17" E dans la région de Yangdok (province de Phyongan Sud) ^b , direction est, vers les eaux au large de la côte orientale, mais à l'intérieur de la zone économique exclusive du Japon	800	60	– Nouveau système de missiles lancé depuis une plateforme ferroviaire – Intervalle entre les tirs : 5 minutes – Les trajectoires sont les plus longues des missiles balistiques à combustible solide mis à l'essai depuis 2019 ; une « manœuvre dilatoire pull-up » a été recensée – S'il s'agit du KN-23, il a démontré une portée accrue par rapport aux précédents essais, sa charge utile ayant probablement été réduite – Le tir à partir d'une plateforme ferroviaire permet à la République populaire démocratique de Corée de disposer d'un moyen de transporter divers missiles, de les déployer rapidement et de les lancer depuis n'importe quel point de son réseau ferroviaire, soit une nouvelle option pour dissimuler et tirer ses missiles	« Régiment ferroviaire de missiles mobiles » ^c (Agence centrale de presse coréenne, 19 septembre 2021)
20 ^e	3 ^e	Le 19 octobre 2021 à 10 h 17 ou à 10 h 15	Missile balistique lancé par sous-marin. Il semble s'agir d'un nouveau missile balistique à courte portée lancé par sous-marin qui avait été montré à l'exposition de missiles	1	Depuis un sous-marin de classe Gorae/Sinpo (ou une barge de banc d'essai submersible) situé dans la région de Sinpo (province du Hamgyong-Sud), direction est, vers les	600 ou 430	60 ou 50	– Nouveau missile balistique plus petit lancé par sous-marin – Une manœuvre dilatoire « pull-up » a été décelée sans s'accompagner d'un mouvement horizontal important – Sa conception est plus petite que celle de la série de missiles	« Nouveau type de missile balistique lancé par sous-marin » (Agence centrale de presse)

<i>Nombre d'essais depuis 2019</i>	<i>N° de l'essai</i>	<i>Date et heure (locale)</i>	<i>Type présumé</i>	<i>Nombre</i>	<i>Site de lancement présumé</i>	<i>Distance parcourue présumée (en kilomètres)</i>	<i>Sommet présumé de la trajectoire (en kilomètres)</i>	<i>Observations</i>	<i>Classification de l'Agence centrale de presse coréenne</i>
			« Légitime défense 2021 » le 11 octobre 2021 La longueur du missile, sans adaptateur de tube, est d'environ 6,8 m pour un diamètre de corps de 1 m		eaux au large de la côte orientale			balistiques lancés par sous-marin Pukguksong et ressemble à celle des missiles balistiques à courte portée KN-23 et KN-24, tout en présentant des caractéristiques de vol similaires. Il pourrait être déployé au moyen de tubes de lancement multiple à partir d'un plus grand sous-marin de classe Romeo de la République populaire démocratique de Corée, ce qui augmenterait sa capacité de frappe au large – Le missile aurait été lancé à partir d'un sous-marin lance-missile balistique expérimental de classe Gorae/Sinpo-B appelé « 8.24 Yongung », dont le tube de lancement pourrait avoir été adapté pour un missile balistique lancé par sous-marin plus petit que celui de type Pukguksong – Le missile pourrait avoir été lancé à partir d'une barge submersible servant de banc d'essai	coréenne 20 octobre 2021) ^d
21 ^e	1 ^{er}	Le 14 janvier 2022 à 14 h 41 et à 14 h 52	Missile balistique à courte portée. Il s'agirait du même type de missile balistique à courte portée KN-23 récemment mis à l'essai comme système de missiles tiré depuis une plateforme ferroviaire, le 15 septembre 2021 et le 14 janvier 2022. Il a été présenté à l'exposition de missiles « Légitime défense 2021 » le 11 octobre 2021. Le wagon semble avoir été	2	Depuis un wagon dans la région d'Uiju (partie sud-ouest du rectangle 40° 13' 10" N 124° 34' 02" E, partie nord-est 40° 13' 06" N 124° 33' 57" E), direction nord-est vers les eaux au large de la côte orientale et touchant une île inhabitée (localisation possible de la cible : 40° 38' 50" N 129° 33' 02" E)	430 ou 400	36 ou 50	– Nouveau système de missiles lancé depuis une plateforme ferroviaire, mis à l'essai le 15 septembre 2021 – Intervalle entre les tirs : 11 minutes – Vitesse maximale : Mach 6 – S'il s'agissait du KN-23, leurs trajectoires étaient comparables en termes de portée et de manœuvre aux essais antérieurs de 2019-2020, dont une manœuvre dilatoire « pull-up » décelée – Le lancement à partir d'une plateforme ferroviaire permet à la République populaire démocratique de Corée de disposer	« Exercice de tir du régiment ferroviaire de missiles mobiles » ou exercice de tir concernant l'inspection du régiment ferroviaire de missiles mobiles (Agence centrale de presse coréenne 15 janvier 2022)

<i>Nombre d'essais depuis 2019</i>	<i>N° de l'essai</i>	<i>Date et heure (locale)</i>	<i>Type présumé</i>	<i>Nombre</i>	<i>Site de lancement présumé</i>	<i>Distance parcourue présumée (en kilomètres)</i>	<i>Sommet présumé de la trajectoire (en kilomètres)</i>	<i>Observations</i>	<i>Classification de l'Agence centrale de presse coréenne</i>
			adapté d'un wagon de marchandises ^e					d'un moyen de transporter divers missiles, de les déployer rapidement et de les lancer depuis n'importe quel point de son réseau ferroviaire, soit une nouvelle option pour dissimuler et tirer ses missiles	
22 ^e	2 ^e	Le 17 janvier 2022 à 08 h 49 et à 08 h 52 ou à 08 h 50 et à 08 h 54	Missile balistique lancé par sous-marin. Il semble s'agir du même type de missile balistique à courte portée KN-24 mis à l'essai le 21 mars 2020 et qui a été présenté à l'exposition de missiles « Légitime défense 2021 » le 11 octobre 2021 – Également appelé « Hwasong-11 Na » ou « Hwasong-11 B » ^f	2	À partir d'un transporteur-érecteur-lanceur situé dans la zone de l'aéroport de Pyongyang-Sunan (localisation possible : à 39° 15' 44" N 125° 40' 34" E), direction nord-est, vers les eaux au large de la côte orientale et touchant une île inhabitée (localisation possible de la cible : 40° 38' 50" N 129° 33' 02" E)	300 ou 380	50 ou 42	– Intervalle entre les tirs : 3 ou 4 minutes – Vitesse maximale : Mach 5 – L'emplacement du tir, s'il est confirmé, est très proche de celui du tir d'essai du Hwasong-12 le 29 août 2017 (S/2019/171 et S/2019/171/Corr.1, par. 174, et annexe 84) – Le châssis du transporteur-érecteur-lanceur pourrait s'inspirer du châssis du char de combat Pokpung-ho de la République populaire démocratique de Corée (dérivé des T62 et T72, S/2020/151 et annexe 58.4.2)	« deux missiles tactiques guidés » pour confirmer la précision du système d'armes » (Agence centrale de presse coréenne, 18 janvier 2022) ^g

Source : États Membres et Groupe d'experts.

^a S/2021/777, tableau 1 et S/2020/840, tableau 1.

^b Selon un État Membre, l'emplacement pourrait être : 39° 16' 2.04" N 126° 47' 17" E. Cette évaluation des coordonnées est légèrement différente de l'analyse faite par le Groupe d'experts de la vidéo de l'Agence centrale de presse coréenne, qui donne une idée de la longueur du tunnel et de la courbure ferroviaire.

^c « Le Régiment ferroviaire des missiles mobiles a participé à la manœuvre, sa mission étant de se rendre vers la zone montagneuse centrale et de frapper une cible à 800 kilomètres de distance, le matin du 15 septembre » (Voix de la Corée, Agence centrale de presse coréenne, 19 septembre 2021).

^d Rodong Sinmun/Académie des sciences de la défense nationale, 20 octobre 2021 : « La République populaire démocratique de Corée a déclaré avoir procédé avec « succès » à un tir d'essai d'un nouveau type de missile balistique lancé par sous-marin. « Le nouveau missile... contribuera grandement à faire avancer les technologies de défense de notre pays et les capacités opérationnelles sous-marines de la marine ». Agence centrale de presse coréenne, 20 octobre : « L'Académie nationale des sciences de la défense a procédé à un tir d'essai à partir du « 8.24 Yongung », où son premier tir de missile balistique lancé par sous-marin avait été effectué avec succès il y a cinq ans, pour démontrer la puissance militaire de la République populaire démocratique de Corée ». « Elle a précisé que le nouveau type de missile balistique lancé par sous-marin, qui associait de nombreuses technologies avancées de guidage et de contrôle, y compris la mobilité de flanc et la mobilité de saut en plané, contribuera grandement à placer la technologie de défense du pays à un rang élevé et à améliorer la capacité opérationnelle sous-marine de notre marine ».

^e Voir annexe 21.

^f NK News, « North Korea says it successfully launched "tactical guided missiles" on Monday », 18 janvier 2022.

^g Agence centrale de presse coréenne, « The Academy of Defence Science confirmed the accuracy, security and efficiency of the operation of the weapon system under production », 18 janvier 2022.

Achat d'articles indispensables liés à des armes de destruction massive illicites

O Yong Ho

26. Selon un État Membre, O Yong Ho²⁷, actuellement posté à Moscou en qualité de diplomate de la République populaire démocratique de Corée²⁸, est impliqué dans l'achat d'articles relatifs au programme de missiles balistiques de la République populaire démocratique de Corée, par la voie de son soutien à la Deuxième Académie des sciences naturelles, qui est visée par les sanctions de l'ONU (encore appelée « Académie des sciences de la défense nationale »)²⁹.

27. Selon l'État Membre, de 2016 à 2020, malgré les mesures qu'aurait prises la Fédération de Russie pour « perturber » des tentatives d'achat similaires, O a cherché, voire réussi à acheter de la fibre d'aramide (Kevlar), du matériel, dont des bobineuses servant à produire de la fibre d'aramide russe, une version russe d'un embout de filage, quatre produits chimiques précis, de l'acier inoxydable utilisé dans la production de missiles balistiques à propergol liquide, des aciers spécifiques utilisés dans la fabrication de la coque des sous-marins lance-missile balistique de la République populaire démocratique de Corée, des paliers, des compétences techniques et des instructions relatives à la production de propergol solide ainsi que des plans de conception assistée par ordinateur d'un missile de croisière et des presses isostatiques à chaud et à froid. Pour quelques-unes de ces opérations, O a employé des termes voilés (voir annexe 28 pour des détails sur les activités d'achat d'O et ses contacts).

28. En réponse à l'enquête du Groupe d'experts, la Fédération de Russie a répondu que « les autorités russes n'avaient pas d'information sur l'implication (d'O Yong Ho) dans des opérations illégales... Les autorités douanières russes n'ont pas d'informations au sujet de contrats commerciaux à l'étranger qui auraient été signés par les personnes citées dans la lettre ou d'exportations depuis la Russie vers la Corée du Nord d'articles frappés par des sanctions internationales, cités dans la lettre » (voir annexes 28 et 29).

Kim Jong Dok

29. Le Groupe d'experts a poursuivi son enquête³⁰ sur d'autres activités d'achat, qui pourraient être relatives aux programmes nucléaire et de missiles balistiques de la République populaire démocratique de Corée. Il a indiqué que Korea Machinery General Trading, représenté par Kim Jong Dok, plaçait régulièrement des commandes liées à des matières industrielles sensibles, dont de l'acier inoxydable 1Cr18Ni9Ti³¹. Selon un État Membre, Kim Jong Dok a placé ces commandes auprès de Dandong Jongsan Trading³² établi à Dandong (Chine) par l'intermédiaire de son principal

²⁷ Date de naissance : 25 décembre 1961, numéro de passeport diplomatique 108410041 (délivré le 13 octobre 2018, venant à échéance 13 octobre 2023).

²⁸ Selon un État Membre, O est un employé du bureau du conseiller commercial de l'ambassade de la République populaire démocratique de Corée à Moscou, chargé de l'achat de biens liés à la production civile et de biens de consommation dans le pays. Les autorités russes n'ont pas d'information sur son implication dans des opérations illégales.

²⁹ Font l'objet de deux entrées distinctes sur la liste des sanctions du Comité, en tant que KPe.018 et KPe.021, respectivement.

³⁰ [S/2021/777](#), par. 22 et annexe 27.

³¹ Il est mentionné, dans une notice conjointe publiée par le Gouvernement des États-Unis d'Amérique sur les tentatives faites par la République populaire démocratique de Corée d'acheter de la technologie et du matériel sensibles, que les alliages d'acier contenant du titane sont probablement des importations destinées aux programmes de missiles balistiques de la République populaire démocratique de Corée, dont l'alliage 1Cr18Ni9Ti ferait explicitement partie. Voir https://home.treasury.gov/system/files/126/20200901_nk_ballistic_missile_advisory.pdf.

³² 丹东鼎山贸易有限公司.

contact, Jon Gon Hua³³. Plusieurs sociétés chinoises auraient été impliquées, dont Zibo Stirling Mechanical Equipment Co. Ltd. et Shandong Jinjian Heavy Mining Equipment Co. Ltd. Les sociétés n'ont pas encore répondu au Groupe d'experts (voir annexe 30).

Rim Ryong Nam

30. Bon nombre d'États Membres ont fourni au Groupe d'experts des informations selon lesquelles un individu établi à Shenyang (Chine), Rim Ryong Nam³⁴, avait fait office de représentant des achats au Département de l'industrie des munitions de la République populaire démocratique de Corée (KPe.028). Non seulement il avait cherché à acheter des articles dont on sait qu'ils avaient servi à la fabrication de propergol solide en 2018, mais il était parvenu à acheter et à acheminer plusieurs tonnes de poudre d'aluminium au Département de l'industrie des roquettes de la République populaire démocratique de Corée. Quelques entreprises chinoises semblent avoir été impliquées, dont Shandong Zhangqiu Metallic Pigment Co. Ltd.³⁵ et Shenyang Jingchengjin Import & Export Co. Ltd. (voir annexe 30).

31. La Chine a répondu qu'elle avait « mené une enquête minutieuse sur la base des informations communiquées par le Groupe d'experts et n'avait pas découvert de transactions relatives à de la poudre d'aluminium auxquelles aurait procédé Rim Ryong Nam en Chine. Elle n'aurait pas non plus trouvé d'informations sur une société qui serait enregistrée au nom de cette personne. Rim ne se trouve actuellement pas sur le sol chinois ». Aucune réponse n'a encore été communiquée par les sociétés.

Recommandation

32. **Le Groupe d'experts recommande la désignation de l'individu suivant pour le rôle qu'il a joué et l'appui qu'il a fourni concernant le programme interdit de la République populaire démocratique de Corée : M. O Yong Ho³⁶, posté actuellement à Moscou en qualité de diplomate de la République populaire démocratique de Corée, a participé à l'achat d'articles dans le cadre du programme de missiles balistiques de la République populaire démocratique de Corée par la voie de l'appui qu'il a apporté à la Deuxième Académie des sciences naturelles, désignée par l'ONU (encore appelée « Académie des sciences de la défense nationale »).**

III. Sanctions sectorielles et maritimes

Produits pétroliers raffinés

33. Dans son précédent rapport³⁷, le Groupe d'experts avait noté des niveaux très faibles de livraisons de produits pétroliers raffinés (licites ou illicites) à la République populaire démocratique de Corée au premier semestre de 2021. Dans les déclarations officielles faites au Comité, les livraisons de pétrole à la République populaire démocratique de Corée sont demeurées à des niveaux historiquement bas tout au long

³³ Jon Gon Hua est probablement un ressortissant de la République populaire démocratique de Corée et Dandong Jongsan une société écran de Korea Machinery General Trading cherchant à acheter du matériel sensible en Chine. Il serait l'un des directeurs de la société, tout comme Li Faming.

³⁴ Rim est un ressortissant de la République populaire démocratique de Corée (date de naissance : 5 décembre 1978). Les informations obtenues laissent entendre qu'il est directement impliqué dans une société dénommée China Yantai Panocean Shipping Agency Co. Ltd. (烟台泛洋船务代理有限公司).

³⁵ 章丘市金属颜料有限公司铝粉厂.

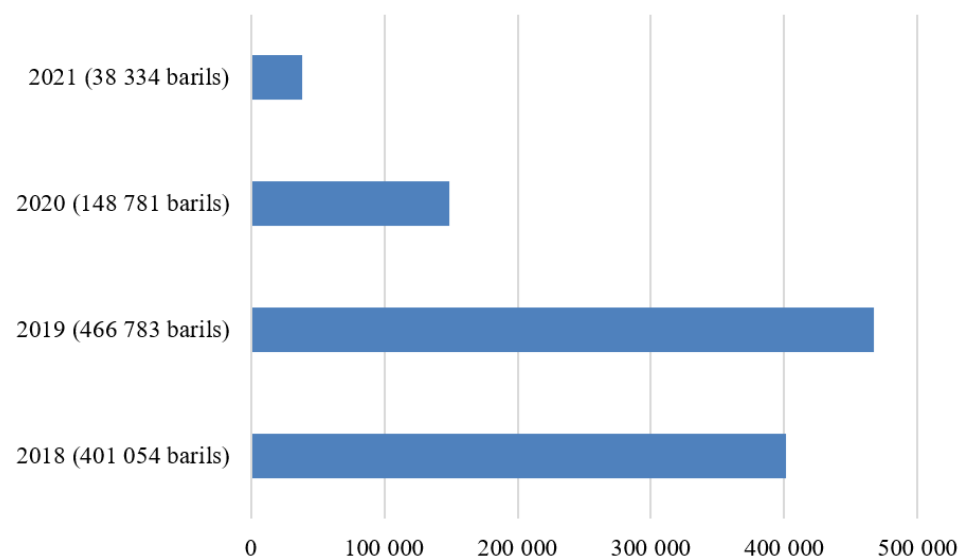
³⁶ Un expert a estimé qu'il fallait davantage d'informations en vue d'une inscription sur la liste.

³⁷ S/2021/777, par. 25 et 26.

de l'année (aucune livraison n'a été déclarée par la Fédération de Russie) et ne constituaient que 7,67 % du volume maximum annuel autorisé de 500 000 barils^{38, 39} (voir fig. XV).

Figure XV

Livraisons de pétrole raffiné à la République populaire démocratique de Corée déclarées au Comité par la Fédération de Russie et la Chine, 2018-2021



Source : www.un.org/securitycouncil/fr/sanctions/1718/supply-sale-or-transfer-of-all-refined-petroleum) et le Groupe d'experts.

34. En décembre 2021, 50 États Membres ont présenté au Comité un rapport (voir annexe 31) indiquant que le plafond fixé pour les produits pétroliers raffinés avait été dépassé au second semestre de 2021. Il comportait des photographies de 18 cargaisons non signalées de produits pétroliers raffinés à bord de navires-citernes de la République populaire démocratique de Corée se rendant durant cette période dans les ports de ce pays. On estime que s'ils avaient été chargés à 90 %, ils auraient livré 323 865 barils d'importations illicites. Par ailleurs, 11 photographies de navires battant pavillon de la République populaire démocratique de Corée, attendant de décharger leur cargaison au 30 septembre 2021, auraient constitué 202 102 barils supplémentaires, s'ils avaient été chargés à 90 %. Ensemble, ces volumes auraient représenté 525 967 barils d'importations illicites, soit une violation du plafond imposé. Deux membres du Comité ont exprimé leur désaccord quant aux conclusions du rapport (voir annexe 32), citant l'absence de preuves solides et des faits insuffisants, en particulier au sujet de la méthode de livraison (transferts entre navires dans la zone économique exclusive de la République populaire démocratique de Corée) et la quantité de pétrole raffiné qu'aurait transportée chaque navire.

35. Cherchant à identifier les navires qui avaient servi à transporter officiellement les cargaisons déclarées de produits pétroliers raffinés, le Groupe d'experts a écrit à la Chine pour demander les noms des propriétaires et des exploitants des navires ayant

³⁸ Les déclarations de zéro livraison de produits pétroliers raffinés ne sont pas requises aux termes de la résolution 2397 (2017) et, dans le passé, la Chine n'a pas déclaré, contrairement à la Fédération de Russie qui a continué de le faire tout au long de 2021, « zéro livraison mensuelle » lorsqu'aucune livraison n'avait été effectuée.

³⁹ Résolution 2397 (2017) du Conseil de sécurité, par. 5.

participé aux livraisons licites, ainsi que des détails sur les ports et les dates de chargement et de livraison⁴⁰. La Chine a répondu :

Après l'adoption par le Conseil de sécurité de la résolution 2397 (2017), la partie chinoise a publié immédiatement des notifications, fixant des réglementations sur l'exportation de produits pétroliers raffinés à la République populaire démocratique de Corée et veillant à ce que les activités d'entreprises et d'individus chinois soient conformes à ces résolutions. Elle a notifié le Comité du volume d'exportations de produits pétroliers raffinés à la République populaire démocratique de Corée. La grande majorité consistait en produits tels que l'huile de graissage et l'asphalte et non en combustibles comme le pétrole, le diesel et le kérosène. Le volume total a toujours été maintenu à un niveau extrêmement faible.

36. Le Groupe d'experts surveille constamment les importations de produits pétroliers raffinés de la République populaire démocratique de Corée en contravention du régime des sanctions (voir par. 38 à 41). Il serait d'une certaine façon logique que des navires de la République populaire démocratique de Corée maximisent les livraisons illicites pour rattraper le temps passé en quarantaine, au large. Le Groupe d'experts estime néanmoins qu'un chiffre moyen de chargement de 90 % pour chaque navire pourrait être élevé. Il note cependant que dans leur rapport, les 50 États Membres n'avaient mesuré les livraisons que jusqu'à la fin du mois de septembre 2021⁴¹.

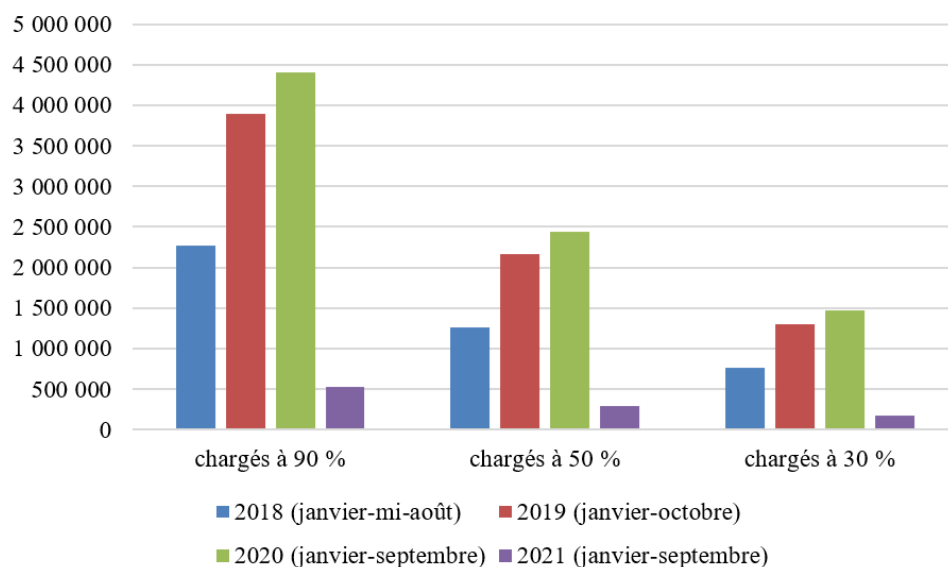
37. Le Groupe d'experts note que les estimations de cargaisons illicites dans le rapport des 50 États Membres étaient à un niveau extrêmement faible en 2021 comparées à des estimations semblables faites par des groupes d'États Membres lors d'années antérieures (voir fig. XVI).

⁴⁰ Au paragraphe 5 a) de sa résolution 2397 (2017), le Conseil de sécurité a établi le plafond de 500 000 barils, à condition que l'État Membre notifie au Comité tous les 30 jours le volume de produits pétroliers raffinés fourni, vendu ou transféré à la République populaire démocratique de Corée, ainsi que les informations concernant toutes les parties à la transaction.

⁴¹ Un groupe de réflexion a conclu séparément que le plafond avait été dépassé en septembre 2021. Voir <https://rusi.org/explore-our-research/publications/commentary/north-koreas-oil-terminals-come-back-life-imports-breach-uncsc-cap>. Il a réuni par la suite des données laissant entendre que la trajectoire des livraisons de pétrole raffiné aux ports de la République populaire démocratique de Corée s'était poursuivie jusqu'à la fin de 2021, et que le plafond aurait été dépassé pour l'année, même si les navires n'avaient été chargés qu'à 60 % environ. Ce matériel non publié continue de faire l'objet d'un examen par le Groupe d'experts.

Figure XVI⁴²

Estimations des livraisons de produits raffinés illicites à la République populaire démocratique de Corée, 2018-2021, à supposer que les navires-citernes observés par les États Membres aient été chargés à 90 %, à 50 % et à 30 % (en barils)



Source : Les États Membres et le Groupe d'experts.

Terminal pétrolier de Nampo

38. Du fait des mesures d'atténuation de la COVID-19 imposées par la République populaire démocratique de Corée, le pays a importé beaucoup moins de pétrole en 2021 comparé aux années précédentes. Depuis mars 2021, il a repris les transferts entre navires et les livraisons non signalées de pétrole raffiné vers ses ports⁴³.

39. Les importations de pétrole non déclarées se sont accélérées au second semestre de 2021. Par exemple, le *Vifine*⁴⁴ qui bat aujourd'hui pavillon de la République populaire démocratique de Corée et navigue sous le nom d'*Un Hung* (numéro Organisation maritime internationale (OMI) d'identification du navire : 9045962), a livré du pétrole à Nampo en juin et l'a fait de nouveau en septembre (voir fig. XVII). En octobre, le terminal pétrolier auxiliaire de Nampo a également été utilisé (voir fig. XVIII). D'autres livraisons de pétrole raffiné non déclarées dans divers ports de la République populaire démocratique de Corée sont citées à l'annexe 33.

⁴² S/2019/171 et S/2019/171/Corr.1, annexe 2, S/2020/151, annexe 1, et S/2021/211, fig. VIa.

⁴³ Résolution 2397 (2017) du Conseil de sécurité, par. 5.

⁴⁴ S/2020/151, par. 18 et 19 et 32.

Figure XVII
L'Un Hung à Nampo le 21 juin et le 21 septembre 2021



Source : (à gauche) Maxar Technologies, annotations du Groupe d'experts ; (à droite) État Membre.

Figure XVIII
Navires-citernes de la République populaire démocratique de Corée au terminal pétrolier auxiliaire (à gauche) et existant (à droite) de Nampo, 18 octobre 2021



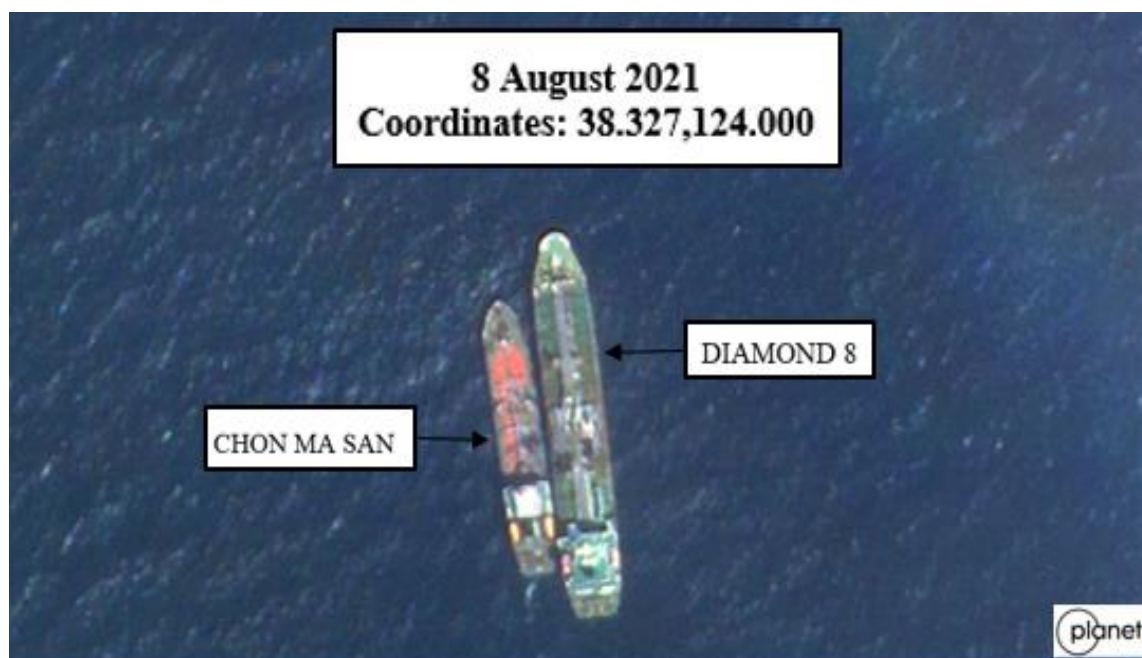
Source : Maxar Technologies, annotations du Groupe d'experts.

Baie de Corée comme zone de transferts illicites entre navires

40. La fermeture des frontières de la République populaire démocratique de Corée a modifié de bien d'autres façons les structures d'échanges maritimes du pays. Les

navires sont demeurés en quarantaine pendant de longues périodes à l'extérieur du secteur du barrage de la mer de l'Ouest et d'autres ports. Des navires-citernes de livraison directe⁴⁵ et d'autres navires-citernes ne battant pas pavillon de la République populaire démocratique de Corée ont procédé à des transferts de pétrole avec des navires de la République populaire démocratique de Corée dans la zone économique exclusive du pays et ailleurs, au lieu de les décharger dans les ports du pays comme ils le faisaient avant la pandémie. Par exemple, le *Diamond 8* (n° OMI : 9132612), qui avait fréquemment effectué des livraisons depuis 2019 dans les ports de la République populaire démocratique de Corée⁴⁶, a été observé en août 2021 dans la zone économique exclusive du pays avec le *Chon Ma San* (n° OMI : 8660313), inscrit sur la liste (voir fig. XIX). Le *Diamond 8* a été aperçu la dernière fois par le Groupe d'experts dans les eaux territoriales chinoises en mai 2021⁴⁷, transmettant des données au moyen de faux identifiants. Le *Chon Ma San* a été aperçu à l'extérieur de la porte d'écluse de Nampo à la mi-août 2021 (voir fig. XX), en attendant le déchargement de sa cargaison, et se trouvait à quai au port de Nampo le 16 septembre 2021.

Figure XIX
Le *Diamond 8* et le *Chon Ma San*, 8 août 2021



Source : Planet Labs, annotations du Groupe d'experts.

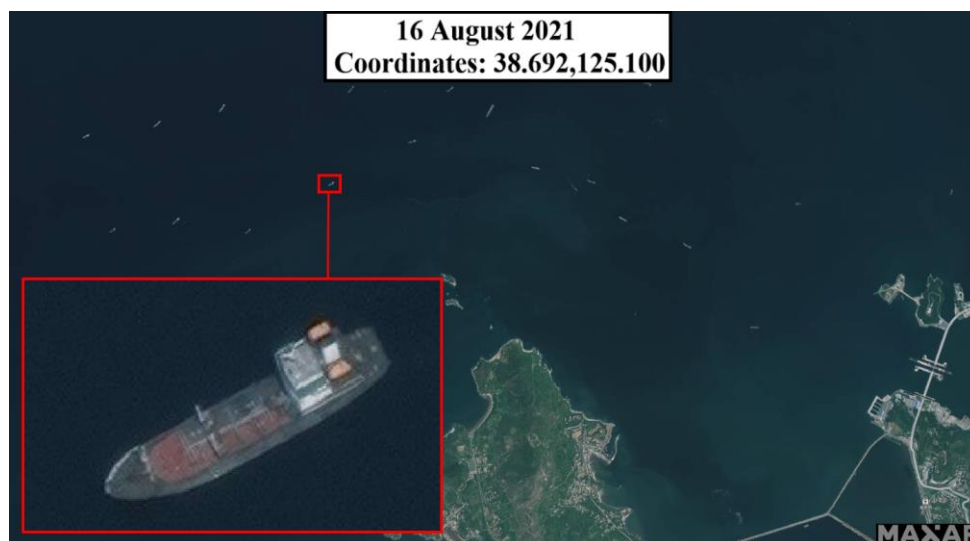
⁴⁵ Le Groupe d'experts emploie le terme « livraison directe » pour décrire des navires n'appartenant pas à la République populaire démocratique de Corée qui ont maintes fois livré du pétrole raffiné à des ports de la République populaire démocratique de Corée. Ils avaient livré des cargaisons de pétrole illicites à de multiples occasions et leur désignation avait été proposée. Voir les rapports du Groupe d'experts depuis 2020.

⁴⁶ S/2020/151, S/202/840, S/2021/211 et S/2021/777.

⁴⁷ S/2021/777, par. 44 à 47 et 50, et annexes 30a et 33a.

Figure XX

Le *Chon Ma San* et d'autres navires de la République populaire démocratique de Corée, ancrage au barrage de la mer de l'Ouest, 16 août 2021



Source : Maxar Technologies, annotations du Groupe d'experts.

41. L'exemple du *Diamond 8* n'est pas un cas isolé. En avril 2021, d'autres navires de livraisons directes ont été observés sur l'imagerie satellite dans la zone économique exclusive de la République populaire démocratique de Corée ou à proximité⁴⁸, un secteur où il faudrait établir une surveillance, en cas d'éventuels transferts illicites à l'avenir (voir fig. XXI ; voir également annexe 34)⁴⁹.

⁴⁸ Les navires apatrides *Xing Ling Yang 888* (n° Organisation maritime internationale (OMI) : 8410847), *Subblic* (n° OMI : 8126082), *Hokong* (n° OMI : 9006758), *New Konk* (n° OMI : 9036387) et *Unica* (n° OMI : 8514306), dont le Groupe d'experts avait demandé la désignation, ont été observés dans la zone économique exclusive de la République populaire démocratique de Corée et alentour, en 2021.

⁴⁹ S/2021/777, par. 57 et fig. VII.

Figure XXI
Navires liés à la République populaire démocratique de Corée
dans la baie de Corée, 24 avril 2021



Source : Maxar Technologies, annotations du Groupe d'experts.

Modes de comportement des navires suspects

42. Les navires effectuant des livraisons directes et d'autres navires suspects ont manifesté des modes de comportement analogues, du point de vue du blanchiment de leur identité, des chantiers navals visités, des eaux fréquentées et des transbordements illicites, au moyen de bateaux suspects, qui ont cherché eux-mêmes à brouiller leur identité. Ils ont souvent des liens connexes communs, par la voie de l'exploitation et de la propriété des navires⁵⁰ et de prestataires de services tiers, dont des entités de services partagés de secrétariat d'entreprise. Ces personnes et ces entités sont établies ou constituées dans des pays tiers, dont bon nombre ont une adresse physique en Asie. Le mode de comportement du navire-citerne apatride *New Konk* (n° OMI : 9036387) et des navires connexes suspects soulève la question de la diligence raisonnable et du respect des obligations. Un autre exemple est cité à l'annexe 35, celui du navire de livraisons directes *Unica* (n° OMI : 8514306).

Blanchiment de l'identité des navires

Profils numériques blanchis utilisés par des navires de livraison directe

43. Dans ses rapports antérieurs, le Groupe d'experts avait répertorié des techniques complexes et élaborées visant à fournir des identités blanchies à des navires de livraisons directes acheminant du pétrole raffiné à la République populaire démocratique de Corée ou à ses navires⁵¹. Cela présente un contraste frappant avec une forme plus simple de falsification numérique ou d'usurpation du profil du

⁵⁰ Sauf indication contraire, la propriété se réfère au propriétaire inscrit du navire auprès de l'OMI.

⁵¹ S/2021/211, par. 31 à 36 et annexe 22 et S/2021/777, par. 28 à 41 et annexes 28 et 29.

système d'identification automatique d'un navire, qui peuvent être normalement relevées dans les bases de données maritimes⁵².

44. Du fait que ces profils numériques du système d'identification automatique « abandonnés » ne sont plus rattachés à un navire physique, plus d'un navire peut les utiliser. On trouvera dans le tableau 3 la liste des identifiants « libérés » sur lesquels le Groupe d'experts a enquêté, qui ont été utilisés par des navires apatrides effectuant des livraisons directes (voir également annexe 36).

Tableau 3^a

Navires de livraisons directes, transmettant occasionnellement au moyen d'identifiants frauduleux

Nom	N° OMI	Transmettant en tant que :	Identité du service mobile maritime	Dernier contrôle effectué par l'État du port
<i>New Konk</i>	9036387	<i>M0uson</i> <i>F. Lonline</i>	511444000 312162000	Juillet 2018
<i>Subblic</i>	8126082	<i>Hai Zhou 168</i>	667001397	Mai 2004
<i>Unica</i> ^b	8514306	<i>Liton</i> <i>Haishun 2</i>	457106000 457400047	Absence de données

Source : Le Groupe d'experts.

^a Le tableau n'est pas exhaustif et représente ce qui a été présenté dans les rapports du Groupe d'experts.

^b Voir annexe 37.

Le New Konk en tant que F. Lonline

45. Le Groupe d'experts avait signalé que le *New Konk* était un navire-citerne d'alimentation, qui avait procédé à un transfert avec le *Vifine* [également appelé *Un Hung*, battant pavillon de la République populaire démocratique de Corée (n° OMI : 9045962)]⁵³ et que ce dernier avait ensuite livré du pétrole raffiné à la République populaire démocratique de Corée. Le Groupe d'experts avait recensé sur le plan de la propriété et de l'exploitation partagées des deux navires, qui avaient un registre de commerce commun⁵⁴, des associations indiquant des entités analogues, liées à des activités de contournement des sanctions (voir annexe 38). Le *New Konk* lui-même avait commencé à livrer des cargaisons illicites directement à Nampo, de manière répétée⁵⁵, ce qui avait amené le Groupe d'experts à demander sa désignation. Pour poursuivre ses livraisons illicites, le navire avait par la suite adopté divers identifiants blanchis, naviguant parfois en 2020 sous le nom de *M0uson*⁵⁶ et plus récemment celui de *F. Lonline* (voir par. 59 à 63).

46. Les enquêtes en cours sur le *F. Lonline* révèlent un autre cas de blanchiment complexe d'identité de navire, impliquant l'ancien *Smooth Sea 3* battant pavillon thaïlandais (n° OMI : 8303616), qui avait entraîné la création d'une identité

⁵² Dans le fond, falsifier et blanchir l'identité d'un navire ne sont pas des techniques équivalentes, la dernière nécessitant des degrés considérables de complexité, d'efforts et de coordination pour créer des identités fictives afin de conserver un profil propre concernant un « navire sale ». Voir Andrew Boling *et al.*, *Unmasked: Vessel Identity Laundering and North-Korea's Maritime Sanctions Evasion* (C4ADS, 2021).

⁵³ S/2020/151, par. 18, 32 et annexe 8.

⁵⁴ Ibid., par. 10 à 27 et 32.

⁵⁵ S/2020/840, par. 27 et 28.

⁵⁶ S/2021/211, par. 3 à 36 et annexe 22.

numérique frauduleuse, le *F. Lonline*, à laquelle recouraient des navires suspects tels que le *New Konk*. Ce cas de blanchiment d'identité concernait les mêmes entités et chantiers navals que ceux sur lesquels avait enquêté le Groupe d'experts, du fait du blanchiment d'identités (voir annexe 39a pour plus de détails).

Utilisation de chantiers navals pour faciliter les activités de contournement des sanctions

47. Pour mieux dissimuler son identité, qui avait déjà été blanchie, le *New Konk* a été observé à quai, au premier semestre de 2021, dans un chantier naval appartenant à Fujian Yihe Shipbuilding Industry Co. Ltd./福建省易和船舶重工有限责任公司 (voir fig. XXII), en train d'être repeint d'une couleur différente.

Figure XXII

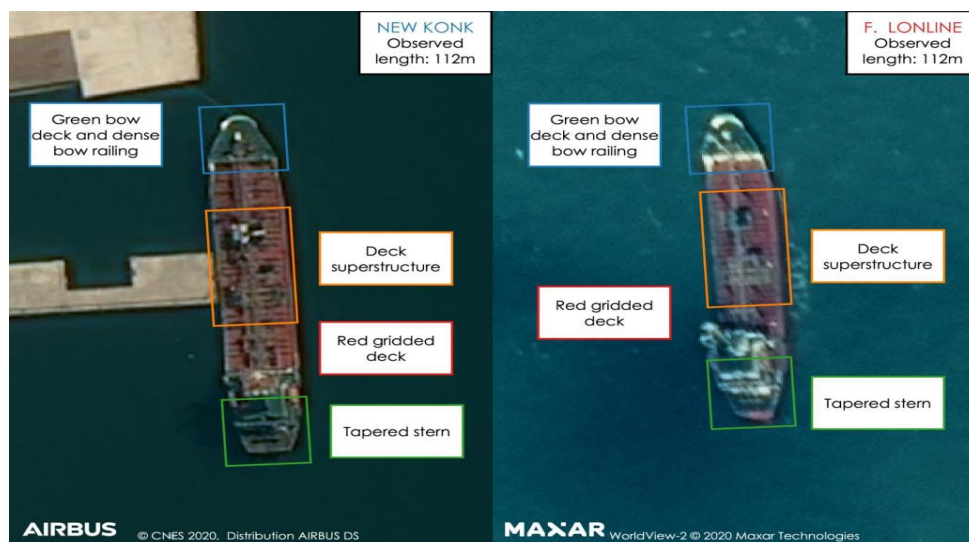
Le *New Konk* en tant que *F. Lonline*, en train d'être repeint à Fujian Yihe, mars-avril 2021



Source : C4ADS, Planet Labs et Airbus DS.

48. Une analyse visuelle du *New Konk* et du *F. Lonline* qui battrait pavillon bélizien (identité dans le service mobile maritime : 312162000) montre qu'il s'agit du même navire (voir fig. XXIII). Cette mesure permet au *New Konk* de continuer de naviguer, de commercer et de violer les sanctions et d'en faciliter ainsi le contournement.

Figure XXIII
Comparaison entre le *New Konk* et le *F. Lonline*, 2020



Source : Un État Membre.

49. Il s'est avéré que des navires de livraisons directes et d'autres navires suspects utilisaient trois chantiers navals le long du fleuve Baima dans la province du Fujian (Chine) pour des réparations et des réaménagements remontant à plusieurs années⁵⁷. Ces chantiers navals sont situés près de la baie de Sansha et de l'île de Dongyin où ces navires s'attardent régulièrement⁵⁸.

50. En 2021, le *New Konk* est retourné dans les chantiers navals le long du Baima avant de reprendre le large, pour effectuer des transbordements avec des navires-citernes de la République populaire démocratique de Corée. Les enquêtes se poursuivent. D'autres navires sur lesquels enquête le Groupe d'experts qui se sont arrêtés également à Fujian Yihe comprennent l'*Unica*, le *Hui Hong 916* (n° OMI : 9058866), le *M0uson 328* (n° OMI : 9021198) et le *Hai Zhou 168* (n° OMI : 8514045) (voir annexe 39b).

51. Le Groupe d'experts a écrit aux États Membres concernés, aux chantiers navals, aux entités et aux individus qui détenaient ou exploitaient les navires ou étaient associés à une action de facilitation. Fujian Yihe n'a pas encore répondu. On trouvera aux annexes 39a et 39b un complément d'information sur ces cas et les réponses fournies.

Transferts entre navires

Le New Konk et le Kum Kin Gang 3

52. Le *New Konk* a quitté Fujian Yihe au 3 août 2021, transmettant le numéro d'identité du service mobile maritime 312162000 du *F. Lonline* battant pavillon bélizien, suspecté d'être frauduleux. Il était stationné à la mi-août dans la zone de la baie de Sansha (Chine), un lieu fréquenté par d'autres navires de livraisons directes. Il a transmis pour la dernière fois un signal du système d'identification automatique

⁵⁷ Beaucoup de navires de livraisons directes faisant l'objet d'une enquête par le Groupe d'experts ont été acquis et transférés à d'éventuels réseaux de sociétés écrans avant de faire une escale dans un chantier naval précis, le long du Baima, et de passer en contrebande du pétrole raffiné à la République populaire démocratique de Corée.

⁵⁸ S/2021/777, par. 50 et annexe 33a.

le 21 août 2021. Près d'un mois plus tard, il a procédé à un transfert entre navires dans la baie de Corée avec le *Kum Jin Gang 3* (n° OMI : 8791667) battant pavillon de la République populaire démocratique de Corée (voir fig. XXIV).

Figure XXIV

Le *New Konk* et le *Kum Jin Gang 3* dans la baie de Corée, 23 septembre 2021



Source : Un État Membre.

Le New Konk et le Hai Jun

53. Le *New Konk* a obtenu sa cargaison de pétrole d'autres navires-citernes. La surveillance du système d'identification automatique et l'imagerie satellite ont indiqué qu'avant les travaux de rénovation effectués à Fujian Yihe, le *New Konk* avait procédé à un transfert entre navires suspect, depuis le *Hai Jun* (n° OMI : 9054896)⁵⁹ battant à l'époque pavillon des Îles Cook dans les eaux au sud-est de Kaohsiung (province chinoise de Taiwan), autour du 19 juin 2020 (voir fig. XXV). Ce lieu est associé à des transferts de pétrole entre navires pour le compte de la République populaire démocratique de Corée⁶⁰. Le *New Konk* a été enregistré par la suite au port de Songnim (République populaire démocratique de Corée) le 2 juillet 2020, en train de livrer du pétrole raffiné⁶¹. Au moment du transfert suspecté, il émettait au moyen de l'identité du *Mouson*, connue pour être frauduleuse.

⁵⁹ Radié des registres d'immatriculation par les Îles Cook le 1^{er} décembre 2021 en raison de la vente du navire.

⁶⁰ S/2021/777, par. 57 et fig. VIII.

⁶¹ S/2021/211, annexe 27.

Figure XXV
Le *Hai Jun* et le *New Konk* (transmettant en tant que *M0uson*), 19 juin 2020



Source : Airbus DS, annotations du Groupe d'experts.

Le Hai Jun, l'Unica et le Sky Venus

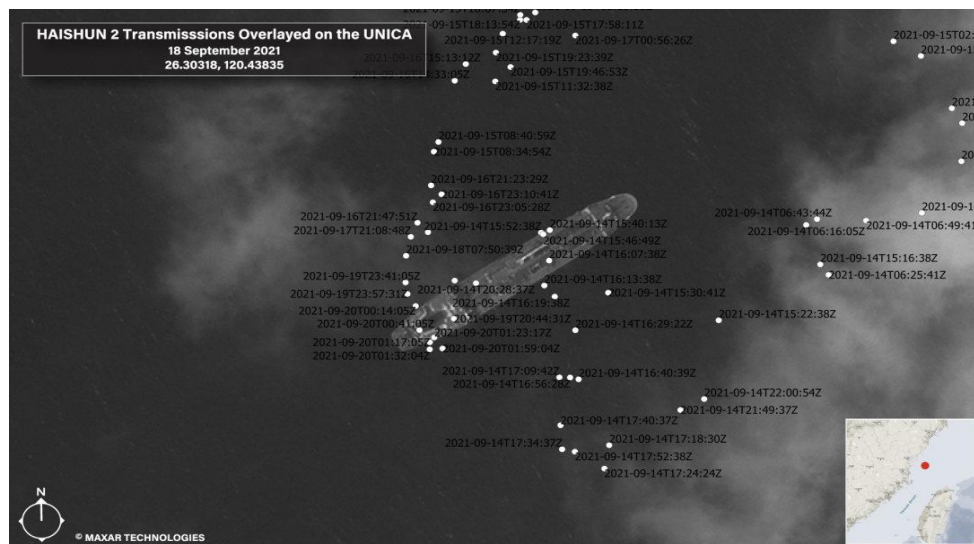
54. La rencontre avec le *New Konk* n'était pas le seul transfert suspect entre navires effectué par le *Hai Jun*. La surveillance par le Groupe d'experts de l'activité de ce navire⁶² depuis 2020 a indiqué qu'il avait également rencontré l'*Unica* à plusieurs occasions alors que ce dernier transmettait des identités du service mobile maritime associées à la Mongolie, appartenant au *Liton* (n° OMI : 8346395) et au *Haishun 2* (voir fig. XXVI et annexe 37).

55. Les données de surveillance maritime ont également montré que le *Hai Jun* avait croisé le *Sky Venus* battant pavillon palaosien (n° OMI : 9168257) de façon répétée en 2021 (voir fig. XXVII). Le *Sky Venus* fait l'objet d'une enquête par le Groupe d'experts au motif de transferts multiples entre navires de pétrole raffiné, destiné à la République populaire démocratique de Corée (voir également par. 64 à 73).

⁶² Sur la base des transmissions du système d'identification automatique.

Figure XXVI

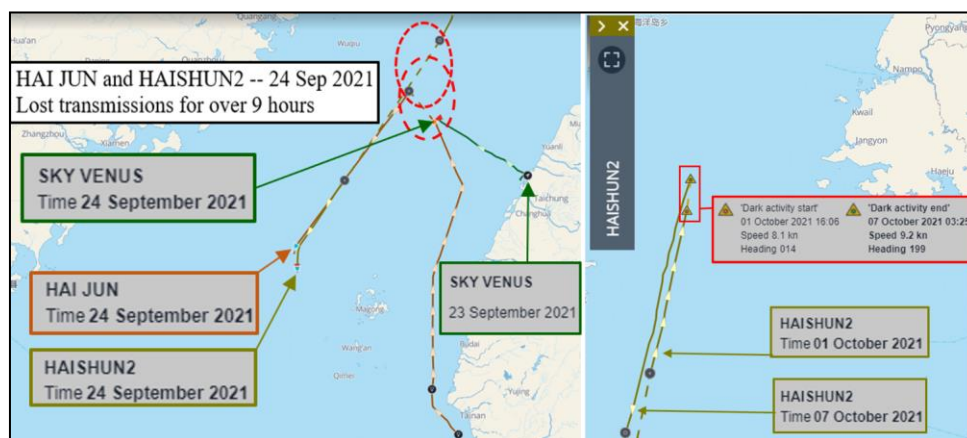
L'Unica transmettant en tant que *Haishun 2*, île de Dongyin, 18 septembre 2021



Source : Un État Membre.

Figure XXVII

Le *Sky Venus*, le *Hai Jun* et l'*Unica* (en tant que *Haishun 2*), les 23 et 24 septembre 2021 (à gauche) et l'*Unica* près de la zone économique exclusive de la République populaire démocratique de Corée, du 1^{er} au 7 octobre 2021 (à droite)



Source : Windward, annotations du Groupe d'experts.

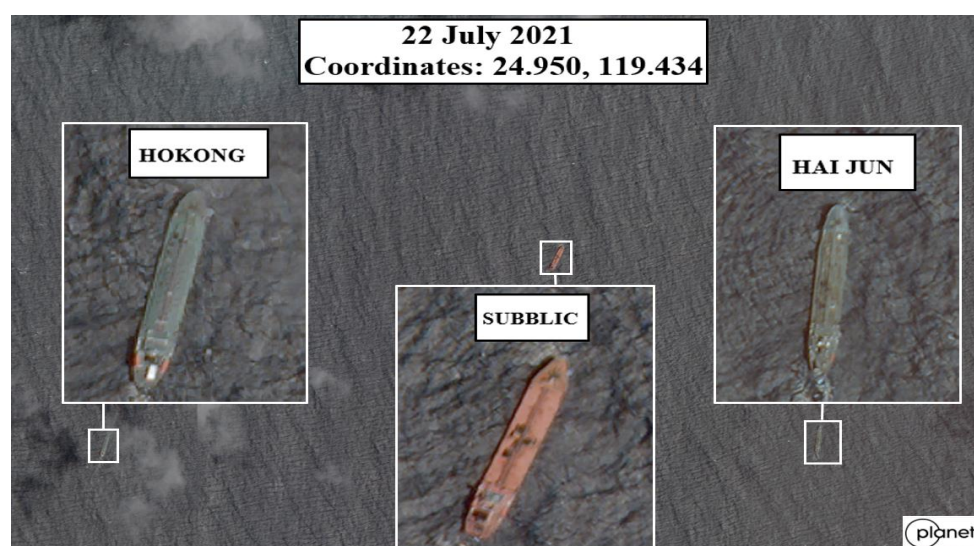
56. Le *Hai Jun* a été observé dans les eaux de la baie de Sansha et des îles de Dongyin et de Wuqiu (voir fig. XXVIII) qui avaient été fréquentées par d'autres navires de livraisons directes et des navires suspects (voir annexes 40 et 41). Le *Hai Jun* est également soupçonné d'avoir procédé à d'autres transferts avec des navires de livraisons directes, transmettant sous des identifiants frauduleux en 2021. Des enquêtes sont en cours.

57. Le Groupe d'experts a écrit aux États Membres concernés et aux entités impliquées. Les Îles Cook ont confirmé que le navire avait été radié de leur registre

maritime le 1^{er} décembre 2021 au motif de la vente du navire⁶³. La Mongolie n'a pas encore répondu. Ruicheng (HK) Shipping Co. Ltd., le propriétaire déclaré du navire, a répondu par la voie du registre maritime que le *Hai Jun* « n'avait participé à aucune opération ou activité illégale avec des navires liés à la République populaire démocratique de Corée ». Il a également déclaré : « afin d'économiser sur les frais de fonctionnement, le navire cesse souvent de fournir de l'énergie en dehors des périodes d'opération ». Le Groupe d'experts note que les transmissions ont été interrompues durant les périodes suspectes faisant l'objet d'une enquête, notamment en eau libre. De plus, depuis le 4 décembre 2020, l'assurance du navire n'a pas été renouvelée, tandis que d'autres certifications étaient en souffrance. Pour plus de détails, se reporter aux annexes 42a à e.

Figure XXVIII

Le *Hai Jun* et les navires de livraisons directes près de l'île de Wuqiu, 22 juillet 2021



Source : Planet Labs, annotations du Groupe d'experts.

Note : Le *Hokong* a été démoli (voir annexe 43).

Falsification physique de l'identité du navire

58. Le *New Konk* n'était pas le seul navire suspect à avoir cherché à dissimuler son identité. Le *Hai Jun* a également été photographié employant de tels subterfuges et recourant à des identifiants amovibles, ce qui est contraire à la réglementation de l'OMI (voir fig. XXIX). On trouvera aux annexes 44 et 45a et b respectivement des détails sur des méthodes de contournement qui avaient été précédemment répertoriées par le Groupe d'experts et sur des navires-citernes de la République populaire démocratique de Corée brouillant leurs identités.

⁶³ Battant actuellement pavillon togolais, Ruicheng Shipping étant porteur d'une attestation de conformité depuis décembre 2020. IHS Markit.

Figure XXIX
Photographie du *Hai Jun*, mer de Chine orientale, 3 octobre 2020



Source : Un État Membre, annotations du Groupe d'experts.

Facilitateurs

Le New Konk

59. La République populaire démocratique de Corée recourt à des personnes ou à des entités tierces pour permettre aux navires suspects de mener son commerce illicite. Le *New Konk* utilisait l'identité blanchie du *F. Lonline*, lorsqu'il a quitté le fleuve Baima dans le Fujian (Chine) en août 2021. D'après les enquêtes en cours, l'identité du *Smooth Sea 3*, qui battait auparavant pavillon thaïlandais, avait été blanchie, ce qui a entraîné la création d'une identité qui serait frauduleuse, celle du *F. Lonline*. Le navire nouvellement construit, le *Smooth Sea 30* (n° OMI : 9892262) battant pavillon thaïlandais est suspecté d'être l'ancien *Smooth Sea 3*.

60. L'histoire de l'exploitation et de la propriété du *F. Lonline* est liée à celle d'autres navires sur lesquels avait enquêté le Groupe d'experts, du fait qu'ils avaient eux aussi blanchi leur identité. Tout en étant actuellement déclaré comme appartenant à la Brilliant Trade International, constituée en société à Hong Kong et exploitée par celle-ci depuis octobre 2019⁶⁴, le *F. Lonline* appartenait à Smooth Sea Co. Ltd. et était exploité par lui, naviguant sous le nom de *Smooth Sea 3* de juin 2004 à juin 2019 avant d'être transféré à la Rui He HK Marine Co. Ltd.⁶⁵ pour naviguer sous un nom et un pavillon différents. Le navire a été ensuite transféré un mois plus tard à Cheng Xin Shipping Ltd., battant cette fois pavillon bélizien et rebaptisé *F. Lonline* trois mois plus tard. La Cheng Xin Shipping⁶⁶ constituée en société à Hong-Kong a été associée à l'enquête du Groupe d'experts sur le *Smooth Sea 22*, menée à la suite de soupçons de blanchiment de l'identité de navire⁶⁷. Le *New Konk*, le *M0uson 328* et le

⁶⁴ Système mondial intégré de renseignements maritimes de l'OMI, à compter de janvier 2022.

⁶⁵ Rui He HK Marine Co. Ltd. détenait et exploitait l'*Unica*, un autre navire de livraisons directes, avant le transfert de la propriété à Prospera Pacific International Co. Ltd, société constituée aux Îles Vierges britanniques. Informations fournies par le Système mondial intégré de renseignements maritimes de l'OMI.

⁶⁶ Cette entité conserve normalement un navire pendant quelques mois.

⁶⁷ S/2021/777, par. 29 à 37 et annexe 28.

*Hai Zhou 168*⁶⁸ se sont tous rendus à Fujian Yihe et en sont repartis, transmettant de nouvelles identités numériques frauduleuses.

61. Le Groupe d'experts a écrit à la Thaïlande, aux registres d'immatriculation du pavillon concernés et aux entités possédant ou exploitant les navires et Fujian Yihe.

62. La Thaïlande n'a pas encore répondu. Dans une autre communication, elle a confirmé que la société Smooth Sea Co. Ltd., constituée sur son sol, avait transféré la propriété du *Smooth Sea 3* à Cheng Xin Shipping Ltd. le 18 juillet 2019. Le Groupe d'experts a continué d'assurer un suivi avec Cheng Xin Shipping. La société n'a pas encore répondu.

63. Se reporter aux annexes 46a et 46b pour plus de détails et pour les réponses communiquées par les registres d'immatriculation des pavillons et des entités.

Le Sky Venus et le Sunward

64. Le Groupe d'experts enquête sur des soupçons de contournement des sanctions, impliquant Cheng Chiun Shipping Agency Co. Ltd.⁶⁹ à Kaohsiung (Province chinoise de Taiwan). Selon les informations fournies par un État Membre, la société exploite des navires, dont le *Sky Venus* (n° OMI : 9168257) battant pavillon palaosien et le *Sunward* (n° OMI : 8920115) battant à l'époque pavillon panaméen, qui transféraient illicitement du pétrole à des navires-citernes de la République populaire démocratique de Corée. Cheng Chiun Shipping s'est servie d'une série de sociétés fictives pour faciliter les paiements liés aux transferts entre navires. Le Groupe d'experts continue d'enquêter sur d'autres affaires associées à cette société.

65. Le Groupe d'experts souligne les méthodes de contournement suivantes, utilisées pour acheter et livrer, semble-t-il, du pétrole illicite à la République populaire démocratique de Corée.

Utilisation de sociétés fictives

66. Les sociétés ayant trempé dans des transferts entre navires illicites de pétrole raffiné destiné à la République populaire démocratique de Corée se servent d'une série de sociétés fictives pour procéder à des versements relatifs à des cargaisons qui seraient destinées à ce pays. Deux de ces entreprises appartenant à Cheng Chiun Shipping, l'Ocean Energy International Corp constituée aux Seychelles, qui possède et exploite le *Sky Venus*, et le Wills International Co. Ltd. établi au Samoa qui exploite le *Sunward*⁷⁰, ont été d'autres appellations de Cheng Chiun Shipping, tout comme Everway Global Ltd.

Ravitaillement en pétrole

67. Les enquêtes sur le *Sunward*, le *Sky Venus* et divers navires suspectés de livraisons directes ont montré qu'une grande partie des produits pétroliers acheminés à la République populaire démocratique de Corée provenaient de terminaux pétroliers de toute l'Asie de l'Est et étaient livrés par l'intermédiaire de transferts entre navires. Ceux qui enfreignent les sanctions exploitent des activités de transbordements

⁶⁸ Concernant le blanchiment de l'identité du navire du *Smooth Sea 28/Hai Zhou 168/Smooth Sea 22*, la Thaïlande a communiqué au Groupe d'experts les dimensions du navire. Voir également annexe 46b.

⁶⁹ 程群船務代理有限公司.

⁷⁰ Ibid.

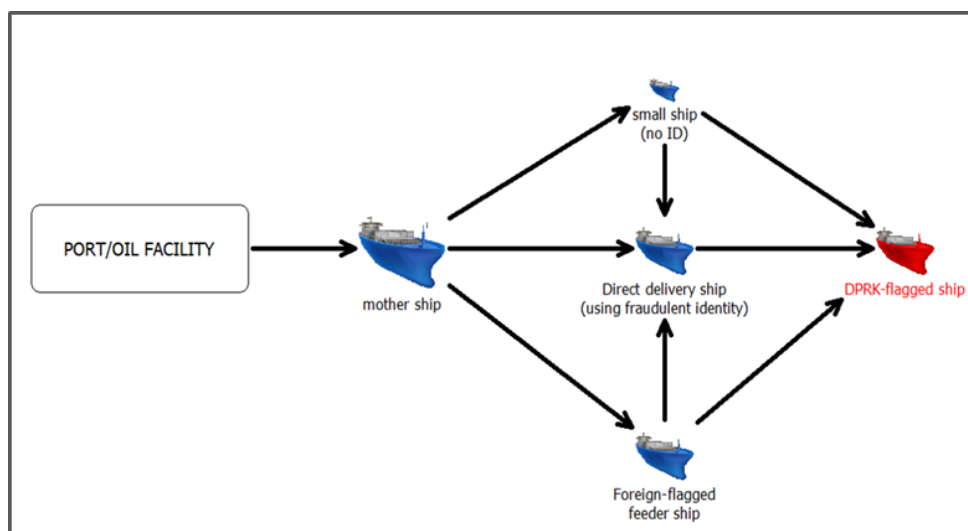
légitimes⁷¹ pour faire passer du pétrole en contrebande à la République populaire démocratique de Corée (voir annexe 47).

Transferts du pétrole en plusieurs étapes

68. Le *Sunward* et le *Sky Venus* ont servi de navires gigognes pour charger du pétrole raffiné du port de Taichung, avant de le livrer supposément à des navires-citernes de la République populaire démocratique de Corée, au moyen d'une chaîne de transferts entre navires, à des occasions répertoriées par le Groupe d'experts (voir fig. XXX). Les navires gigognes et leurs facilitateurs semblent donc, de façon trompeuse, écartés d'une ou de plusieurs étapes des transferts de pétrole aux navires suspects. Le Groupe d'experts avait signalé précédemment l'utilisation de navires plus petits, prisés par la République populaire démocratique de Corée comme navires intermédiaires pour recevoir la cargaison de pétrole, étant plus difficiles à surveiller et à recenser, ne disposant pas de numéros OMI. Ces navires transféraient à leur tour le pétrole à la République populaire démocratique de Corée ou à des navires qui lui étaient associés.

Figure XXX

Transferts de pétrole en plusieurs étapes destinés à la République populaire démocratique de Corée



Source : Le Groupe d'experts.

69. Par exemple, du 8 au 10 août 2021, le *Sky Venus* a transféré à plusieurs reprises du pétrole à des navires plus petits non identifiés⁷² pendant plusieurs jours consécutifs, tandis que ceux-ci, à leur tour, transféraient du pétrole raffiné au même navire battant pavillon de la République populaire démocratique de Corée, le *Sin Phyong 5* (n° OMI : 8865121) (voir fig. XXXI). Ce dernier a lui-même fait l'objet d'une enquête distincte du Groupe d'experts, après avoir été vendu à la République populaire démocratique de Corée⁷³.

⁷¹ La pratique franco à bord met fin à la responsabilité des transferts de cargaison du vendeur à l'acheteur lorsque la cargaison de pétrole traverse les garde-corps d'un navire à l'autre lors d'un transbordement. Voir également [S/2019/171](#), [S/2019/171/Corr.1](#), par. 11 et annexe 7.

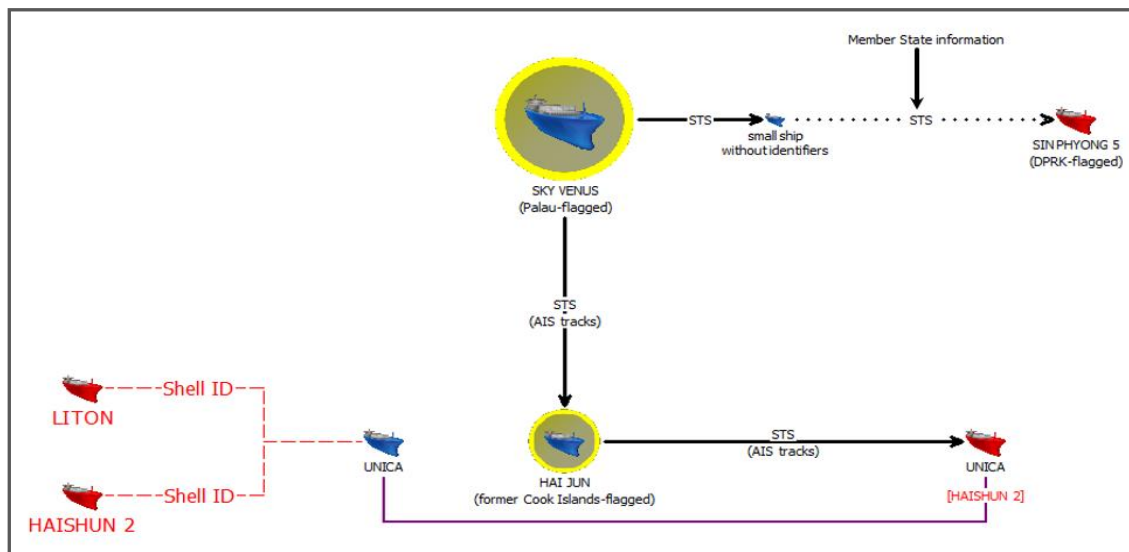
⁷² Observé par un État Membre.

⁷³ [S/2021/777](#), par. 76 à 79 et annexe 38.

70. Un État Membre a estimé que Cheng Chiun Shipping « ...était conscient des activités de contournement des sanctions et avait cherché à les dissimuler ».

Figure XXXI

Transferts illicites de pétrole raffiné



Source : Le Groupe d'experts.

71. Par l'entremise d'un cabinet d'avocats, la société Cheng Chiun Shipping Agency Co. Ltd a nié avoir « jamais transporté des produits pétroliers à des navires liés à la République populaire démocratique de Corée au moyen de [ses] pétroliers *Sunward* et *Sky Venus* » ou servi d'acheteur et d'agent maritime à des clients de gazole près de la province de Fujian (Chine). D'après elle, la seule personne à laquelle elle avait vendu du gazole durant les périodes sur lesquelles enquêtait le Groupe d'experts aurait été un certain M. Liu, qui travaillait pour une entreprise constituée à Hong Kong. Le carburant avait été transféré à des navires « de l'intérieur » et à des « bateaux de pêche », cités par M. Liu. Aucun identifiant de navire n'a été fourni, concernant la réception du gazole. Cheng Chiu Shipping a déclaré que « M. Liu envoyait toujours des navires qui portaient les signes et les numéros indiqués ». Ces navires destinataires étaient identifiés au moyen d'un « connaissance papier en yuan chinois » qu'ils présentaient, dont les numéros de série étaient comparés à ceux fournis par M. Liu.

72. Le Groupe d'experts continue d'examiner les informations fournies par la société.

73. Pour plus de détails, se reporter à l'annexe 48.

Vente consécutive des navires

74. Le Groupe d'experts a consigné plusieurs cas de navires qui ont fini par être acquis par la République populaire démocratique de Corée, laquelle n'a pas actualisé la propriété des navires ou établi l'historique de leur exploitation. Elle met à profit la pratique consistant à utiliser des courtiers et des entités tierces pour masquer sa présence lors de ces opérations. Elle recourt également à des sociétés écrans pour entraver l'examen de la vente de navires. Des rapports tardifs ou inexistants, ainsi que des adresses électroniques temporaires ou des coordonnées erronées sont des

techniques activement exploitées par ceux qui cherchent à dissimuler le contournement des sanctions.

75. Le Groupe d'experts met en relief les ventes du *Rui Hong 916* (n° OMI : 9058866) et du *Ri Hong* (n° OMI : 9162318) comme exemples. Se reporter aux annexes 49 et 50.

Acquisition de navires

Le Su Ryong San et l'Ocean Sky

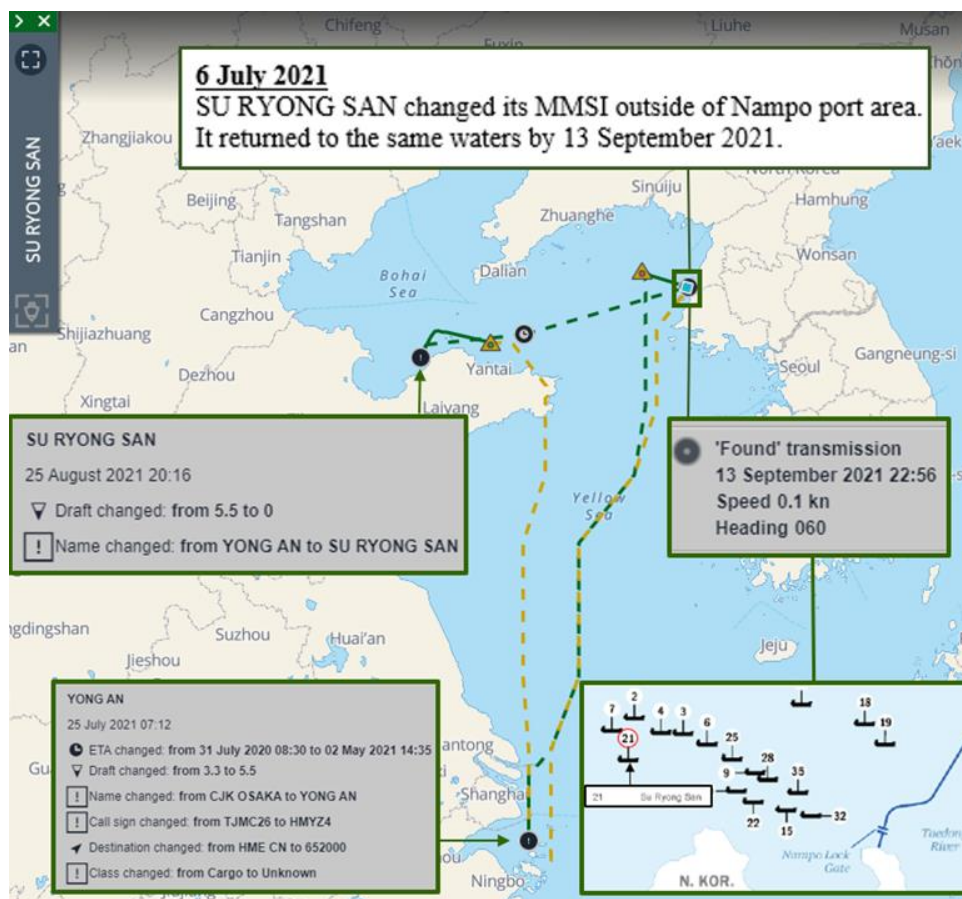
76. La République populaire démocratique de Corée a continué d'ajouter à sa flotte des navires-citernes et des bateaux destinés au transport de marchandises en contravention des résolutions du Conseil de sécurité. Le Groupe d'experts a d'abord identifié le *Su Ryong San* (n° OMI : 9016430) qui venait d'effectuer sa transition, battant pavillon de la République populaire démocratique de Corée, du fait d'anomalies dans les transmissions du système d'identification automatique (voir fig. XXXII). Le Groupe d'experts a également retrouvé la trace de la HongKong Great Fortune Development Co. Limited (香港吉運(運)發(發)展有限公司), dernier propriétaire déclaré du navire, avant qu'il ne fasse partie de la flotte de la République populaire démocratique de Corée⁷⁴. Se reporter à l'annexe 51 pour plus de détails et les réponses.

77. La société Ocean Shipping Ltd. (亞洲遠洋運輸有限公司) constituée à Hong Kong est soupçonnée par un État Membre d'avoir facilité le transfert suspect en mer du *Ocean Sky* (n° OMI : 9125308) battant pavillon sierra-léonais, à la République populaire démocratique de Corée. D'après les dossiers maritimes, le propriétaire actuel du navire est toujours Asia Ocean Shipping⁷⁵. L'*Ocean Sky*, comme d'autres navires-citernes et de bateaux destinés au transport de marchandises ayant fait l'objet d'une enquête de la part du Groupe d'experts, était passé en dernier à Shidao (Chine) avant d'arriver en République populaire démocratique de Corée. Se reporter aux annexes 52a et 52 b pour plus de détails et les réponses.

⁷⁴ Système mondial intégré de renseignements maritimes de l'OMI.

⁷⁵ Au 31 décembre 2021.

Figure XXXII
Voyage du *Su Ryong San*, juillet-septembre 2021



Source : Windward, annotations du Groupe d'experts.

Transfert des droits de pêche

78. Le Groupe d'experts poursuit son enquête sur la vente ou le transfert par la République populaire démocratique de Corée des droits de pêche, ce qui est interdit par les dispositions du paragraphe 9 de la résolution 2371 (2017) du Conseil de sécurité et précisé au paragraphe 6 de la résolution 2397 (2017) du Conseil. Selon des informations fournies par un État Membre, la vente et le transfert des droits de pêche par la République populaire démocratique de Corée en violation des résolutions se sont poursuivis en 2021. Un État Membre a répertorié au moins 428 navires qui entraient dans les eaux de la République populaire démocratique de Corée d'avril à juin 2021, dont certains étaient partis des provinces de Shandong et de Liaoning de Chine (voir annexe 53a)⁷⁶. Le Groupe d'experts a écrit à la Chine pour demander un complément d'information sur l'identification des navires, les entités associées, les ports d'attache et les activités de pêche dans les eaux de la République populaire démocratique de Corée. La Chine a répliqué que « son autorité des pêches et les provinces côtières concernées avaient pris des mesures de renforcement de l'administration de ces zones et demandé aux compagnies de pêche et aux pêcheurs de respecter strictement les dispositions des résolutions du Conseil de sécurité » (voir annexe 53b).

⁷⁶ S/2021/777, par. 82.

79. Les États Membres ont observé que le volume des navires de pêche d'un pays tiers, qui se dirigeaient vers les eaux de la République populaire démocratique de Corée, avait grandement baissé (voir tableau 4) et que la taille des zones de pêche autorisées dans les eaux de la République populaire démocratique de Corée avait été réduite en 2021 (voir annexe 53c).

Tableau 4

Nombre de navires de pêche de pays tiers observés en train de se diriger vers les eaux de la République populaire démocratique de Corée

	2017	2018	2019	2020	2021
Nombre de navires de pêche	1 711	2 611	1 882	2 389	554
Date des mouvements entrepris chaque année	2 mai	18 avril	23 avril	10 mai	21 avril

Source : État Membre.

Exportations maritimes de la République populaire démocratique de Corée

Exportations de charbon par les navires de la République populaire démocratique de Corée

80. De septembre 2020 à août 2021, un État Membre a estimé que la République populaire démocratique de Corée avait exporté quelque 552 400 tonnes de charbon sous forme d'au moins 64 cargaisons vers les eaux territoriales et les ports de Chine⁷⁷ (voir annexes 54 à 61). Elle n'a pas exporté de charbon d'octobre 2020 à janvier 2021 au vu des restrictions liées à la COVID-19 qu'elle avait imposées, qui comprenaient des périodes de mise en quarantaine importantes, concernant les navires exportant du charbon. Le Groupe d'experts a continué de surveiller les navires le long du fleuve Taean, où le charbon était chargé à des fins d'exportation. Depuis avril 2021, beaucoup de navires de la République populaire démocratique de Corée ont été observés chargés de charbon, en train de parcourir le fleuve, durant les mois qui ont suivi, dont plusieurs se sont rendus à maintes reprises vers les eaux du Ningbo-Zhoushan (voir fig. XXXIII).

⁷⁷ Deux experts estiment que cette information doit être davantage corroborée.

Figure XXXIII

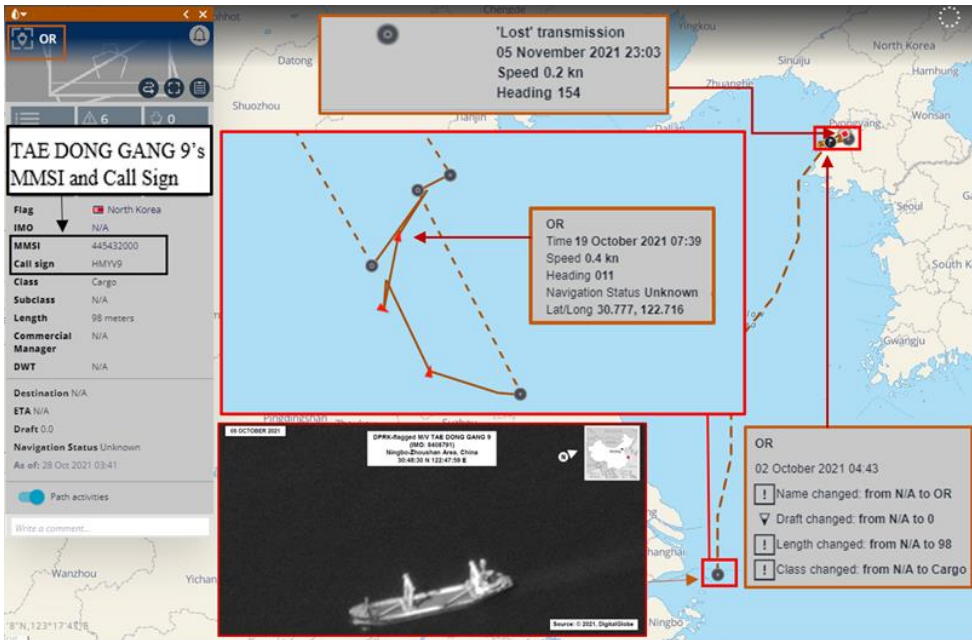
Navires le long du fleuve Taean en République populaire démocratique de Corée, avril et novembre 2021



Source : État Membre (en haut), Maxar Technologies (en bas), annotations du Groupe d'experts.

81. Par exemple, le *Tae Dong Gang 9* (n° OMI : 8408791), qui était à Taean le 4 avril 2021 (voir fig. XXXIV), était retourné le 5 novembre 2021 après avoir transité par les eaux du Ningbo-Zhoushan en octobre. Le navire a également manipulé ses identifiants, voguant en tant que « *Or* » et transmettant brièvement durant tout le voyage (voir fig. XXXIV).

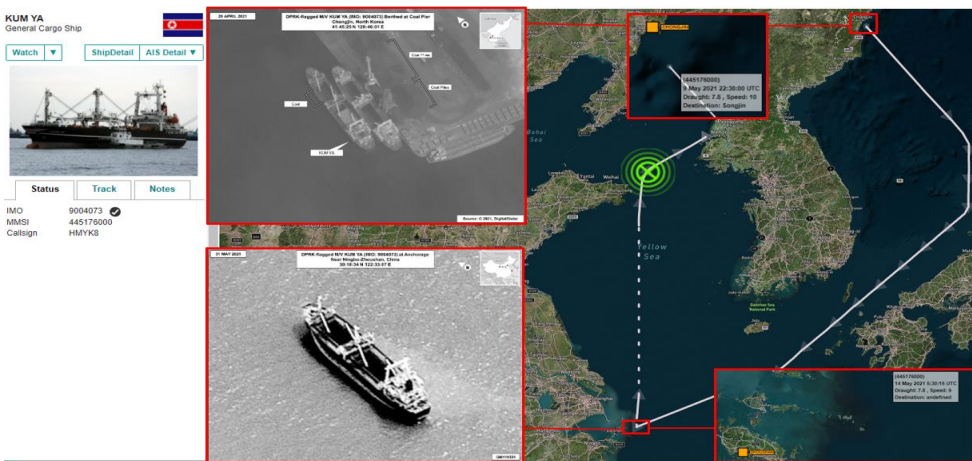
Figure XXXIV
Voyage du *Tae Dong Gang 9*, octobre-novembre 2021



Source : Windward, annotations du Groupe d'experts et État Membre (imagerie satellite).

82. Les navires de la République populaire démocratique de Corée tels que le *Kum Ya* (n° OMI : 9004073) sont également partis d'autres ports de la côte orientale de la République populaire démocratique de Corée pour exporter du charbon (voir fig. XXXV). On trouvera à l'annexe 55 d'autres exemples de charbon exporté vers les eaux du Ningbo-Zhoushan de mai à septembre 2021.

Figure XXXV
Scénarimage du *Kum Ya* exportant du charbon, avril-mai 2021



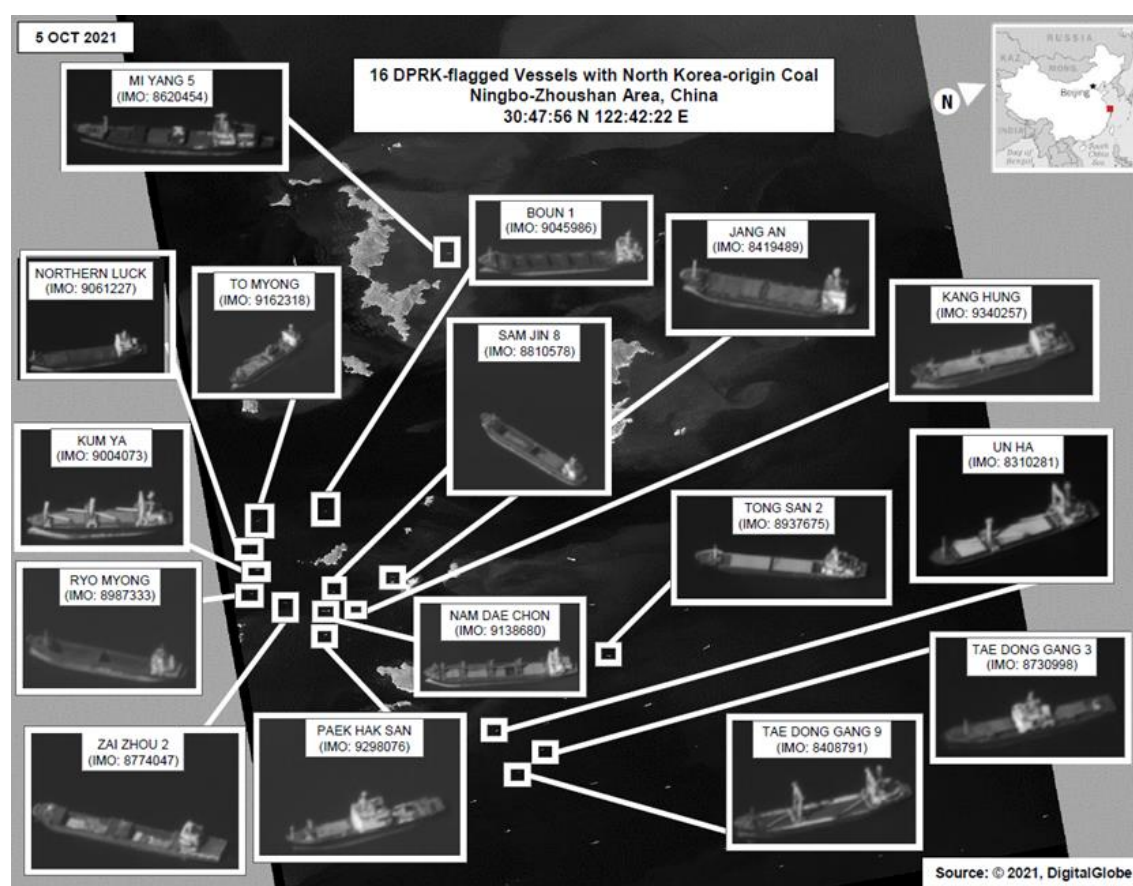
Source : IHS Markit Sea-Web, annotations du Groupe d'experts et État Membre (imagerie satellite).

83. Le Groupe d'experts a continué de demander à la Chine des renseignements concernant la présence régulière de multiples navires de la République populaire démocratique de Corée dans les eaux du Ningbo-Zhoushan (voir fig. XXXVI),

l'objectif étant d'exporter du charbon au moyen de transferts entre navires, notamment sur toute marchandise déchargée par les navires de la République populaire démocratique de Corée au moyen de transbordement dans ces eaux, ainsi que sur les identifiants des navires destinataires, les entités et personnes qui détiennent, exploitent et achètent toute marchandise de navires de la République populaire démocratique de Corée, les documents d'expédition et les opérations financières⁷⁸. Tous les navires ont été signalés par l'État Membre comme étant chargés de charbon en provenance de la République populaire démocratique de Corée. Quelques-uns d'entre eux sont restés pendant un certain temps dans le secteur de Ningbo-Zhoushan (voir annexe 56).

Figure XXXVI

Navires battant pavillon de la République populaire démocratique de Corée à Ningbo-Zhoushan (Chine), 5 octobre 2021



Source : Un État Membre.

84. Le Groupe d'experts a demandé à la Chine des renseignements sur chacun des navires de la République populaire démocratique de Corée présents dans les eaux chinoises, les identifiants utilisés à des fins de transmission, les transferts entre navires menés dans les eaux chinoises, le déchargement des cargaisons, les identités des navires destinataires, ainsi que des détails sur les propriétaires et les exploitants, les personnes ou les entités qui importaient du charbon de la République populaire

⁷⁸ Conformément au paragraphe 8 de la résolution 2371 (2017) du Conseil de sécurité, au paragraphe 11 de la résolution 2375 (2017) et aux paragraphes 9 et 20 de la résolution 2397 (2017).

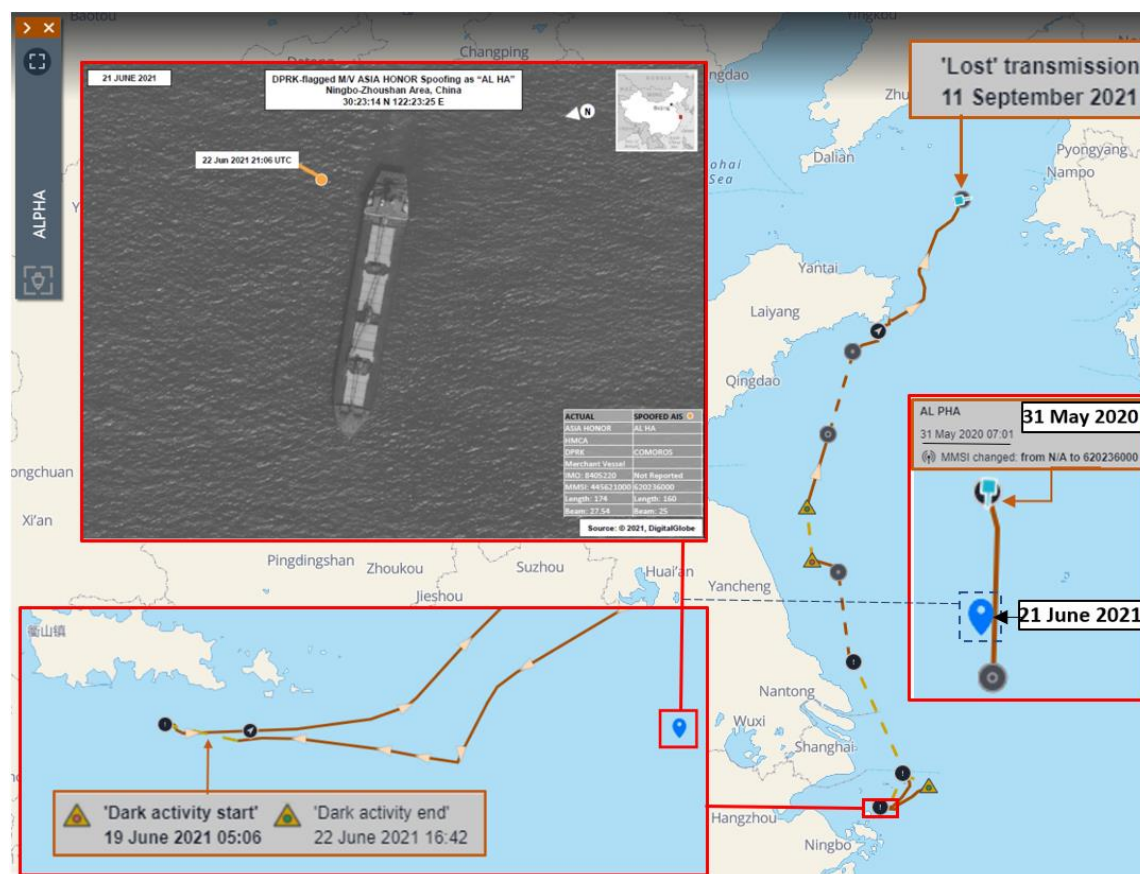
démocratique de Corée, les registres d'expédition et les documents comptables. Il a demandé les mêmes renseignements concernant divers autres navires cités aux paragraphes suivants, pour lesquels il avait sollicité l'assistance de la Chine.

85. La Chine a répondu que « concernant les navires *ZAI ZHOU 2*, *TO MYONG*, *SAM JIN 8*, *NAN DAE CHON*, *KANG HUNG* et *UN HA*, ils étaient entrés à vide au port de Yantai et étaient repartis chargés d'engrais chimiques, de pesticides et d'autres fournitures agricoles ». Pour ce qui était des navires restants battant pavillon de la République populaire démocratique de Corée, montrés dans la figure XXXVI, elle ne disposait « pas de dossier concernant leurs ports d'escale en Chine ».

86. Les navires de la République populaire démocratique de Corée ont également continué de transmettre des identifiants falsifiés qui avaient été recensés dans des rapports antérieurs du Groupe d'experts (voir annexe 57). L'*Asia Honor* (n° OMI : 8405220), par exemple, a transmis des signaux pratiquement dans le même lieu, dans les eaux du Ningbo-Zhoushan, où il avait créé son premier faux profil de système d'identification automatique, un an auparavant (voir fig. XXXVII).

Figure XXXVII

L'*Asia Honor* transmettant des identifiants frauduleux dans les eaux chinoises au fil du temps



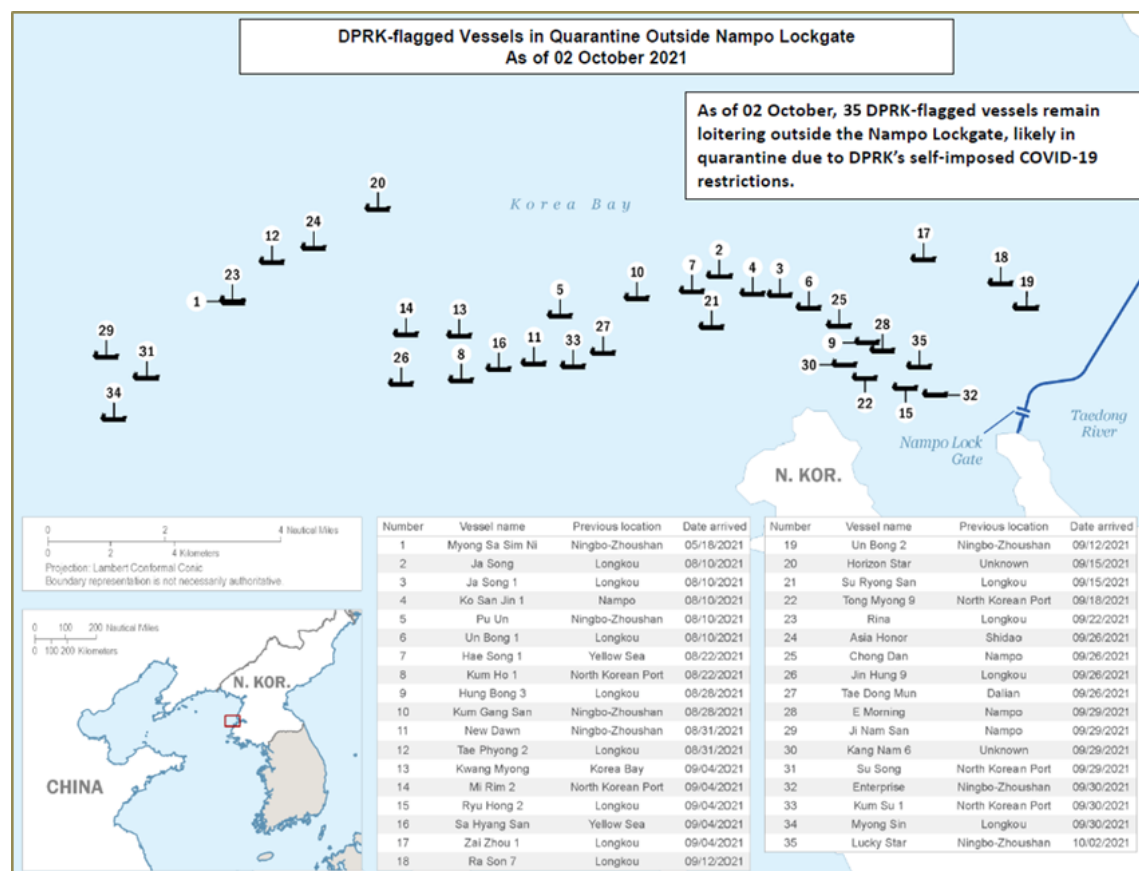
Source : Windward, annotations du Groupe d'experts et État Membre (images en médaillon).

87. Le Groupe d'experts a interrogé au sujet de l'*Asia Honor* la Chine, laquelle a répondu n'avoir aucun dossier indiquant des ports d'escale sur son territoire, concernant ce navire.

88. Au 2 octobre 2021, 35 navires de la République populaire démocratique de Corée mouillaient, en quarantaine, à l'extérieur de la porte d'écluse de Nampo (voir fig. XXXVII). Bon nombre d'entre eux étaient à Ningbo-Zhoushan. Plusieurs avaient été cités dans le précédent rapport du Groupe d'experts comme se trouvant à Ningbo-Zhoushan le 5 avril 2021, exportant du charbon⁷⁹.

Figure XXXVIII

Navires en quarantaine, barrage de la mer de l'Ouest, République populaire démocratique de Corée



Source : État Membre.

89. Le Groupe d'experts a interrogé la Chine sur la présence des navires de la République populaire démocratique de Corée énumérés dans la figure XXXVIII en 2021, pour établir notamment lesquels ayant participé au transport d'articles humanitaires et d'autres articles avaient également transporté du charbon en provenance de ce pays et fait escale dans des ports chinois. Elle a répondu que « les registres d'escale en Chine de 35 navires dont le *MYONG SA SIM NI* et le *JA SONG* n'étaient pas accessibles, étant donné qu'aucune information OMI n'avait été fournie ». Le Groupe d'experts note que les numéros OMI de navires précis, battant pavillon de la République populaire démocratique de Corée, étaient tous inscrits et cités sur le site Web de l'OMI. Plusieurs d'entre eux avaient été évoqués dans des rapports antérieurs du Groupe d'experts⁸⁰.

⁷⁹ S/2021/777, fig. XII.

⁸⁰ Par exemple, le *Myong Sa Sim Ni* (n° OMI : 9010058) comme indiqué dans le S/2021/777, par. 89 à 92 et fig. XIII et XIV.

Navires exportant du charbon, battant pavillon de la République populaire démocratique de Corée dans des ports chinois

République populaire démocratique de Corée-eaux du Ningbo-Zhoushan-ports chinois-République populaire démocratique de Corée

90. Certains des navires qui avaient exporté du charbon dans les eaux du Ningbo-Zhoushan s'étaient ensuite rendus vers des ports chinois ailleurs, dont Longkou et Laizhou. Parmi eux se trouvent le *Su Ryong San* battant pavillon de la République populaire démocratique de Corée (voir également par. 76), le *Pho Phuong* (n° OMI : 8417962), le *Samjin 8* (n° OMI : 8810578), le *Kang Hung* (n° OMI : 9340257) et l'*Un Ha* (n° OMI : 8310281) qui ont emprunté les eaux du Ningbo-Zhoushan pour se rendre au port de Longkou ; et le *To Myong* (anciennement appelé *Ri Hong*) (n° OMI : 9162318) et le *Northern Luck* (n° OMI : 9061227) qui ont traversé les eaux du Ningbo-Zhoushan pour gagner le port de Laizhou (voir annexe 58). Le Groupe d'experts avait enquêté précédemment sur des navires de la République populaire démocratique de Corée qui avaient exporté du charbon dans les eaux du Ningbo-Zhoushan et importé des cargaisons d'aide humanitaire au port de Longkou au cours d'un seul voyage aller-retour⁸¹. La Chine a répondu que le « *Pho Phuong* était arrivé à vide au port de Yantai en septembre 2021 et reparti chargé de marchandises diverses en novembre 2021 ».

République populaire démocratique de Corée-ports chinois-République populaire démocratique de Corée

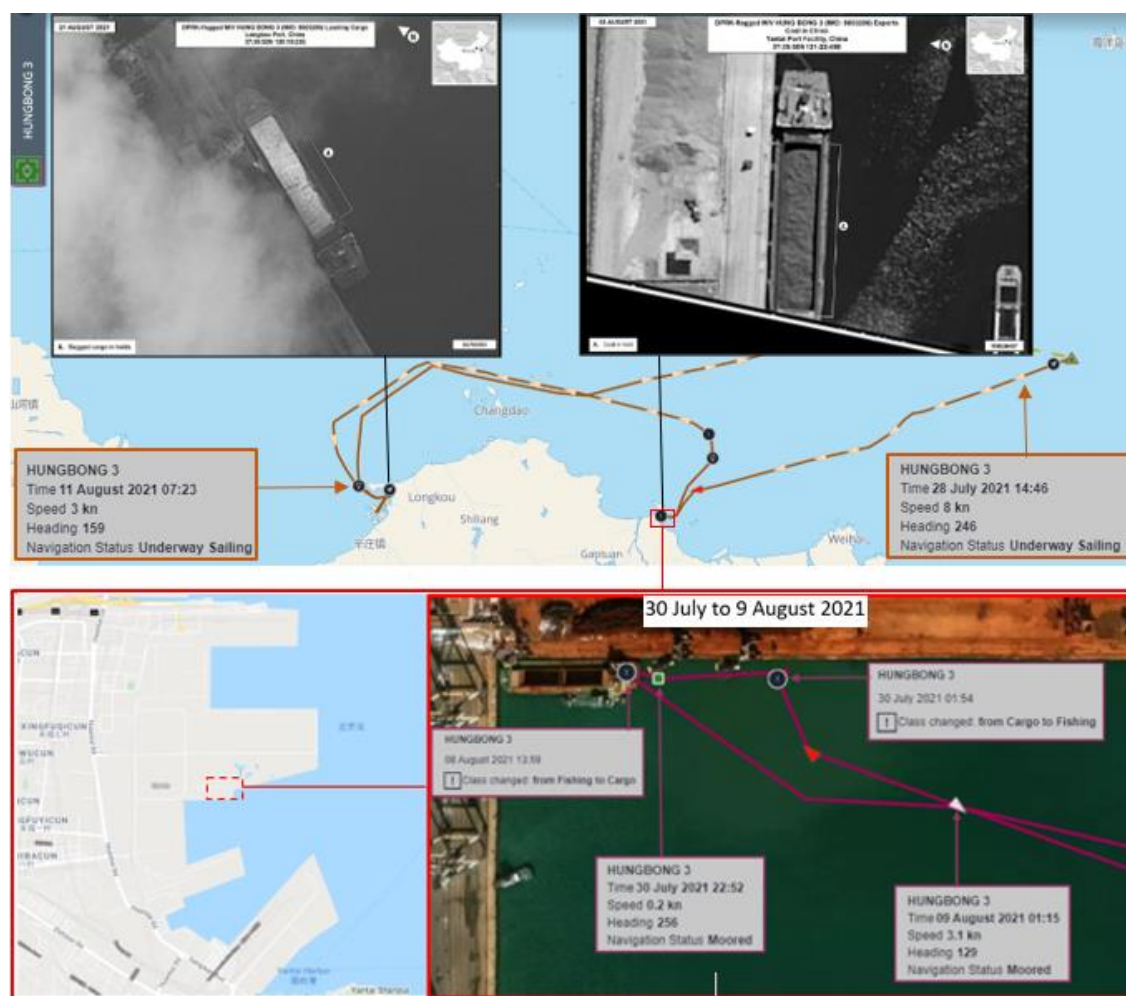
91. Certaines exportations de charbon ont été également livrées directement à des ports en Chine par des navires battant pavillon de la République populaire démocratique de Corée, d'après les informations fournies par un État Membre. La surveillance par le Groupe d'experts du système d'identification automatique a montré que le *Hung Bong 3* (n° OMI : 8603286) avait quitté Nampo le 26 juillet 2021 pour le port de Yantai (Chine) où il avait été observé à quai, le 2 août 2021, transportant du charbon. Il s'était ensuite rendu à Longkou et avait été aperçu à quai 10 jours plus tard, semblant porter une cargaison en sac de couleur blanche (voir fig. XXXIX) avant de repartir. Un cas semblable ayant trait au *Tae Phuong 2* (anciennement connu sous le nom de *Ming Zhou 6*) (n° OMI : 8602763), un navire sur lequel enquêtait le Groupe d'experts concernant l'exportation de charbon en provenance de la République populaire démocratique de Corée, est décrit à l'annexe 59⁸².

⁸¹ S/2021/777, par. 100 et 101 et S/2021/211, par. 58, 63 et 64.

⁸² S/2021/211, par. 70 à 72 et S/2021/777, par. 80 et 102 et annexe 39.

Figure XXXIX

Navire de la République populaire démocratique de Corée exportant du charbon et important d'autres marchandises, Yantai (Chine), juillet-août 2021



Source : Windward, IHS Market, Planet Labs, annotations du Groupe d'experts ; image en médaillon, État Membre (en haut) (l'imagerie du bas représente l'emplacement et non la date réelle des superpositions de signaux du système d'identification automatique).

92. Le Groupe d'experts a demandé des informations à la Chine, notamment les documents d'expédition sur toute cargaison déchargée ou chargée à quai ou au moyen de transferts entre navires dans les ports chinois respectifs. La Chine a répondu que le *Hung Bong 3* « était entré dans le port de Yantai à vide en mars et en juillet 2021 respectivement, et avait quitté le port chargé d'engrais et d'autres fournitures agricoles en mars et en août respectivement ». Les enquêtes se poursuivent.

Réseaux de la chaîne d'approvisionnement

HongKong Great Fortune Development Co. Limited

93. Outre le fait de faciliter l'acquisition du *Su Ryong San*, un État Membre fait valoir que la HongKong Great Fortune Development Co. Limited a également investi dans plusieurs navires de la République populaire démocratique de Corée et a notamment mené des travaux conjoints d'entretien et d'exploitation, participé à d'autres importations de charbon en provenance de la République populaire

démocratique de Corée à destination de la Chine, concouru à des opérations de troc dans l'exportation d'engrais à la République populaire démocratique de Corée et vendu et livré des articles interdits à la République populaire démocratique de Corée dont de l'acier, du combustible et des véhicules liés aux transports et à la construction⁸³. La société est inscrite sur le registre des sociétés de Hong Kong comme appartenant à Li Xiangmin (李祥民) de la province de Liaoning (Chine)⁸⁴. Les opérations de troc permettent d'éviter de recourir au système financier international et de contourner ainsi les sanctions.

94. Selon les informations obtenues par le Groupe d'experts de sources diverses, la société Yonggwang Furniture and Building Materials Corporation (영광가구건재회사) constituée en République populaire démocratique de Corée a été impliquée dans l'exportation de 100 000 à 200 000 tonnes de charbon en provenance de la République populaire démocratique de Corée à la HongKong Great Fortune Development Co. Limited. Concernant le montant cité, les États Membres ont donné trois exemples de navires battant pavillon de la République populaire démocratique de Corée qui auraient transporté du charbon : le *Jang Un* (n° OMI : 8822260), soit quelque 20 000 tonnes⁸⁵, le *Kum Song 7* (n° OMI : 8739396), soit quelque 5 000 tonnes ; et le *Ryon Hwa 3* (n° OMI : 8312227), soit quelque 6 000 tonnes. L'analyse effectuée par le Groupe d'experts du système d'identification automatique des navires a indiqué que le *Ryon Hwa 3* naviguait dans les eaux territoriales chinoises en 2021. Les données du système d'identification automatique ont également montré que le *Ryon Hwa 3* s'était rendu au port de Longkou du 18 au 27 mars. Au mois d'août, le navire exportait du charbon dans les eaux de Ningbo-Zhoushan où le navire s'était échoué le 18 septembre (voir fig. XLa).

⁸³ Le Groupe d'experts avait cité précédemment des exportations de véhicules liés à la construction à la République populaire démocratique de Corée (voir S/2021/211, par. 68 et 69 et annexe 36).

⁸⁴ Inscrit sur la Liste en tant que Directeur membre fondateur, adresse : 39-3-208, rue Qingnian, district de Zhenxing, ville de Dandong, province de Liaoning (Chine).

⁸⁵ Estimé à 88 dollars des États-Unis par tonne.

Figure XLa
Le Ryon Hwa 3 échoué, Ningbo-Zhoushan, 18 septembre 2021

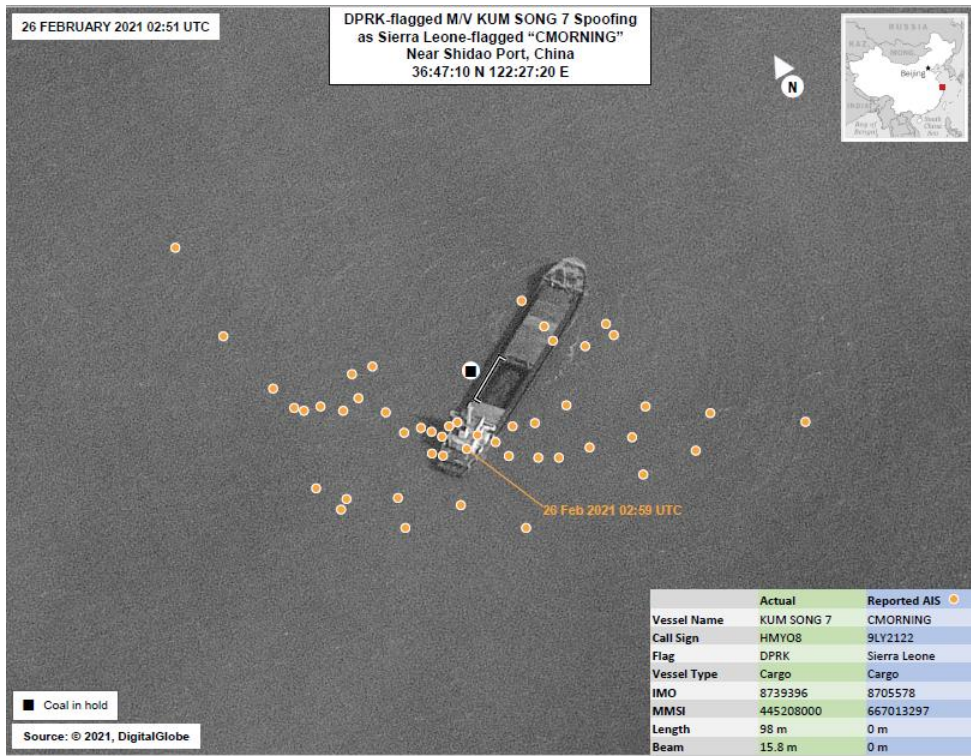


Source : (en haut) État Membre, (en bas) Maxar Technologies et Windward.

95. Le *Jang Un* et le *Kum Song 7* n'auraient pas transmis de signaux du système d'identification automatique durant des années et se seraient déplacés subrepticement ou auraient usurpé d'autres identifiants pour éviter toute détection dans les bases de données maritimes (voir fig. XLb). Les trois navires auraient, selon le Groupe d'experts, exporté du charbon dans la zone de Ningbo-Zhoushan⁸⁶. La HongKong Great Fortune Development Co. Limited n'a pas encore répondu.

⁸⁶ Le *Jang Un* a été cité dans les rapports du Groupe d'experts comme exportant du charbon en provenance de la République populaire démocratique de Corée depuis 2018, le *Kum Song 7* et le *Ryon Hwa 3* ayant été observés dans les eaux de Ningbo-Zhoushan depuis 2020.

Figure XLb
**Le *Kum Song 7* utilisant une identité usurpée, près de Shidao (Chine),
26 février 2021**



Source : Un État Membre.

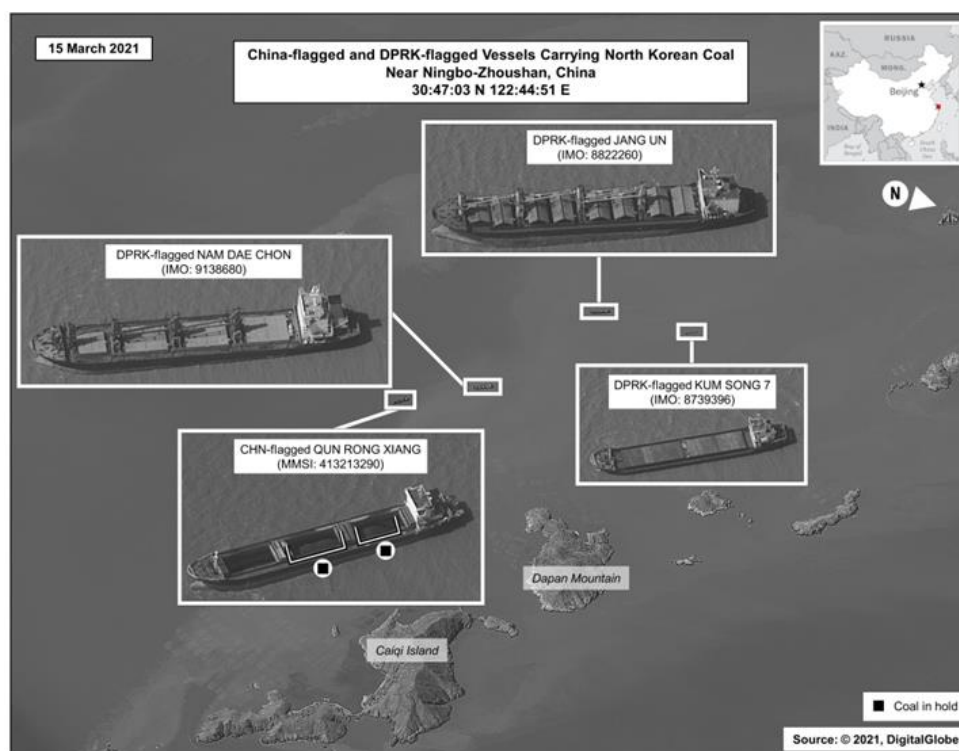
96. Le Groupe d'experts a demandé à la Chine de vérifier la propriété de la société HongKong Great Fortune Development Co. Limited, de préciser son rôle dans l'achat de charbon et d'évoquer sa participation à des activités liées à la République populaire démocratique de Corée. La Chine a répondu : « la partie chinoise ne dispose pour le moment d'aucune information sur la HongKong Great Fortune Development Co. Limited (voir annexe 61).

97. Après avoir examiné de multiples points de données, le Groupe d'experts a estimé que la HongKong Great Fortune Development Co. Limited était probablement l'entité associée à l'exportation de charbon par la République populaire démocratique de Corée au navire destiné au transport de marchandises battant pavillon chinois, le *Qun Un Rong Xiang* (pas de n° OMI signalé, identité dans le service mobile maritime : 413213290) dans les eaux chinoises. Le Groupe d'experts avait enquêté précédemment mais s'était abstenu d'identifier le navire chinois, eu égard à la demande formulée par la Chine, qui menait sa propre enquête (fig. XLI)⁸⁷. Le navire chinois a ensuite livré le charbon au port de Qinzhou au 23 mars 2021. Se reporter aux annexes 60 et 61 pour plus de détails, dont des images supplémentaires.

⁸⁷ S/2021/777, par. 96 à 98.

Figure XLI

Le *Qun Rong Xiang* à proximité de trois navires de la République populaire démocratique de Corée, Ningbo-Zhoushan, 15 mars 2021



Source : Un État Membre.

98. La Chine a répondu : « Les enquêtes...sur le *Qun Rong Xiang* sont en cours et nous n'avons pas d'informations à communiquer à l'heure actuelle ».

99. Tous les navires de la République populaire démocratique de Corée suspectés d'avoir exporté du charbon en provenance de ce pays relèveraient des dispositions du paragraphe 9 de la résolution [2397 \(2017\)](#) du Conseil de sécurité⁸⁸ (voir annexe 61 pour plus de détails).

Recommandations

100. Le commerce maritime constituant un vecteur principal d'achat et de vente de produits proscrits par la République populaire démocratique de Corée, les secteurs public et privé sont tenus d'appliquer les normes réglementaires requises et de procéder aux vérifications nécessaires à tous les niveaux associés à l'exploitation des navires et aux opérations portant sur les produits de base, en particulier celles menées dans les eaux internationales⁸⁹ relatives à des produits et à des services interdits ou restreints. Le Groupe d'experts souligne que les nombreuses recommandations liées au domaine maritime, figurant dans les rapports précédents, conservent toute leur pertinence.

⁸⁸ Il est énoncé dans le paragraphe que les États Membres doivent saisir, inspecter et geler (confisquer) tout bateau dans cette situation se trouvant dans leurs ports, et peuvent saisir, inspecter et geler (confisquer) tout bateau soumis à leur juridiction se trouvant dans leurs eaux territoriales, s'ils ont des motifs raisonnables de penser que le navire en question est utilisé pour des activités interdites par les résolutions.

⁸⁹ [S/2021/777](#), par. 57 et fig. VIII.

101. Des recommandations supplémentaires sont formulées, comme suit :

Blanchiment de l'identité du navire et manipulation du système d'identification automatique

102. Le Groupe d'experts recommande que les États Membres et les registres des navires ajoutent aux circulaires relatives à la marine marchande des informations se rapportant à des cas détectés de blanchiment ou de falsification de l'identité des navires et de veiller à ce qu'elles soient largement diffusées, notamment aux autorités maritimes. Ces informations devraient comprendre :

- les identifiants de navires inscrits dans leur registre qui ont transmis des identités de dissimulation ;
- les identifiants de navires inscrits dans leur registre qui pourraient avoir été exploités par d'autres navires ;
- les noms des navires inscrits qui ont transmis des identifiants frauduleux.

103. Le Groupe d'experts recommande que les États du pavillon et leurs organismes agréés tiennent des registres vérifiés et des photographies horodatées actualisées des navires qu'ils certifient et dont ils battent le pavillon, notamment pour les soumettre à l'OMI à intervalles réguliers. Ces images enregistrées comprendraient :

- toutes les inscriptions permanentes du nom du navire et du numéro OMI ;
- des photographies du navire sous divers angles ;
- des photographies du moteur du navire, notamment son numéro.

104. Le Groupe d'experts recommande que l'OMI envisage l'examen des normes de sécurité du matériel et des logiciels, l'idée étant d'empêcher toute manipulation des transpondeurs du système d'identification automatique.

105. Le Groupe d'experts recommande que l'OMI exhorte tous les États du pavillon à veiller au respect des exigences concernant la fiche synoptique continue, notamment l'actualisation de ces informations sur le site Web du Système mondial intégré de renseignements maritimes de l'OMI.

Vente consécutive du navire

106. Le Groupe d'experts recommande que les vendeurs vérifient que les informations relatives à la vente du navire soient bien saisies en temps voulu sur le site Web du Système mondial intégré de renseignements maritimes de l'OMI.

107. Le Groupe d'experts recommande que les propriétaires et les exploitants de navire examinent régulièrement en interne les programmes de conformité aux sanctions et prévoient la formation et les ressources nécessaires.

Chaîne d'approvisionnement en pétrole et pratique du franco à bord

108. Le Groupe d'experts rappelle que les sociétés de négoce de produits de base et les flottes de navires-citernes opérant sous leur autorité ainsi que dans le secteur à risque du marché franco à bord et procédant à des transbordements dans les eaux internationales touchées doivent adopter des dispositions contractuelles prévoyant une vérification effective de l'utilisation finale des livraisons.

109. Le Groupe d'experts recommande que les entreprises de négoce de produits de base, les flottes de bateaux-citernes et le secteur du marché franco à bord

touché étudient l'historique du système d'identification automatique et toute utilisation connue d'identités frauduleuses de l'ensemble des navires qu'ils comptent approvisionner en produits interdits au regard des résolutions ou dont ils comptent recevoir de tels produits.

110. Le Groupe d'experts recommande que les institutions financières intègrent des clauses relatives au contrôle du système d'identification automatique et à l'estimation des risques en cas de non-respect du devoir de diligence par les navires dans les lettres de crédit, les prêts et autres instruments financiers destinés aux sociétés internationales et régionales spécialisées dans la vente ou le courtage de pétrole et de produits pétroliers dans les zones concernées.

111. Le Groupe d'experts recommande que les institutions financières participant au commerce des produits de base dans les zones touchées étendent les programmes de surveillance des opérations, de façon à intégrer le contrôle du système d'identification automatique des navires des clients et des contreparties.

Renforcement de la diligence raisonnable et de l'échange de données

112. Le Groupe d'experts recommande que les États du pavillon se dotent des outils requis pour répertorier l'utilisation frauduleuse d'identités dans le service mobile maritime, ouvrir une enquête et en communiquer les résultats aux autres autorités maritimes, ainsi qu'au Groupe d'experts.

113. Le Groupe d'experts recommande que le Système mondial intégré de renseignements maritimes de l'OMI intègre des informations pour indiquer si l'enregistrement du pavillon du navire est provisoire ou permanent, ainsi que la période effective.

114. Le Groupe d'experts recommande que les propriétaires et les exploitants de navires et les affréteurs continuent d'exercer le devoir de précaution de manière renforcée pour ce qui est de connaître l'identité de leur client et celle du navire de la contrepartie, en ce qui concerne les transbordements entre navires. Pendant les transferts, des photographies horodatées, notamment les identifiants vérifiables du navire et les profils associés du système d'identification automatique transmis, les enregistrements des opérations financières et d'autres détails pertinents sur l'équipage sont enregistrés à des fins de conformité, afin d'être communiqués aux forces de l'ordre et au Groupe d'experts le cas échéant.

Recommandations au Comité

115. Le Groupe d'experts réaffirme ses recommandations antérieures concernant la désignation du navire suivant, aux termes des dispositions du paragraphe 5 de la résolution 2397 (2017) du Conseil de sécurité et recommande également la désignation du navire conformément aux dispositions du paragraphe 14 de la résolution 2397 (2017) : *l'Un Hung* (anciennement connu sous le nom de *Vifine*) (n° OMI : 9045962), battant pavillon de la République populaire démocratique de Corée.

116. Le Groupe d'experts rappelle ses recommandations antérieures relatives à la désignation des navires suivants, en application des dispositions du paragraphe 5 de la résolution 2397 (2017), et recommande également leur désignation en application des dispositions du paragraphe 5 de la résolution 2397 (2017) et du paragraphe 11 de la résolution 2375 (2017) :

- le *Diamond 8* (n° OMI : 9132612) au pavillon indéterminé ;
- le *New Konk* (n° OMI : 9036387) au pavillon indéterminé ;

- le *Subblic* (n° OMI : 8126082) au pavillon indéterminé ;
- le *Xing Ming Yang 888* (n° OMI : 8410847) au pavillon indéterminé.

117. Le Groupe d'experts recommande la désignation du navire suivant, en application des dispositions du paragraphe 11 de la résolution [2375 \(2017\)](#) du Conseil de sécurité et du paragraphe 14 de la résolution [2397 \(2017\)](#) du Conseil de sécurité : le *Su Ryong San* (n° OMI : 9016430)

118. Le Groupe d'experts recommande à nouveau la désignation du navire suivant, en application des dispositions du paragraphe 11 de la résolution [2375 \(2017\)](#) du Conseil de sécurité : le *Pho Phyong* (n° OMI : 8417962), battant pavillon de la République populaire démocratique de Corée.

119. Le Groupe d'experts recommande de nouveau la désignation des navires suivants, en application des dispositions du paragraphe 11 de la résolution [2375 \(2017\)](#) du Conseil de sécurité et du paragraphe 14 de la résolution [2397 \(2017\)](#) :

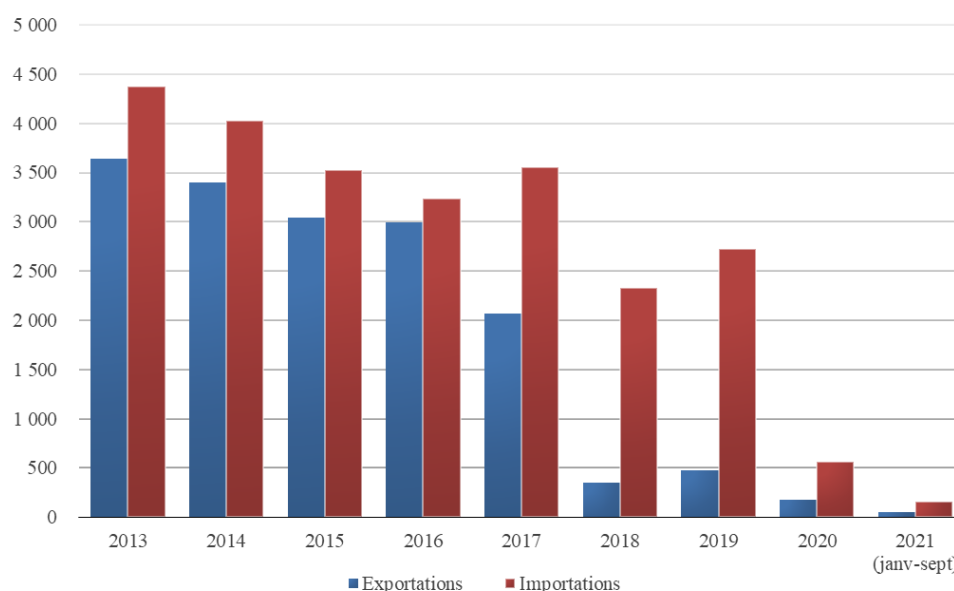
- le *To Myong*, (anciennement connu sous les noms de *Ri Hong/Klausen*) (n° OMI : 9162318) battant pavillon de la République populaire démocratique de Corée ;
- le *Tae P(h)yong 2* (anciennement connu sous le nom de *Ming Zhou 6*) (n° OMI : 8602763), battant pavillon de la République populaire démocratique de Corée.

Statistiques du commerce et questions douanières

120. Le volume enregistré d'échanges commerciaux de la République populaire démocratique de Corée a continué de baisser en 2021 et a été considérablement plus faible que les années précédentes, notamment durant le « confinement » de 2020 (voir fig. XLII). Le Groupe d'experts estime que cela s'explique par la fermeture de fait de la circulation transfrontière des produits de base, des transports et des personnes, en réponse à la pandémie de COVID-19.

Figure XLII
République populaire démocratique de Corée, commerce enregistré, 2013-2021

(En millions de dollars des États-Unis)



Source : Trade Map du Centre du commerce international consulté le 31 décembre 2021.

121. Quelques signes de renouveau des échanges commerciaux de la République populaire démocratique de Corée sont apparus à partir de juin 2021 (voir fig. XLIII), mais le volume d'échanges de janvier à septembre 2021 a diminué de deux tiers par rapport à la même période, l'année précédente. L'activité commerciale de la République populaire démocratique de Corée semble avoir été menée principalement par voie maritime. La Chine a informé le Groupe d'experts de plusieurs cargaisons maritimes en 2021 consistant essentiellement en fournitures agricoles et en « marchandises diverses »⁹⁰.

122. Selon des articles de presse, le 16 janvier 2022, des trains de fret de la République populaire démocratique de Corée ont franchi la frontière pour se rendre à Dandong (Chine) et sont retournés à Sinuiju, transportant des fournitures médicales et des produits de première nécessité⁹¹. Le Ministre chinois des affaires étrangères a déclaré que « le transport de fret par voie ferroviaire entre Dandong et Sinuiju avait repris »⁹².

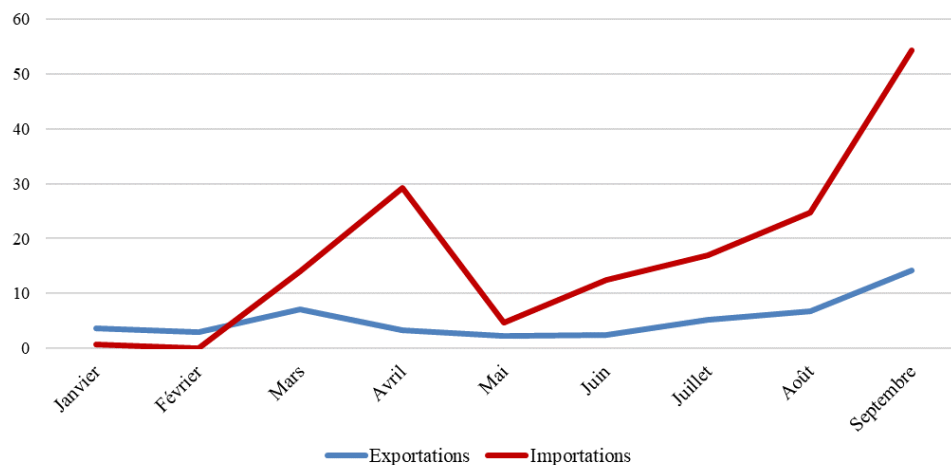
⁹⁰ En réponse aux demandes du Groupe d'experts sur des navires précis (voir par. 85, 90 et 92), la Chine a déclaré qu'en 2021, plusieurs navires étaient entrés à vide, dans le port de Yantai, et en étaient ressortis chargés d'engrais chimiques, de pesticides et d'autres produits agricoles. Un navire entré dans le port de Longkou en août avait déchargé des mouvements d'horlogerie et quitté le port après avoir chargé des fournitures de bureau en septembre. D'autres expéditions d'engrais et de fournitures agricoles ont été signalées.

⁹¹ Agence de presse Yonhap, « Another N. Korean cargo train arrives in Chinese border city: sources », 17 janvier 2022.

⁹² « Le fret ferroviaire entre la Chine et la République populaire démocratique de Corée a été suspendu pendant un moment, du fait de l'impact de la COVID-19. Le transport du fret ferroviaire transfrontalier entre Dandong et Sinuiju a repris à l'issue de consultations amicales entre les deux parties, qui prendront des mesures pour prévenir et contrôler l'épidémie afin de faciliter des échanges commerciaux bilatéraux normaux » (17 janvier 2022).

Figure XLIII
**Statistiques du commerce de la République populaire démocratique de Corée,
 janvier-septembre 2021 (par mois)**

(En millions de dollars des États-Unis)



Source : Trade Map du Centre du commerce international consulté le 31 décembre 2021.

123. L'analyse du Groupe d'experts des exportations et des importations interdites, dans le présent rapport, couvre principalement la période de janvier à septembre 2021.

124. Sur la base des fichiers du Centre du commerce international de données relatives aux échanges commerciaux nationaux, dont certaines semblaient relever de catégories sanctionnées, le Groupe d'experts a demandé à 46 États Membres des informations sur les opérations en cours avec la République populaire démocratique de Corée, ainsi que des détails sur tout cas de rejet de dédouanement ou de saisie de marchandises en provenance ou à destination de la République populaire démocratique de Corée. Se reporter à l'annexe 62 pour la liste des produits restreints, dans le cadre du Système harmonisé utilisé par le Groupe d'experts pour surveiller l'interdiction sectorielle.

125. Le Groupe d'experts a également demandé des informations aux autorités douanières des États Membres concernant l'application concrète des obligations relatives aux sanctions, telles que l'exigence d'inspecter toutes les cargaisons à destination et en provenance de la République populaire démocratique de Corée et de saisir et de détruire les articles interdits, en application des dispositions du paragraphe 18 de la résolution 2270 (2016) du Conseil de sécurité et du paragraphe 20 de la résolution 2397 (2017). En général, les autorités douanières des États Membres ont observé que l'interdiction était respectée, tout en se heurtant parfois à la difficulté d'établir si certains articles à destination ou en provenance de la République populaire démocratique de Corée pouvaient être transférés ou pas.

126. Beaucoup d'États Membres ont indiqué que les activités d'échanges commerciaux enregistrés avec la République populaire démocratique de Corée en 2021 s'expliquaient principalement par la saisie de données erronées dans les statistiques du commerce et l'utilisation fautive de codes de pays, durant les procédures de déclarations de douane respectives. Le code de pays pour la République populaire démocratique de Corée (KP) a été saisi par erreur à la place de celui de la République de Corée (KR), qui est le vrai partenaire commercial⁹³. La Thaïlande a

⁹³ Par exemple, S/2021/777, par. 117 et S/2021/211, annexe 41.

informé le Groupe d'experts de plusieurs cas se rapportant à des sociétés locales (voir annexe 92). D'autres États Membres ont affirmé que les opérations menées étaient conformes au régime des sanctions des Nations Unies. Certains États Membres ont informé le Groupe d'experts des résultats de l'enquête sur des cas éventuels de non-respect (voir tableau 5).

Tableau 5

Tableau de comparaison du commerce bilatéral, République populaire démocratique de Corée janvier-septembre 2021⁹⁴

(En milliers de dollars des États-Unis)

N°	État Membre	Volume d'échanges avec la République populaire démocratique de Corée		Code du système harmonisé (SH) d'échanges soumis à des restrictions avec la République populaire démocratique de Corée		Réponse de l'État Membre
		Exportations	Importations	Exportations	Importations	
1	Arménie	0	18		1 (code SH 12) 1 (code SH 84) 3 (code SH 85)	Données inexactes dues à une erreur technique dans la déclaration de marchandises/articles en provenance de la République de Corée et du Japon
2	Barbade	200	951		22 (code SH 61) 1 (code SH 63) 581 (code SH 84) 274 (code SH 85)	
3	Belgique	0	203		15 (code SH 73)	
4	Belize		14		14 (code SH 84)	
5	Bénin	0	41			Sans objet
6	Bolivie (État plurinational de)	0	20			Sans objet
7	Bosnie-Herzégovine	0	16		5 (code SH 84) 4 (code SH 85)	
8	Brésil	564	97	539 (code SH 2710)	2 (code SH 61)	
9	Bulgarie	0	4		1 (code SH 85)	Erreur technique dans la déclaration de douane/articles importés de la République de Corée
10	Cabo Verde	0	110			Sans objet
11	Cambodge	453	61		41 (code SH 72)	Enquête en cours
12	Canada	0	52		2 (code SH 72)	Le pays d'origine des marchandises importées était la République de Corée et l'information communiquée au Centre du commerce international était inexacte
13	Chili	36	0			Sans objet
14	Chine	151 739	33 595	2229 (code SH 2710) 48 (code SH 2712) 3292 (code SH 2713)	2442 (code SH 50) 19 (code SH 62) 11388 (code SH 72) 7 (code SH 85)	La soie (code SH 50) est un matériau brut, non pas un textile/les ferro-alliages (code SH 72) ne sont pas du fer ou

⁹⁴ Voir annexe 63.

N°	État Membre	Volume d'échanges avec la République populaire démocratique de Corée		Code du système harmonisé (SH) d'échanges soumis à des restrictions avec la République populaire démocratique de Corée		Réponse de l'État Membre
		Exportations	Importations	Exportations	Importations	
15	Colombie	21	84		3 (code SH 73) 1 (code SH 52) 8 (code SH 56) 2 (code SH 61) 36 (code SH 84)	du minerai de fer/les vêtements féminins (code SH 62) et le matériel électrique (code SH 85) sont originaires de la République de Corée et ont été déclarés de manière erronée
16	Costa Rica	26	240			Sans objet
17	Croatie	0	16		16 (code SH 87)	Erreur dans la déclaration : le pays d'origine est la République de Corée
18	Danemark	0	99		5 (code SH 59)	Erreur dans le code de pays saisi : le pays d'origine est la République de Corée
19	Équateur	0	13			Sans objet
20	El Salvador	0	817		38 (code SH 84)	
21	Eswatini	0	12		1 (code SH 61) 2 (code SH 84)	Le déclarant a confondu la République populaire démocratique et la Corée de la République de Corée, ce dernier étant le fournisseur
22	Éthiopie	267	1 049		562 (code SH 72) 207 (code SH 79) 51 (code SH 84) 59 (code SH 85)	
23	Fidji	87	594	2 (code SH 84) 43 (code SH 72)	332 (code SH 72) 169 (code SH 73) 9 (code SH 55) 15 (code SH 60)	
24	Finlande	0	6			Sans objet
25	Géorgie	0	11			Sans objet
26	Allemagne	16	1			Sans objet
27	Grèce	2	0			Sans objet
28	Hongrie	0	1		1 (code SH 85)	Erreur dans le code de pays saisi
29	Indonésie	0	259		5 (code SH 73) 39 (code SH 84) 30 (code SH 85)	Interprétation des résolutions du Conseil de sécurité comme n'interdisant pas les exportations de la République populaire démocratique de Corée relevant du code SH 73/ enquêtes en cours sur d'autres articles

N°	État Membre	Volume d'échanges avec la République populaire démocratique de Corée		Code du système harmonisé (SH) d'échanges soumis à des restrictions avec la République populaire démocratique de Corée		Réponse de l'État Membre
		Exportations	Importations	Exportations	Importations	
30	Italie	0	6		1 (code SH 84)	Le fournisseur était une société du Royaume-Uni de Grande-Bretagne et d'Irlande du Nord (le Royaume-Uni : n'a décelé aucune importation de la République populaire démocratique de Corée)
31	Luxembourg	12	0	1 (code SH 84) 9 (code SH 85)		Erreurs de code/marchandises destinées à la République de Corée
32	Madagascar	0	176		1 (code SH 84) 3 (code SH 63)	
33	Namibie	0	6		4 (code SH 84) 2 (code SH 85)	
34	Pays-Bas	413	33		1 (code SH 52)	
35	Niger	0	66		62 (code SH 85)	
36	Pologne	116	85			Sans objet
37	Roumanie	0	1		1 (code SH 73)	Les autorités n'ont pas confirmé le transfert de produits de fer et d'acier de la République populaire démocratique de Corée
38	Fédération de Russie	0	2		1 (code SH 84)	
39	Seychelles	0	1 156		72 (code SH 72) 11 (code SH 84)	Données inexactes/les articles sous les codes SH 72, 84 et 85 étaient importés
40	Slovaquie	0	6			Sans objet
41	Afrique du Sud	61	39	5 (code SH 84) 7 (code SH 73)	7 (code SH 56) 7 (code SH 84) 16 (code SH 85)	
42	Espagne	256	68	231 (code SH 84) 2 (code SH 85)	1 (code SH 58) 40 (code SH 84) 26 (code SH 85) 1 (code SH 63)	
43	Thaïlande	1 637	78	2 (code SH 74)	19 (code SH 84) 12 (code SH 85)	Des formulaires de déclaration comportaient des erreurs concernant la République populaire démocratique de Corée comme pays de destination ou de provenance, qui ont été corrigées
44	Turquie	49	538		41 (code SH 72) 10 (code SH 73) 45 (code SH 84) 212 (code SH 85) 187 (code SH 55)	Erreurs malencontreuses dans la déclaration/le pays d'origine était la République de Corée

N°	État Membre	Volume d'échanges avec la République populaire démocratique de Corée		Code du système harmonisé (SH) d'échanges soumis à des restrictions avec la République populaire démocratique de Corée		Réponse de l'État Membre
		Exportations	Importations	Exportations	Importations	
45	Royaume-Uni de Grande-Bretagne et d'Irlande du Nord	0	1 536		5 (code SH 73) 1503 (code SH 84) 9 (code SH 85)	Soumission inexacte du code de pays/confirmation du commerce de tous les articles avec la République de Corée
46	Zambie	1 085	5 585	1085 (code SH 84)	13 (code SH 84) 19 (code SH 85)	
Total		157 040	47 765			

Note : Information au mois de janvier 2022.

127. L'Indonésie a informé le Groupe d'experts que les résolutions du Conseil de sécurité n'interdisaient pas l'achat d'articles en vertu du code 73 du Système harmonisé (articles de fer et d'acier) de la République populaire démocratique de Corée. Si une liste claire relative au code 73 du Système harmonisé concernant les articles dont l'importation est interdite à la République populaire démocratique de Corée a été établie, il n'existe pas de mention précise du code 73 du Système harmonisé dans le cas des exportations interdites de la République populaire démocratique de Corée⁹⁵. Les directives informelles du Groupe d'experts (voir annexe 62) comportent le code 73 du Système harmonisé dans la liste qu'il utilise pour surveiller l'application de l'interdiction sectorielle des exportations de la République populaire démocratique de Corée.

128. La Chine a de même déclaré que les importations de ferro-alliages (code 72 du Système harmonisé) de la République populaire démocratique de Corée n'étaient pas interdites par les résolutions, puisqu'il y est énoncé que le fer et le minerai de fer sont interdits, sans qu'il soit fait mention explicite du code 72 du Système harmonisé⁹⁶.

129. Puisqu'il n'existe pas de mention de codes explicites du Système harmonisé concernant les exportations de la République populaire démocratique de Corée, les États Membres continuent d'interpréter les dispositions des résolutions de diverses manières.

130. Comme les années précédentes, les principaux articles exportés illégalement de la République populaire démocratique de Corée comprenaient du charbon, des minerais, du fer et des produits textiles (voir par exemple les paragraphes 80 à 92 concernant les exportations maritimes illégales de charbon).

131. Le Groupe d'experts a observé que beaucoup d'États Membres n'étaient pas en mesure de communiquer leurs statistiques du commerce dans les délais requis. Il prévoit donc de poursuivre l'analyse comparative des statistiques en accès libre et des

⁹⁵ Il est énoncé au paragraphe 8 de la résolution 2371 (2017) du Conseil de sécurité que la République populaire démocratique de Corée ne doit pas fournir, vendre ou transférer... du charbon, du fer et des minerais de fer et que tous les États doivent interdire l'achat à la République populaire démocratique de Corée de ces matières. Par contraste, il est énoncé au paragraphe 7 de la résolution 2397 (2017) que tous les États Membres doivent empêcher la fourniture, la vente ou le transfert directs ou indirects à la République populaire démocratique de Corée...[de] fer, d'acier ou d'autres métaux (codes du Système harmonisé 72 à 83).

⁹⁶ La Chine a également noté : « Par exemple, la soie sauvage et les déchets de soie importés de la République populaire démocratique de Corée en vertu du code 50 du Système harmonisé relèvent de la catégorie des matières premières, non pas des textiles, dont l'exportation est interdite par les résolutions du Conseil de sécurité ».

données fournies par les États Membres, afin de signaler les décalages éventuels et d'enquêter sur les causes.

Recommandations

132. Le Groupe d'experts recommande que des mesures appropriées soient prises par l'Organisation internationale de normalisation pour empêcher l'utilisation erronée des codes de pays⁹⁷ concernant la République populaire démocratique de Corée et la République de Corée (KP et KR, respectivement).

133. Le Groupe d'experts recommande que les États Membres simplifient leurs listes de contrôle des exportations et des importations, en s'appuyant sur la liste informelle des produits interdits (voir annexe 62).

134. Le Groupe d'experts recommande que les autorités douanières des États Membres utilisent la liste susmentionnée pour informer les agents commerciaux dans leurs juridictions à des fins de diligence raisonnable, en particulier lorsqu'ils ont affaire à de tels produits à proximité de juridictions soumises à sanctions.

IV. Embargos, entités et personnes désignées, et travailleurs à l'étranger

Embargos

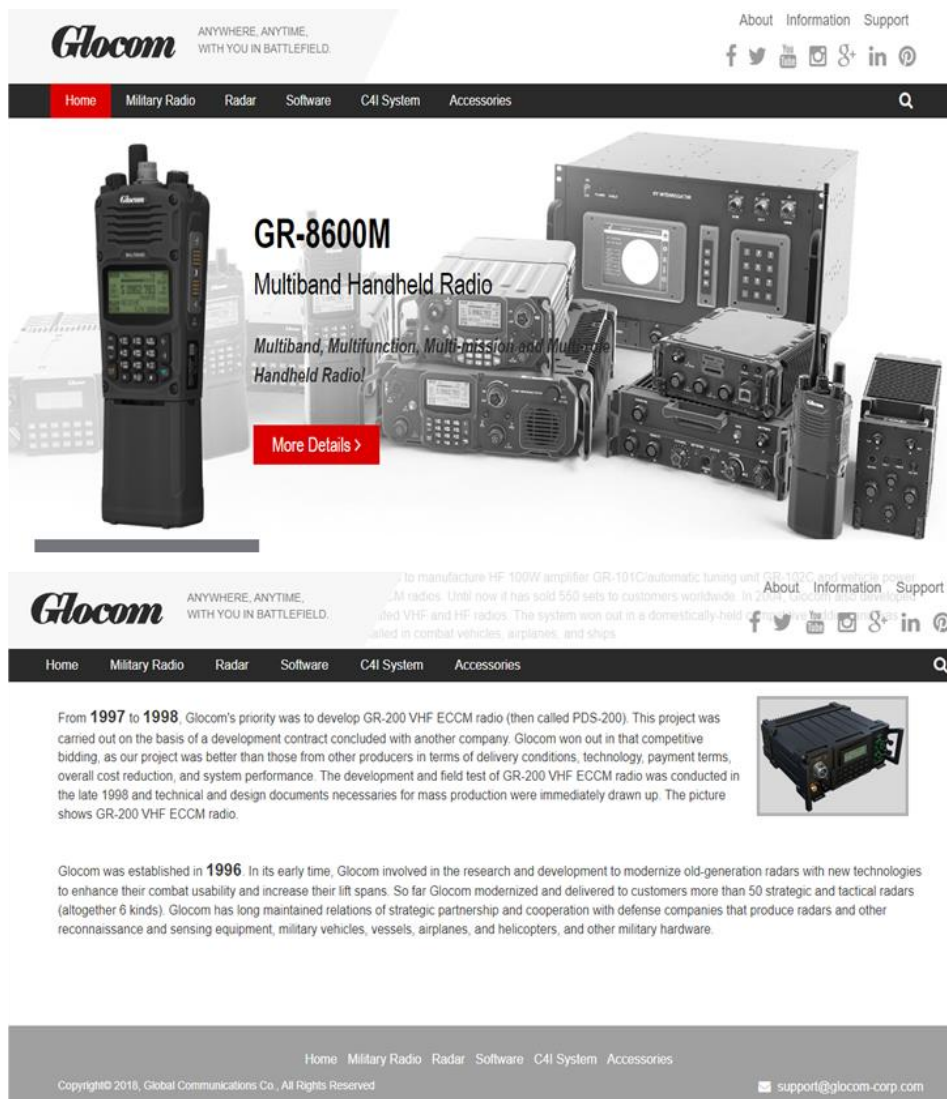
Global Communications (Glocom)

135. Selon les enquêtes préliminaires du Groupe d'experts, les informations fournies par un État Membre et les articles de presse⁹⁸, Glocom demeure opérationnel (voir ses pages Web à la figure XLIV) et continue d'invoquer la marque pour offrir et promouvoir un ensemble croissant de radios militaires, de radars de surveillance du champ de bataille et de systèmes de contrôle programmé (voir annexe 65).

⁹⁷ Voir annexe 64 pour plus de détails sur les codes de pays.

⁹⁸ Voir www.nknews.org/pro/north-korea-linked-firm-offering-expanded-range-of-radio-hardware-online/

Figure XLIV
Site Web de Glocom



Source : <https://glocom-corp.com>.

136. Le Groupe d'experts ne connaît pas l'emplacement actuel de Glocom. Il a tenté de contacter la société pour obtenir des détails sur son enregistrement, sa composition et son statut opérationnel. Il n'a pas reçu de réponse.

137. La société Privacy Protect Business Development établie dans le Massachusetts (États-Unis d'Amérique) a enregistré les informations d'identification du domaine de Glocom. Le Groupe d'experts l'a interrogée sur la fourniture de services de domaine à Glocom. Il a également demandé à la Malaisie, où Glocom opérait précédemment, des informations actualisées sur les mesures précises prises ces dernières années par ses autorités, concernant la société et ses associés. Selon un État Membre, Pan Systems Pyongyang vendait depuis 2019 des radios militaires et des accessoires à la société érythréenne Zagre Computer Components and Assembly Line Company. Le Groupe d'experts a demandé à l'Érythrée des informations au sujet des achats effectués par Pan Systems (Glocom) ou toute autre entité de la République populaire

démocratique de Corée. Il n'a pas encore reçu de réponses concernant les trois cas susmentionnés.

138. Selon un État Membre, Pan Systems Pyongyang, se servant d'un certain nombre de sociétés écrans, avait commandé des composantes de radios militaires chez sept sociétés chinoises ces dernières années. Le Groupe d'experts leur a soumis des demandes d'information précises. Seul Shenzhen Air Digital Technology Co. Ltd. a répondu « notre société n'a jamais traité affaires avec la République populaire démocratique de Corée ».

Affaires liées au documentaire « The Mole : l'agent infiltré en Corée du Nord »

139. On voit dans le documentaire « The Mole: undercover in North Korea », un marchand d'armes de la République populaire démocratique de Corée et une personne incarnée par un acteur danois, en train de s'entretenir de la construction d'une installation qui pourrait servir à la fabrication de méthamphétamines et d'armes, à partir de composantes obtenues de la République populaire démocratique de Corée ou fournies par elle, sur une île du lac Victoria, en Ouganda en 2017. Selon le documentaire, le projet n'aurait jamais été mis à exécution⁹⁹. Interrogé par le Groupe d'experts, l'Ouganda a répondu que l'acteur et son équipe s'étaient fait passer pour des membres de la famille royale de Norvège..., s'étaient déclarés désireux d'acheter l'île... [et] avaient promis de retourner en Ouganda, promesses qu'ils n'avaient jamais tenues. Ils n'avaient jamais révélé leur identité ou leurs intentions réelles » (voir annexe 66 ; voir également l'annexe 67 pour une affaire concernant le Cambodge, dans le cadre du documentaire).

Coopération militaire avec la République populaire démocratique de Corée

140. Le Groupe d'experts a continué d'enquêter sur une éventuelle coopération militaire et technologique entre la République bolivarienne du Venezuela et la République populaire démocratique de Corée, ainsi que sur des exportations possibles d'armes de la République populaire démocratique de Corée à la Somalie (voir annexe 68 pour plus de détails).

Chan Han Choi

141. Le Groupe d'experts avait indiqué précédemment qu'un homme d'affaires australien, Chan Han Choi¹⁰⁰, qui travaillait pour le compte de la République populaire démocratique de Corée, avait été arrêté par les autorités australiennes en décembre 2017 pour avoir mené des activités de courtage en vue de la vente de marchandises interdites, notamment d'armes et de matériels connexes, à la République populaire démocratique de Corée. Le 23 juillet 2021, la Cour suprême de la Nouvelle-Galles du Sud en Australie a condamné Chan à une peine d'emprisonnement de trois ans et de six mois¹⁰¹.

Application de l'interdiction relative aux articles de luxe

142. Du fait de la fermeture des frontières et de l'arrêt presque total de l'importation de biens de consommation par la République populaire démocratique de Corée, le Groupe d'experts n'a pas encore reçu d'informations nouvelles au sujet de la livraison de produits de luxe (interdits selon le paragraphe 8 a) iii) de la résolution 1718 (2006) du Conseil de sécurité).

⁹⁹ S/2021/211, annexe 88 et S/2021/777, par. 137.

¹⁰⁰ S/2018/171, par. 87 et 88.

¹⁰¹ Voir annexe 69 pour le résumé du jugement concernant M. Chan (pour l'intégralité du jugement, voir www.caselaw.nsw.gov.au/decision/17acff4723618647ad83e770).

143. D'après des sources en République populaire démocratique de Corée, l'absence virtuelle d'importation de biens de consommation (dont l'alcool) a entraîné une forte augmentation des prix du marché et un déficit général de l'offre de biens tels que le matériel électrique, les produits de beauté, les détergents et les fournitures de bureau¹⁰². Ces sources laissent entendre que les articles de luxe sont devenus inaccessibles, même pour les consommateurs les plus riches en République populaire démocratique de Corée, et que la demande du marché concernant ces articles a pratiquement cessé d'exister, tout comme la possibilité de les importer à titre privé ou de les faire passer en contrebande.

144. D'après des articles de presse, du fait de la reprise brève et limitée des échanges, au second semestre de 2021, quelques biens de consommation commercialisés sous une marque et des articles de luxe destinés à l'élite auraient été secrètement livrés par des navires transportant une aide humanitaire et des fournitures médicales, informations que le Groupe d'experts n'est pas en mesure de confirmer.

145. Le Groupe d'experts a poursuivi son enquête sur les réseaux qui sont derrière la fourniture à la République populaire démocratique de Corée de voitures de marque Mercedes de luxe en 2017-2019, en provenance d'Italie (voir annexes 70 et 71).

146. Le Groupe d'experts a pris note d'articles de presse selon lesquels des responsables de la République populaire démocratique de Corée auraient été aperçus en train d'utiliser des utilitaires sportifs de marque Mercedes Benz de classe G (voir annexe 72). Interrogé par le Groupe d'experts, Daimler a répondu : « Au sujet des Mercedes-Benz de classe G en question... rien n'indique une protection balistique. D'après la carrosserie, ce modèle aurait été construit entre 2013 et 2018. Les photographies ne donnent cependant aucune indication technique concernant un blindage ou un réglage provenant de la production OEM de Daimler ou de Mercedes-Benz ».

147. Selon l'information fournie par un État Membre, en avril 2021, l'Administration générale de l'aviation civile en République populaire démocratique de Corée a coordonné avec la société chinoise Shenyang Power Company Ltd.¹⁰³ l'achat de quatre utilitaires sportifs de luxe de marque Toyota d'une valeur de plus de 600 000 dollars. Le Groupe d'experts enquête sur cette information. Il a également appris qu'en mai 2021, le même acheteur avait coordonné avec Jintianda Import and Export Trading Company Ltd.¹⁰⁴ l'achat de 10 véhicules industriels et de camions d'une valeur de quelque 400 000 dollars. La société n'a pas donné suite aux demandes d'information du Groupe d'experts, lequel a poursuivi son enquête sur un transfert suspect à la fin de 2020 de véhicules de marque Toyota Lexus à la République populaire démocratique de Corée, dans lequel Jiangsu Overseas Group Foreign Economic and Technical pourrait être impliqué. Les demandes d'information du Groupe d'experts sont restées lettre morte.

148. Le Groupe d'experts a poursuivi ses enquêtes sur une violation éventuelle concernant la fourniture d'un piano à queue luxueux, exhibé en 2021 lors de diffusions de concerts de la Commission des affaires d'État de la République populaire démocratique de Corée par des chaînes de télévision locales¹⁰⁵. La presse a

¹⁰² Voir www.dailynk.com/english/pyongyang-moves-to-increase-imports-of-chinese-consumer-goods-as-market-prices-soar/.

¹⁰³ 沈阳力天商贸有限公司.

¹⁰⁴ 沈阳市金天达进出口贸易有限公司.

Adresse : n° 6 Changjiang Nanjie, district de Huanggut, Shenyang, Liaoning, Chine (沈阳市皇姑区长江南街 6 号).

¹⁰⁵ S/2021/777, par. 149.

évoqué un modèle Steinway de piano à queue¹⁰⁶. Le Groupe d'experts a demandé à maintes reprises des informations à Steinway Musical Instruments Inc., sans résultat.

Recommandations

149. Le Groupe d'experts recommande que les États Membres envisagent d'actualiser leurs listes de contrôle des exportations pour qu'elles cadrent avec la liste des articles de luxe interdits d'une manière qui soit compatible avec les objectifs des résolutions [1718 \(2006\)](#), [1874 \(2009\)](#), [2094 \(2013\)](#), [2270 \(2016\)](#) et [2321 \(2016\)](#) du Conseil de sécurité, en évitant d'en élargir inutilement le champ d'application et en veillant à ne pas restreindre l'offre de marchandises autorisées à la population et à éviter les conséquences humanitaires négatives une fois que les échanges commerciaux auront repris.

150. Le Groupe d'experts renouvelle sa recommandation selon laquelle les États Membres devraient encourager leurs entreprises et ressortissants qui exportent des articles de luxe à intégrer une disposition contractuelle visant à empêcher toute revente à la République populaire démocratique de Corée.

151. Le Groupe d'experts renouvelle sa recommandation aux États Membres et aux organisations compétentes d'encourager les compagnies de navigation et de transport à mettre en place des systèmes complets de vérification de l'utilisateur final, en tenant compte du risque de transbordement, y compris le transfert entre navires et les moyens de transport du fret humanitaire.

Korea Mining Development Trading Corporation (KPe.001)

152. Le Groupe d'experts enquête sur des affaires liées à la Korea Mining Development Trading Corporation dont l'une concerne le représentant de la société, appelé Kil Jong Hun, établi en Guinée équatoriale, où il exerce ses activités. Une autre concerne un ressortissant de la République populaire démocratique de Corée, Ri Hyong Thae, qui a travaillé avec la Korea Mining Development Trading Corporation et des sociétés qui lui sont affiliées à Cuba, en République islamique d'Iran et en Malaisie, (voir annexes 73 et 74).

Département de l'industrie des munitions (KPe.028)

153. Le Groupe d'experts a appris qu'en 2021, une société chinoise appelée Breeze Group International Trade¹⁰⁷ s'était employée à vendre des marteaux pneumatiques à la République populaire démocratique de Corée. Deux sociétés de ce pays relevant du Département de l'industrie des munitions inscrit sur la Liste de l'ONU, Korea Ryonhap Trading Corporation¹⁰⁸ et Yanghung Trading Corporation, étaient impliquées. Les marteaux pneumatiques, qui portent le numéro de modèle C41-2000, devaient être acheminés de Dandong (Chine) à Sinuiju (République populaire démocratique de Corée). Ils relèvent de l'outillage industriel (code 84 du Système harmonisé), dont l'exportation à la République populaire démocratique de Corée est interdite en application du paragraphe 7 de la résolution [2397 \(2017\)](#) du Conseil de sécurité. Le Groupe d'experts n'a pas encore reçu de réponse du Breeze Group International Trade.

¹⁰⁶ Voir www.nknews.org/2021/06/kim-jong-uns-new-favorite-band-lives-life-of-luxury-in-new-music-videos.

¹⁰⁷ 微风社国际贸易 (北京) 有限公司.

¹⁰⁸ 연합무역회사. Inscrite en tant que société de commerce de la République populaire démocratique de Corée relevant du Département de l'industrie des munitions dans les rapports antérieurs du Groupe d'experts, ([S/2020/840](#), et [S/2020/840](#), annexe 46).

Bureau général de reconnaissance (KPe.031)

Acteurs de la cybermenace

154. Le Groupe d'experts a poursuivi son enquête sur les cyberattaques menées par des acteurs de la cybermenace de la République populaire démocratique de Corée subordonnés au Bureau général de reconnaissance¹⁰⁹ comme le groupe Lazarus et Kimsuky^{110, 111}. En 2021, ils ont mené des attaques contre diverses entités dans le monde, y compris des infrastructures critiques liées à la défense, pour tenter d'accéder à des technologies sensibles, en violation des résolutions pertinentes.

155. Le Groupe d'experts a cherché à obtenir des informations sur les cyberattaques contre l'industrie nucléaire et les industries liées à la défense, en République de Corée. Selon des firmes de cybersécurité et des articles de presse, un groupe de cybermenace se serait infiltré dans le réseau interne de l'Institut coréen de recherche sur l'énergie atomique en mai 2021¹¹². Les adresses de protocole Internet ayant servi au lancement de l'attaque avaient été signalées comme étant liées à des infrastructures d'attaques, utilisées par Kimsuky. Le Groupe d'experts a appris que le même groupe aurait tenté de pirater les dispositifs du réseau privé virtuel de Korea Aerospace Industries pour acquérir des données technologiques à partir du réseau interne.

156. Le Groupe d'experts a été informé que Kimsuky était capable de mettre en place des infrastructures d'hameçonnage pour simuler des sites Web et des applications très connues (comme Microsoft Outlook) et amener des victimes potentielles à saisir leurs justificatifs d'identité lesquels, une fois volés, servent souvent à mener des attaques ciblées. Une société de cybersécurité a signalé que dans l'un des cas, des adresses électroniques non seulement d'entités gouvernementales mais également celles associées à un responsable de la sécurité à l'Agence internationale de l'énergie atomique avaient été recueillies¹¹³. Selon la même société, Kimsuky aurait ensuite utilisé ces informations pour mener ses cyberattaques contre l'Agence.

157. Les constatations d'une autre société de cybersécurité ont permis d'établir qu'un logiciel malveillant dit « porte dérobée » appelé « Vyveva » (fortement attribué au groupe Lazarus) avait servi au cours d'une attaque menée contre une société sud-africaine de fret et de logistique en avril 2021¹¹⁴. Le Groupe d'experts avait également reçu des informations distinctes selon lesquelles le logiciel malveillant « Vyveva » était capable d'exfiltrer des fichiers et de modifier les cachets électroniques et utilisait la plateforme « TOR » du dark Web à des fins de commandement et de contrôle. L'accès à des sociétés de logistique fournit à la République populaire démocratique de Corée des connaissances avancées des lieux et des détails de la circulation des marchandises, renforçant ses capacités de

¹⁰⁹ Voir S/2020/840, annexe 48, concernant les rôles du Bureau général de reconnaissance et d'autres organisations dans les cyberopérations de la République populaire démocratique de Corée.

¹¹⁰ Selon les informations fournies par de nombreux États Membres ou en accès libre, le « Troisième bureau » du Bureau général de reconnaissance comprend divers groupes de cybermenace, à savoir le groupe Lazarus, Kimsuky, Bluenoroff et Andariel. Le groupe Lazarus s'est rendu célèbre à la suite de ses attaques destructrices contre Sony Pictures Entertainment en 2014. Kimsuky s'est gagné une notoriété à la suite de ses opérations d'hameçonnage ciblé, commanditant ou menant des cyberattaques contre le Groupe d'experts. Bluenoroff et Andariel sont des sous-groupes du groupe Lazarus.

¹¹¹ Pour des détails sur ces groupes de cybermenaces, voir États-Unis d'Amérique, Département du trésor, « Treasury sanctions North Korean State-sponsored malicious cyber groups », communiqué de presse, 13 septembre 2019.

¹¹² Voir, par exemple, <https://therecord.media/north-korean-hackers-breach-south-koreas-atomic-research-agency-through-vpn-bug>.

¹¹³ Voir <https://blog.malwarebytes.com/threat-intelligence/2021/06>.

¹¹⁴ Voir www.welivesecurity.com/2021/04/08/are-you-afreight-dark-watch-out-vyveva-new-lazarus-backdoor.

contourner les sanctions, et permet à des pirates de mettre en place des logiciels rançonneurs, visant à engendrer des recettes illicites.

158. Ces tentatives, notamment celles visant à obtenir illégalement une technologie sensible, pourraient constituer des violations des paragraphes 8 a) ii) de la résolution 1718 (2006) du Conseil de sécurité et du paragraphe 27 de la résolution 2270 (2016) par la République populaire démocratique de Corée. Un État Membre a informé le Groupe d'experts que des enquêtes étaient en cours, pour confirmer si des violations importantes des données s'étaient produites.

159. Une société de cybersécurité a décrit la manière¹¹⁵ dont les cyberacteurs « TA406 » et « TA427 », associés à Kimsuky, avaient utilisé de fausses messageries électroniques, se servant d'identités de personnes et d'entités légitimes de pays comme les États-Unis d'Amérique, la Fédération de Russie et la République de Corée. Un large éventail d'entités avait été visé par des cybercampagnes menées par ces cyberacteurs de la République populaire démocratique de Corée. D'après un rapport publié par une organisation de cybersécurité en mars 2021, le groupe Lazarus, également connu sous le nom d'Hidden Cobra, avait mené diverses attaques contre des organisations japonaises¹¹⁶. Un État Membre avait également informé le Groupe d'experts que 350 cyberactivités menées à partir de la République populaire démocratique de Corée contre une de ses institutions publiques s'étaient produites depuis le début de 2021. Près de la moitié de ces tentatives consistaient en hameçonnage ciblé de courriels officiels. En janvier 2022, selon le rapport publié par une autre firme de cybersécurité¹¹⁷, un cyberacteur de la République populaire démocratique de Corée appelé « Konni »¹¹⁸ avait visé le secteur diplomatique russe, utilisant les vœux du Nouvel An comme un appât d'hameçonnage ciblé.

160. Ces activités constituent de l'espionnage visant à informer et à aider la République populaire démocratique de Corée dans ses tactiques de contournement des sanctions. Les cyberacteurs visent des entités précises afin de solliciter de manière frauduleuse des informations pertinentes, notamment de contourner les effets des sanctions, ou encore d'engendrer des revenus pour financer les opérations du pays. D'autres cybercampagnes visent à usurper l'identité d'une personne, afin d'établir des liens et d'envoyer ensuite des logiciels ou des liens malveillants. Cela peut mener également à la collecte d'informations d'identification au moyen de sites d'hameçonnage. S'ils parviennent à mettre en place avec succès un logiciel rançonneur visant à engranger des revenus illicites, cela constituerait une violation des sanctions financières, notamment du paragraphe 11 de la résolution 2094 (2013) du Conseil de sécurité (voir par. 182 à 184 sur le vol de cryptomonnaies).

161. Les cyberattaques liées au Groupe d'experts se sont poursuivies. Le Groupe d'experts a été informé de tentatives de piratage émanant de cyberacteurs de la République populaire démocratique de Corée¹¹⁹, tandis que des messages d'hameçonnage utilisant des comptes électroniques factices ont été adressés au nom de membres du Groupe d'experts.

Sok Kha

162. Selon des informations fournies par des États Membres, un officier du renseignement du Bureau général de reconnaissance de la République populaire

¹¹⁵ Voir www.proofpoint.com/us/blog/threat-insight/triple-threat-north-korea-aligned-ta406-scams-spies-and-steals.

¹¹⁶ Voir https://blogs.jpcert.or.jp/en/2021/03/Lazarus_malware3.html.

¹¹⁷ Voir <https://cluster25.io/2022/01/03/konni-targets-the-russian-diplomatic-sector>.

¹¹⁸ Pour les informations figurant dans les rapports antérieurs du Groupe d'experts sur ce cyberacteur de la République populaire démocratique de Corée, voir S/2021/211, par. 128.

¹¹⁹ Voir <https://foreignpolicy.com/2021/10/28/north-korea-sanctions-experts-united-nations>.

démocratique de Corée nommé Kim Chol Sok (également connu sous le nom de Sok Kha)¹²⁰ exploitait des hôtels, des casinos, des restaurants et des bars au Cambodge à la mi-2020 et s'employait à étendre ses activités dans le tourisme ainsi que dans d'autres secteurs commerciaux, comme l'extraction de métaux précieux¹²¹.

163. Après une enquête minutieuse, les autorités cambodgiennes ont conclu que Kim Chol Sok et Sok Kha désignaient une seule et même personne et précisé que Sok Kha avait un passeport diplomatique cambodgien (n° D0004492)¹²². Elles ont établi que l'acte de naissance de Sok Kha, son livret de famille et sa carte d'identité étaient tous faux, et annulé tous ces documents, y compris le passeport diplomatique précité.

164. Les résultats de l'enquête ont également révélé que Sok Kha était le directeur de C.H. World Travel Co. Ltd¹²³. La société avait un compte auprès de la Cambodian Public Bank. Les autorités ont fermé la société et gelé ses comptes.

165. Au mois d'octobre 2021, les autorités cambodgiennes ont également pris des mesures légales pour faire traduire Sok Kha en justice. Il n'est cependant pas retourné au Cambodge depuis qu'il a quitté le pays en novembre 2020¹²⁴. Le Groupe d'experts poursuit l'enquête sur les aspects commerciaux et financiers de l'affaire Sok Kha.

Mansudae Overseas Project Group of Companies (KPe.050)

Bénin

166. Le Groupe d'experts a continué d'enquêter sur la construction d'une statue de bronze au Bénin¹²⁵. L'imagerie satellite analysée par le Groupe d'experts laisse entendre qu'elle a été installée entre juin et septembre 2020 (voir annexe 77).

Namibie

167. Le Groupe d'experts a interrogé la Namibie au sujet de hangars qui auraient été construits par Mansudae Overseas Project Group of Companies à la base aérienne de Grootfontein (voir fig. XLV) et le nouveau siège principal de la force de défense namibienne à Windhoek, tous deux construits en 2017, ainsi que d'autres constructions du Mansudae Overseas Project Group of Companies en Namibie. Le Groupe d'experts est toujours en attente d'une réponse.

¹²⁰ Parmi les autres noms connus : Lee Un-Kang, Chang Sok-kha, Kang Hyok, Li Yun-chiang et Steven Lee. Date de naissance : le 1^{er} janvier 1970 (d'après le passeport).

¹²¹ Try Pheap, désigné en 2019 par le Département du trésor des États-Unis pour corruption, est un partenaire commercial de Sok Kha. Voir États-Unis, Département du trésor, « Treasury sanctions corruption and material support networks », communiqué de presse, 9 décembre 2019.

¹²² Selon le Cambodge, aucun passeport ne figurait au nom de Kim Chol Sok mais il en existait 10 au nom de Sok Kha (dont deux valables, qui ont été annulés). Voir annexe 75 pour la liste et les copies des passeports.

¹²³ Voir annexe 76 pour l'extrait de la société.

¹²⁴ Selon les informations fournies par le Cambodge, de 2003 à 2020, Sok Kha s'est rendu dans plusieurs villes d'Asie du Sud et d'Asie du Sud-Est, dont Bangkok, Ho Chi Minh, Kuala Lumpur, Beijing, Hongkong et Taipei.

¹²⁵ S/2020/840, par. 105 et annexe 45 et S/2017/150, par. 115.

Figure XLV

Hangar aérien suspecté, construit par Mansudae Overseas Project Group of Companies à la base aérienne de Grootfontein (19° 35' 37.64" S 18° 7' 21.86" E)



Source : Google Earth, annotations du Groupe d'experts : le hangar suspect, nouvellement construit, se trouve à l'intérieur du cercle rouge.

Travailleurs à l'étranger

168. Le Groupe d'experts a continué d'enquêter sur des nationaux de la République populaire démocratique de Corée qui percevraient des revenus à l'étranger (travailleurs d'outre-mer). En raison de la fermeture des frontières due à la COVID-19 en République populaire démocratique de Corée depuis janvier 2020, le Groupe d'experts note que la circulation des personnes à travers les frontières a été généralement interdite¹²⁶. Les États Membres ont indiqué au Groupe d'experts que des nationaux de la République populaire démocratique de Corée étaient restés dans plusieurs pays et avaient continué de percevoir des revenus en 2021 en contravention du paragraphe 8 de la résolution [2397 \(2017\)](#) du Conseil de sécurité.

169. Selon un État Membre, « il semble qu'un nombre important de travailleurs de la République populaire démocratique de Corée demeurent dans quelques régions de la Chine et de la Russie », n'ayant pas réussi à retourner dans leur pays, en raison de la fermeture des frontières par la République populaire démocratique de Corée au début de 2020.

¹²⁶ [S/2021/777](#), annexe I.

Chine

170. Les informations fournies au Groupe d'experts par les États Membres laissent entendre que des entités de la République populaire démocratique de Corée cherchaient, avec des entités établies en Chine, à employer des ressortissants de la République populaire démocratique de Corée de 2020 à 2021 (voir annexe 78).

171. Selon des informations fournies par un autre État Membre, l'entité de la République populaire démocratique de Corée, Koryo Commercial Bank Ltd, a accepté d'établir une coentreprise avec une société en Chine, concernant principalement la production et la vente d'huile de soja en 2019 (voir annexe 79).

172. Le Groupe d'experts a écrit à la Chine ainsi qu'aux entités impliquées, demandant un complément d'information sur leurs activités. La Chine a répondu au Groupe d'experts qu'elle « avait appliqué strictement les dispositions pertinentes sur les travailleurs migrants de la République populaire démocratique de Corée. Leurs permis de travail étaient arrivés à échéance bien avant le délai fixé par les résolutions du Conseil de sécurité (voir annexe 80). Le Groupe d'experts n'a pas encore reçu de réponse de ces entités. Les enquêtes se poursuivent.

Guinée équatoriale

173. Selon un État Membre, au moins 13 informaticiens de la République populaire démocratique de Corée sont établis et travaillent à Malabo et Oyala, en Guinée équatoriale (voir annexe 81).

République démocratique populaire lao

174. Le Groupe d'experts a obtenu des informations d'un État Membre indiquant que plusieurs restaurants en République démocratique populaire lao avaient employé des ressortissants de la République populaire démocratique de Corée comme serveurs et danseuses, même après le délai fixé en vue du rapatriement, en décembre 2019 (voir annexe 82).

Fédération de Russie

175. Selon des informations fournies par un État Membre, le ressortissant de la République populaire démocratique de Corée national, Kim Ju So¹²⁷, un représentant officiel de la société Ponghwa General Corp de la République populaire démocratique de Corée, basé à Moscou, a facilité plusieurs contrats visant à envoyer des nationaux de la République populaire démocratique de Corée travailler dans les secteurs agricole et de la construction en Fédération de Russie de 2020 à 2021.

176. Le même État Membre a indiqué que Kim avait collaboré avec l'Uljibong Cooperation Corporation de la République populaire démocratique de Corée et établi un contrat avec la société russe SMU-07 LLC¹²⁸, pour envoyer un maximum de 100 nationaux de la République populaire démocratique de Corée en vue de projets de construction à Moscou et dans ses environs, en juin 2020. Kim Ju Sok a collaboré également avec la société Korea Rungra-888 Trading Corporation de la République populaire démocratique de Corée pour envoyer au moins 60 stagiaires à la société russe Stroy Servis LLC¹²⁹ en juillet 2020.

¹²⁷ Selon un État Membre, Kim Ju Sok était arrivé en Fédération de Russie en octobre 2016 en tant que membre officiel de l'ambassade de la République populaire démocratique de Corée à Moscou.

¹²⁸ ООО « CMY-07 »: INN 7725403828. Selon le Registre national unifié des personnes morales, SMU-07, LLC a été dissoute le 1^{er} avril 2021.

¹²⁹ ООО « СТРОЙ СЕРВИС »: INN 5015015182. Selon le Registre national unifié des personnes morales, Stroy Servis, LLC était en cours de dissolution au 31 décembre 2021.

177. La Fédération de Russie a répondu que « aucune information n'était disponible, concernant des activités menées par Kim Ju Sok en violation de la résolution du Conseil de sécurité » et a informé le Groupe d'experts que « les deux entreprises de construction citées dans l'enquête : SMU-07, LLC, qui n'est pas enregistrée à l'adresse indiquée, et Story Servis LLC avaient cessé leurs opérations au cours de l'année ». Aucune information n'est disponible, concernant leurs contacts avec des ressortissants de la République populaire démocratique de Corée » (voir annexe 83).

Viet Nam

178. Selon un État Membre, des ressortissants de la République populaire démocratique de Corée encore présents au Viet Nam ont continué de travailler au restaurant Koryo en 2021. Selon des informations en libre accès, ce restaurant vend des objets d'art, dont des peintures produites dans l'atelier artistique de Mansudae (voir annexe 84).

V. Financement

179. Le Groupe d'experts a écrit à la Chine (voir annexe 85a) au sujet d'une enquête financière portant sur des transferts d'argent, en connexion avec l'achat illicite, par la République populaire démocratique de Corée de produits pétroliers. La réponse de la Chine figure à l'annexe 85b.

180. Les Émirats arabes unis ont répondu à l'enquête financière distincte menée par le Groupe d'experts (voir annexe 86a) portant sur des paiements en vue de transferts entre navires de produits pétroliers. La réponse des Émirats arabes unis figure à l'annexe 86b.

Secteur bancaire

181. En décembre 2021, les autorités des États-Unis ont imposé une pénalité réglementaire à la filiale multinationale d'une banque canadienne basée aux États-Unis pour avoir traité 1 479 opérations d'un montant total de 382 685 dollars et maintenu neuf comptes au nom de cinq employés de la Mission permanente de la République populaire démocratique de Corée¹³⁰. Selon le communiqué de presse, la banque n'avait pas obtenu la licence requise des autorités de réglementation américaines, ce qu'elle a attribué à une erreur humaine et à une confiance excessive à l'égard de la liste de contrôle communiquée par le fournisseur. Les autorités des États-Unis ont noté que la banque avait, de son propre gré, divulgué les violations, lesquelles constituaient un « cas non flagrant ». Une sanction réglementaire a été imposée en raison de violations du régime de sanctions américaines imposé à la République populaire démocratique de Corée, mais le nombre de comptes peut également constituer une violation des dispositions du paragraphe 16 de la résolution [2321 \(2016\)](#)¹³¹. Les autorités des États-Unis et la banque concernée ont pris des mesures.

¹³⁰ Voir États-Unis, Département du trésor, « OFAC settles with TD Bank, N.A. for \$115,005.04 related to apparent violations of the North Korea sanctions regulations and the foreign narcotics kingpin sanctions regulations », 23 décembre 2021. Consultable au https://home.treasury.gov/system/files/126/20211223_TDBNA.pdf.

¹³¹ Il est énoncé au paragraphe 16 de la résolution [2321 \(2016\)](#) du Conseil de sécurité que les États prendront des mesures pour réduire le nombre de comptes bancaires à un par mission diplomatique et poste consulaire de la République populaire démocratique de Corée et à un par diplomate et agent consulaire agréé, dans les banques se trouvant sur leur territoire.

Génération illicite de recettes au moyen de cyberactivités

182. Le Groupe d'experts a appris que des cyberacteurs de la République populaire démocratique de Corée continuaient de viser des institutions financières, des sociétés de cryptomonnaies et des plateformes d'échange de cybermonnaies. Selon un État Membre, des cyberacteurs de la République populaire démocratique de Corée ont volé plus de 50 millions de dollars de 2020 à la mi-2021 à partir d'au moins trois plateformes d'échange de cybermonnaies en Amérique du Nord, en Europe et en Asie, reflétant probablement une tendance à la diversification des opérations de cybercriminalité.

183. Selon le rapport récent¹³² d'une firme de cybersécurité, des cyberacteurs de la République populaire démocratique de Corée ont volé en 2021 un total de 400 millions en cryptomonnaies à la suite de sept intrusions dans des plateformes d'échange de cryptomonnaies et de firmes d'investissement, au cours desquelles ils ont « recouru à des tentatives d'hameçonnage, à l'exploitation de codes, à des logiciels malveillants et à une ingénierie sociale avancée pour détourner des fonds de portefeuilles « chauds » de ces organisations connectés à Internet vers des adresses contrôlées par la République populaire démocratique de Corée ». Les fonds de cryptomonnaies qui sont acquis par des cyberacteurs de la République populaire démocratique de Corée subissent un blanchiment minutieux afin de pouvoir être encaissés¹³³.

184. Le Groupe d'experts poursuit ses enquêtes sur les activités illicites des cyberacteurs de la République populaire démocratique de Corée visant à dégager des revenus.

VI. Effets involontaires des sanctions¹³⁴

185. Au paragraphe 25 de la résolution [2397 \(2017\)](#), le Conseil de sécurité a réaffirmé que les sanctions de l'ONU étaient censées être sans conséquences humanitaires négatives pour la population civile de la République populaire démocratique de Corée et ne pas nuire ni faire obstacle aux activités, y compris aux activités économiques et à la coopération, à l'aide alimentaire et à l'assistance humanitaire, qui ne sont pas interdites par les résolutions, et a souligné également qu'il était de la responsabilité première de la République populaire démocratique de Corée d'assurer pleinement les moyens de subsistance et les besoins de sa population.

186. La situation actuelle dans le pays est décrite par les observateurs comme étant proche d'une crise humanitaire. Cela est dû à la pandémie de COVID-19 et à la fermeture des frontières qui en a résulté, probablement le facteur le plus important ces deux dernières années, venant s'ajouter aux sanctions, aux catastrophes naturelles et aux changements introduits dans la politique économique intérieure, en vue d'une utilisation plus grande des méthodes de contrôle administratif¹³⁵.

¹³² Voir Chain Analysis, « North Korean hackers have prolific year as their unlaunched cryptocurrency holdings reach all-time high », 13 janvier 2022.

¹³³ Le respect au niveau mondial des obligations en matière de lutte contre le blanchiment d'argent et l'examen des activités des institutions financières non bancaires sont essentiels pour lutter contre l'exploitation par la République populaire démocratique de Corée des systèmes financiers mondiaux à des fins lucratives.

¹³⁴ Deux experts estiment que l'intitulé de la présente section devrait être conforme au libellé de la résolution (les sanctions « sont censées être sans conséquences »). Un autre expert a estimé que la question méritait d'être débattue plus avant.

¹³⁵ La tendance à restreindre les mécanismes du marché et à réintroduire le contrôle de l'État sur l'économie, en particulier dans l'agriculture, était clairement visible à la quatrième réunion

187. L'analyse du Groupe d'experts porte néanmoins sur l'effet involontaire des sanctions des Nations Unies. L'accès aux données et aux éléments de preuve est limité et il n'existe pas de méthode fiable pour désambiguïser les effets des sanctions des Nations Unies d'autres facteurs, tels que des régimes unilatéraux de sanctions et des problèmes socioéconomiques intérieurs.

188. Il ne fait guère de doute que les sanctions des Nations Unies ont entravé de manière involontaire la situation humanitaire et le droit au développement ¹³⁶, exacerbant les problèmes causés par la mauvaise gestion économique de repli du Gouvernement de la République populaire démocratique de Corée. Bien que l'influence des sanctions ne soit pas le facteur le plus important de la situation humanitaire déplorable, elle n'est pas négligeable (voir fig. XLVI). À la suite des résolutions du Conseil de sécurité en 2016 et en 2017, les exportations et les sources en devises ont diminué, les opérations financières transfrontalières se sont arrêtées et les transports ont été de plus en plus limités, tandis que les entités économiques et financières étrangères commençaient à éviter les risques de toute opération impliquant la République populaire démocratique de Corée. Cette situation a contribué à limiter la capacité du pays d'acquérir légalement des produits de première nécessité et des produits médicaux et à la dégradation des services sociaux, notamment les services de santé (voir annexe 87). Voir annexe 88 concernant l'analyse du Groupe d'experts, précédant la pandémie, des facteurs possibles de l'effet des sanctions sur la sphère humanitaire.

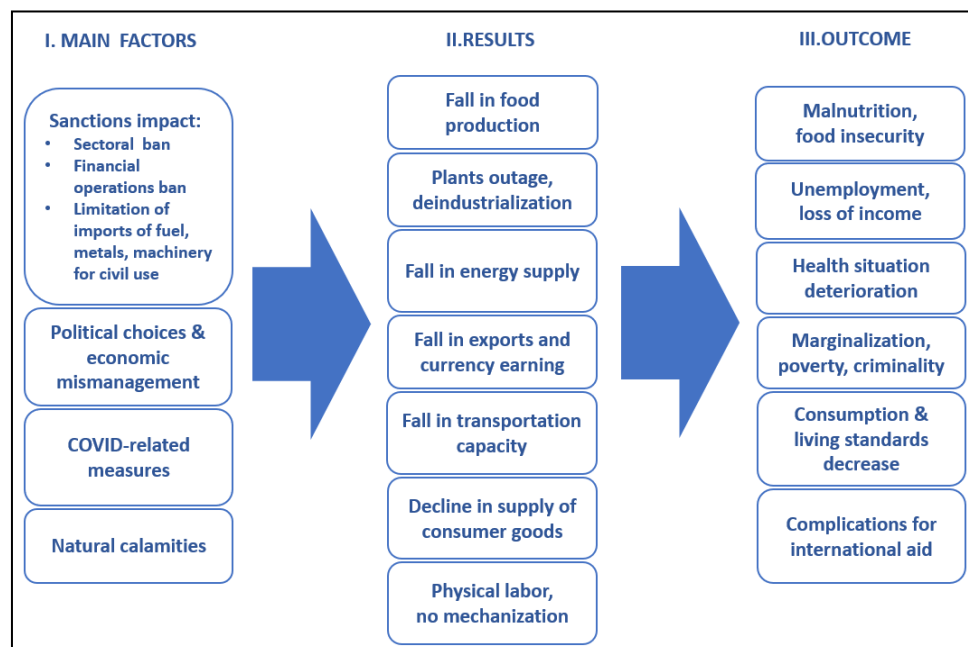
plénière du huitième Congrès du Parti du travail de Corée, à la fin de 2021. Voir « Let us strive for our great State's prosperity and development and our people's wellbeing: report on 4th plenary meeting of 8th C.C., WPK », *Rodong Sinmun*, 1^{er} janvier 2022.

¹³⁶ Ce droit des nations-États est confirmé dans la Déclaration sur le droit au développement, voir résolution 41/128 de l'Assemblée générale, annexe, et A/41/53. Voir également Haut-Commissariat des Nations Unies aux droits de l'homme, « Discussion paper: implications of the Right to Development for the Democratic People's Republic of Korea and other United Nations Member States », août 2021, p. 11, dans lequel il a été proclamé que « les sanctions devraient toujours tenir pleinement compte des dispositions du Pacte international relatif aux droits économiques, sociaux et culturels ». Voir également www.ohchr.org/FR/HRBodies/CESCR/Pages/CESCRIndex.aspx.

Figure XLVI

Sanctions des Nations Unies comme l'un des nombreux facteurs occasionnant des problèmes humanitaires (exemples)

(Facteurs rétrospectivement depuis 2018 (à la suite des résolutions du Conseil de sécurité) et les résultats, 2020-2021)



Source : Le Groupe d'experts.

189. Tout effet humanitaire négatif des sanctions est probablement à long terme et n'est pas directement lié à l'isolement né de la COVID. Le Groupe d'experts note les observations formulées sur la question par le Rapporteur spécial sur la situation des droits de l'homme en République populaire démocratique de Corée, Tomás Quintan¹³⁷. En octobre 2021, la Chine et la Fédération de Russie ont présenté un projet de résolution au Conseil de sécurité pour demander un assouplissement des sanctions liées à la République populaire démocratique de Corée, citant l'absence de tirs d'essais de missiles nucléaires et de missiles à longue portée par Pyongyang depuis 2017^{138, 139}.

190. Les opérations d'aide internationale qui ont contribué à l'atténuation des effets négatifs susmentionnés ont actuellement été radicalement réduites. Pour évaluer l'effet des sanctions et de la COVID-19 sur les opérations humanitaires, le Groupe d'experts a enquêté sur une quarantaine d'organisations (notamment des organismes d'aide des Nations Unies et des organisations non gouvernementales), dont la plupart avaient fait des demandes de dérogation, directement au Comité, par l'entremise du

¹³⁷ Le Rapporteur spécial sur la situation des droits de l'homme en République populaire démocratique de Corée, Tomás Quintana, a demandé en octobre 2021 que « les sanctions imposées par le Conseil de sécurité soient réexaminées et allégées si nécessaire, à la fois pour faciliter la fourniture d'une aide humanitaire et d'une assistance vitale et pour permettre la promotion du droit à un niveau de vie suffisant pour les citoyens ordinaires » (A/76/392).

¹³⁸ Voir www.nknews.org/2021/10/china-and-russia-submit-proposal-to-ease-un-sanctions-on-north-korea-sources.

¹³⁹ Quatre experts ont dénoncé la phrase, estimant que les rapports du Groupe d'experts n'étaient pas le lieu pour faire des déclarations politiques.

Coordonnateur résident des Nations Unies ou d'un État Membre¹⁴⁰ (pour la liste des questions, voir annexe 89). L'analyse suivante se fonde essentiellement sur les informations obtenues (voir annexe 90) :

- les restrictions de tous les mouvements à travers la frontière imposées par la République populaire démocratique de Corée ont entravé les opérations humanitaires. La plupart des organisations ont dû suspendre l'application et la surveillance des mesures en 2021. Certaines maintiennent une petite présence locale après le départ du personnel recruté sur le plan international ;
- l'absence d'une filière bancaire continue d'être un problème majeur et a entraîné l'épuisement des réserves en liquide¹⁴¹ ;
- les organisations ne sont pas optimistes quant à la possibilité de reprendre leurs opérations, même après la réouverture des frontières.

191. En août-septembre 2021, une cinquantaine de conteneurs de médicaments ont été livrés par l'Organisation mondiale de la Santé et le Fonds des Nations Unies pour la population à la République populaire démocratique de Corée, placés par la suite en quarantaine pendant 90 jours et ont subi un long processus de désinfection. En janvier 2022, aucune fourniture n'était parvenue à destination (voir annexe 91)¹⁴².

192. Les organisations non gouvernementales en général approuvent les mesures du Comité visant à rationaliser la procédure visant à obtenir des dérogations¹⁴³. Elles décrivent cependant la nécessité de les simplifier davantage. Certaines organisations non gouvernementales suggèrent des dérogations « permanentes » ou « générales », concernant des projets¹⁴⁴.

Recommandations

193. Le Groupe d'experts recommande que le Comité examine les réponses des organisations non gouvernementales à l'enquête menée par le Groupe d'experts (voir annexe 90) et envisage de nouer des contacts avec la société civile pour aborder les questions complexes d'une crise humanitaire en République populaire démocratique de Corée afin d'aider à étayer les décisions futures et de mieux évaluer les besoins en aide humanitaire.

194. Le Groupe d'experts souligne l'urgence de mesures concrètes visant à rétablir la filière bancaire.

195. Le Groupe d'experts apprécie les exposés biannuels des organismes compétents des Nations Unies sur l'effet non désiré des sanctions et recommande que le Comité poursuive cette pratique.

¹⁴⁰ Les réponses aux questions du Groupe d'experts étaient facultatives et n'ont pas d'effet sur la procédure d'approbation des dérogations.

¹⁴¹ Programme alimentaire mondial (PMA), « WFP DPR Korea country brief », décembre 2021. Consultable au <https://reliefweb.int/sites/reliefweb.int/files/resources/WFP-0000135453.pdf>.

¹⁴² Voir www.nknews.org/2022/01/unicef-says-aid-has-cleared-north-korea-quarantine-on-its-way-for-distribution.

¹⁴³ Les organisations non gouvernementales approuvent la nette amélioration des procédures d'octroi de dérogations par le Comité conformément à la notice d'aide à l'application 7 et aux mesures prises pendant la période de la pandémie de COVID-19, notamment « l'extension de la validité des dérogations de six mois à un an ». Cependant, comme l'a montré l'analyse précédente, l'idée de « dérogations permanentes pour les organisations humanitaires » et l'introduction d'une « liste blanche » concernant le matériel agricole et médical » suscitent une opposition marquée.

¹⁴⁴ Une organisation non gouvernementale a mentionné la collecte d'informations effectuée par le Comité national concernant la République populaire démocratique de Corée (www.ncnk.org) au sujet des effets non désirés des sanctions sur les activités des organisations internationales et des organisations non gouvernementales.

196. Le Groupe d'experts recommande que le Conseil de sécurité continue de se pencher sur les questions et les procédures à même d'atténuer les effets négatifs éventuels non désirés des sanctions sur la population civile de la République populaire démocratique de Corée et sur les opérations d'aide humanitaire, pour en faire profiter la population vulnérable du pays et pour surmonter les conséquences de la pandémie de COVID-19.

197. Le Groupe d'experts note les résultats positifs des efforts faits par le Comité pour simplifier les procédures de demande de dérogation humanitaire et recommande que le Comité poursuive ces efforts, en tenant compte des suggestions faites par les acteurs humanitaires.

VII. Rapports nationaux de mise en œuvre

État de la situation concernant les rapports des États Membres sur l'application des résolutions pertinentes

198. Au 28 janvier 2022, 66 États Membres avaient présenté des rapports sur l'application du paragraphe 8 de la résolution [2397 \(2017\)](#), 81 sur celle du paragraphe 17 de la résolution [2397 \(2017\)](#), 95 sur celle de la résolution [2375 \(2017\)](#), 90 sur celle du paragraphe 17 de la résolution [2371 \(2017\)](#), 107 sur celle de la résolution [2321 \(2016\)](#) et 115 sur celle de la résolution [2270 \(2016\)](#). Malgré l'augmentation du nombre de rapports présentés, le Groupe d'experts note que de nombreux États Membres (127, dont 1 ayant siégé au Conseil de sécurité en qualité de membre non permanent en 2020) n'ont toujours pas présenté de rapport sur l'application de la résolution [2397 \(2017\)](#).

199. Par ailleurs, le taux de réponse global des États Membres, des entités et des personnes aux demandes d'information qui leur ont été adressées par le Groupe d'experts dans le cadre de ses enquêtes demeure faible. Le Groupe d'experts note que les États Membres, les entités et les personnes devraient se conformer aux résolutions pertinentes du Conseil de sécurité et coopérer pleinement avec les enquêtes du Groupe d'experts.

VIII. Recommandations

200. Pour une liste intégrée des recommandations, voir l'annexe 93.

Annex 1: COVID-19, Democratic People's Republic of Korea border measures

During the reporting period DPRK maintained its strict COVID-19 blockade imposed in January 2020. Cross-border movement of people and trade were forbidden, and transport links into and out of the country have been frozen. It was only in mid-January 2022 that the cross-border rail link was cautiously re-opened and the “disinfection centre” at Sinuiju, constructed in March-April 2021, was probably used for the first time.

The diplomatic presence in Pyongyang shrunk still further; NGOs are represented by local staff.

Maritime trade is at extremely low levels and has been fundamentally affected by the need for extended periods of off-shore quarantine, followed by time-consuming disinfection of cargoes. Foreign vessels are not permitted to enter DPRK ports.

Brief periods of apparent relaxation of these rules in order to permit extremely limited upticks in trade (for example in May 2021, and then again in September 2021) have been rapidly brought to an end. The global emergence of the Omicron variant appeared to have had a particularly strict impact on the imposition of the border closure.

DPRK continues to claim zero COVID-19 infections to WHO, although the numbers of those tested remains extremely low. The longer term plans of the DPRK government with regard to vaccination or relaxation of the blockade are not known. Media reports suggest that the DPRK government appears to be prepared to maintain the current disposition for several years.

Source: The Panel.

Annex 2: KCNA reporting of Kim Jong Un's speech at 8th Party Congress (excerpt related to nuclear and military developments)

Great Programme for Struggle Leading Korean-style Socialist Construction to Fresh Victory On Report Made by Supreme Leader Kim Jong Un at Eighth Congress of WPK

Date: 09/01/2021 | Source: Minju Choson KCNA

The report detailed the historic course of masterminding a great revolutionary turn for possessing the completely new nuclear capabilities aimed at attaining the goal of modernization of the nuclear force.

Under the direct guidance of the Party Central Committee, intermediate-range and intercontinental ballistic rockets of Hwasongpho series and submarine-launched and ground-based ballistic rockets of Pukkuksong series were manufactured in our own style to meet their unique operational missions. This gave a clearer description of the status of our state as a nuclear weapons state and enabled it to bolster its powerful and reliable strategic deterrent for coping with any threat by providing a perfect nuclear shield.

In the period under review the already accumulated nuclear technology developed to such a high degree as to miniaturize, lighten and standardize nuclear weapons and to make them tactical ones and to complete the development of a super-large hydrogen bomb. By succeeding in the test-fire of ICBM Hwasongpho-15 on November 29, 2017, the Party Central Committee declared with pride to the world the accomplishment of the historic cause of building the national nuclear force and the cause of building a rocket power.

The great cause of building the national nuclear force, which was impossible to achieve even in 20 to 30 years in terms of existing formula, was accomplished four years after the line of simultaneously promoting economic construction and nuclear buildup was set forth and one year after the Seventh Congress of the Party. This is a miracle unprecedented in history and the exploit of greatest significance in the history of the Korean nation the Seventh Central Committee performed for the Party and revolution, the country and people and posterity.

The Party Central Committee achieved new great victories by vigorously leading the struggle for upgrading the nuclear force even after the great historic November event in 2017.

Recalling that the Party Central Committee decided to develop a global strike rocket with more powerful warheads and an improved warhead control system and carried out this historic task by relying on the patriotism and loyalty of national defence scientists, the report affirmed that the new-type gigantic rocket on an 11-axis self-propelled launcher displayed during the military parade in celebration of the 75th founding anniversary of the Party fully demonstrated the ultra-modernity and great striking capability of our nuclear force.

The accomplishment of the great cause of building the national nuclear force and its continued development constitute a victory of the organizational and leadership abilities of the Party Central Committee headed by Kim Jong Un and a great victory of the national defence scientists and all other Koreans who waged a death-defying struggle with an indomitable faith in independence and valiant spirit.

The report reviewed the fact that new cutting-edge weapon systems were developed in the sector of national defence science one after another to cope with the enemy's desperate arms buildup, thus making our state's superiority in military technology an irreversible one and putting its war deterrent and capability of fighting a war on the highest level.

The national defence science sector developed the super-large MLRS, a super-power attack weapon the world's weaponry field had never known, and proceeded to develop ultra-modern tactical nuclear weapons including new-type tactical rockets and intermediate-range cruise missiles whose conventional warheads are the most powerful in the world.

This enabled us to gain a reliable edge in military technology.

National defence scientists and workers in the munitions industry properly set the orientation of developing main tank of our style following the world's development trends and have begun to enter a new track of development while upgrading production processes. They also achieved such successes as developing world-class anti-air rocket complex, self-propelled gun howitzer and anti-armour weapons.

The report also noted that in the period under review the sector of national defence scientific research was conducting research into perfecting the guidance technology for multi-warhead rocket at the final stage, finished research into developing warheads of different combat missions including the hypersonic gliding flight warheads for new-type ballistic rockets and was making preparations for their test manufacture.

The report made public with pride that the standard of the goal in the modernization of medium-sized submarine was set correctly and it was remodelled experimentally to open up a bright prospect for remarkably enhancing the existing subsurface operational capabilities of our navy, that the design of new nuclear-powered submarine was researched and was in the stage of final examination and the designing of various electronic weapons, unmanned striking equipment, means of reconnaissance and detection and military reconnaissance satellite were completed, and that other achievements were made in national defence research of gigantic significance in developing the People's Army into a powerful one with the strongest military muscle in the world.

The report evaluated that the bold leap forward brought about in the national defence science and munitions industry made sure that the country ranked high in the world in terms of defence capabilities and, at the same time, it was of great significance in realizing the strategic plan of the Party Central Committee for developing the overall Korean revolution.

The report said that a great advance was made in the work of turning the People's Army into elite forces in the period under review.

It is necessary to develop the nuclear technology to a higher level and make nuclear weapons smaller and lighter for more tactical uses. This will make it possible to develop tactical nuclear weapons to be used as various means according to the purposes of operational duty and targets of strike in modern warfare, and continuously push ahead with the production of super-sized nuclear warheads. In this way we will be able to thoroughly contain, control and handle on our own initiative various military threats on the Korean peninsula, which are inevitably accompanied the nuclear threat.

Source: Minju Choson KCNA (in bold and underlined by the Panel).

Annex 3: Construction activities in the southern area of the LWR (39°47'40"N 125°45'18"E)



Source: Planet Labs Inc.

Annex 4: 5MW(e) intermittent cooling water discharge (39°47'53"N 125°45'24"E)



Source: Planet Labs Inc.

Annex 5: 50MW(e) reactor spent fuel storage building (39°47'17"N 125°45'43"E)

The Panel notes that the 50MW(e) reactor complex was previously believed to be abandoned and its construction was never completed. After the visit by a delegation from Stanford University to Yongbyon and their discussions with DPRK officials in August 2007, Stanford experts concluded that 50MW(e) reactor was “likely no longer salvageable”.¹



Source: Planet Labs Inc.

¹ Center for International Security and Cooperation, Stanford University, https://fsi-live.s3.us-west-1.amazonaws.com/s3fs-public/khucisacfinalreport_compressed.pdf.

Annex 6: Excerpt of IAEA Director General's Introductory Statement to the Board of Governors (24 November 2021)

Since my report to the Board and General Conference in August of this year we have continued to monitor the DPRK nuclear programme. There are ongoing indications consistent with the operation of the 5MW(e) reactor at the Yongbyon site. There continue to be no indications of operation of the Radiochemical Laboratory since early July 2021. We have observed new and ongoing construction activities at the Yongbyon site, including construction of an annex to the Yongbyon reported Centrifuge Enrichment Facility, the purpose of which has yet to be determined. Near the light water reactor (LWR) under construction a new building is being built, possibly to support reactor construction or maintenance activities. There are ongoing indications of activities at the Kangson complex and the Pyongsan Mine and Concentration Plant.

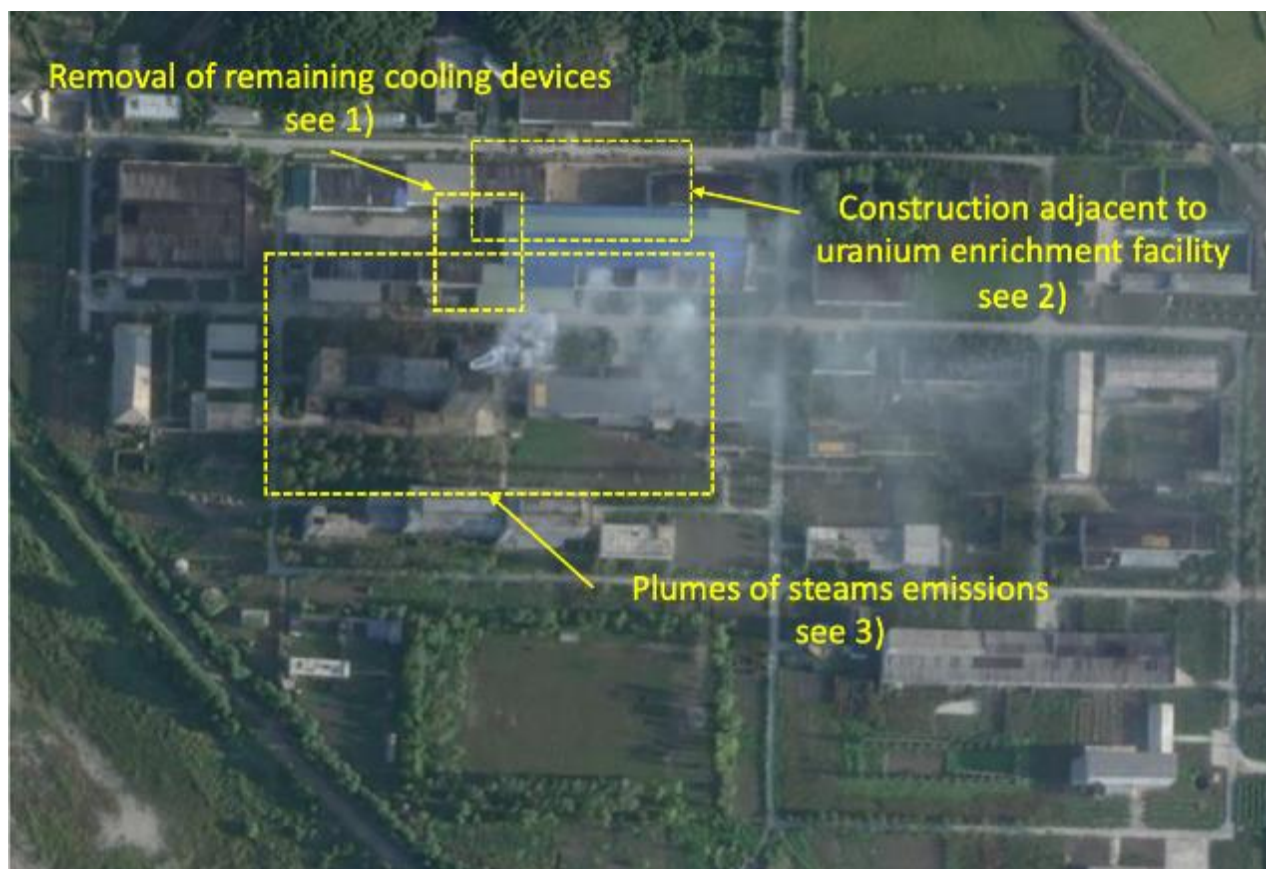
The continuation of the DPRK's nuclear programme is a clear violation of relevant UN Security Council resolutions and is deeply regrettable.

I call upon the DPRK to comply fully with its obligations under relevant UN Security Council resolutions, to cooperate promptly with the Agency in the full and effective implementation of its NPT Safeguards Agreement and to resolve all outstanding issues, especially those that have arisen during the absence of Agency inspectors from the country.

The Agency continues to maintain its enhanced readiness to play its essential role in verifying the DPRK's nuclear programme.

Source: IAEA, IAEA Director General's Introductory Statement to the Board of Governors (24 November 2021) <https://www.iaea.org/iaea-director-generals-introductory-statement-to-the-board-of-governors-24-november-2021> (accessed on 10 December 2021).

Annex 7: Activities at the Yongbyon Centrifuge Plant (39°47'17"N 125°45'43"E)



Source: Planet Labs Inc. (15 September 2021).

1) The removal of remaining cooling devices (39° 46' 15" N 125° 44' 56" E)²



Source: Planet Labs Inc.

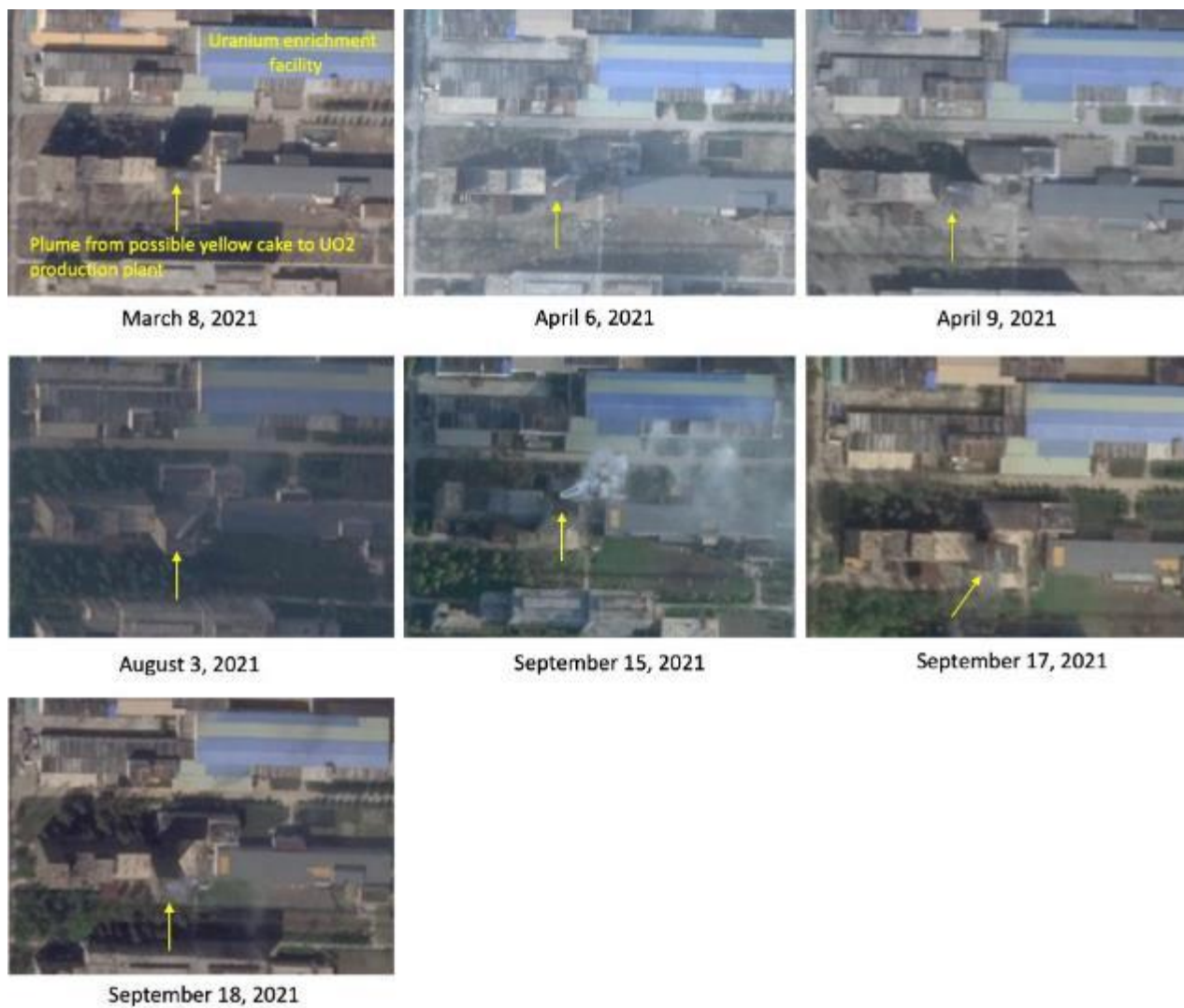
² According to Member State information, one of the six cooling devices at this uranium enrichment facility was removed in March 2020 and satellite imagery from March to June 2020 analyzed by the Panel showed the removal of one of the devices (see S/2020/840, para. 3).

2) Construction adjacent to uranium enrichment facility (39°46'15"N 125°44'58"E)



Source: Planet Labs Inc.

3) Plumes of steam from UO₂ production plant (39°46'12"N 125°44'55"E)



Source: Planet Labs Inc.

Annex 8: Construction at pilot fuel fabrication plant (39°48'06"N 125°45'17"E)



Source: Planet Labs Inc.

Annex 9: Activities at Pyongsan Uranium Mine and Concentration Plant (location of the possible yellowcake production building at 38°19'04"N 126°25'54"E)



Source: Planet Labs Inc. (26 September 2021).

1) New construction of building and the installation of conveyor at the mine (38°20'00"N 126°27'24"E)



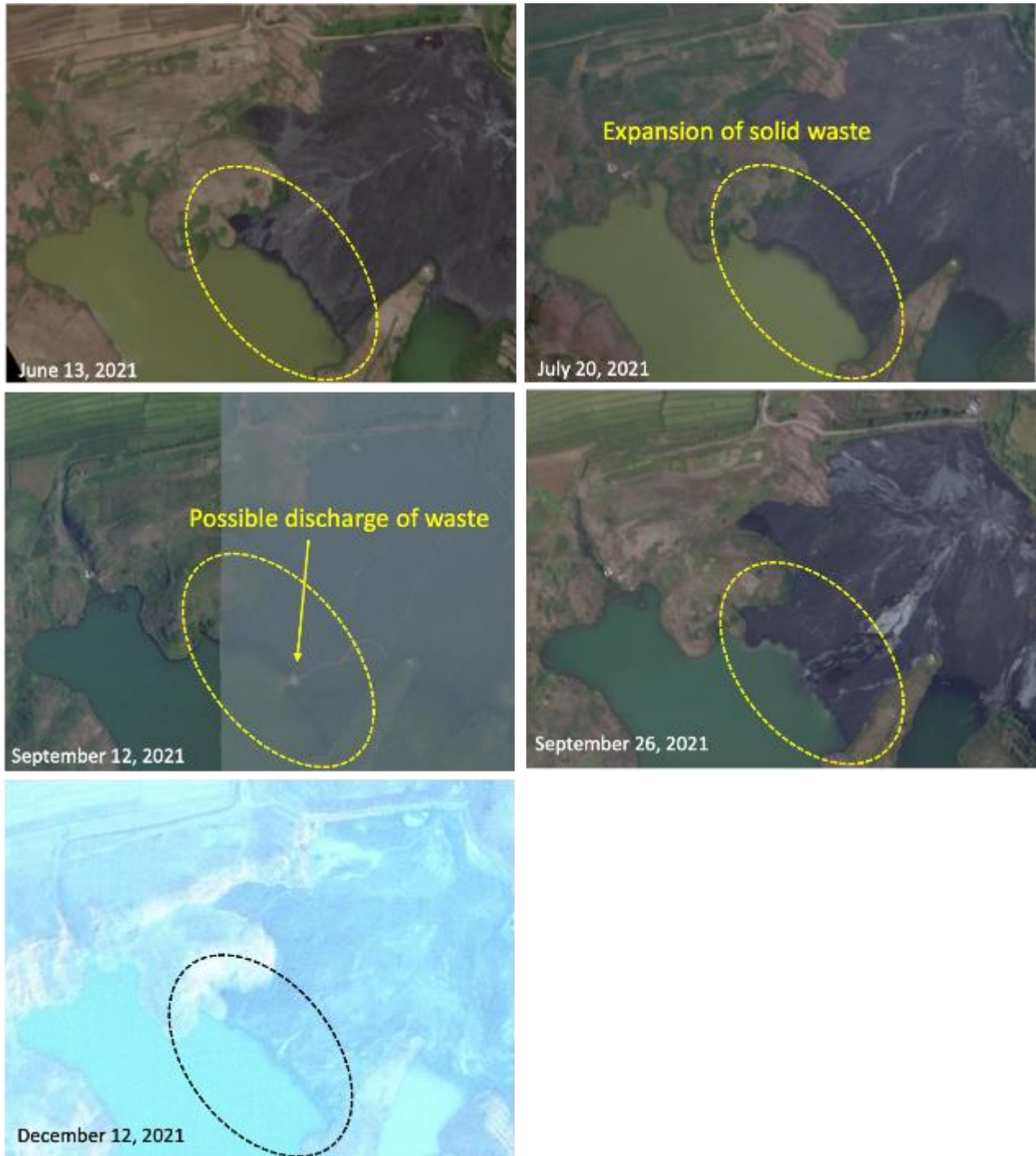
Source: Planet Labs Inc.

2) Railcar activities at Pyongsan Uranium Concentration Plant (38°19'03"N 126°25'56"E and 38°18'59"N 126°25'52"E)



Source: Planet Labs Inc.

3) Tailings pond of Pyongsan Uranium Concentration Plant (38°18'40"N 126°25'44"E)



Source: Planet Labs Inc.

Annex 10: Activities at Kangson (38°57'29"N 125°36'43"E and 38°57'29"N 125°36'44"E)

Source: Planet Labs Inc.

Annex 11: Activities at Yongdoktong

1) Near the entrance of tunnels (40°01'51"N 125°18'28"E)



Source: Planet Labs Inc.

2) Around the entrance of tunnels (40°01'50"N 125°18'35"E)



Source: Planet Labs Inc.

3) Possible storage for explosives in Yongdoktong area (40°01'50"N 125°18'35"E)

Possible storage for explosives has been observed. The purpose of this facility remains unclear, however, the Panel corroborated the observation of outside expert.



September 26, 2021



September 26, 2021

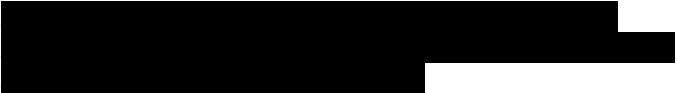
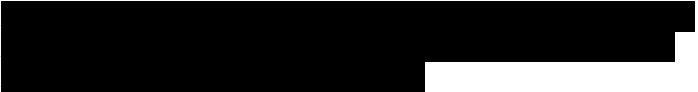
Source: Planet Labs Inc.

Annex 12: Table summarizing specific scientific collaboration projects between institutes in the Democratic People's Republic of Korea and universities in China

(1) List of joint studies³. DPRK scientists with underlined names are concurrently affiliated with Chinese universities.

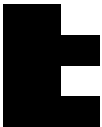
No.	Institute in China	DPRK Institutes	Year	Journal or Subject -source of information-	Title and web reference of the source of information	Authors
11		Pyongyang University of Mechanical Engineering	2019	Thin-Walled Structures Volume 142, September 2019, Pages 262-276	A domain decomposition method for elastodynamic problems of functionally graded elliptic shells and panels with elastic constraints https://www.sciencedirect.com/science/article/abs/pii/S0263823119300370	Choe Kwangnam Department of Light Industry Machinery Engineering, Pyongyang University of Mechanical Engineering, Pyongyang, 999093. Ri Kwangchol Department of Light Industry Machinery Engineering, Pyongyang University of Mechanical Engineering, Pyongyang 999093. 

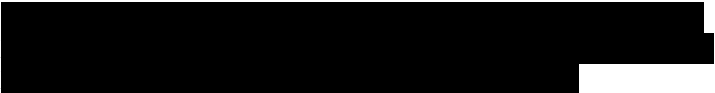
³ About **Choe Kwangnam**; **Ri Kwangchol**; **Yun Kumchol**; S/2021/777, annex 13.

No.	Institute in China	DPRK Institutes	Year	Journal or Subject -source of information-	Title and web reference of the source of information	Authors
13		Pyongyang University of Mechanical Engineering	2018	Composites Part B: Engineering Volume 155, 15 December 2018, Pages 369-381	Three-dimensional exact solution for vibration analysis of thick functionally graded porous (FGP) rectangular plates with arbitrary boundary conditions https://www.sciencedirect.com/science/article/abs/pii/S1359836818325836	 Choe Kwangnam, Department of Light Industry Machinery Engineering, Pyongyang University of Mechanical Engineering, Pyongyang, 999093 
19		Pyongyang University of Mechanical Engineering	2018	Composite Structures Volume 194, 15 June 2018, Pages 413-432	Free vibration analysis of coupled functionally graded (FG) doubly-curved revolution shell structures with general boundary conditions https://www.sciencedirect.com/science/article/abs/pii/S0263822318307232	Choe Kwangnam Department of Light Industry Machinery Engineering, Pyongyang University of Mechanical Engineering, Pyongyang, 999093 

No.	Institute in China	DPRK Institutes	Year	Journal or Subject -source of information-	Title and web reference of the source of information	Authors
22		Kim Il Sung University	2019	International Journal of Modern Physics B Vol. 33, No. 21, 1950235 (2019)	Entanglement of two distant quantum dots with the flip-flop interaction coupled to plasmonic waveguide https://www.worldscientific.com/doi/abs/10.1142/S0217979219502357	Ko Myong-Chol Faculty of Physics, Kim Il Sung University, Pyongyang, Democratic People's Republic of Korea Kim Nam-Chol (nc.kim@ryongnamsan.edu.kp) idem Ryom Ju-Song idem Ri Su-Ryon idem 

No.	Institute in China	DPRK Institutes	Year	Journal or Subject -source of information-	Title and web reference of the source of information	Authors
35		Kim Il Sung University & Kim Chaek University of Technology;	2019	Science & Technology - Other Topics	Study on synthesis and application of tetrabasic lead sulfate as the positive active material additive for lead-acid batteries https://royalsocietypublishing.org/doi/full/10.1098/rsos.190882	Kim Myonghak; (kmh311@163.com) Faculty of Applied Chemical Engineering, Kim Chaek University of Technology, No. 60 Pyongyang Kyogu, and  Kim Mungi Faculty of Applied Chemical Engineering, Kim Chaek University of Technology, No. 60 Pyongyang Kyogu, Jong Songchol idem Pak Ilman idem Kim Ganghyok idem  Ri Cholnam Institute for Electronic Materials, Kim Il Sung University, Pyongyang,

No.	Institute in China	DPRK Institutes	Year	Journal or Subject -source of information-	Title and web reference of the source of information	Authors
44		Pyongyang University of Architecture	2018	IEEE-Sensors Journal (Institute of electrical and electronics engineers) Volume: 18, Issue: 11, June1, 1 2018). DOP: 18 April 2018; DOI: 10.1109/JSEN.2018.2828139	Structural Displacement Monitoring Using Smartphone Camera and Digital Image Correlation https://ieeexplore.ieee.org/abstract/document/8340774	 Ri Kwang School of Civil Engineering, Pyongyang University of Architecture, Pyongyang 1001 and 
52		Kim Il sung University & Kim Chaek University of Technology	2019	Applied Sciences Volume 9 Issue 2 10.3390/app9020314	A Damage Model Reflecting the Interaction between Delamination and Intralaminar Crack for Failure Analysis of FRP Laminates https://www.mdpi.com/2076-3417/9/2/314	Yun Kumchol; (yunkumchol@163.com) Faculty of Mechanics, Kim Il Sung University, Pyongyang 950003 Kwak Songhun Faculty of Mechanical Engineering, Kimchaek University of Technology, Pyongyang 950003,  Kim Jonggun Information Center, Kim Il Sung University, Pyongyang 950003. Ri Cholsu Faculty of Mechanics, Kim Il Sung University, Pyongyang 950003.

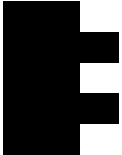
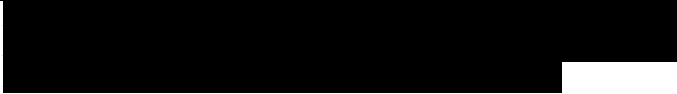
No.	Institute in China	DPRK Institutes	Year	Journal or Subject -source of information-	Title and web reference of the source of information	Authors
53		Kim Chaek University of Technology & Department of Chemistry, University of Science, Pyongyang	2018	Chemical Physics Letters Volume 699, May 2018, Pages 199-207	Adsorption of 1-naphthyl methyl carbamate in water by utilizing a surface molecularly imprinted polymer https://www.sciencedirect.com/science/article/abs/pii/S0009261418302422	So Juhyok (so_juhyok@163.com) Department of Chemistry, University of Science, Pyongyang 950003. Pang Cholho Department of Material Engineering, Kimchaek University of Technology, Pyongyang 950003  Jang Paeksan Nano-physical Engineering Institute, Kimchaek University of Technology, Pyongyang 950003 U Juhyok Kimchaek University of Technology Library, Pyongyang 950003 Ri Kumchol Department of Life Science, University of Science, Pyongyang 950003 Yun Cholyong Physical Engineering Department, Kimchaek University of Technology, Pyongyang 950003, and Faculty of Mechanics, Kim Il Sung University, Pyongyang.

No.	Institute in China	DPRK Institutes	Year	Journal or Subject -source of information-	Title and web reference of the source of information	Authors
54		Kim Il Sung University & Kim Chaek University of Technology & Chongjin Mine & Metal University	2019	Computers & Structures Volume 215, 15 April 2019, Pages 65-79	A computational methodology for simulating quasi-brittle fracture problems https://www.sciencedirect.com/science/article/abs/pii/S004579491831513X	Yun Kumchol (yunkumchol@163.com) Faculty of Mechanics, Kim Il Sung University, Pyongyang 950003, Democratic People's Republic of Korea  Kim Tae-Jong Faculty of Mechanical Engineering, Kimchaek University of Technology, Pyongyang. Son Namjin Faculty of Mechanics, Kim Il Sung University, Pyongyang. Ji Kyongsu Department of Information Engineering, Chongjin Mine & Metal University, Chongjin. 

No.	Institute in China	DPRK Institutes	Year	Journal or Subject -source of information-	Title and web reference of the source of information	Authors
65		Kim Chaek University of Technology	2019	Fullerenes, Nanotubes and Carbon Nanostructures Volume 27, 2019 - Issue 4	The enhanced and polarized Raman spectra on the spherical aluminum powders encapsulated within graphene nanosheets https://www.tandfonline.com/doi/abs/10.1080/1536383X.2018.1480477	Ju Jong-Min (jjm218@163.com) Department of Materials Science and Engineering, Kimchaek University of Technology, Pyongyang, and from   Kim Dang-Ho Department of Materials Science and Engineering, Kimchaek University of Technology, Pyongyang Yu Tok-Chol Department of Materials Science and Engineering, Kimchaek University of Technology, Pyongyang Pak Kyong-Song Department of Materials Science and Engineering, Kimchaek University of Technology, Pyongyang, Democratic People's Republic of Korea

No.	Institute in China	DPRK Institutes	Year	Journal or Subject -source of information-	Title and web reference of the source of information	Authors
77		Kim Il Sung University & Kim Chaek University of Technology	2018	Protection of Metals and Physical Chemistry of Surfaces volume 54, pages1059–1065(2018)	Excellent Anti-Corrosive Composite Coating Containing Iron Oxide on AZ31B Mg Alloy https://link.springer.com/article/10.1134/S2070205118060199	<u>Pak Sung-Nam</u> Department of Energy Science, Kim Il Sung University, 999093, Pyongyang, Democratic People's Republic of Korea, and  Ju Kyong-Sik Institute of Advanced Science, Kim Il Sung University, 999093, Pyongyang, Democratic People's Republic of Korea Yun Chol-Yong Kimchaek University of Technology, 950003, Pyongyang, Democratic People's Republic of Korea Kim Man-Ho Department of Energy Science, Kim Il Sung University, 999093, Pyongyang, Democratic People's Republic of Korea Ko Myong-Son idem Ryang Sok-Jin idem Kim Chol-Jin idem U Ju-Hyok Kimchaek University of Technology, 950003, Pyongyang, Democratic People's Republic of Korea Pak Kyong-Song Idem

No.	Institute in China	DPRK Institutes	Year	Journal or Subject -source of information-	Title and web reference of the source of information	Authors
92		Kim Il Sung University	2017	International Journal of Systematic and Evolutionary Microbiology Volume 67, Issue 10	Sphingomonas antarctica sp nov., isolated from Antarctic tundra soil https://www.microbiologyresearch.org/content/journal/ijsem/10.1099/ijsem.0.002253?crawler=true	 Kim Myong Chol College of Life Sciences, Kim Il Sung University, Pyongyang, DPR of Korea, and
95		Kim Chaek University of Technology	2019	Chinese Journal of Geophysics (in Chinese) 2019, Vol. 62 Issue (6): 2139-2149	2D joint inversion of MT, gravity, magnetic and seismic first-arrival wave travel time with cross-gradient constraints http://en.igg-journals.cn/article/doi/10.6038/cjg2019L0713	 Pak YongChol Resource Exploration and Engineering Department, Kimchaek University of Technology, Pyongyang 999093

No.	Institute in China	DPRK Institutes	Year	Journal or Subject -source of information-	Title and web reference of the source of information	Authors
123		Kim Chaek University of Technology & Hamhung University of Chemical Industry	2018	岩土力学 Rock and Soil Mechanics 39(6):2211-2218	Determination of rock mass mechanical parameters based on quantification and correction method of GSI value http://ytlx.whrsm.ac.cn/EN/10.16285/j.rsm.2016.2174	<u>Kang Kwang-song</u> School of Mining Engineering, Kim Chaek University of Technology, Pyongyang 999093, DPR of Korea, and  <u>Hong Gun-yi</u> School of Mining Engineering, Kim Chaek University of Technology, Pyongyang 999093, DPR of Korea  <u>Pang Gyong-jin</u> Information Technology Exchange Center, Hamhung University of Chemical Industry, Pyongyang 999093, DPR of Korea
127		Department of Engineering, University of Science	2019	International Journal of Engineering Science Volume 142, September 2019, Pages 20-35	An efficient approach for post-buckling analysis of sandwich structures with elastic-plastic material behavior https://www.sciencedirect.com/science/article/abs/pii/S0020722519308900	 <u>Choe Jongchol</u> Department of Engineering, University of Science, Unjong District, Pyongyang, and 

No.	Institute in China	DPRK Institutes	Year	Journal or Subject -source of information-	Title and web reference of the source of information	Authors
128		Department of Engineering, University of Science	2019	Thin-Walled Structures Volume 143, October 2019, 106204	The effects of kinematics on post-buckling analysis of sandwich structures https://www.sciencedirect.com/science/article/abs/pii/S0263823119303076	 <u>Choe Jongchol</u> Department of Engineering, University of Science, Unjong District, Pyongyang, Democratic People's Republic of Korea and

Source: The Panel from various scientific article databases (see inside the table).

Annex 13: Reply from China to the Panel

6. ITT (OC.324)

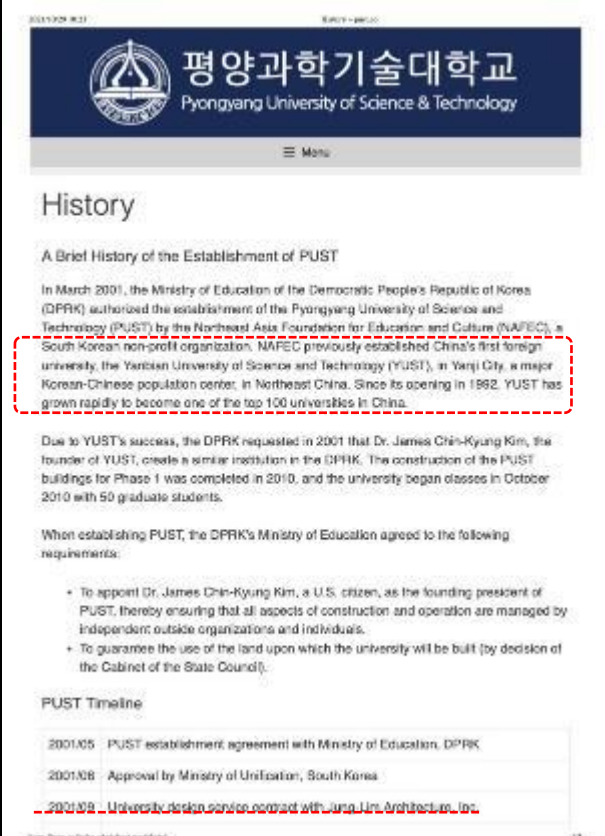
China has always been strictly implementing the relevant provisions of the Security Council resolutions and has stepped up examination over academic exchanges and cooperation. According to the investigation, there are no prohibited academic exchanges or scientific collaborations between Chinese universities and the DPRK side.

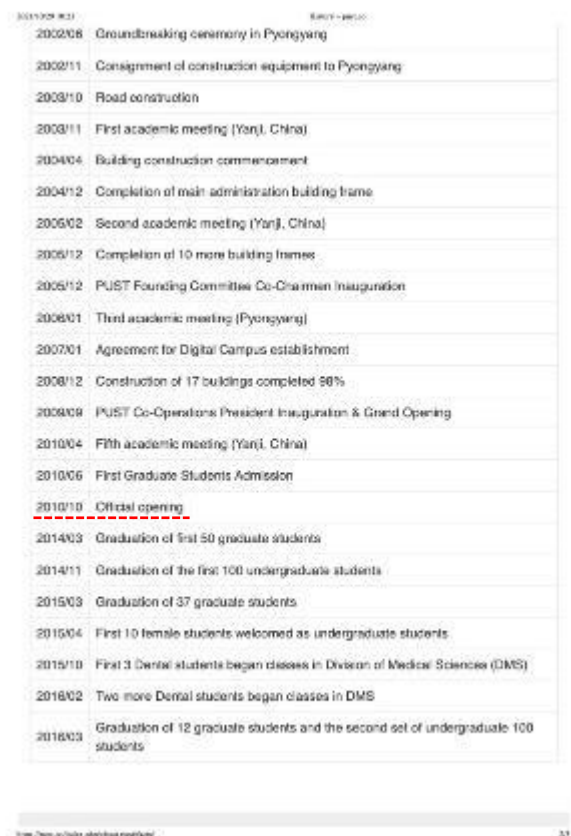
Source: The Panel.

Annex 14: Pyongyang University of Science & Technology (PUST)

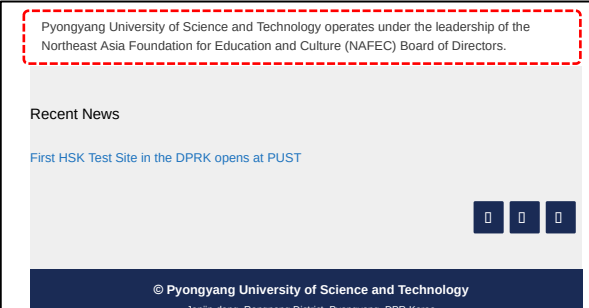
(1) About PUST

PUST was established after the agreement between the DPRK authorities and the Northeast Asia Foundation for Education and Culture (NAFEC), a non-profit organisation located in Seoul, the Republic of Korea, in 2001 prior to the opening of the University in 2010. PUST operates under the leadership of the NAFEC Board of Directors.





Source: PUST website, <https://pust.co/index.php/about-pust/leadership/> (accessed on 29 December 2021).



Source: PUST website, <https://pust.co/index.php/about-pust/facts/> (accessed on 29 December 2021).

(1) Exchange cooperation by “Studying abroad”

The NAFEC website says “Study Abroad: Since 2012, we have been studying for master's degrees at several excellent universities such as Sweden and Brazil, starting with Manchester University and University of Cambridge in the UK. As of 2020, a total of 6 students are studying abroad at the Faculty of Agriculture and Life Sciences, including two PhD students at the University of Cambridge, 2 people at Northeast Forestry University (Harbin), and 2 people at Yanbian University’.



Source: Northeast Asia Education and Culture Cooperation Foundation website, http://neafound.org/_new/bbs/board.php?bo_table=pust4 (accessed 29 December 2021).

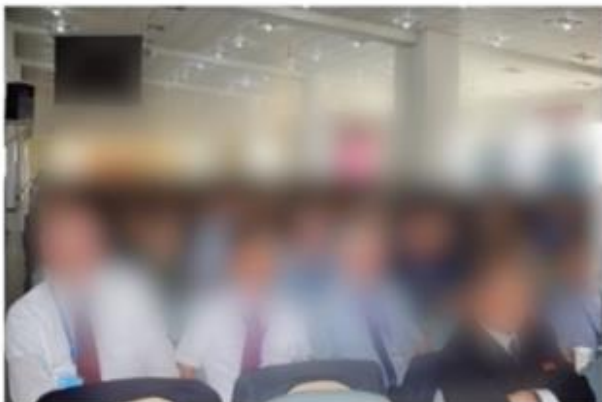
(2) International Conference

The website explains about the 4th International Conference:

- Period: 3-4 October 2019
- Content: Keynote speech and thesis presentation in five divisions (Computer Science, General Engineering, Agriculture & Life Science, Medical Science, Int'l Finance & Management)
- Participant: Novoselov Konstantin (Nobel Prize in Physics), 42 speakers from 15 countries including Paserin Vladimir, 51 participants from 13 countries, 38 participants from embassies.

●제4차 국제학술대회

- 기간: 2019.10.3~4
- 내용: Key note speech 및 5개분야별 논문발표(Computer Science, General Engineering, Agriculture & Life Science, Medical Science, Int'l Finance & Management)
- 참가자: Novoselov Konstantin(노벨 물리학상 수상), Paserin Vladimir 외 15개국 42명의 발표자, 13개국 51명 참석, 각국 대사관 38명

[이용약관] [개인정보처리방침]

사단법인 동북아교육문화협력재단 (대표자명: 곽선희) 사업자등록번호: 220-82-01064

사업장 주소: 서울시 강남구 영동대로 112길 42, 2층(삼성동, 인우빌딩) 전화: 02-561-2445 메일: pustnafec@gmail.com

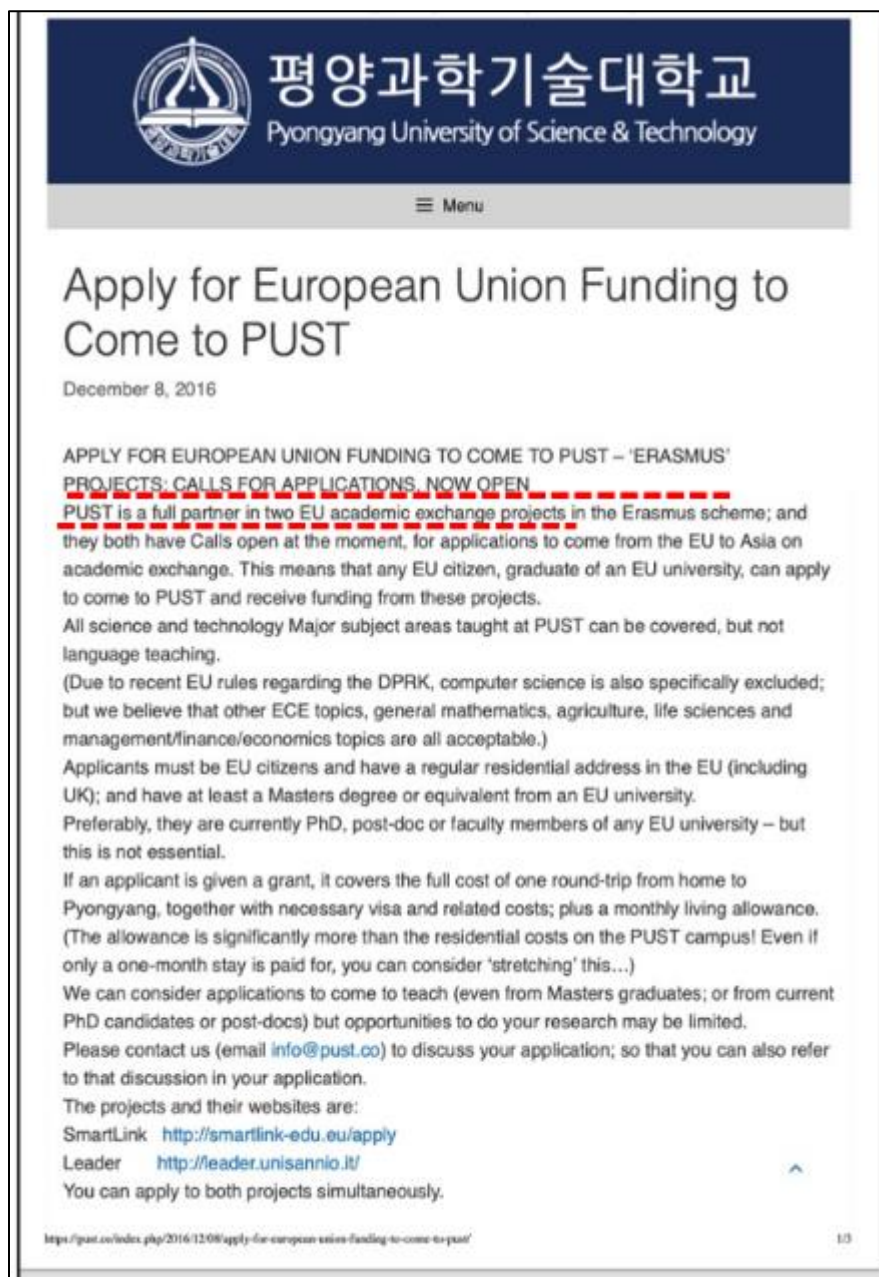
Copyright © 사단법인 동북아교육문화협력재단 2018. All rights reserved.

Source: Northeast Asia Education and Culture Cooperation Foundation website,
http://neafound.org/_new/bbs/board.php?bo_table=pust4 (accessed 29 December 2021).

Annex 15: Websites of Pyongyang University of Science & Technology (PUST) and Erasmus+

The PUST website also refers to funding from Erasmus+ or academic exchange projects (see figure 15-1), whilst the Erasmus+ website lists DPRK as an “eligible country” for sponsorship (see figure 15-2). The Panel asked the EU about the status of academic exchanges involving DPRK scientists, and whether these exchanges have continued in any field or activity relevant to paragraph 17 of resolution 2270 (2016) and paragraph 10 of resolution 2321 (2017). The EU has yet to respond.

Figure 15-1: PUST website about the funding from Erasmus+



Source: Pyongyang University of Science & Technology, <https://pust.co/index.php/2016/12/08/apply-for-european-union-funding-to-come-to-pust/> (accessed 29 December 2021).

Figure 15-2: Erasmus+

The screenshot displays the Erasmus+ Programme Guide website. The header includes the Erasmus+ logo and the text 'EU programme for education, training, youth and sport'. A navigation bar contains links to 'Introduction to the Programme Guide', 'Part A: General information about the Erasmus+ Programme', 'Part B: Information about the actions covered by this guide', 'Part C: Information for applicants', and 'Part D: Glossary of terms'. A search bar is located below the navigation bar. The main content area is titled 'Eligible countries' and lists the following regions and their associated countries:

- Region 6 Asia⁸**: Afghanistan, Bangladesh, Bhutan, Cambodia, China, DPR Korea, India, Indonesia, Laos, Malaysia, Maldives, Mongolia, Myanmar, Nepal, Pakistan, Philippines, Sri Lanka, Thailand and Vietnam.
- Region 7 Central Asia⁹**: Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan, Uzbekistan.
- Region 8 Latin America¹⁰**: Argentina, Bolivia, Brazil, Colombia, Costa Rica, Cuba, Ecuador, El Salvador, Guatemala, Honduras, Mexico, Nicaragua, Panama, Paraguay, Peru, Venezuela.
- Region 9¹¹**: Iran, Iraq, Yemen.
- Region 10¹²**: South Africa.

Footnote 8: EU Member States take part in the Erasmus+ Programme. In addition, in accordance with article 10 of the Erasmus+ Regulation, the following third countries are associated to the programme¹:

- members of the European Free Trade Association (EFTA) which are members of the European Economic Area (EEA): Norway, Iceland, Liechtenstein;
- acceding countries, candidate countries and potential candidates: Republic of North Macedonia, Republic of Turkey and Republic of Serbia.

The EU Member States and the above mentioned third countries associated to the programme will be hereafter called "Programme Countries".

Source: EU, https://erasmus-plus.ec.europa.eu/programme-guide/part-a/eligible-countries#footnote8_7aqtz11 (accessed 29 December 2021).

Annex 16: Excerpt of the reply from the Northeast Asia Foundation for Education and Culture (NAFEC)

1) PUST students studying abroad

The Panel asked NAFEC concerning the status of academic exchanges involving DPRK scientists and whether these exchanges have continued in any field or activity relevant to paragraph 17 of resolution 2270 (2016) and paragraph 10 of resolution 2321 (2017). According to the Reply from the NAFEC to the Panel's enquiry, "Since the North Korea's border shutdown, upon the onset of the COVID pandemic on December 2019, no single academic exchange program was undertaken with foreign universities/research institutes...". NAFEC explained that no single lecturer was recruited from the Erasmus projects since 2016. NAFEC provided the Panel with the information of the 19 PUST (students' names, period of their study, degree, major and foreign universities' names) studying abroad since 2016 (see below).

Table : PUST students studying abroad

Location of university	Major	Degree	Period	Number of students
Europe	ALS	Ph.D.	2019.8-present	2
Europe	ALS	Ph.D.	2017.3-2019.12	2
South America	MBA	Master	2017.3-2019.10	2
Europe	ALS	Joint Research	2018.10-2019.4	3
Asia	ALS	Joint Research	2015.12-2016.9	2
Asia	ALS	Master	2016.8-2020.6	2
		Master	2019.9-present	2
Asia	ALS	Joint Research	2017.10-2019.10	2
		Ph.D.	2019.10-present	2

Source: NAFEC, annotated by the Panel.

NAFEC stressed that "...PUST students have nothing at all to do with the DPRK's proliferation sensitive nuclear activities, ballistic missile-related programs and other weapons of mass destruction programs. Other than PUST students, there are no cases DPRK academics coming through PUST programs for overseas exchanges."

2) Lecture subjects delivered at the PUST

Reply from the NAFEC stated that "...the lecture subjects delivered by the PUST include Basic Physics (lectured by a DPRK faculty member), Basic Computer Sciences, Basic Electrical Engineering, and Basic Industrial Engineering. Geospatial Navigation, Nuclear Engineering, Aerospace Engineering, Aeronautical Engineering, Advanced Material Science, Advanced Chemical Engineering, and Advanced Mechanical Engineering are not taught by the PUST at all."

3) Programme of “The 4th International Conference in 2019” held at PUST, DPRK

NAFEC provided the Panel with a comprehensive list of lectures of “The 4th International Conference in 2019” held at the PUST during October 3-4, 2019. Themes of each lecture are as follows:

Theme
Tunnelling Van Der Waals Heterostructures based on Graphene and Hexagonal Boron Nitride
Industry-University Collaborations: the driving force in new technology development
Deep Learning: Keeping it Simple
State of the Blockchain Industry
Smart Building & building transformation
Automation Engineering Education using multibody dynamics tool: A simulation-based Lab Case for inverted pendulum system
Development of flexible electrochemical heavy metal detection and glucose sensors using carbon non-composited and their facile microfabrication techniques
A new type of industrial robot control system based on motion modularity technology
3D technology for dental application
Bioinformatic predictions of the Novel IncRNA encoded water channel in Gilmoa
Chemico-physical method for the transformation of various bacterial species
Local Feed resources base and range improvement for native pigs in Easter Samar, Philippines
Amperometric S-Nitrosothiol Sensor with big enhanced sensitivity using outer Dialysis membrane with Covalently linked Organoselenium Catalyst
Polarimetric Radar Vegetation Index for Biomass estimation in Semi-arid region
Current trends of implant dentistry: To maintain or establish and interproximal Papilla around integrated Implants – A Case Series
Molecular biological analysis of chronic hepatitis B with Delta
Demand Optimisation in diagnostics: Reducing Variation in diagnostic testing in NHS Western Isles
Knowledge, Attitudes and practices towards Antibiotic Use in Upper Respiratory Tract infections among patients seeking primary health care in Singapore
Monitoring of Cholesterol levels in a remote and rural population of patients, pre and post treatment with statins
What are the barriers to antenatal care utilization in Rufisque district, Senegal?: A bottle analysis
Designing powerful brand experiences that shape brand relevance
A global frontier analysis of untapped Regional economic integration Potential
International Build-Operate-Transfer Infrastructure Projects-The experience of China
A study on the conformity of goods and standards established by public law under the CISG
The role of academic society in promoting economic and humanitarian projects internationality

*The table was reconstructed by the Panel based on the information provided by the NAFEC.

Source: NAFEC, annotated by the Panel.

Annex 17: Website of Kim Chaek University of Technology

The website of Kim Chaek University of Technology (KCUT) currently indicates that ten people have been exchanged with “Malaysia IGS company (말레이시아IGS 회사)”, with an address in Kuala Lumpur. The Panel is investigating whether this company is related to the previously investigated front companies of Pan Systems Pte Ltd (aka Glocom), a DPRK manufacturer of military communications equipment. The Panel requested information from Malaysia on alleged (and possibly historical) technical exchanges between KCUT and “Malaysia IGS company”. Malaysia has yet to respond.

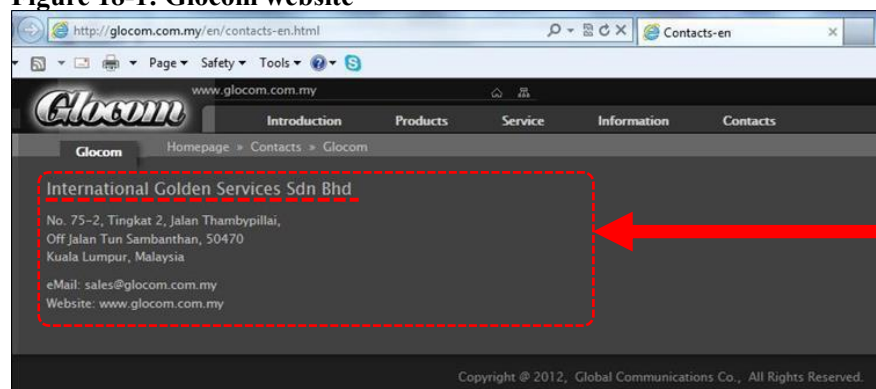


Source: Kim Chaek University of Technology, <http://www.kut.edu.kp/index.php/page/index?si=22> (accessed 30 December 2021).

Annex 18: Front companies of Pan Systems Pte Ltd (aka Glocom)

The Glocom website accessed by the Panel shows that International Golden Services Sdn Bhd represented Glocom (figure 18-1). Its address is identical to the address of International Global System Sdn Bhd, which is registered in the Malaysian corporate registry document (figure 18-2). Both companies were recommended for designation in previous Panel reports for involvement in the financing and sale of arms and related materials (figure 18-3).

Figure 18-1: Glocom website⁴



Same address

Source: The Panel

Figure 18-2: Corporate registry of International Global System Sdn Bhd

The screenshot shows the corporate information for International Global System Sdn Bhd from the SSM registry. The business address is highlighted with a red dashed box: NO.75-2, TINGKAT 2, JALAN THAMBYPILLAI, OFF JALAN TUN SAMBANTHAN, KUALA LUMPUR, WILAYAH PERSEKUTUAN. The postcode is 50470. The nature of business is listed as 1. MULTIMEDIA AND ELECTRONIC COMMERCE 2. GENERAL TRADING.

Business Address : NO.75-2, TINGKAT 2
JALAN THAMBYPILLAI
OFF JALAN TUN SAMBANTHAN
KUALA LUMPUR
WILAYAH PERSEKUTUAN

Postcode : 50470

Source: Suruhanjaya Syarikat Malaysia (SSM).

⁴ S/2017/150, annex 8-5.

Figure 18-3: The previous Panel's report

139. Although its activities constitute activities prohibited by relevant Security Council resolutions on the Democratic People's Republic of Korea and its Pyongyang operations were run by a Reconnaissance General Bureau agent (Ryang Su Nyo), Glocom has not been designated, despite the Panel's previous recommendation for such action. **The Panel therefore reiterates its previous recommendations for the designation of Pan Systems to be accompanied by the names of all of its front companies (including Glocom, International Golden Services and International Global System) as aliases, for involvement in the financing and sales of arms and related materiel.**

Name:	<u>Pan Systems Pte Ltd (Pyongyang branch)</u>
A.k.a:	<u>Wonbang Trading Co., Glocom, International Golden Services, International Global System</u>
Address:	Room 818, Pothonggang Hotel, Ansan-Dong, Pyongchon district, Pyongyang, Democratic People's Republic of Korea
Director:	Ryang Su Nyo
Employees:	Pyon Won Gun, Pae Won Chol, Ri Sin Song, Kim Sung Su, Kim Chang Hyok and Kim Pyong Chol
Telephone:	+850-218-111 (ext. 8636)

Source: The Panel (S/2019/171, para. 159 and annex 89 recommendation 6; S/2018/171, paras.174-176).

Annex 19: KCNA reporting of Kim Jong Un's speech at 8th Party Congress (excerpt related to military developments)

Great Programme for Struggle Leading Korean-style Socialist Construction to Fresh Victory On Report Made by Supreme Leader Kim Jong Un at Eighth Congress of WPK

Date: 09/01/2021 | Source: Minju Choson KCNA

*The report detailed the historic course of masterminding a great revolutionary turn **for possessing the completely new nuclear capabilities aimed at attaining the goal of modernization of the nuclear force.***

*Under the direct guidance of the Party Central Committee, **intermediate-range and intercontinental ballistic rockets of Hwasongpho series and submarine-launched and ground-based ballistic rockets of Pukkuksong series were manufactured in our own style** to meet their unique operational missions. This gave a clearer description of the status of our state as a nuclear weapons state and enabled it to bolster its powerful and reliable strategic deterrent for coping with any threat by providing a perfect nuclear shield.*

*In the period under review **the already accumulated nuclear technology developed to such a high degree as to miniaturize, lighten and standardize nuclear weapons and to make them tactical ones and to complete the development of a super-large hydrogen bomb.** By succeeding in the test-fire of ICBM Hwasongpho-15 on November 29, 2017, the Party Central Committee declared with pride to the world the accomplishment of the historic cause of building the national nuclear force and the cause of building a rocket power.*

*The great cause of building the national nuclear force, which was impossible to achieve even in 20 to 30 years in terms of existing formula, **was accomplished four years after the line of simultaneously promoting economic construction and nuclear buildup was set forth and one year after the Seventh Congress of the Party.** This is a miracle unprecedented in history and the exploit of greatest significance in the history of the Korean nation the Seventh Central Committee performed for the Party and revolution, the country and people and posterity.*

The Party Central Committee achieved new great victories by vigorously leading the struggle for upgrading the nuclear force even after the great historic November event in 2017.

*Recalling that the Party Central Committee decided **to develop a global strike rocket with more powerful warheads and an improved warhead control system** and carried out this historic task by relying on the patriotism and loyalty of national defence scientists, the report affirmed that the new-type gigantic rocket on an 11-axis self-propelled launcher displayed during the military parade in celebration of the 75th founding anniversary of the Party fully demonstrated the ultra-modernity and great striking capability of our nuclear force.*

The accomplishment of the great cause of building the national nuclear force and its continued development constitute a victory of the organizational and leadership abilities of the Party Central Committee headed by Kim Jong Un and a great victory of the national defence scientists and all other Koreans who waged a death-defying struggle with an indomitable faith in independence and valiant spirit.

The report reviewed the fact that **new cutting-edge weapon systems were developed in the sector of national defence science** one after another to cope with the enemy's desperate arms buildup, thus making our state's superiority in military technology an irreversible one and putting its war deterrent and capability of fighting a war on the highest level.

The national defence science sector **developed the super-large MLRS**, a super-power attack weapon the world's weaponry field had never known, and proceeded to **develop ultra-modern tactical nuclear weapons** including **new-type tactical rockets** and **intermediate-range cruise missiles** whose conventional warheads are the most powerful in the world.

This enabled us to gain a reliable edge in military technology.

National defence scientists and workers in the munitions industry properly set the orientation of developing main tank of our style following the world's development trends and have begun to enter a new track of development while upgrading production processes. They also **achieved such successes as developing world-class anti-air rocket complex**, self-propelled gun howitzer and anti-armour weapons.

The report also noted that in the period under review the sector of national defence scientific research was conducting research into **perfecting the guidance technology for multi-warhead rocket** at the final stage, finished research into **developing warheads of different combat missions including the hypersonic gliding flight warheads for new-type ballistic rockets** and was making preparations for their test manufacture.

The report made public with pride that the standard of the goal **in the modernization of medium-sized submarine was set correctly** and it was remodelled experimentally to open up a bright prospect for remarkably enhancing the existing subsurface operational capabilities of our navy, **that the design of new nuclear-powered submarine was researched** and was in the stage of final examination and the designing of various electronic weapons, unmanned striking equipment, means of reconnaissance and detection and military reconnaissance satellite were completed, and that other achievements were made in national defence research of gigantic significance in developing the People's Army into a powerful one with the strongest military muscle in the world.

The report evaluated that the bold leap forward brought about in the national defence science and munitions industry made sure that the country ranked high in the world in terms of defence capabilities and, at the same time, it was of great significance in realizing the strategic plan of the Party Central Committee for developing the overall Korean revolution.

The report said that a great advance was made in the work of turning the People's Army into elite forces in the period under review.

Source: Minju Choson KCNA (references to Ballistic Missiles in bold annotated by the Panel).

Annex 20: “Self-Defence 2021” arms exhibition on 12 October 2021 and the series of launch tests

Annex 20-1: New *hypersonic ballistic missile Hwasong-8*: last reported launch test on 28 Sept. 2021

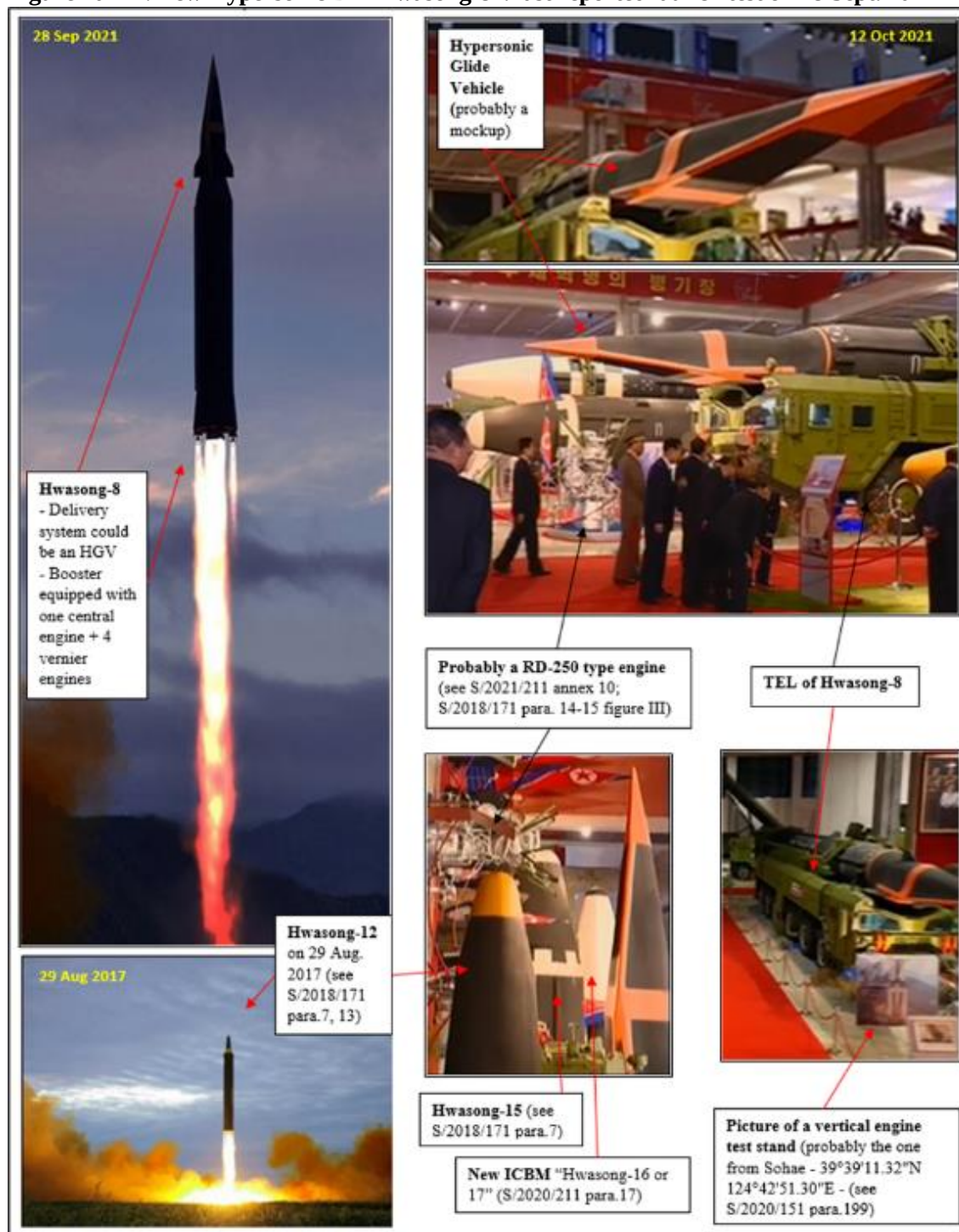
The new “*hypersonic Hwasong-8 missile*” so called by the DPRK media was showcased at the exhibition “Self-Defence 2021” on 11 October 2021 and beforehand was probably tested on 28 September 2021 (see para. 23, annex 22)

As demonstrated in KCNA pictures of the launch and as emphasized by KCTV coverage of the exhibition, the main missile body appeared to be made from a liquid propellant booster that resembled, but was probably shorter than, the single-stage Intermediary Range Ballistic Missile (IRBM) Hwasong-12⁵.

The re-entry vehicle displayed at the missile exhibition “Self-Defence 2021” appears to be the same as the one pictured on top of the tested booster, according to the KCNA picture (see figure 20-1-1). According to a Member State, the Hwasong-8 total length is around 14.5 m, with a diameter of 1.4 m. Concerning the re-entry vehicle, its length is around 4.7m with a rear diameter of around 0.9 m. The missile was reported by KCNA, citing Pak Jong Chon, to be a *Hypersonic Glide Vehicle (HGV)*. According to the observation of several Member States and experts, this HGV resembled the hypersonic ballistic missile showcased by a Member State at a military parade in 2019.

According to several Member States, the Hwasong-8 is at the early stage of development. The first flight test on 28 September 2021 may not have been successful as shown by the range and altitude flight of the missile. The hypersonic missile is a ballistic missile whose body is similar to that of the Hwasong-12. According to a Member State, the DPRK probably used the support of its cyber hackers to acquire or steal the technological information it needed to develop such a new weapon system, including the design of the hypersonic glide vehicle.

⁵ Hwasong-12 has been tested on 29 August and 15 September 2017, see S/2021/777 para.26, S/2019/171 para.174; S/2018/171 para.7, 12; S/2017/742 para.7-13. A Member State confirmed many similarities identified between the Hwasong-8 and Hwasong-12, with a similar diameter and motorisation based on the DPRK version of the USSR RD-250 engine.

Figure 20-1-1: New Hypersonic BM Hwasong-8 : last reported launch test on 28 Sept. 2021

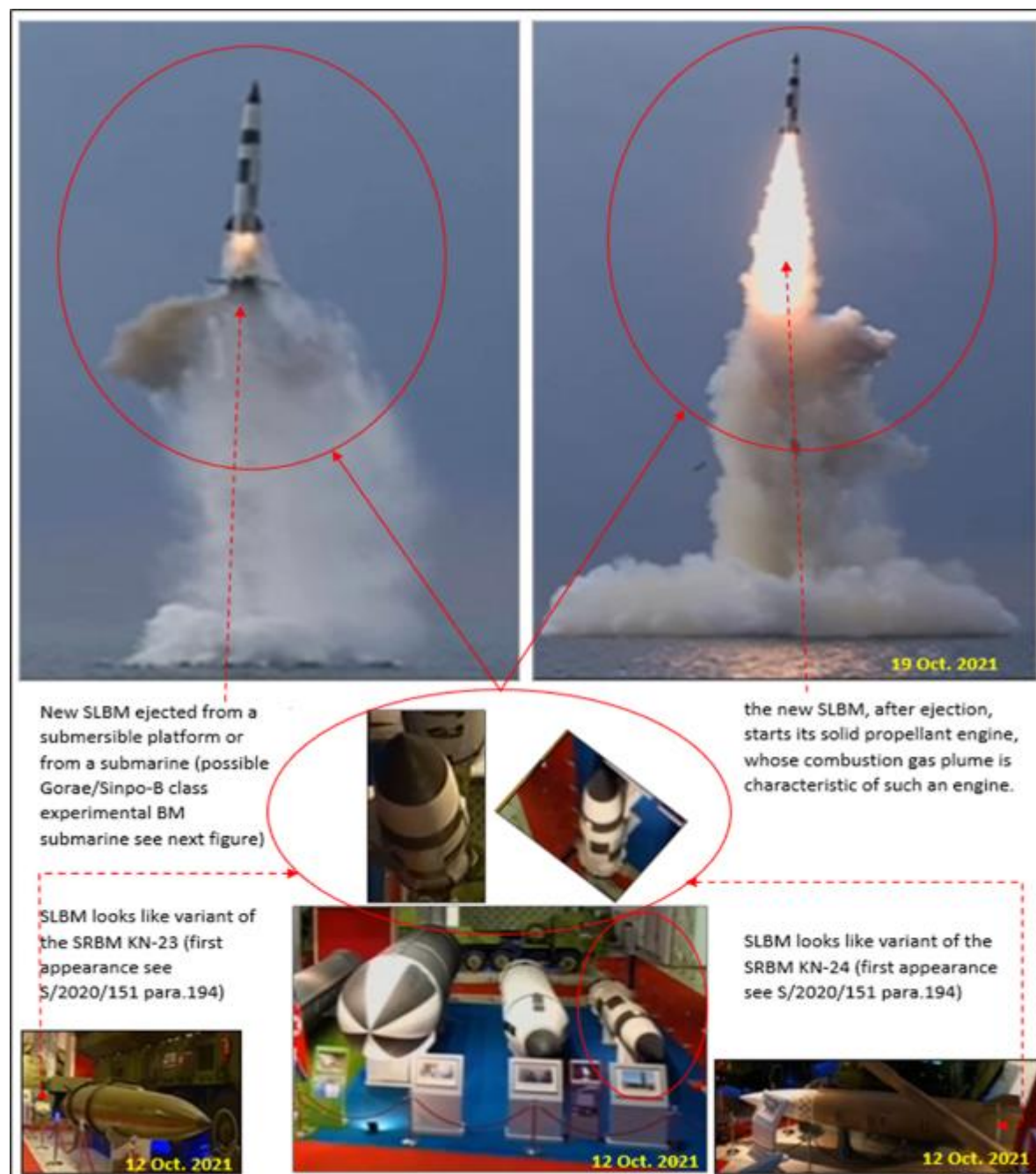
Source: KCTV, 12 October 2021, 8pm, and Rodong Sinmun (En), 29 September Juche 110 (2021)⁶.

⁶ Video on the "Self-Defence 2021" arms exhibition at "Three revolution Exhibition" (39° 04' 49" N 125° 45' 23" E) available at <https://kcnawatch.org/kctv-archive/61658f2826e3a/> and Article (original version at source): Hypersonic Missile Newly Developed by Academy of Defence Science Test-fired, Date: 29/09/2021, available at <https://kcnawatch.org/newstream/1632886875-742443353/hypersonic-missile-newly-developed-by-academy-of-defence-science-test-fired/?t=1642625103563and>

Annex 20-2: New SLBM launched from a submarine on 19 October 2021

It is smaller than the SLBM Pukguksong series, whose versions 5 and 1 are shown (from left to the left of the new SLBM. Its shape appears to be based on that of the SRBM KN-23 and KN-24 (see figure 20-2-1).

Figure 20-2-1: New SLBM test on 19 Oct. 2021



Source: KCTV, 20 October 2021, Full Broadcast; KCTV, 12 October 2021, 8pm video on the "Self-Defence 2021" arms exhibition at "Three revolution Exhibition" (39° 04' 49" N 125° 45' 23" E) available at <https://kcnawatch.org/kctv-archive/61658f2826e3a/>, annotated by the Panel

Annex 20-3: China's views on the missile launches**8. Launch activities (OC.300)**

Identifying the nature of the DPRK projectiles is a technical issue, and requires prudent assessment. Further research and assessment is also needed

8

to evaluate the DPRK's missile technology and military capability. Before coming to a clear conclusion, all sides should avoid identifying the nature of projectiles in a hasty manner or overacting, and prevent the escalation of tensions on the Peninsula. We hope the Panel of Experts could perform its duties in an objective and impartial manner, and play a constructive role in advancing the political settlement process of the Korean Peninsula. Malicious speculations should be avoided and controversial contents should not be included in the report.

Annex 21: From September 2021 to January 2022, the DPRK repeatedly tested two types of its new solid-fuelled SRBMs, which it called “*new tactical guided missiles*” (S/2021/211, figure 2). A railway-borne SRBM system⁷ (possible KN-23) was tested twice on 15 September 2021, as well as on 14 January 2022. A track-TEL borne system (possible KN-24) was tested again on 17 January 2022 (S/2020/151, para.194).

On 15 September 2021 (see figure 21-1)⁸ and 14 January 2022 the DPRK launched twice two solid-propellant short-range missiles combining ballistic missile and guidance technology identified by five Member States as SRBMs, and whose shape and flight characteristics (pull-up manoeuvre during flight) resembled the KN-23 with a reduced payload for the test of 15 September 2021 to be able to reach the unusual longer range. Its flight could also be similar to that of the new SRBM launched on 25 March 2021, identified as a possible modification and enlargement of the previously displayed and tested KN-23 SRBM.⁹

The two missiles of the 15 September 2021 (KN-23) were fired in five minutes from a railway-borne launcher located at 39°16'31"N 126°48'17"E (Yangdok area of South Phyongan, see figure 21-2)¹⁰, travelling in an easterly direction around 800 km with an apogee at around 60 km and impacting in the exclusive economic zone of Japan, 300 km north to Hegurajima island off the coast of Noto Peninsula after “a pull-up manoeuvre” detected during the flight.

⁷ A possible modified P61 railcars, see article “North Korea tests multiple long-range missile systems”, Janes on 2 November 2021 available at https://customer.janes.com/Janes/Display/BSP_8038-JIR and see <http://www.railway-parts.com/news/introduction-of-china-covered-wagon.html>

⁸ Pak Jong-chon, member of the Presidium of the Politburo of the Workers' Party and secretary of the Central Committee of the Workers' Party of Korea, guided the latest drills, along with other top officials of the Department of Political Leadership over Military Affairs, and officials of the Department of Munitions Industry (KPe.028)¹⁹ of the Central Committee of the Workers' Party of Korea, and leading officials of the General Staff of the Korean People's Army, and leading officials of the sector of research on national defence science. (KCNA)

⁹ The new SRBM was tested on 25 March 2021. See S/2021/777, para.16, table 1 and annexes 18-1 and 18-2.

¹⁰ Another location nearby was identified by a Member State at 39°16'2.04"N 126°47'17"E but this location is not totally relevant with the KCNA video giving an idea of the length of the tunnel and the curve of the track

The two missiles of 14 January 2022 (KN-23) were fired in 11 minutes from a railway-borne launcher (display at the “self-defence 2021” exhibition, see figure 9 from the main text) located in the area of Uiju, Phyongsan Province possibly in the rectangle S-W corner 40° 13' 10" N 124° 34' 02" E, N-E corner 40° 13' 06" N 124° 33' 57" E, see figure 21-3), travelling in an north-easterly direction around 400 to 430 km with an apogee between 36 and 50 km and impacting an uninhabited island (possible location 40° 38' 50" N 129° 33' 02" E) after a possible “pull-up manoeuvre” during the flight.

The two missiles of 17 January 2022 (KN-24) were fired in less than four minutes from a tracked TEL¹¹ (displayed at the “Self-defence 2021” exhibition, see figure 10 from the main text) located in the area of the Sunan Pyongyang international airport, possibly in the extreme north of the unused runway (39° 15' 44" N 125° 40' 34" E, see figure 21-4), traveling in an easterly direction around 300 to 380km with an apogee between 42 and 50km and impacting an uninhabited island (possible location 40° 38' 50" N 129° 33' 02" E) after a possible “pull-up manoeuvre” during the flight.

¹¹ The TEL chassis may be based on the DPRK Pokpung-ho battle tank chassis, derived from T62 and T72 (S/2020/151, annex 58.4.2).

Figure 21-1: 15 Sep .2021 - Two ballistic missiles launched from a railway-borne platform



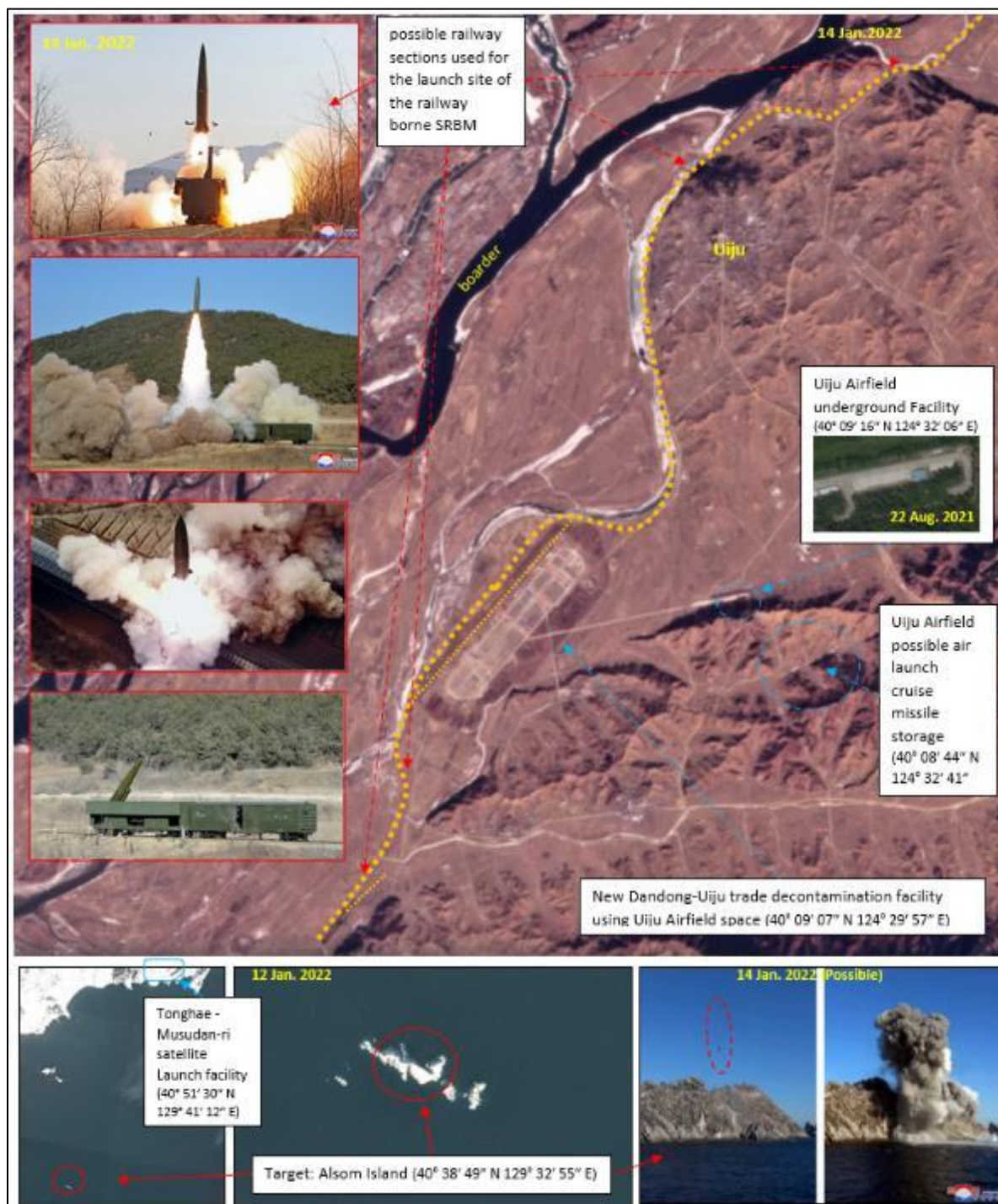
Source: KCTV, 16 September 2021 (39° 16' 31" N 126° 48' 17" E), and KCTV, 12 October 2021, 8pm ("Three revolution Exhibition", 39° 04' 49" N 125° 45' 23" E).

Figure 21-2: The rail network provides another option for concealing and launching DPRK missiles

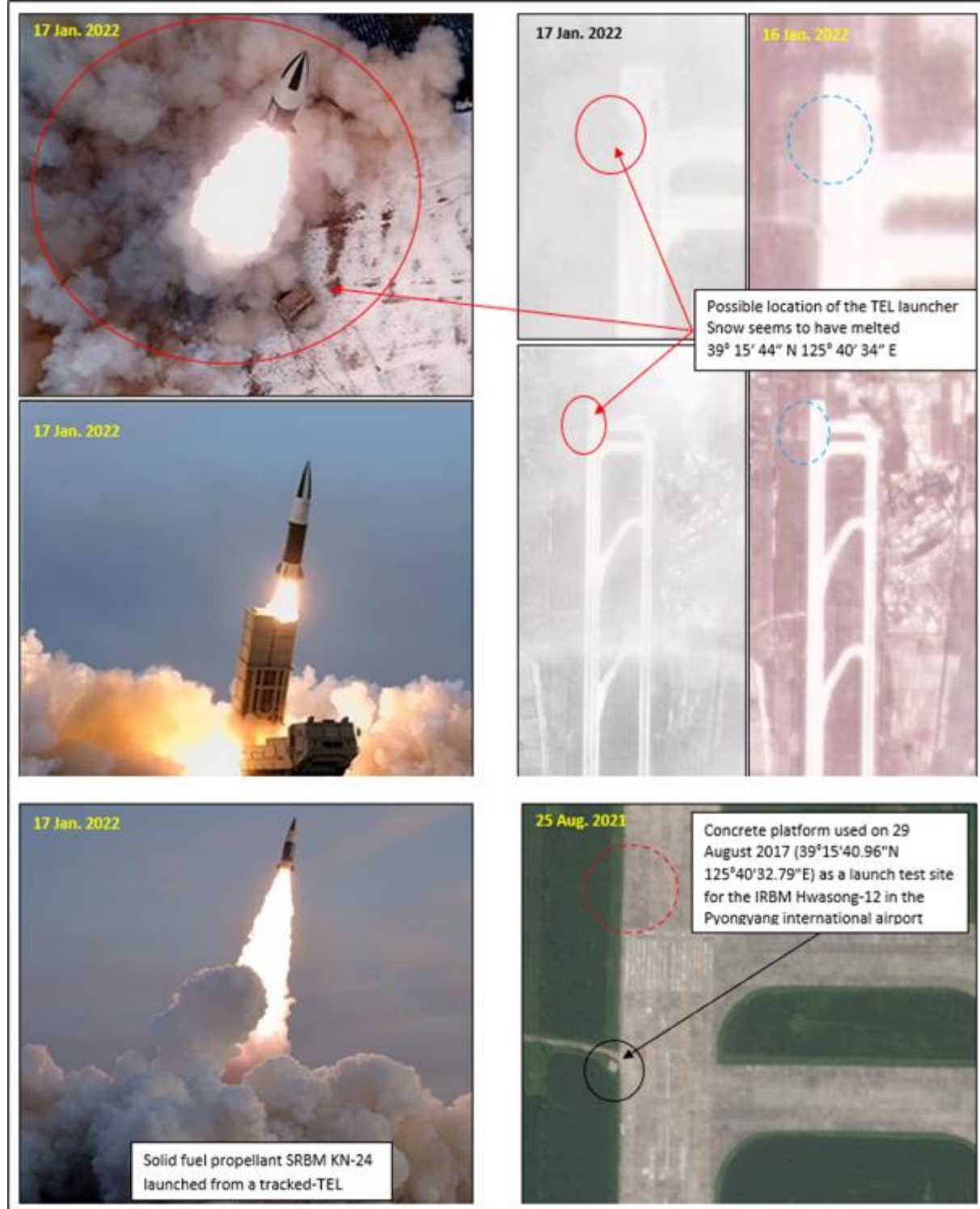


Source: Google Earth, 30 December 2016; Planet Labs Inc. 18 September 2021, 02 02 54 UTC; 2 October 2021, 03 00 UTC.

Figure 21-3: 14 Jan. 2022 – Operational launch test of two SRBMs (possible KN-23) from a railway-borne missile system



Source: Planet Labs Inc. 14 January 2022, 02 27 UTC; 12 January 2022, 01 44 UTC; 22 August 2021, 02 29 UTC; KCNA picture from <https://kcnawatch.org/#gallery-1> to 7 and from Rodong Sinmun (15 January 2022); KCTV, 15 January 2022.



Source: KCTV, 18 January 2022, 8pm Bulletin available at <https://kcnowatch.org/kctv-archive/61e6c3cec3e8f/>
Planet Labs Inc. 25 August 2021, 06 56 UTC; 16 January 2022, 01 58 UTC; 17 January 2022, 02 20 UTC.

Annex 22: On 28 September 2021 (local time) a “hypersonic gliding warhead” delivered by a ballistic missile (named Hwasong-8 by the DPRK) launched in an easterly direction from Toyang in the area of Jonchon

On 28 September 2021,¹² the DPRK launched a ballistic missile whose main body and exhaust plume appeared to be from a liquid propellant booster that resembled, but shorter than, the single-stage IRBM Hwasong-12.¹³ Called by the DPRK “*the hypersonic Hwasong-8 missile*” its possible manoeuvrable re-entry vehicle looked like a Hypersonic Glide Vehicle (HGV) that resembled the solid fuel propellant hypersonic ballistic missile showcased by a Member State at a military parade in 2019. The missile was fired from the Mpuong-ri area, (Jagang province), travelling eastwards for about 200 km with an apogee between 30 and 60km and impacting waters off the east coast after following a depressed trajectory probably related to an early engine shutdown or switch-off.

¹² Pak Jong-chon, member of the Presidium of the Politburo and secretary of the Central Committee watched the test-launch with leading officials in the sector of national defence science. (KCNA)

¹³ Hwasong-12 was tested on 29 August and 15 September 2017. See S/2021/777, para.26; S/2019/171, para.174; S/2018/171, paras.7, 12; S/2017/742, paras.7-13.

Figure 22-1: Launch test of a possible hypersonic Hwasong-8 missile on 28 September 2021



Source: KCTV, 12 October 2021, and KCNA and Rodong Sinmun (En) (original version at source), 29 September 2021¹⁴

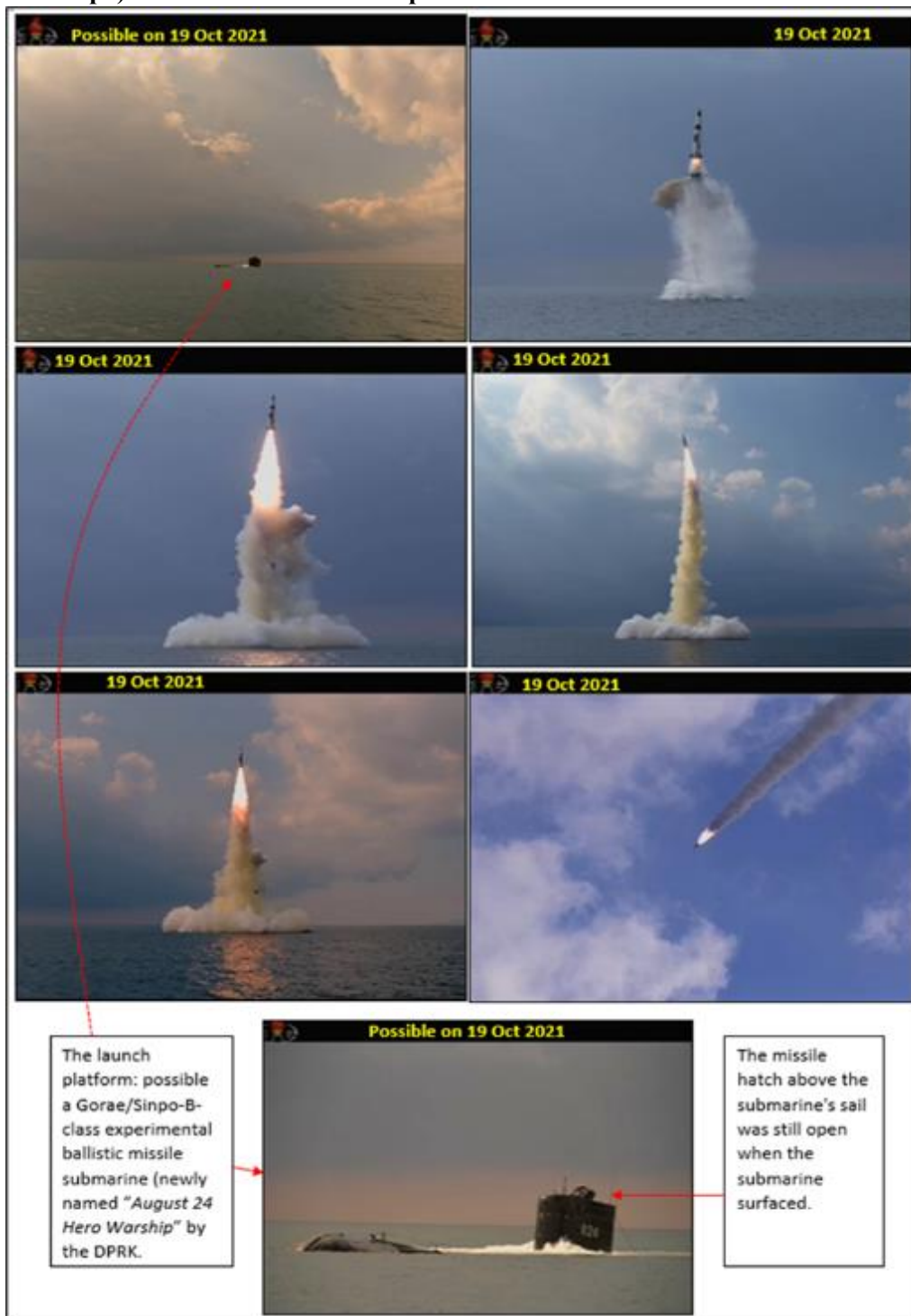
¹⁴ KCTV, 12 October 2021, and KCNA and Rodong Sinmun (En) (original version at source), 29 September, Juche 110 (2021), Article: Hypersonic Missile Newly Developed by Academy of Defence Science Test-fired Date: 29/09/2021 | available at <https://kcnawatch.org/newstream/1632886875-742443353/hypersonic-missile-newly-developed-by-academy-of-defence-science-test-fired/?t=1642625103563and>

Annex 23: On 19 October 2021 (local time), a submarine-launched ballistic missile (SLBM) launched in an easterly direction from a submarine in the Sinpo area.

On 19 October 2021¹⁵, the DPRK launched a solid-propellant short-range Submarine Launched Ballistic Missile whose design is smaller than the SLBM Pukguksong missile series and appears to be based on that the SRBM KN-23 and KN-24 as well as its flight characteristics with pull-up manoeuvre (See figure 20-2-1 at annex 20-2). Called by the DPRK “the new SLBM” it would have been launched from a Gorae/Sinpo-B-class experimental ballistic missile submarine called “8.24 Yongung” according to KCNA and two Member States (see figure 23-1). The missile was fired from a submarine (or from a submersible test stand barge, see figure 23-2) temporary located off the coast of Sinpo south shipyard (Hamgyong province), traveling eastwards for about 600 km with an apogee between 50 and 60 km and impacting waters after “a pull-up manoeuvre” detected during the flight.

¹⁵ Yu Jin, department director of the Central Committee, guided the test-launch along with Kim Jong Sik (KPi.066)¹, vice department director of the Department of Munitions Industry (KPe.028) and leading officials of the Academy of Defence Science (KPe.021) (KCNA).

Figure 23-1: Possible use of a Gorae/Sinpo-B-class experimental BM submarine (the “August 24 Hero Warship”) as a submersible launch platform¹⁶



Source: KCTV, 20 October 2021, Full Broadcast annotated by the Panel.

¹⁶ The period from 2013 to 2014 was marked by the development of the experimental Gorae-class submarine launch platform (aka Sinpo-B, see S/2020/151, para. 196, S/2017/150, para. 40 and S/2016/157, paras. 41 to 44).

Figure 23-2: Focus on the movements of the submersible test stand barge and of one of the support vessels located originally in the secure boat basin of the Sinpo south shipyard between 17 and 20 October 2021 (40° 01' 34" N 128° 09' 59" E)



Source: Planet Labs Inc. 17 October 2021, UTC 05 11 - 03 06- 01 46 - Planet Labs Inc., 18 October 2021, UTC 05 18 - 03 30- 01 52 - Planet Labs Inc. 20 October 2021, UTC 04 53 - 01 53.

Annex 24: 5 January and 11 January 2022 (local time): two possibly similar new ballistic missiles that, according to the DPRK, deliver “the hypersonic gliding warhead”. Launched in an easterly direction from Toyang in the area of Jonchon.

On 5 January and 11 January 2022, the DPRK launched two ballistic missiles (possibly the same type) whose main body and exhaust plume appeared to be from a liquid propellant booster that resembled, but was shorter than, the single-stage IRBM Hwasong-12 (see figure 24-1 and figure 24-2). The DPRK used the description “hypersonic glide vehicle” in connection with the missiles. Their possible manoeuvrable re-entry vehicle (MaRV) resembled the KN-23, KN-24 and the new SLBM ballistic missiles (see above).

The missile launched on 5 January was fired from the Mpuong-ri area, (Jagang province), travelling eastwards for about 500 km with an apogee 50 km¹⁷ and impacting waters off the east coast.

The missile launched on 11 January was fired from the same area and impacted off the east coast, but, according to a Member State, flew more than 700 km with an apogee of 60 km and reached up to a maximum speed of Mach 10 (12 240km/h)¹⁸. There was an “improvement” compared with the missile tested on 5 January 2022, which the DPRK claimed to have been a hypersonic missile.

Kim Jong Un officially attended the missile test on 11 January with Jo Yong Won, member of the Presidium of the Political Bureau (KCNA 12 January 2022).

¹⁷ The DPRK claimed to have launched a “hypersonic missile” with a “re-entry vehicle” which “flew 700 km with a lateral movement of 120 km”.

¹⁸ The DPRK claimed to have launched a “hypersonic missile” with a “re-entry vehicle”. “The test fire was aimed at making a final confirmation of the overall specifications of the developed hypersonic weapon system. The hypersonic missile was launched into the sky. The hypersonic gliding warhead was separated from the launched missile, made a gliding re-leap from the point of 600 kilometres and 240-kilometre acute circular flight from the initial launch azimuth to the pinpoint to hit the target in the waters 1,000 kilometres away. The final test fire more clearly proved the superb manoeuvrability of the hypersonic gliding warhead” from KCNA Voice of Korea article “General Secretary Kim Jong Un watches test fire of hypersonic missile”, 12 January 2022, available at <https://kcna.watch/newstream/1641945680-505763594/general-secretary-kim-jong-un-watches-test-fire-of-hypersonic-missile/?t=1649732870380> (emphasis Panel’s).

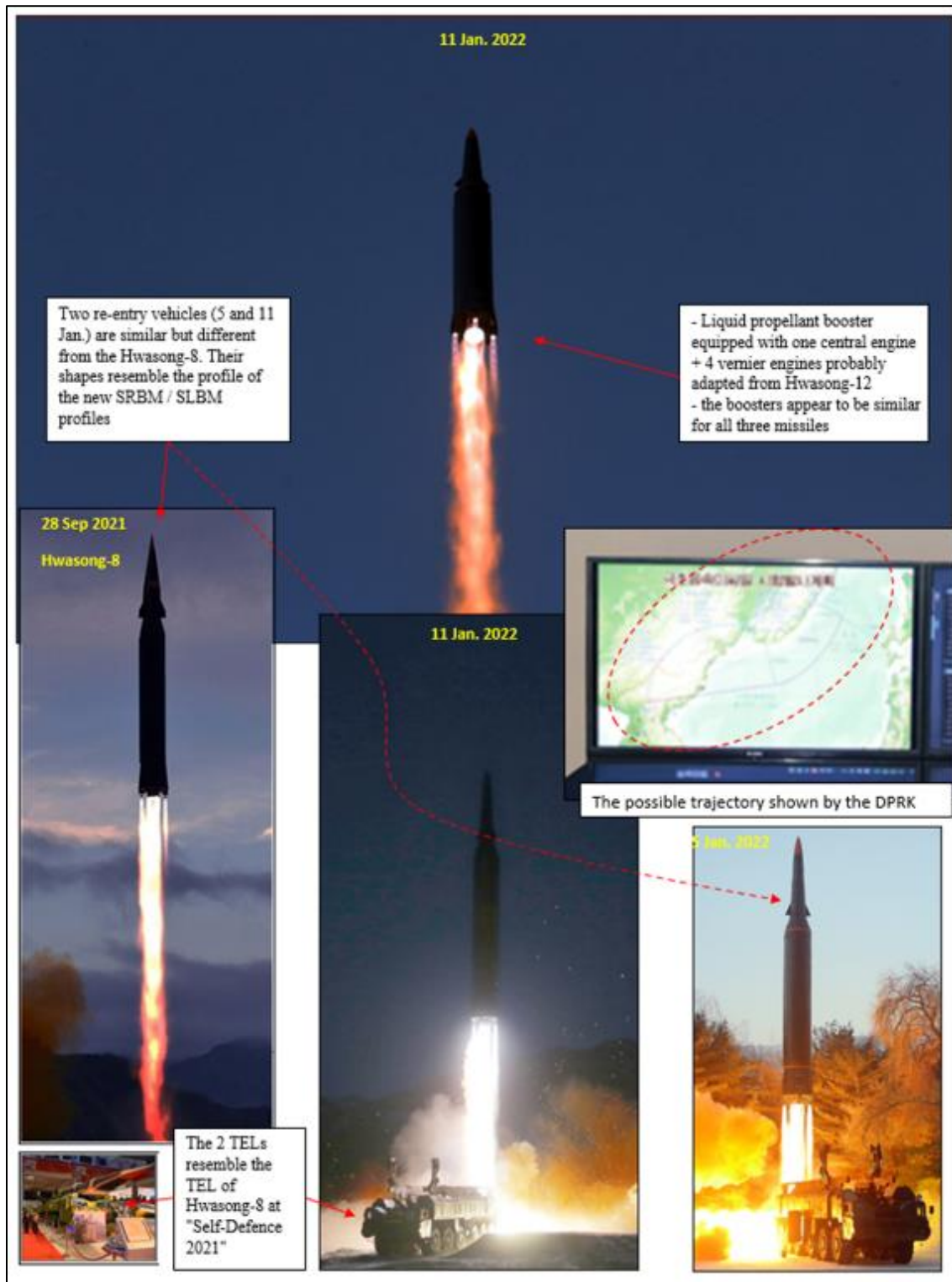
Figure 24-1: Launch test of a new MRBM and its possible MaRV on 5 January 2022



Source: KCTV, 12 October 2021, and KCNA, 6 January 2022¹⁹

¹⁹ KCNA at https://www.nknews.org/pro/wp-content/uploads/kcna-watch/kcna_kp_en/images/MM00289748.jpg?t=1649371935222 and KCTV, 12 October 2021, 8pm, video on the "Self-Defence 2021" arms exhibition at "Three revolution Exhibition" (39° 04' 49" N 125° 45' 23" E), available at <https://kcna-watch.org/kctv-archive/61658f2826e3a/> and <https://kcna-watch.org/?t=1649723100702>

Figure 24-2: Launch test of a new SRBM/MRBM and its possible MaRV on 11 January 2022



Source: KCNA at https://www.nknews.org/pro/wp-content/uploads/kcna-watch/kcna_kp_en/images/MM00289748.jpg?t=1649371935222 and <https://kcnowatch.org/?t=1649723100702>

Annex 25: Activity at the Sinpo south shipyard since August 2021

Sustained activity was detected in the **secure boat basin** between August and December 2021, which was likely to be related to the preparation of the launch test of the new SLBM before 19 October 2021 and the associated technical improvements as well the maintenance or reparation operation during December (see figures 25-1 and 25-2). According to the analysis of satellite imagery by two thinktanks²⁰ the GORAE/SINPO-class ballistic missile submarine (SSB) was observed on the 13 December 2021 in the dry dock located at 40° 01' 53" N 128° 12' 35" E, probably for repairs or improvements of the vessel.

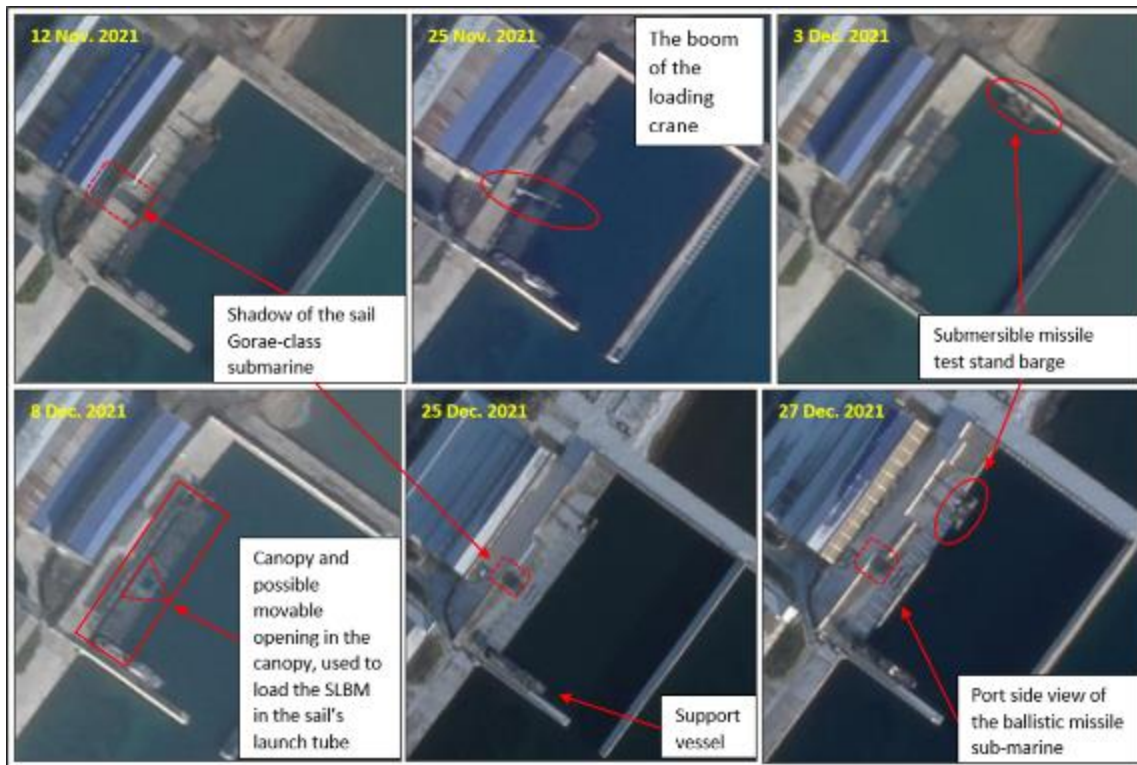
²⁰ See “Sinpo South Shipyard: The SINPO-Class Ballistic Missile Submarine Returns to Secure Basin After Hull Maintenance” from the Stimson center 38 North publication, 5 January 2022 available at <https://www.38north.org/2022/01/sinpho-south-shipyard-the-sinpo-class-ballistic-missile-submarine-returns-to-secure-basin-after-hull-maintenance/> And see “Sinpo-class Submarine Damaged During October 19 Test Launch” from CSIS Beyond the Parallel, 7 January 2022, available at <https://beyondparallel.csis.org/sinpo-class-submarine-damaged-during-october-19-test-launch/>

Figure 25-1: Activity in secure boat basin around the submarine berth from August to December 2021



Source: Planet Labs Inc. 12 October 2021, 22 29 UTC; 15 October 2021, 04 41 UTC; 18 October 2021, 02 16 UTC; 20 October 2021, 01 26 UTC; 27 October 2021, 23 33 UTC; 28 October 2021, 23 07 UTC; 29 October 2021, 22 43 UTC; Google Earth, 31 August 2021.

Figure 25-2: Various details of activity and presence of the submarine and submersible barge



Source: Planet Labs Inc. 12 November 2021, UTC 23 42; 25 November 2021, 05 26 UTC; 3 December 2021, 02 00 UTC; 8 December 2021, 02 10 UTC; 25 December 2021, 23 59 UTC; 27 December 2021, 23 50 UTC.

Infrastructure activity at the Sinpo south shipyard since August 2021

At the Sinpo south shipyard, construction and maintenance of infrastructure continued, but slowly throughout 2021. In July, a dredging barge (40° 01' 19" N 128° 09' 52" E) was observed in front of the new construction hall, in line with the slipway. The dredger probably excavated this area to facilitate the eventual berthing of a dry dock, potentially to be used to transport the new submarine when it leaves the construction hall. (see figure 25-3)²¹ The pier renovation (40° 00' 32" N 128° 08' 50" E) and housing construction (40° 00' 38" N 128° 09' 22" E) at the south continued but construction of the semi-buried shelter (40° 00' 41" N 128° 08' 53" E) has not yet resumed (see figure 25-4). The new buildings (40° 01' 08" N 128° 09' 26" E) in the area of the static test stand appear to be finalized.

²¹ See the report “Sinpo South Shipyard Update”, the Center for Strategic and International Studies-Beyond Parallel (CSIS), 8 September 2021. Available at <https://beyondparallel.csis.org/sinpo-south-shipyard-update/>

Figure 25-3: A dredger barge was observed (40° 01' 18" N 128° 09' 53" E) in front and alongside the south side of the new construction hall's slipway from 17 July to 23 July 2021



Source: Planet Labs Inc., 17 July 2021, 08 51 57 UTC; 20 July 2021, 02 04 UTC; 23 July 2021, 06 28 UTC; 8 December 2021, 02 10 UTC.

Figure 25-4: The construction or renovation of the pier (40° 00' 32" N 128° 08' 50" E) located in front of the buried submarine shelter (40° 00' 41" N 128° 08' 53" E) and the finalization of the housing at the cape (40° 00' 38" N 128° 09' 22" E)

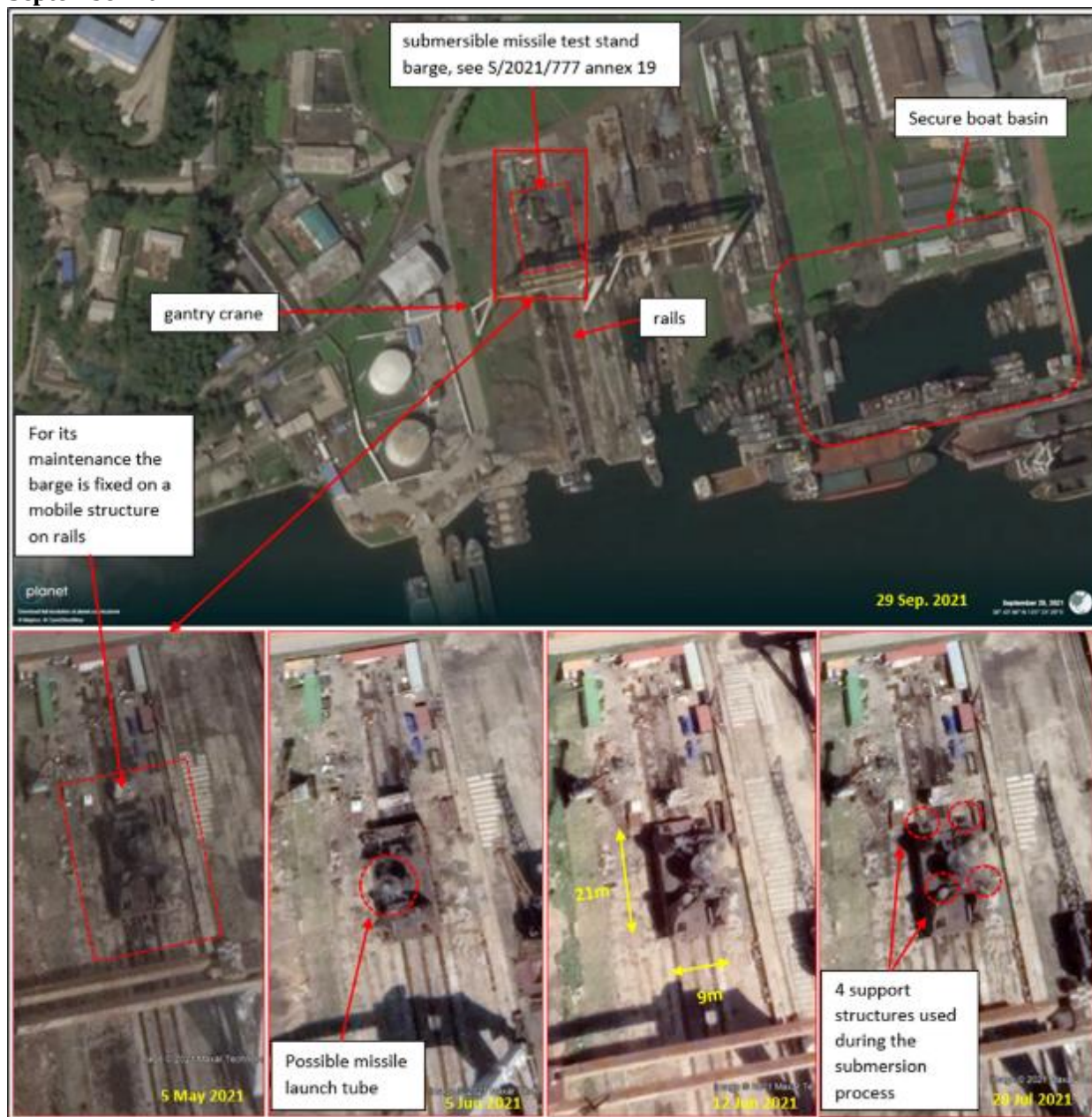


Source: Planet Labs Inc., 11 September 2021, 23 33 UTC, 8 December 2021, 02 10 UTC.

Annex 26: Activity at the Nampo naval shipyard since August 2021 regarding the submersible test stand barge maintenance

In Nampo naval shipyard, the submersible missile test stand barge, which is mounted on a temporary static trolley on rails was still under maintenance or improvement in September 2021 (S/2021/777, annex 19, and S/2021/211, para. 23, annex 15). The satellite imagery (38° 43' 08" N 125° 23' 28" E) showed very well the possible missile launch tube in the center of the submersible platform, covered by its closed hatch (see figure 26-1).

Figure 26-1: Submersible missile test stand barge in Nampo was still under repair or improvement in September 2021



Source: Planet Labs Inc., 29 September 2021, 05 23 UTC; Google Earth, 5 May, 5 June, 12 June and 20 July 2021.

Annex 27: Developments at Kusong tank factory (No. 95 Factory) and at No. 112 Factory (see S/2021/777, annex 21)

The overall modernization of the infrastructure of the Kusong tank factory (No. 95 Factory, 40° 03' 16" N 125° 13' 16" E) in charge of ballistic missile TEL production has stalled in the second half of 2021, with little changes observed by satellite imagery (see figure 27-1). This is also true of the new building under construction near No. 112 Factory since 2020, where an IRBM Hwasong-12 was launched on 14 May 2017 (see figure 27-2).

Figure 27-1: The “Kusong tank factory” renovation slowdown in the second half of 2021



Source: Planet Labs Inc., 22 December 2021, 01 46 42 UTC; Google Earth, 14 November 2021; Planet Labs Inc., 14 August 2021, 02 22 UTC; Planet Labs Inc., 24 July 2021, 05 27 UTC.

Figure 27-2: Construction of a large building in the Factory No. 112 area has continued slowly, but a new structure has been added to its eastern side since September.



Source: Google Earth, 14 November 2021; Planet Labs Inc. 24 July 2021, 05 27 UTC.

Annex 28: Procurement of Illicit and WMD related Commodities through O Yong Ho's Procurement Activities

28-1. According to a Member State, from 2016 to 2020, O Yong Ho²² attempted to purchase aramid fibre (Kevlar)²³, equipment including winders²⁴ used to produce aramid fibre, as well as a Russian version of a spinning nozzle.²⁵ For these transactions, O Yong Ho used the cover terms “clothing equipment” and “textile machines”. To strengthen DPRK’s domestic production of aramid fibres, O Yong Ho also sought four specific chemicals.²⁶

Despite the disruption of such purchase attempts by the Russian Federation in 2016, O Yong Ho²⁷ succeeded in purchasing 300kgs of Ruslan VM-600 Kevlar fibre in October that year. In late 2016, he notified Moscow based Parsek LLC’s²⁸ Director of Development, Mr. Roman Anatolyevich Alar,²⁹ ³⁰ ³¹ ³² of his intent to purchase 500kg of Kevlar thread and awaited notification of funding to finalise the purchase. He was also in contact with the currently dissolved company PTKT Kayur LLC³³ which may have been involved in facilitating the transactions. He continued to attempt to procure Ruslan aramid

²² Date of birth: 25 December 1961, Diplomatic Passport no. 108410041 (issued 13 October 2018, expires 13 October 2023).

²³ In 2020, O Yong Ho purchased 100kg of Aramid fibre.

²⁴ The purchase of winders, fibres and materials continued into May/June 2019. O Yong Ho was actively moving these transactions on 7 and 20 June 2019.

²⁵ Spinning nozzle containing 200-300 holes sized between 0.08-0.1mm, made from a platinum palladium alloy to prevent corrosion.

²⁶ Polyorganohydride silozane, designator BS94SILRES, (*to produce high-strength high-modulus aramid fibres*) (1 kg); Polyhydrogen methyl silozane, designator 136-41, (1 kg); polyethylhydride silozane (1 kg); Silicon resin, designator 139-297, (*relates to a paint having anticorrosive and fire-resistant properties*) (1 kg); a secondary impregnation liquid EDT-10 (2 kg).

²⁷ On 12 January 2022, the U.S. Department of the Treasury’s Office of Foreign Assets Control (OFAC) designated five Democratic People’s Republic of Korea (DPRK) individuals responsible for procuring goods for the DPRK’s weapons of mass destruction (WMD) and ballistic missile-related available at <https://home.treasury.gov/news/press-releases/jy0555>

²⁸ Source: Parsek LLC, a Moscow based company, INN 7714789249 available at <https://spark-interfax.ru/system/home/card#/company/E1B0CBC619A249959CD23CC9EE2AC612/101>

²⁹ LLC Parsek and its Director of Development Mr. Alar (Роман Анатольевич Аларь) have yet to respond to the Panel’s request for information on these transactions.

³⁰ Source: INN 370400863660 available at <https://spark-interfax.ru/system/home/card#/physicalperson/inn-370400863660/1>

³¹ *In a related action, the Department of State designated DPRK national O Yong Ho, Russian national Roman Anatolyevich Alar, and Russian entity Parsek LLC pursuant to E.O. 13382 for having engaged in activities or transactions that have materially contributed to the proliferation of weapons of mass destruction or their means of delivery by DPRK, see, the U.S. Department of the Treasury’s Office of Foreign Assets Control (OFAC) designated on 12 January 2022, five Democratic People’s Republic of Korea (DPRK) individuals responsible for procuring goods for the DPRK’s weapons of mass destruction (WMD) and ballistic missile-related available at <https://home.treasury.gov/news/press-releases/jy0555>*

³² Consecutive Russian MOFA’s statement: “*In a comment on this case the official representative of the Russian Foreign Ministry M.V.Zakharova denied accusations of "key role" of Russian citizen R.A. Alar and the Parsek company in the supply of components and technologies for "the entire DPRK missile program" and noted that Russia “is consistently committed to all its non-proliferation obligations both through the UN Security Council and within the framework of international and multilateral instruments to which it is a party.”*”, available at https://www.mid.ru/ru/foreign_policy/news/1794453/

³³ PTKT Kayur LLC: INN 7726299256. According to the reply of Russian authorities, based on the Unified State Register of Legal Entities, PTKT Kayur LLC was dissolved on 29 July 2021.

fibre from the same company in 2019 and 2020. In 2020, O Yong Ho purchased 100kg of Aramid fibre from Parsek LLC and was expected to place a much larger order in the middle of the same year.

In response to the Panel's enquiries concerning Parsek LLC, the Russian Federation stated that "*Parsek LLC supplies and provides after-sales service for equipment used in cable, power supply and control systems diagnostics and also sells related expendable materials and accessory parts. According to information received from company representatives, they had indeed been approached in 2018 by employees of the North Korean company Ponghwa with a request to arrange the supply of a lathe, condensers, bearings of various design, as well as Russian-made aramid fibre, but this request was rejected in view of the Security Council sanctions in place*".

28-2. In 2018, O Yong Ho allegedly approached at least one other company in Russia to procure stainless steel. According to the Member State, between 2016 and 2018, he attempted to buy steel used in the production of liquid propellant ballistic missiles and purchased nine tonnes in March 2018³⁴ from another Russian company to be delivered to the DPRK. He compiled an advanced payment return confirmation including the following details about the purchase:

- Contract item was stainless steel 12X18H10T-6 (Russian-origin).
- Delivery period for an arrival in Moscow was within 10 days of contract conclusion, and arrival of a container at Tumangang Railway Station on the Russian/DPRK border was within 30 days of contract acceptance.
- Document was dated 27 February, signed by a representative of the Korean Natural Resources Development Investment Corporation (KPe.010)³⁵ named O Yong Son.

28-3. Information provided by the Member State stated that between early July 2016 to late October 2016 O Yong Ho made progress in purchasing 3000 tonnes of the specific steel used in the manufacture of the hull of DPRK ballistic missile submarines.³⁶ He brought a delegation of DPRK officials to Russia in late 2016 to inspect the steel.

28-4. In addition, the Member State provided information that from 2016 to 2020, O Yong Ho attempted to purchase bearings for use by the DPRK's Rocket Industry department. In mid-March 2016, he received a commercial proposal from Parsek LLC, which was prepared by Roman Anatolyevich Alar and signed by the company's General Director Artem Mikhaylovich Kalinkin.³⁷ The proposal was on

³⁴ He purchased 9 tonnes of 12X18H10T-6 stainless steel, (*the Austenite, Russia GOCT standard stainless steel and heat resistant steel*).

³⁵ KPe.010 Name: GREEN PINE ASSOCIATED CORPORATION
A.k.a.: a) CHO'NGSONG UNITED TRADING COMPANY b) CHONGSONG YONHAP c) CH'O'NGSONG YO'NHAP d) CHOSUN CHAWO'N KAEBAL T'UJA HOESA e) JINDALLAE f) KU'MHAERYONG COMPANY LTD. g) NATURAL RESOURCES DEVELOPMENT AND INVESTMENT CORPORATION h) SAEINGP'IL COMPANY i) National Resources Development and Investment Corporation j) Saeng Pil Trading Corporation, available at <https://www.un.org/securitycouncil/sanctions/1718/materials>

³⁶ Steel HY130, F500W, D40S, E40S used for shipbuilding as well as 08KH15N5D2T. Cost was 223,000 Roubles (\$3,496) per tonne, which was more than USD10M worth of steel.

³⁷ Артём Михайлович Калинин

the supply of aviation oil and several models of ball bearings with applications to MTCR Category 1 and 2, ballistic missile guidance, navigation and control systems.³⁸ DPRK has previously procured several of these models on behalf of Syria's Scientific Studies and Research Center (SSRC), a known entity carrying out WMD and ballistic missile work (about aramid see above Sec.XX1). In late January 2020, O Yong Ho provided a price quote for 7 types of bearings.³⁹ DPRK has previously procured several of these models on behalf of SSRC. Parsek LLC and its executives have yet to respond to the Panel's request for information on these transactions.

The Russian Federation also noted in its reply, that "*the Russian Federal Service for Technical and Export Control did not issue permits to Parsek LLC for the export (transfer to foreign persons) of materials, such as kevlar or aramid fiber or steel of various grades, or bearings or technical data or other products*" (see annex 29).

28-5. According to the Member State's information, O Yong Ho was interested in instructions and technical expertise on solid propellant production. In June 2018, he received from Roman Anatolyevich Alar a hand-written and typed copy of a letter containing instructions for using OSF brand catalyst in solid rocket fuel mixtures:

1. *Use a 5 tonnes rocket charge;*
2. *Pour with the mixture powder;*
3. *Use ammonium perchlorate as an oxidiser;*
4. *Use a specific impulse of the rocket engine of 250 seconds, noting the specific impulse does not increase with the use of this OSF brand catalyst.*⁴⁰

In the same vein, on 28 December 2019, O Yong Ho received Kompas CAD drawings of a Russian TRDD-50 cruise missile from a missile/rocket scientist (allegedly deceased), who was located in the Russian Federation.

28-6. In October 2017, O Yong Ho sought hot and cold isostatic presses.⁴¹ Isostatic presses are used in making nose tips for Re-entry Vehicles and nozzle inserts for rocket motors.

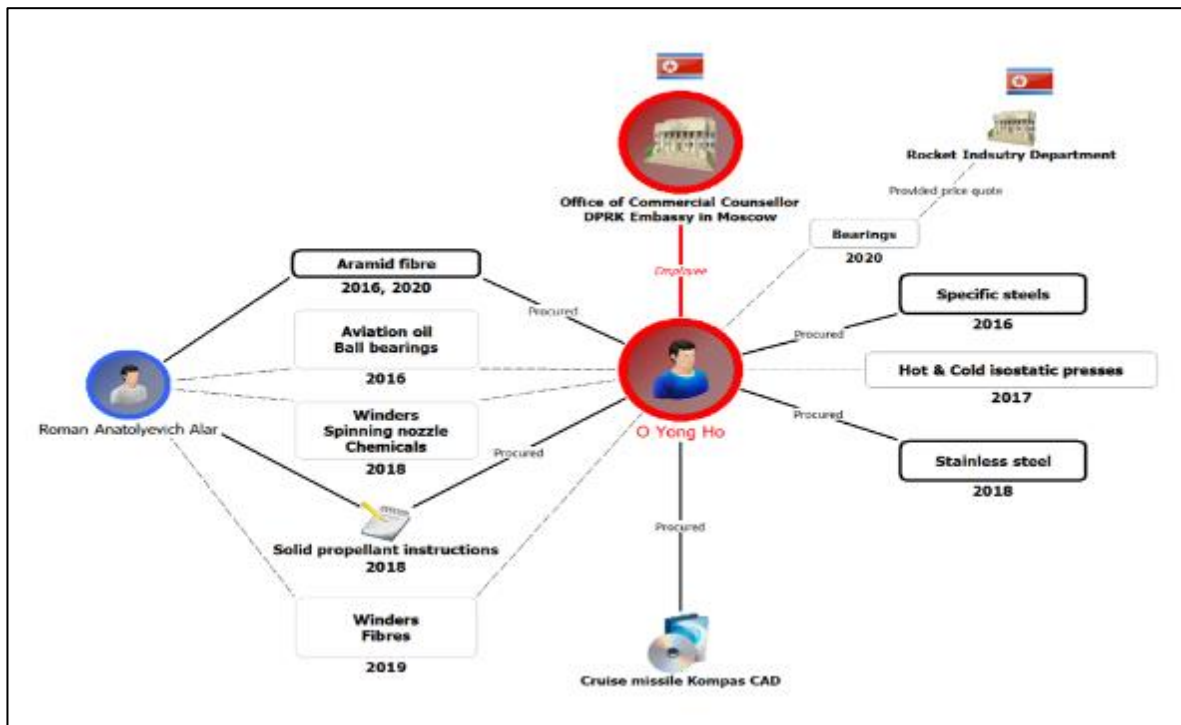
³⁸ Parsek LLC's proposal included more than 500 units of the following bearings, 24-45YU4T (*Deep groove ball bearing*); 4-2000083; 4-6023 or 4-6023E (*Deep groove ball bearings. Magneto type bearings. Complete*); 5-26; 5-6025 (*Angular Contact Ball Bearings dimensions*); 5-640065; 5-6W9YUT; Aviation oil OKB-122-3 (*Lubricants for Mi-17, NYCOLUBE 123 Gde. 3 132-19 OKB 122-3 TU 6-02-897 lend of a petroleum base stock and a polysiloxane, for the lubrication of aviation turbines, Compressors and gyro instruments. Information available at <https://www.nyco-group.com/site/content/uploads/MI-17%20product%20list-NYCO.pdf>*).

³⁹ 1000 units of bearings such as A-26; 4-6023 (*Type: Deep groove ball bearings. Magneto type bearings. Complete*); 4-6025; 5-60096; 5-640065; 5-640095; RA 5160 (*Removable angular ball bearings, open*).

⁴⁰ The OSF catalyst allows for uniform burning and prevents the development of vibration or pulsing burning which leads to detonation in a short period of time.

⁴¹ Its specifications a cold isostatic press, maximum operating pressure of 300 MPA, an effective workspace for the high-pressure vessel of 630 x 1200mm; a hot isostatic press, maximum operating pressure of 150 MPA, a maximum operating temperature of 1500 (pres deg), and an effective workspace for the high-pressure vessel of 630 x 1200mm. Some of these systems have applications to MTCR 2.B.2, MTCR 6.B.3. Category.

Figure 28-1: O Yong Ho's procurement activities



Source: The Panel.

Annex 29: Reply of the Russian Federation, dated 5 October 2021

В связи с запросом группы экспертов санкционного Комитета СБ 1718 по КНДР ОС.256 сообщаем, что О Ён Хо (O Yong Ho) является сотрудником аппарата торгового советника посольства КНДР в Москве, курирующим закупки в нашей стране продукции гражданского назначения и товаров народного потребления. Информацией о его причастности к незаконным операциям российские компетентные органы не располагают.

Данные о внешнеторговых контрактах, заключенных лицами, указанными в запросе, а также сведения о вывозе из России в Северную Корею перечисленных там товаров, подпадающих под действие международных санкционных ограничений, в информационных ресурсах российских таможенных органов отсутствуют.

ООО «Парсек» осуществляет поставки и гарантийное обслуживание оборудования для диагностики кабельных линий, источников электропитания и систем управления, а также реализует расходные материалы и комплектующие к ним. По информации, полученной от представителей данной организации, к ним в 2018 г. действительно обращались сотрудники северокорейской компании «Понхва» с просьбой об организации поставки токарно-фрезерного станка, конденсаторов, подшипников различной модификации, а также арамидной нити российского производства, однако в связи с действующим санкционным режимом СБ ООН данная просьба была отклонена.

ФСТЭК России не выдавала ООО «Парсек» разрешительных документов для осуществления экспорта (передачи иностранным лицам) материалов (кевларовое или арамидное волокно, сталь различных марок), подшипников или технических данных либо иной продукции.

По данным единого государственного реестра юридических лиц, ООО «Проектно-технологический консультативный центр «Каюр» ликвидировано 29 июля 2021 г.

Translated from Russian

In connection with the request contained in letter OC.256 from the Panel of Experts on the Democratic People's Republic of Korea of the Security Council Committee established pursuant to resolution 1718 (2006), we should like to inform you that Mr. O Yong Ho is an employee of the office of the Commercial Counsellor of the Embassy of the Democratic People's Republic of Korea in Moscow in charge of procurement of civilian production-related and consumer goods in our country. The Russian authorities have no information about his involvement in illegal operations.

The Russian customs authorities have no information regarding foreign trade contracts concluded by the persons named in the letter or the export from Russia to North Korea of goods subject to international sanctions listed in the letter.

Parsek LLC supplies and provides after-sales service for equipment used in cable, power supply and control systems diagnostics and also sells related expendable materials and accessory parts. According to information received from company representatives, they had indeed been approached in 2018 by employees of the North Korean company Ponghwa with a request to arrange the supply of a lathe, condensers, bearings of various design, as well as Russian-made aramid fibre, but this request was rejected in view of the Security Council sanctions in place.

The Russian Federal Service for Technical and Export Control did not issue permits to Parsek LLC for the export (transfer to foreign persons) of materials, such as kevlar or aramid fiber or steel of various grades, or bearings or technical data or other products.

According to the Unified State Register of Legal Entities, PTKT Kayur LLC was dissolved on 29 July 2021.

Source: The Panel.

Annex 30: DPRK procurement activities (Kim Jong Dok and Rim Ryong Nam)

30-1 Kim Jong Dok

The Panel has reported that Korea Machinery General Trading (KMGT), represented by Kim Jong Dok, regularly placed orders of sensitive industrial materials, including 1Cr18Ni9Ti stainless steel,⁵³ which is known to be used for aeronautical purposes as well as for the fabrication of liquid-propelled ballistic missile engines.⁴³

According to a Member State, Kim Jong Dok's placed orders (at least four times since January 2021) with Dandong-based Dandong Jongsan Trading (aka Dandong Dingshan Trading)⁴⁴ for not only 1Cr18Ni9Ti stainless steel but also valves, pumps and ball bearings. Kim's main contact from Dandong Jongsan Trading was Jon Gon Hua (aka Tian Jinhua).⁴⁵ Kim informed Jon Gon Hua that he particularly turned to several Chinese companies to place his orders, including Zibo Stirling Mechanical Equipment Co. Ltd.⁴⁶ and Shandong Jinjian Heavy Mining Equipment Co. Ltd.⁴⁷ (see figure 30-1 for Kim's Procurement Activities)

The procured items, including stainless steel, are prohibited from being supplied to the DPRK by paragraph 7 of resolution 2397 (2017). In addition, pursuant to paragraphs 8 and 27 of resolution 2270 (2016), any item that could contribute to development of the operational capabilities of the DPRK's armed forces, or to the DPRK's weapons of mass destruction programs, is prohibited from being exported to the DPRK.

The Panel has yet to receive replies to its enquiries from these companies.

⁴² S/2021/777, para. 22 and annex 27.

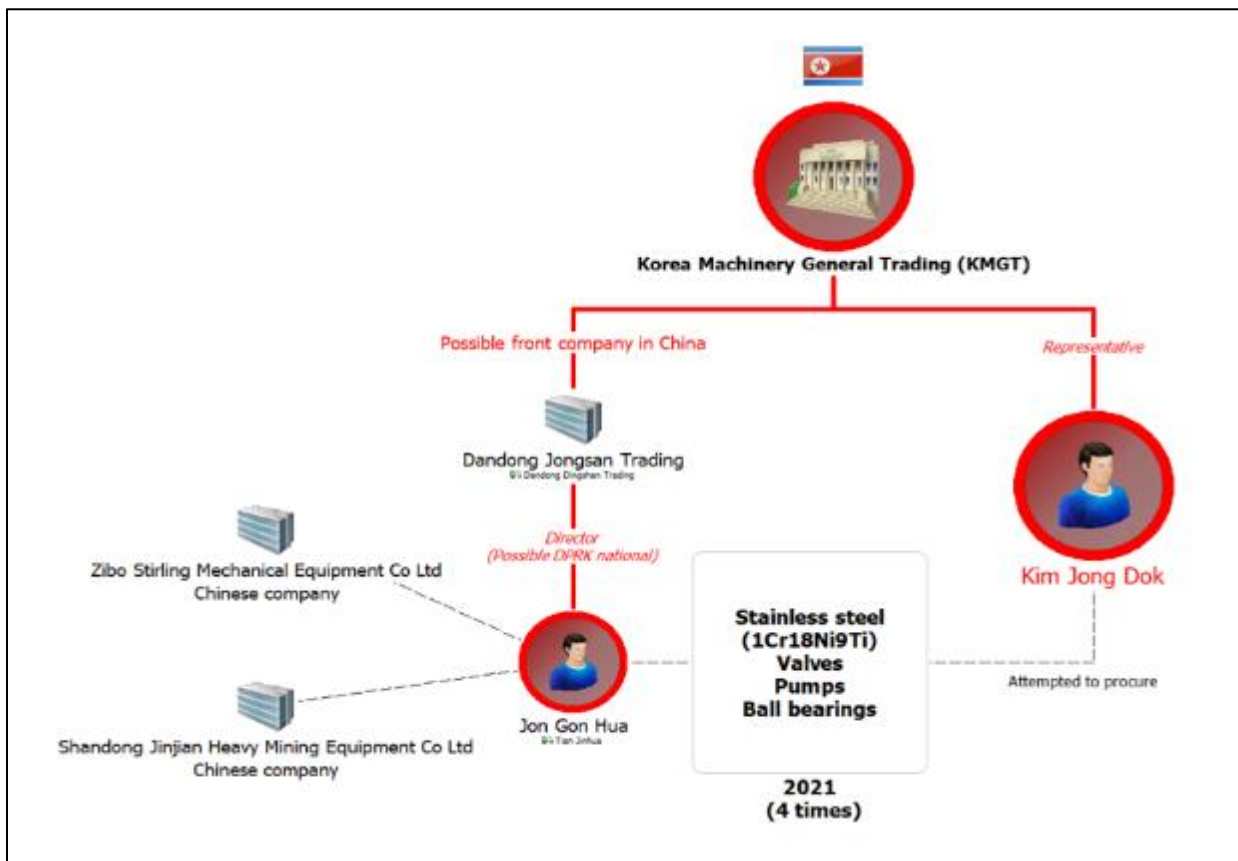
⁴³ Joint advisory issued by US Government detailing DPRK's efforts to procure sensitive material and technology mention that steel alloys containing titanium are likely imports for DPRK's ballistic missile programmes, and explicitly lists 1Cr18Ni9Ti as one such alloy. See https://home.treasury.gov/system/files/126/20200901_nk_ballistic_missile_advisory.pdf

⁴⁴ 丹东鼎山贸易有限公司

⁴⁵ Jon Gon Hua is likely a DPRK national and Dandong Jongsan a front company of the KMGT to acquire sensitive material in China. He is said to be one of the directors of the company with LI Faming.

⁴⁶ 淄博斯特林机械设备有限公司, a company in Zibo established in 2014 which specializes in manufacturing vacuum pumps and mechanic equipment.

⁴⁷ 山东金键重型矿山设备有限公司, a company in Zhaoyuan established in 2013 which focuses in selling mining equipment.

Figure 30-1: Kim Jong Dok's (attempted) procurement activities

Source: Member State, illustrated by the Panel.

30-2 Rim Ryong Nam

Multiple Member States provided information to the Panel that a Shenyang-based individual, Rim Ryong Nam,^{48 49} has been acting as a procurement representative for DPRK's Munitions Industry Department.⁵⁰ According to the information, in early 2018, Rim sought to purchase aluminum powder and other commodities, including those known to be used in solid propellant manufacture : trimethylaziridnyl phosphine oxide (MAPO),⁵¹ industrial-use argon, electrolytic copper, metallic chrome, acetone, and steel plates.⁵² In addition, in 2019 and 2020, Rim purchased and successfully shipped many tons of aluminum powder on multiple occasions to the DPRK, destined for the Ministry of Rocket Industry (aka Rocket Industry Department) as end user.⁵³

According to a Member State, some of the aluminum powder and other missile-applicable chemicals were reported to have been supplied by Shandong Zhangqiu Metallic Pigment Co., Ltd.⁵⁴ In effecting this procurement, Rim worked directly with Zheng Xin (aka Cho'ng Sin, Jong Sin(郑鑫)), the legal representative of Shenyang Jingchengjin Import & Export Co., Ltd. (see figure 30-2 for Rim's procurement activities).

Such export of aluminum powder to the DPRK may constitute a violation of various resolutions including: paragraph 8 of resolution 1718 (2006); paragraphs 9 and 10 of resolution 1874 (2009); paragraph 9 of resolution 2087 (2013); paragraphs 7, 14, 15, 16 of resolution 2270 (2016); and paragraph 7 of resolution 2397 (2017).

China replied *“China has conducted careful investigation based on the information provided by the Panel. We did not find any transactions of aluminum powder by RIM Ryong Nam within China. Nor did we find any information of the company registered under this person's name. RIM currently is not within the territory of China”*. No replies have yet been received from the companies.

⁴⁸ Rim is a DPRK national and his DoB is December 5, 1978. Acquired information also suggests that he is directly involved with a company called China Yantai Panocean Shipping Agency Co. Ltd (烟台泛洋船务代理有限公司).

⁴⁹ In 2019, Rim Ryong Nam was also directly involved in an effort to purchase tractors, operating as a middleman for payments. These payments also involved the accounts of the well-known Russia-based Korea Ungum Corporation, a DPRK Foreign Trade Bank front company (see S/2021/211 para. 141 ; S/2020/151 para 173 ; S/2019/691 para 56).

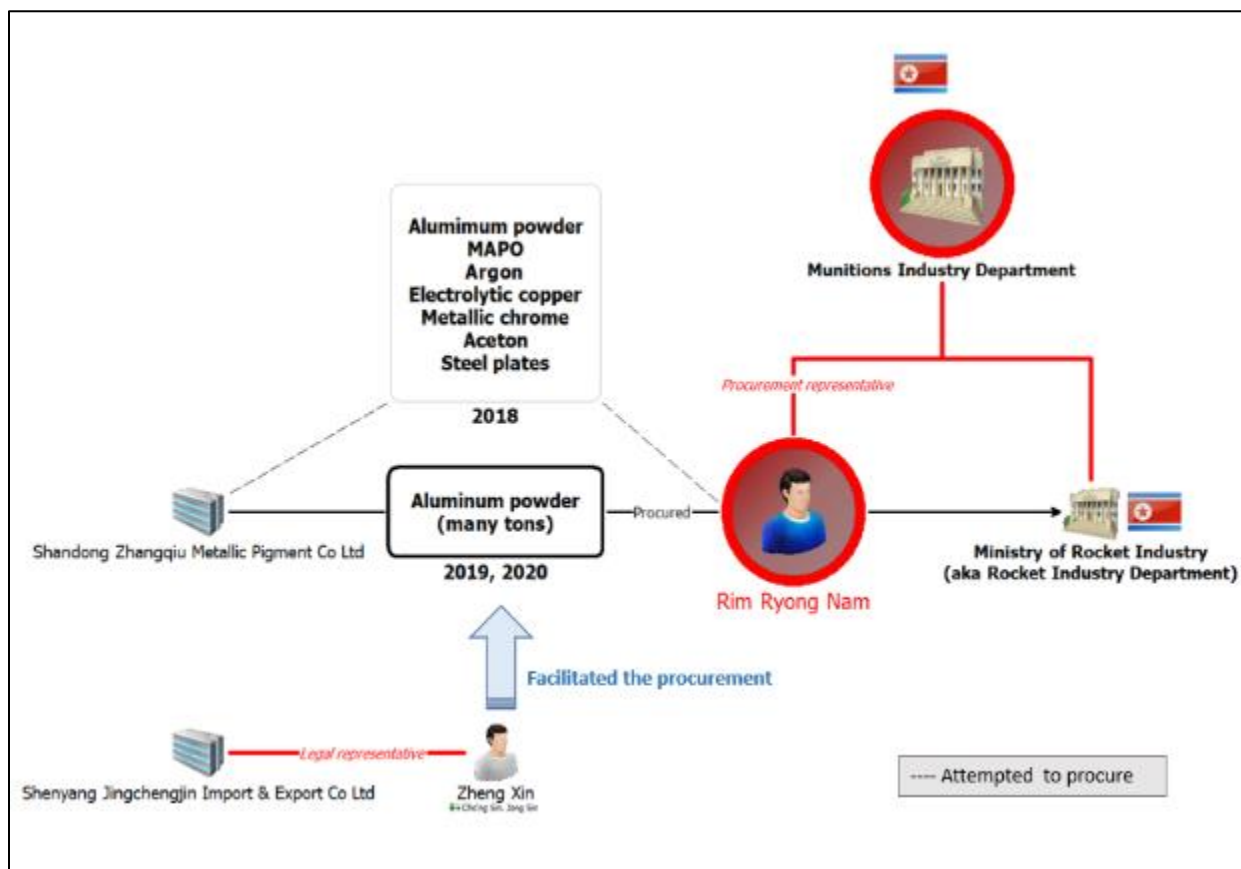
⁵⁰ Munitions Industry Department (MID) has been designated (KPe.028) by the Security Council (resolution [2270 \(2016\)](#)) for its involvement in key aspects of the DPRK's missile program.

⁵¹ S/2020/840, annex 6-3 (MAPO is a bonding agent used for propellant of solid fuel missiles).

⁵² Missile Technology Control Regime (MTCR) controls both aluminum powder (item 4.C.2.c of the MTCR Annex) and MAPO (item 4.C.6.a

⁵³ Ministry of Rocket Industry (aka Rocket Industry Department) is a subordinate organization to the MID (KPe.028).

⁵⁴ 章丘市金属颜料有限公司铝粉厂

Figure 30-2: Rim Ryong Nam's procurement activities

Source: Member State, illustrated by the Panel.

Annex 31: Report to the 1718 Committee by 50 Member States on the DPRK's breach of the refined petroleum cap in Security Council resolution 2397 (2017)

REPORT TO THE UN 1718 COMMITTEE: **THE DPRK'S BREACH OF THE UNSCR 2397 REFINED PETROLEUM CAP**

The Republic of Albania, Australia, Austria, Belgium, the Republic of Bulgaria, Canada, Chile, Costa Rica, the Republic of Croatia, the Republic of Cyprus, the Czech Republic, Denmark, the Dominican Republic, Estonia, Finland, France, Georgia, the Federal Republic of Germany, Greece, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Japan, the Hashemite Kingdom of Jordan, the Republic of Latvia, Liechtenstein, Lithuania, Luxembourg, the Republic of Malta, the Federated States of Micronesia, Moldova, Montenegro, the Kingdom of the Netherlands, New Zealand, Norway, the Republic of Palau, Peru, the Republic of Poland, Portugal, the State of Qatar, the Slovak Republic, the Republic of Slovenia, Spain, the Republic of Turkey, Ukraine, the United Kingdom, and the United States, remain gravely concerned regarding large-scale evasion of restrictions the UN Security Council has imposed on the Democratic Republic of Korea's (DPRK) import of refined petroleum products. UN Security Council resolution (UNSCR) 2397 operative paragraph (OP) 5 restricts the DPRK to importing no more than 500,000 barrels of refined petroleum products per year. Any Member State supplying, selling, or transferring refined petroleum products to the DPRK is required to submit reports to the UN 1718 Committee informing it of the transfers every 30 days in order to allow the Committee to maintain an accounting of the DPRK's imports.

Moreover, UNSCR 2375 OP 11 prohibits UN Member States from engaging in ship-to-ship (STS) transfers with any DPRK-flagged vessel of any goods or items that are being supplied, sold, or transferred to or from the DPRK. Nevertheless, DPRK-flagged vessels continue to conduct STS transfers on a regular basis as the DPRK's primary means of importing refined petroleum. The information in this report demonstrates that the DPRK has exceeded the UNSCR 2397 annual 500,000 barrel cap for 2021.

This submission further affirms previous submissions from 2018, 2019, and 2020 (see S/AC.49/2018/NOTE.213 and S/AC.49/2019/NOTE.134) and Panel of Experts reporting (see maritime section of S/2018/171, S/2019/171, S/2019/691, S/2020/151, S/2020/840, S/2021/211, and S/2021/777) that exhaustively demonstrated and detailed the illicit practices employed by the DPRK to circumvent UNSCR-mandated restrictions on its ability to import refined petroleum products. As a result, this report will not seek to repeat in detail the specific information the DPRK's evasive practices previously outlined in previous formal submissions to the UN 1718 Committee. These practices continue unabated, but the DPRK utilizes an ever-evolving fleet of vessels under its flag or its direct control to perpetrate pervasive and ongoing sanctions evasion.

This report demonstrates that the DPRK continues to conduct UN-prohibited STS transfers and imports of refined petroleum that are not reported to the 1718 Committee as required, and again this year has exceeded the UNSCR 2397 OP 5 refined petroleum products cap of 500,000 barrels per annum. This report supplies images and import volume data for vessels that continue to make deliveries of refined petroleum into DPRK ports and in the DPRK's territorial sea, without these deliveries being reported to the UN 1718 Committee. STS transfers of any cargo are explicitly prohibited by UNSCR 2375, so the relevant Member States involved in supplying refined petroleum products to DPRK tankers fail to report these volumes to avoid self-incrimination. As a result, the UN 1718 Committee's official accounting of the DPRK's imports vastly

underrepresents the volume of refined petroleum products that actually enter the DPRK. The overarching purpose of UNSCR 2397's provision limiting the DPRK's ability to import refined petroleum products is to limit the DPRK's ability to develop weapons of mass destruction (WMD) and ballistic missiles, which are a threat to international peace and security and are prohibited by numerous UNSCRs. The restriction on the DPRK's refined petroleum products imports is critical to ensuring that the DPRK chooses to halt these prohibited programs and completely denuclearize. If the DPRK is able to continue evading international sanctions, it will have little incentive to make such choices. As long as the DPRK continues to import refined petroleum products in excess of the UN-mandated cap with limited accountability at the UN, UNSCR 2397 OP 5 will remain ineffectual – which also undermines both the DPRK UNSCRs as well as the UN 1718 Committee.

We estimate that, this year alone, the DPRK has imported over 525,000 barrels via 18 confirmed tanker deliveries and 11 laden DPRK-flagged tankers that were waiting outside of DPRK ports to discharge their cargo as of September 30. As discussed in previous submissions on the DPRK breaching the import cap in 2018, 2019, and 2020, this report cannot provide an exact figure for each delivery of refined petroleum products to the DPRK, as that information is not readily available to any UN Member State other than the DPRK. This report instead calculates how much petroleum was acquired by the DPRK based on each vessel's dead weight tonnage. In 2021, all known refined petroleum transfers to the DPRK utilized DPRK-flagged vessels, a change from previous years when foreign-flagged delivery vessels directly unloaded petroleum at DPRK ports. Due to COVID-19 restrictions, oil was acquired by DPRK-flagged ships from foreign flagged vessels via STS, and those laden DPRK-flagged ships then underwent quarantine measures outside of the lock-gates near DPRK ports prior to delivering their petroleum cargoes.

We assess that each tanker is at least 90 percent laden due to the risks and costs involved in conducting illicit STS in order to acquire refined petroleum. Given the relative scarcity of refined petroleum products in the DPRK as well as the high cost of obtaining illicit petroleum cargoes via STS, it is highly unlikely that DPRK tankers deployed in search of fuel via STS transfers would return to DPRK ports with less than 90 percent of its cargo capacity filled. The expenditure of resources and risks of disruption to the tanker itself during these journeys, as well as the DPRK's dependence on imported refined petroleum, would not justify the DPRK tanker in question returning to port with less than 90 percent of its cargo capacity filled. Therefore, the 90 percent laden capacity volume is employed for this report.

We are providing images of 18 unreported deliveries of refined petroleum products to DPRK ports, which, when aggregated, represent 323,865 barrels of illicit imports. In addition, we are providing imagery of 11 DPRK-flagged vessels that were waiting outside of DPRK ports to discharge their cargo as of September 30, which represents another 202,102 barrels. Combined, these volumes represent 525,967 barrels of illicit imports -- constituting a clear breach of the cap imposed by UNSCR 2397 OP 5.

Table 1 and 2 below documents each of these transfers and provides an associated volume for each one.

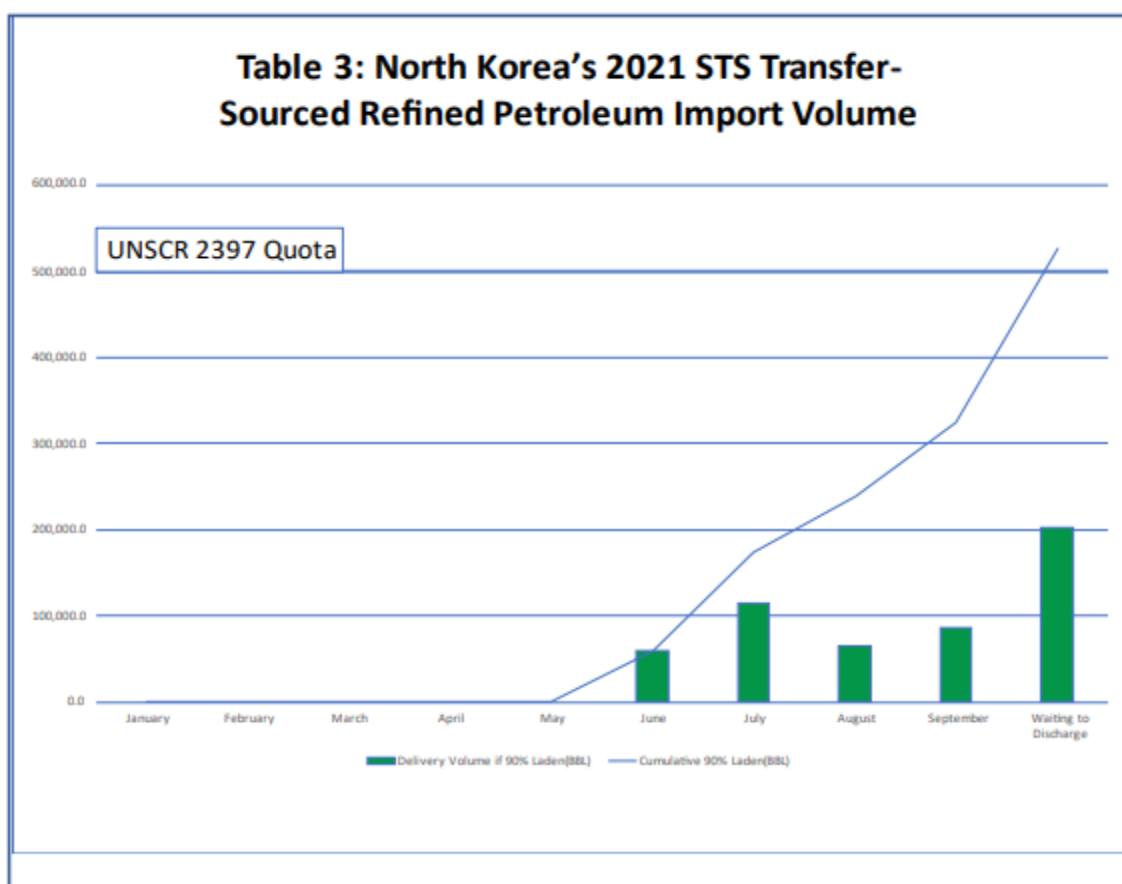
TABLE 1: DPRK-FLAGGED VESSELS THAT HAVE DISCHARGED IN 2021

					BARRELS
<u>SHIP NAME</u>	<u>FLAG STATE</u>	<u>IMO</u>	<u>DISCHARGE DATE</u>	<u>LOCATION</u>	<u>90% Laden</u>
AN SAN 1	DPRK	7303803	18-Jun, 2021	CHONGJIN	20,270.3
UN HUNG	DPRK	9045962	21-Jun, 2021	NAMPO	24,873.8
SIN PHYONG 2	DPRK	8817007	29-Jun, 2021	HUNGNAM	14,208.8
PO CHON	DPRK	8848276	2-Jul, 2021	NAMPO	23,881.5
SAM JONG 2	DPRK	7408873	11-Jul, 2021	HUNGNAM	16,922.3
RYE SONG GANG 1	DPRK	7389704	17-Jul, 2021	HUNGNAM	20,270.3
YU JONG 2	DPRK	8604917	19-Jul, 2021	HUNGNAM	8,140.5
JI SONG 6	DPRK	8898740	21-Jul, 2021	NAMPO	8,437.5
PAEK MA	DPRK	9066978	25-Jul, 2021	NAMPO	15,187.5
CHIL BO SAN	DPRK	8711021	29-Jul, 2021	HUNGNAM	13,493.3
SAE BYOL	DPRK	8916293	29-Jul, 2021	HUNGNAM	7,762.5
KUM JIN GANG 3	DPRK	8791667	8-Aug, 2021	NAMPO	33,635.3
SAM JONG 1	DPRK	8405311	22-Aug, 2021	HUNGNAM	11,238.8
PU RYONG	DPRK	8705539	25-Aug, 2021	NAMPO	19,500.8
NAM SAN 8	DPRK	8122347	3-Sep, 2021	NAMPO	21,262.5
KUM JIN GANG 2	DPRK	NONE	3-Sep, 2021	NAMPO	15,842.3
CHON MA SAN	DPRK	8660313	16-Sep, 2021	NAMPO	24,063.8
UN HUNG	DPRK	9045962	21-Sep, 2021	NAMPO	24,873.8
SUBTOTAL					323,865.0

TABLE 2: LADEN DPRK-FLAGGED VESSELS CURRENTLY WAITING TO DISCHARGE

					BARRELS
<u>SHIP NAME</u>	<u>FLAG STATE</u>	<u>IMO</u>	<u>DISCHARGE DATE</u>	<u>LOCATION</u>	<u>90% Laden</u>
CHONG RYONG SAN	DPRK	NONE	N/A	NAMPO	13,466.3
AN SAN 1	DPRK	7303803	N/A	NAMPO	20,270.3
KUM JIN GANG 3	DPRK	8791667	N/A	NAMPO	33,635.3
KUM UN SAN	DPRK	8720436	N/A	NAMPO	13,972.5
MU BONG 1	DPRK	8610461	N/A	NAMPO	13,486.5
PU RYONG	DPRK	8705539	N/A	NAMPO	19,500.8

RYE SONG GANG	DPRK	7389704	N/A	NAMPO	20,270.3
SONG WON	DPRK	8613360	N/A	NAMPO	14,181.8
YU JONG 2	DPRK	8604917	N/A	NAMPO	8,140.5
YU SON	DPRK	8691702	N/A	NAMPO	22,936.5
SIN PHYONG 5	DPRK	8865121	N/A	HUNGNAM	22,241.3
SUBTOTAL					202,101.8
TOTAL DISCHARGED AND AWAITING DISCHARGE					525,966.8



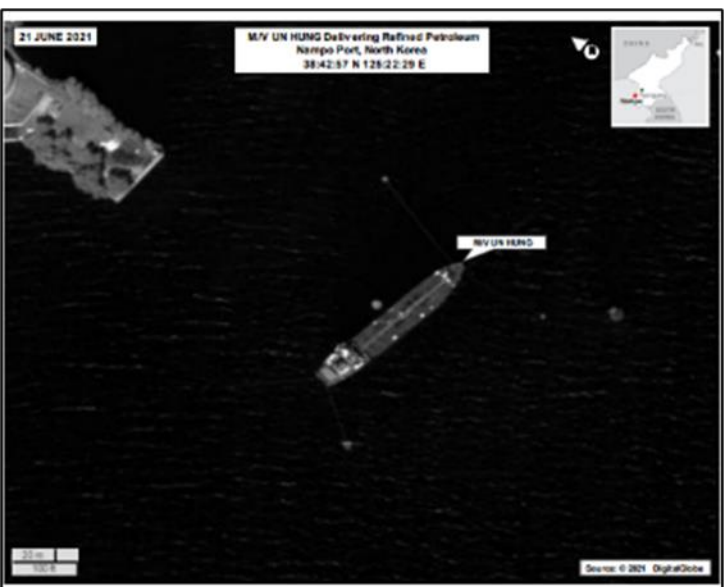
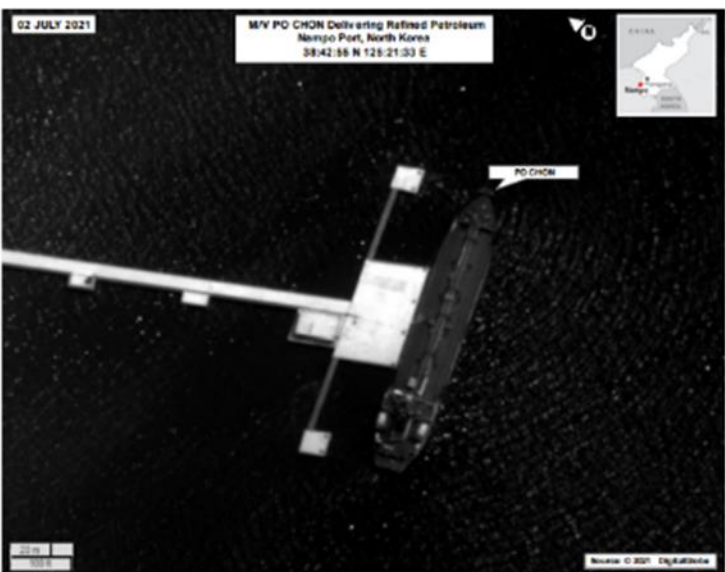
As Table 3 above demonstrates, the DPRK has clearly surpassed the UNSCR 2397 refined petroleum products import cap in 2021. As of the submission of this report, the People's Republic of China (PRC) has additionally reported 38,334 barrels of refined petroleum transfers to the UN 1718 Committee for the months of January through August 2021, bringing the

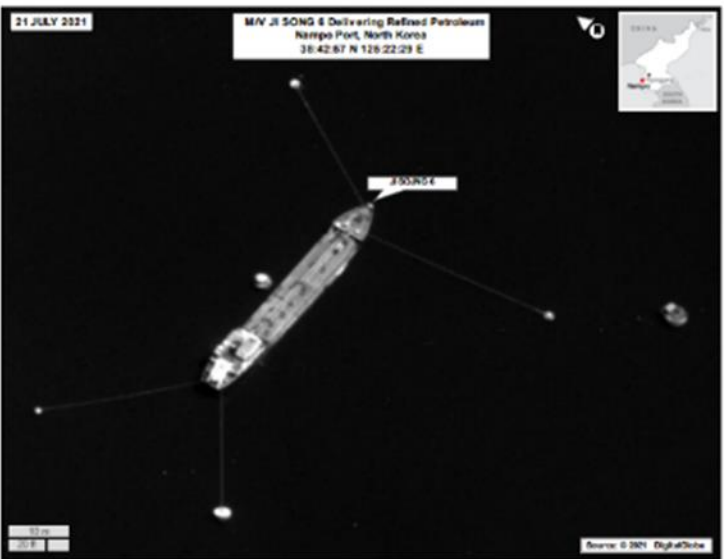
DPRK's overall total of refined petroleum product imports in 2021 to more than 564,301 barrels as of September 30, 2021.

Given the information provided herein, we request that the 1718 Committee immediately make an official determination that the aggregate amount of refined petroleum products sold, supplied, or transferred to the DPRK in 2021 has exceeded the 500,000 barrel annual cap and inform Member States that they must immediately cease selling, supplying, or transferring refined petroleum products to the DPRK for the remainder of the year. Similarly, the Panel of Experts is requested to review this report's analysis and underlying information in order to make a determination in its next report on the volume of refined petroleum product imports to the DPRK and the associated implications for the implementation of UNSCR 2397's refined petroleum product import cap.

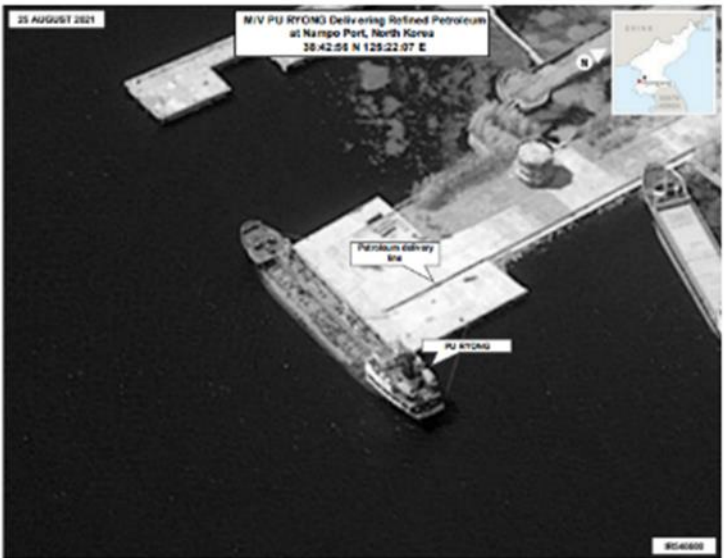
APPENDIX 1: DPRK-FLAGGED VESSELS THAT HAVE DISCHARGED IN 2021





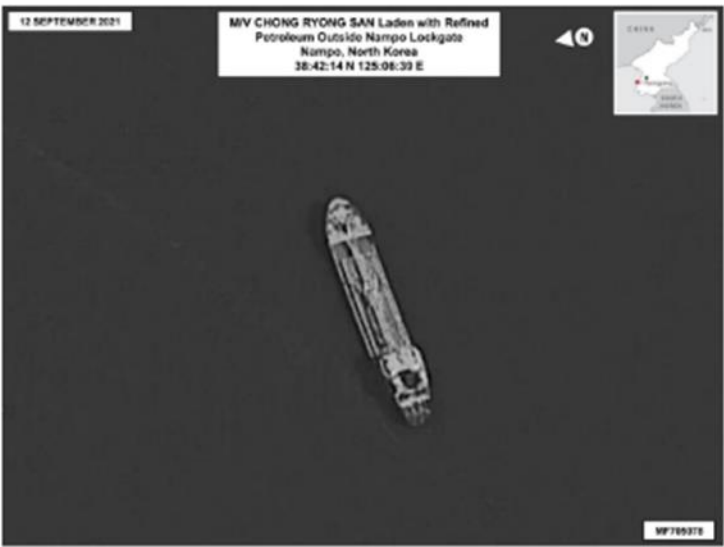


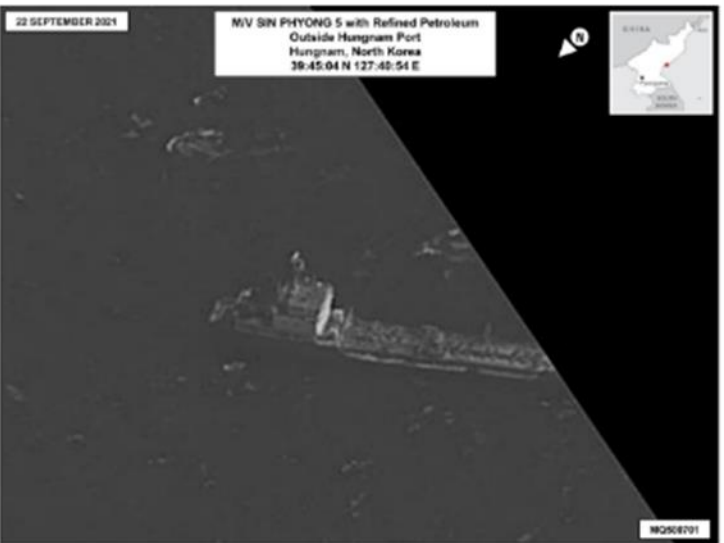






APPENDIX 2: LADEN DPRK-FLAGGED VESSELS CURRENTLY WAITING TO DISCHARGE







Annex 32: Responses of China and Russia to report on breach of the cap on refined petroleum deliveries to DPRK**Communication dated 13 December 2021 from the delegation of China to the 1718 Committee**

Any action of the Committee should be taken on the basis of solid evidence and sufficient facts. The report in this proposal does not provide concrete evidence of DPRK-flagged vessels engaging in ship-to-ship transfer of refined petroleum products, or an accurate and verifiable amount of refined petroleum products in each delivery. Its conclusion is only based on assumptions and estimations. It is neither scientific nor prudent to reach such a conclusion that the annual limit has been exceeded. In addition, estimations of the delivery volume for each shipment contained in this report do not even match that of the previous reports submitted by relevant Member States. China needs more time to study this proposal and would like to put it on hold. The Member States that made this proposal are recommended to provide more factual, accurate and verifiable information for the Committee's consideration.

Communication dated 13 December 2021 from the delegation of the Russian Federation to the 1718 Committee

In regard of refined petroleum cap Russia would like to recall the provisions of the Security Council resolution 2397, which stipulates that the Committee notifies all Member States when an aggregate amount of refined petroleum products sold, supplied, or transferred to the DPRK of 75, 90 and 95 per cent of the aggregate yearly amounts of 500 000 barrels have been reached, and only in the latter case (95 per cent), such notification is accompanied by an information about the requirement to immediately cease further deliveries of refined petroleum products to the DPRK for the remainder of the year. In the absence of the aforementioned notification of the Committee, export of refined petroleum products to the DPRK does not contravene the requirements of the 1718 sanctions regime. We understand the concerns expressed by the Member States in their letter. At the same time it is not possible to verify the accuracy of the provided information and its conclusions. Russia would like to put it on hold.

Annex 33: Deliveries of DPRK tankers of unreported refined petroleum at DPRK ports, June to September 2021

The following lists the DPRK-flagged vessels at its various home ports with unreported refined petroleum deliveries.

Table 1

VESSELS THAT HAVE DISCHARGED IN 2021				
SHIP NAME	IMO	DISCHARGE DATE	LOCATION	BARRELS 90% Laden
AN SAN 1	7303803	18-Jun	CHONGJIN	20,270.3
UN HUNG	9045962	21-Jun	NAMPO	24,873.8
SIN PHYONG 2	8817007	29-Jun	HUNGNAM	14,208.8
PO CHON	8848276	2-Jul	NAMPO	23,881.5
SAM JONG 2	7408873	11-Jul	HUNGNAM	16,922.3
RYE SONG GANG 1	7389704	17-Jul	HUNGNAM	20,270.3
YU JONG 2	8604917	19-Jul	HUNGNAM	8,140.5
JI SONG 6	8898740	21-Jul	NAMPO	8,437.5
PAEK MA	9066978	25-Jul	NAMPO	15,187.5
CHIL BO SAN	8711021	29-Jul	HUNGNAM	13,493.3
SAE BYOL	8916293	29-Jul	HUNGNAM	7,762.5
KUM JIN GANG 3	8791667	8-Aug	NAMPO	33,635.3
SAM JONG 1	8405311	22-Aug	HUNGNAM	11,238.8
PU RYONG	8705539	25-Aug	NAMPO	19,500.8
NAM SAN 8	8122347	3-Sep	NAMPO	21,262.5
KUM JIN GANG 2	NONE	3-Sep	NAMPO	15,842.3
CHON MA SAN	8660313	16-Sep	NAMPO	24,063.8
UN HUNG	9045962	21-Sep	NAMPO	24,873.8
SUBTOTAL				323,865.0
LADEN VESSELS CURRENTLY WAITING TO DISCHARGE				
SHIP NAME	IMO	DISCHARGE DATE	LOCATION	BARRELS 90% Laden
CHONG RYONG SAN	NONE	N/A	NAMPO	13,466.3
AN SAN 1	7303803	N/A	NAMPO	20,270.3
KUM JIN GANG 3	8791667	N/A	NAMPO	33,635.3
KUM UN SAN	8720436	N/A	NAMPO	13,972.5
MU BONG 1	8610461	N/A	NAMPO	13,486.5
PU RYONG	8705539	N/A	NAMPO	19,500.8
RYE SONG GANG	7389704	N/A	NAMPO	20,270.3
SONG WON	8613360	N/A	NAMPO	14,181.8
YU JONG 2	8604917	N/A	NAMPO	8,140.5
YU SON	8691702	N/A	NAMPO	22,936.5
SIN PHYONG 5	8865121	N/A	HUNGNAM	22,241.3
SUBTOTAL				202,101.8
TOAL DISCHARGED AND AWAITING DISCHARGE				525,966.8

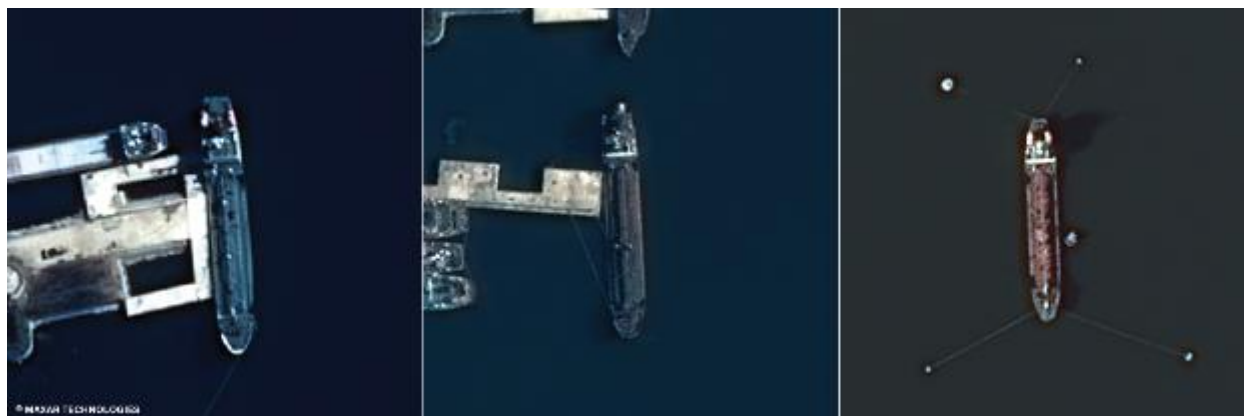
**Table 1:
Delivery Volumes
of Documented
Deliveries**

*NOTE: The Member State has provided imagery for each of the DPRK-flagged vessels.

The above-mentioned vessels have been featured in previous Panel reports for delivering illicit refined petroleum to the DPRK. The Panel's reports and its investigations have illustrated that DPRK tankers typically do not enter third country ports to avoid detection and detention. They typically obtain their refined petroleum cargo via ship-to-ship transfers at sea. The modus operandi includes using smaller unmarked vessels or vessels without IMO numbers used to transfer the oil cargo from suspect vessels and then to DPRK-flagged or direct delivery vessels. Such transfer tactics are conducted with the express purpose of avoiding easy detection of oil transfers to DPRK-linked vessels. The Panel considers such transfers as aiding and facilitating delivery of illicit refined petroleum to the DPRK. The Panel's investigations in this report give examples of ship-to-ship transfers involving the various DPRK-flagged tankers listed at table 1.

A think tank reported⁵⁵ that DPRK tankers have continued to deliver unreported refined petroleum products to DPRK ports for the remainder of the year 2021. A sample of the vessels at ports for the months of October, November and December are at figure 33:

Figure 33: Sample imagery of DPRK-flagged vessels at Nampo port for the months of October, November and December 2021



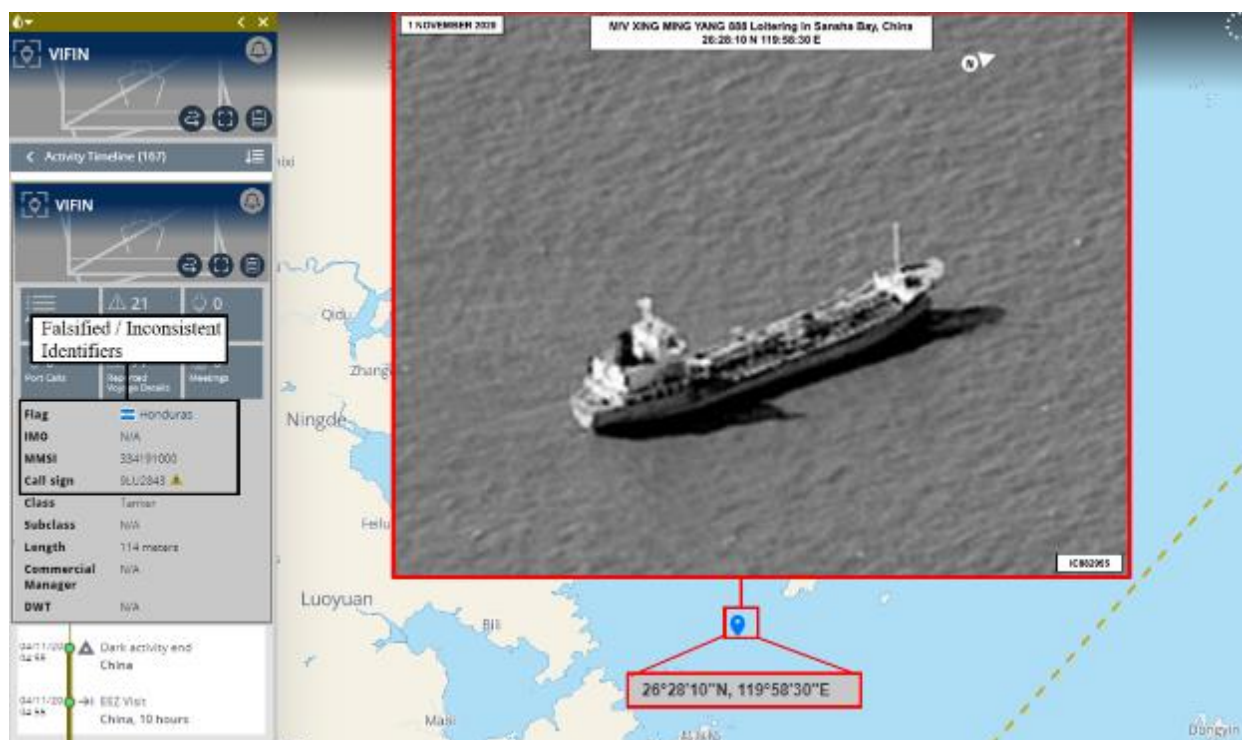
Source: RUSI, Maxar Technologies (left to right: NAM SAM 8 on 17 October 2021, YU SON on 12 November 2021 and PAEK MA on 3 December 2021).

⁵⁵ See <https://rusi.org/explore-our-research/publications/commentary/north-koreas-oil-terminals-come-back-life-imports-breach-unsc-cap>

Annex 34: Stateless Direct Delivery vessels in the Korea Bay, April 2021

The Panel in several reports highlighted the stateless direct delivery vessel XING MING YANG 888 (IMO: 8410847) had broadcasted on multiple false identifiers over time. In November 2020, the vessel transmitted a fraudulent identity as the Honduras-flagged VIFIN (MMSI: 334191000), with a call sign associated with the direct delivery vessel VIFINE (IMO: 9045962) (see figure 34-1), now sailing as the DPRK-flagged UN HUNG⁵⁶. The XING MING YANG 888, which was historically flagged under the DPRK (as ZUNXIA NG)⁵⁷ before being flagged out, likely retained its DPRK-links.

Figure 34-1: XING MING YANG 888 sailing with a call sign associated with another direct delivery vessel, VIFINE (nka DPRK-flagged UN HUNG), Sansha Bay, 1 November 2020



Source: Windward, annotated by the Panel (inset imagery, Member State).

On 24 April 2021, satellite imagery showed three stateless vessels, XING MING YANG 888 (IMO: 8410847), SUBBLIC (IMO: 8126082) and HOKONG (IMO: 9006758) anchored inside of the DPRK's Exclusive Economic Zone (EEZ) (see figure 34-2). These vessels have been proposed by the Panel for designation and repeatedly featured in Panel reports for sanctions evasion activities.

⁵⁶ August 2020.

⁵⁷ 2010-2014.

Low resolution imagery a day later showed the likely XING MING YANG 888 meeting with another vessel measuring 85 meters in length still within the DPRK's western coast's EEZ at similar coordinates (see figure 34-2). The Panel notes only two oil tankers in the DPRK's fleet appear to fit that length, RYE SONG GANG 1 (IMO: 7389704) and AN SAN 1 (IMO: 7303803).

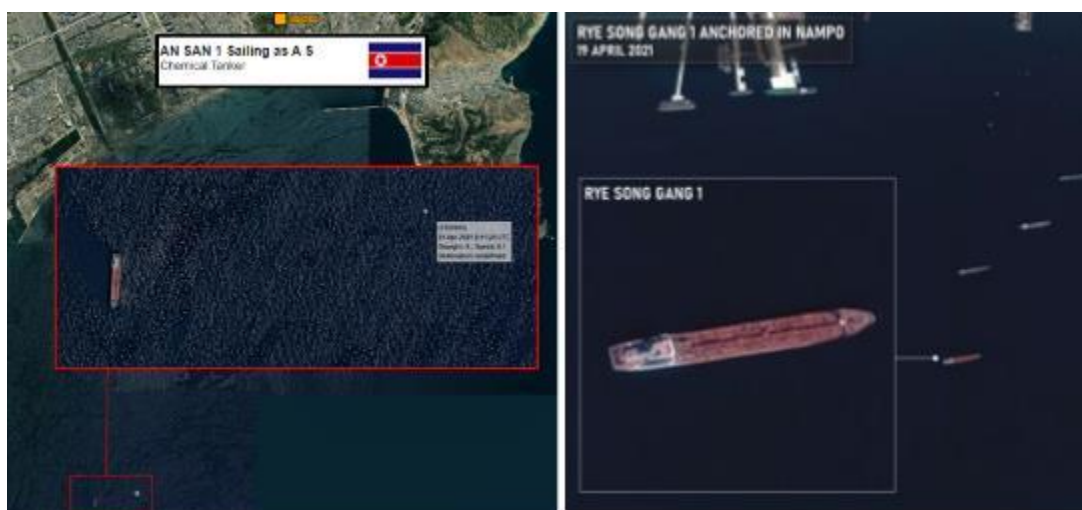
Figure 34-2: Likely XING MING YANG 888, Korea Bay, 25 April 2021



Source: Planet Labs Inc., annotated by the Panel.

The AN SAN 1 was located on the east coast of the DPRK at Chongjin port area on 21 April 2021, with the RYE SONG GANG 1 at a closer location anchored at Nampo port area on 19 April 2021 (see figure 34-3), indicating the RYE SONG GANG 1 as the candidate for the ship-to-ship transfer.

Figure 34-3: AN SAN 1 at the DPRK's eastern port of Chongjin and the RYE SONG GANG 1 at the DPRK's western port of Nampo, April 2021



Source: (left) IHS Markit Seaweb; (right) Planet Labs Inc.

Both the AN SAN 1 and RYE SONG GANG 1 continued to call at DPRK ports to discharge refined petroleum in 2021 (see figure 34-4). Both the AN SAN 1 and the RYE SONG GANG 1 have a combined full (90% laden) capacity of 20,270.3 barrels of refined petroleum.

Figure 34-4: AN SAN 1 and RYE SONG GANG 1 at Chongin and Hungnam ports respectively, in June and July 2021



Source: Member State.

The following table lists the direct delivery vessels observed by the Panel in or near the DPRK's EEZ in 2021. The listed vessels have been previously investigated and recommended by the Panel for designation for the illicit transfer of refined petroleum to the DPRK. Given that the DPRK's COVID-19 restrictions appear to only allow its flagged vessels to enter port, direct delivery vessels have sailed towards the DPRK's EEZ to conduct ship-to-ship transfers with DPRK tankers instead. The table lists the load capacity of each of the vessels (DWT⁵⁸):

Table of direct delivery vessels in DPRK EEZ or engaged in ship-to-ship transfers, 2021

Vessel	DWT	In or around DPRK EEZ or engaged in ship-to-ship transfers in 2021
DIAMOND 8	9,273	Yes
HOKONG* sailing as SHUNKAI	3,995	Yes
NEW KONK	8,057	Yes
SUBBLIC	5,989	Yes
XING MING YANG 888	7,303	Yes
UNICA sailing as HAISHUN 2	4,865	Yes

*Subject to demolition

Source: The Panel.

⁵⁸ DWT or dead-weight tonnage is a measure of a ship's carrying capacity that includes the amount of (oil) cargo, water, crew and provision stores that a ship can carry. The ships' DWT are sourced from the IMO.

Annex 35: Pattern of behavior of direct delivery vessel UNICA (IMO: 8514306)

The Panel first reported on the then Sierra Leone-flagged vessel UNICA in 2020 when it delivered unreported refined petroleum to the DPRK on multiple occasions⁵⁹.

The UNICA shared a similar pattern of behavior as that of the NEW KONK (IMO: 9036387) as well as other direct delivery vessels. In December 2017, the Hong Kong-incorporated Rui He (HK) Marine Co Ltd became the owner and manager of UNICA. The vessel was re-flagged under Niue in the same month. A maritime database platform lists the vessel as flagged unknown shortly thereafter, until the vessel was re-flagged under Sierra Leone in October 2018. During this period, UNICA's intermittent AIS transmissions indicated arrived at the Bama River in Fujian Province by January 2018 and visited at least two shipyards, including at Fujian Yihe Shipbuilding Industry Co., Ltd. / 福建省易和船舶重工有限公司, (hereafter "Fujian Yihe") in October / November 2018 (see figure 35).

Figure 35: UNICA at the Baima River in January 2018, and at Fujian Yihe shipyard, October 2018



Source: Windward, annotated by the Panel.

NOTE: Satellite imagery is presented for location purposes only and not registered on the same date as the AIS signal overlays.

⁵⁹ S/2021/151, para. 20 and annex 2.

In October 2018, the vessel again transferred ownership and management to BVI-registered Prospera Pacific International, with the Hong Kong-incorporated Nuwanni International Ship as its Document of Compliance (DOC) company holder. The vessel was also re-flagged under Sierra Leone. As the Panel had previously reported, the Nuwanni International⁶⁰ also served as DOC holder company to the SUBBLIC (IMO: 8126082), another direct delivery vessel. The company also listed its address⁶¹ that is shared by a corporate service registry provider associated with other entities that owned direct delivery vessels.

The vessel's AIS history showed it was more recently back at Fujian Yihe in April 2021, transmitting as the LITON.

Source: The Panel.

⁶⁰ Dissolved in July 2019.

⁶¹ Room 502C, 5th Floor, Ho King Commercial Building, Fa Yuen Street, Mong Kok, Kowloon, Hong Kong, China.

Annex 36: Table of laundered identifiers used by direct delivery and other suspect vessels

Table 36: Direct Delivery vessels occasionally transmitting on fraudulent identifiers^a

<i>Name</i>	<i>IMO No.</i>	<i>Transmitting as</i>	<i>MMSI No.</i>	<i>Last port State control inspected</i>
NEW KONK	9036387	M0USON F. LONLINE	511444000 312162000	July 2018
SUBBLIC	8126082	HAI ZHOU 168	667001397	May 2004
UNICA ^b	8514306	LITON HAISHUN 2	457106000 457400047	No data

Source: Panel.

^a The table is not exhaustive and represents what has been presented in the Panel's reports.

^b See annex 37.

Source: The Panel.

Annex 37: Direct delivery vessel UNICA (IMO: 8514306) transmitting as LITON and HAISHUN 2

The UNICA is a stateless vessel that has been recommended by the Panel for unreported illicit deliveries refined petroleum to the DPRK in 2019 and 2020. It was observed along the Baima River in Fujian Province, China, transmitting intermittently on a Mongolia-associated MMSI: 457106000 that belongs to the LITON (IMO: 8346395) in April and July 2021 (see figure 37-1).

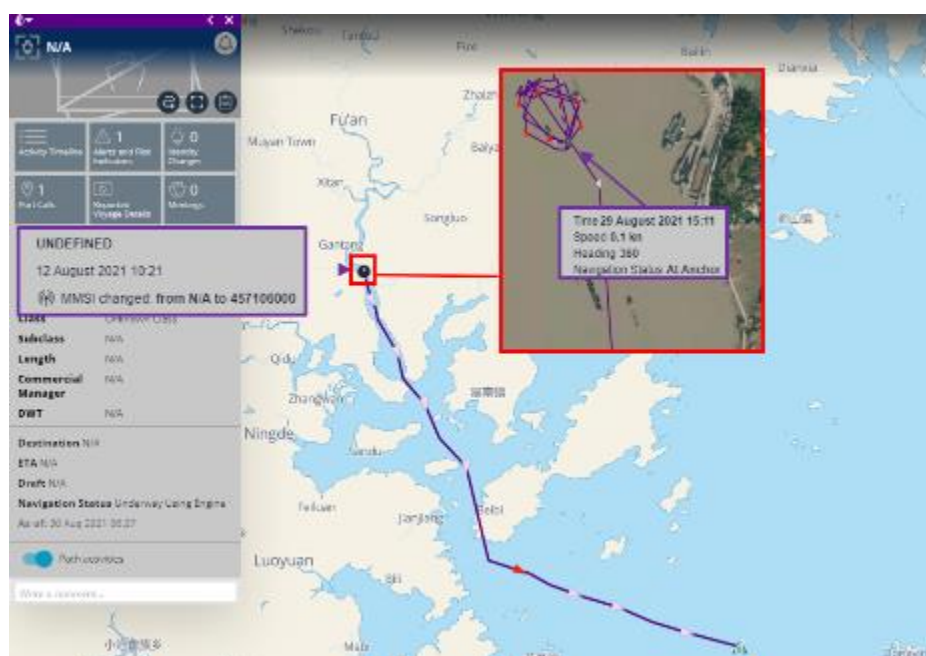
Figure 37-1: UNICA along the Baima River, April and July 2021



Source: (top) Maxar Technologies, annotated by the Panel; (bottom) Member State.

The vessel sailed out of Baima River by 31 August 2021 (see figure 37-2).

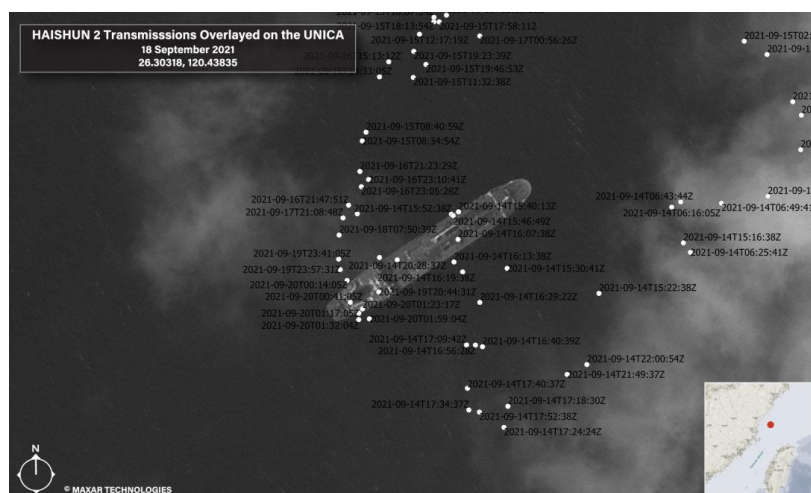
Figure 37-2: UNICA as LITON anchored at Baima River prior to sailing out, 29 August 2021



Source: Windward, annotated by the Panel.

In September 2021, AIS transmissions overlay showed the UNICA transmitting on another fraudulent identity as the HAISHUN 2 (MMSI: 457400047). The vessel was transmitting near Dongyin Island, an area the Panel has previously identified where direct delivery and other suspects vessels have either transited or anchored in (see figure 37-3). Further, the vessel was not transmitting an IMO number and broadcasted the same callsign JVGN7 that the UNICA had used when it broadcasted as the LITON at Baima River two months earlier.

Figure 37-3: UNICA transmitting as HAISHUN 2, Dongyin Island, 18 September 2021

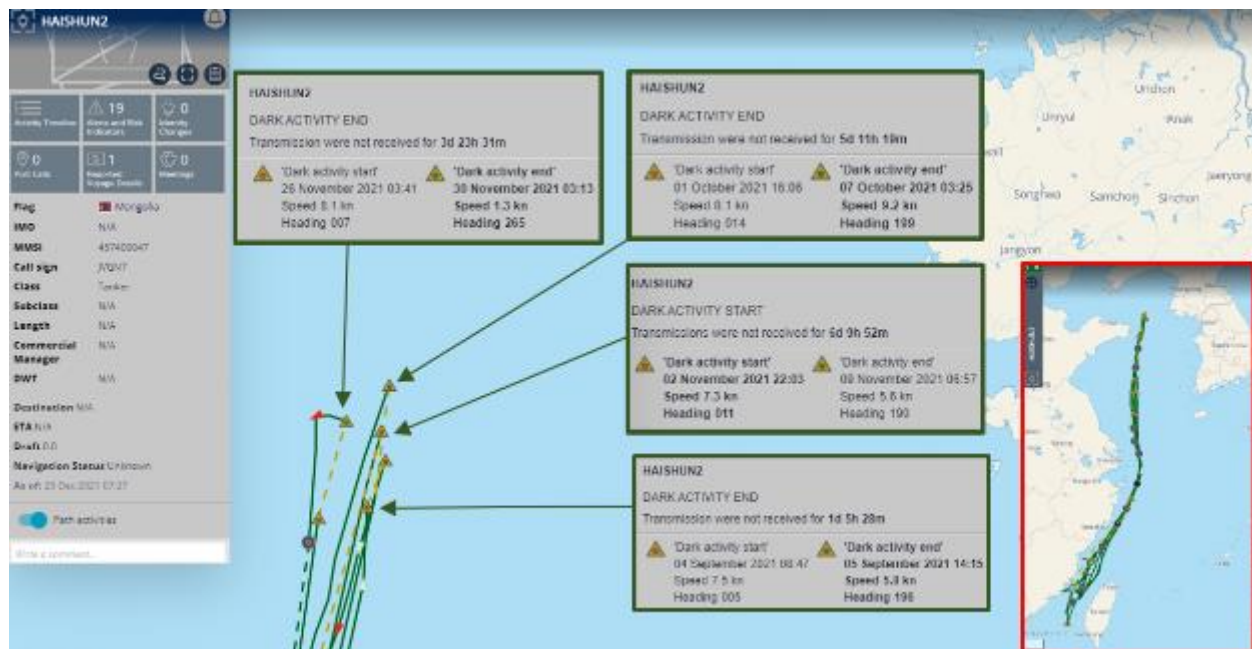


Source: Member State.

The HAISHUN 2 began broadcasting on this MMSI on 1 September 2021 in Chinese territorial waters off Wenling, Zhejiang Province, China.

Its voyage route is consistent with tracks observed of other direct delivery vessels that had illicitly procured refined petroleum for the DPRK, where the vessel sailed up the Yellow Sea in a northerly direction before dropping AIS signal in the high seas after passing Shidao, China, and resumed transmission in the same area days later, sailing back in the opposite direction (see figure 37-4).

Figure 37-4: UNICA sailing as HAISHUN 2 transmitting several trips near the DPRK's EEZ, September to November 2021



Source: Windward, annotated by the Panel.

Source: The Panel.

Annex 38: Network of linked entities associated with direct delivery vessels

The NEW KONK (IMO: 9036387), like other vessels investigated by the Panel that delivered illicit refined petroleum to DPRK ports (termed “direct delivery vessels”), were acquired by new owners in 2018 / 2019 before they began their illicit oil deliveries⁶².

The NEW KONK’s registered owner, New Konk Ocean International Company Limited (新康海洋國際有限公司) and the VIFINE ‘s (now DPRK-flagged UN HUNG) (IMO: 9045962) then registered owner Hongxin International Ship Management Co. Limited (鴻信國際船舶管理有限公司), both listed the same address on Hong Kong corporate registry records⁶³. Both entities, New Konk Ocean International and Hongxin International, were registered in the same month.

The NEW KONK and VIFINE also shared the same historical ship owner, manager and operator, All Sefety Ocean International Trading Co. Limited (全安海洋國際貿易有限公司). All Sefety also owned, managed and operated another direct delivery vessel, the HOKONG (IMO: 9006758) in February 2019, with the vessel conducting direct deliveries to the DPRK.

Prior to its transfer of ownership to All Sefety, the VIFINE was owned and managed by another Hong Kong-incorporated entity, Ha Fa Trade International (海發貿易國際有限公司). Ha Fa Trade also historically managed the direct delivery vessel SUBBLIC (IMO: 8126082) when it was sailing as XIN YUAN 18 before its sale to Milyan R Trade International (邁源紅貿易國際有限公司) in October 2018. Nuwanni International Ship Management Co. Limited (紐縵日國際船舶管理有限公司) served as the vessel’s Document of Compliance holder. Nuwanni was in turn also the Document of Compliance holder to the direct delivery vessel UNICA (IMO: 8514306). Nuwanni also shares the same listed address as All Sefety.

⁶² S/2020/151, paras. 10~27 and 32.

⁶³ IHS Markit. The listed address provided belonged to be entity providing corporate secretary services.

Corporate registry documents for the above Hong Kong-based companies showed different listed company directors and shareholder for each entity. These individuals included nationals from mainland China, Myanmar and the Philippines. Despite being ostensibly being owned by different individuals, All Sefety and Nuwanni were both registered in Hong Kong on the same day⁶⁴. The Panel notes that the listed directors and shareholders on Hong Kong corporate registry documentation may not be the beneficial owners or in certain cases or have a confirmed established association with the vessel.

Nuwanni, the Document of Compliance holder for the SUBBLIC and for the UNICA, was also deleted from the Hong Kong registry the same day⁶⁵ as Milyan.R Trade, the owner of the SUBBLIC.

All Sefety, Ha Fa Trade, Milyan.R Trade International, and Nuwanni have used the same corporate secretary provider with a registered address in Wan Chai, Hong Kong.

Source: The Panel.

⁶⁴ Registered on 25 April 2018.

⁶⁵ Deleted on 26 July 2019.

Annex 39a: Suspect vessel at Fujian Yihe Shipyard – NEW KONK as F.LONLINE

The Panel has over the years reported on sanctions evasion methods used by vessels engaged in the illicit procurement of commodities to the DPRK. This involved various forms of vessel disguises, including: physical alterations of vessels, vessel renovation, transmitting on a different (falsified) identifier, and the falsification of paperwork. In its most recent two reports⁶⁶, the Panel has identified and described sophisticated methods of laundering vessels' identities, which enabled suspect vessels to continue to violate the DPRK sanctions regime. The Panel has deemed such vessel identity laundering measures as sanctions evasion techniques, and accordingly, those involved in these measures considered as facilitators of sanctions evasion. The provision of repair, maintenance and modification services to vessels suspected of evading sanctions enables them to continue to sail, trade and evade sanctions.

Fujian Yihe Shipbuilding Industry Co Ltd (hereafter "Fujian Yihe") (福建省易和船舶重工有限责任公司) is located along the Baima river in Fujian, China. On a Chinese business data website, the shipyard lists its business scope as including ship modification, dismantling, repair, ship building, domestic ship management business, and the import and export of goods or technologies.

A number of vessels that the Panel has investigated for engaging in or enabling sanctions evasion-related activities have docked at the shipyard, likely to receive modification, repair and / or maintenance services. The Panel in its reports has determined that vessel disguise and changing a vessel's appearance to enable sanctioned activities to be conducted, to be a sanctions evasion tactic.

The following examples are provided:

NEW KONK as F.LONLINE (fka SMOOTH SEA 3)

The NEW KONK, which had intermittently transmitted under the MOUSON 328's identity in 2020, began transmitted as F.LONLINE from October 2020⁶⁷. The alleged Belize-flagged F.LONLINE was formerly sailing as the then Thailand-flagged SMOOTH SEA 3 (IMO: 8303616) before it was sold to Rui He (HK) Marine Co Ltd and then transferred to Cheng Xin Shipping Ltd in July 2019, sailing as the then Dominica-flagged RUI HE. In October 2019, the vessel again transferred ownership to the Hong-Kong incorporated Brilliant Trade International and was renamed F.LONLINE⁶⁸.

The Panel's on-going investigations into the SMOOTH SEA 3 indicated another suspected case of DPRK-related vessel identity laundering, which resulted in the creation of a suspected fraudulent identity - that of the F.LONLINE.

⁶⁶ S/2021/777 paras. 29-34 and annex 28, and S/2021/211, paras. 31-36 and annex 22.

⁶⁷ Vessel analysis of AIS transmissions on Windward.

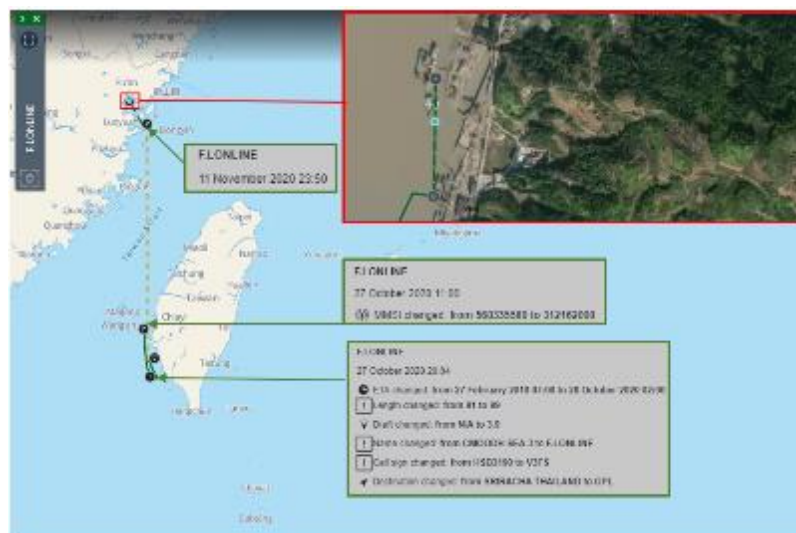
⁶⁸ IMO GISIS.

The F.LONLINE's digital identity was used by the direct delivery vessel NEW KONK (IMO: 9036387) (see timeline below). Investigations into the laundering process of the SMOOTH SEA 3's identity indicated the same entities and ship/dockyards involved as those engaged in the laundering of the vessel identities of the SMOOTH SEA 28 / HAI ZHOU 168 / SMOOTH SEA 22, investigated and reported on in S/2021/777. The actual SMOOTH SEA 3 is suspected to be sailing as the Thailand-flagged SMOOTH SEA 30 (IMO: 9892262), a reportedly newly built vessel that laid keel and was constructed at a shipyard in Ningbo, China in 2018. The SMOOTH SEA 30's IMO number is suspected to have been obtained through fraudulent means. The Panel's investigations are consistent with information obtained from a Member State that assessed the vessel characteristics of the SMOOTH SEA 30 and SMOOTH SEA 3 to be virtually identical, and there was no proof of the existence of the SMOOTH SEA 30 as a newly built vessel that laid keel.

Timeline:

In October 2020, the Panel noted a vessel began transmitting as F.LONLINE off Taiwan Province of China before sailing up the Baima River in November 2020 (see figure 39a-1).

Figure 39a-1: A vessel adopting F.LONLINE's identifiers sailing up to Fujian Yihe shipyard, November 2020



Source: Windward, annotated by the Panel.

Note: Inset satellite imagery as representative of the shipyard location, not by actual date on AIS signal overlay; AIS signal overlay as on 9 December 2020).

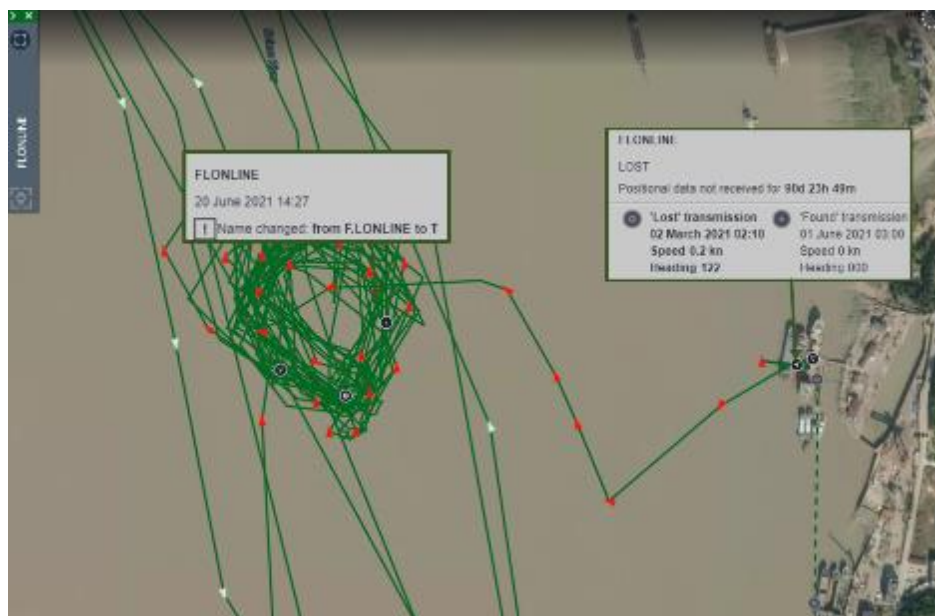
High resolution satellite imagery and vessel AIS transmissions showed the NEW KONK transmitting as the F.LONLINE at Fujian Yihe. The NEW KONK remained moored at Fujian Yihe from December 2020 to June 2021 where it underwent renovation work (see figure 39a-2 and 39a-3).

Figure 39a-2: NEW KONK at Fujian Yihe shipyard, China, 22 April 2021



Source: Maxar Technologies, annotated by the Panel.

Figure 39a-3: NEW KONK transmitting as F.LONLINE in June 2021 at Fujian Yihe, China



Source: Windward, annotated by the Panel.

The NEW KONK departed the shipyard by June 2021 to anchor at Baima River, departing by August 2021 using the F.LONLINE's identity. The vessel was observed on satellite imagery in late August in Sansha Bay, China (see figure 39a-4). It later conducted a ship-to-ship transfer with the DPRK-flagged KUM JIN GANG 3 (IMO: 8791667) in the Korea Bay, see figure 39a-5.

Figure 39a-4: NEW KONK anchored at Sansha Bay, China, 20 August 2020.



Source: Member State.

Figure 39a-5: NEW KONK ship-to-Ship transfer with KUM GIN GANG 3, Korea Bay, 23 September 2021



Source: Member State.

The Panel wrote to Thailand requesting, *inter alia*, a detailed physical inspection and investigation into the SMOOTH SEA 30 that would help establish the vessel's identity, either as a newly-built vessel that laid keel at a shipyard in Ningbo, China, or as a reconstructed vessel, suspected to be the SMOOTH SEA 3 (IMO: 8303616).

Thailand has yet to respond.

The Panel also wrote to the relevant flag registries, shipyards and entities and individuals that owned and managed the vessels. The Panel also wrote to China seeking its assistance on information concerning any refueling or ship-to-ship activity undertaken by the NEW KONK in Chinese territorial waters.

Fujian Yihe has yet to respond.

Cheng Xin Shipping has yet to respond. Ruam Mitr dockyard responded that “...*Chengxin shipping company is our customer, he rented a dockyard for a short period of time.*” The Panel notes that the vessels involved in identity laundering were at the dockyard for significant periods of time. The Panel is in correspondence with the dockyard and continues its investigations.

Belize has yet to respond.

Rui He (HK) Marine Co Ltd has yet to respond.

Dominica has yet to respond.

China responded that “*There is no record of port calls in China for NEW KONK in 2021*”.

Source: The Panel.

Annex 39b: Other suspect vessels at Fujian Yihe Shipyard

RUI HONG 916

Fujian Yihe was identified as having been “in the possession” of the then Sierra Leone-flagged RUI HONG 916 (IMO: 9058866) and carried out repair and maintenance work before it was sold to an end buyer in Fujian, China (see figure 39b-1). The Panel understands that Fujian Yihe also purchases used vessels for repair and resale. The vessel conducted ship-to-ship transfer with the DPRK-flagged KUM UN SAN (IMO: 9720436) on 28 May 2019, two months following its sale⁶⁹.

Figure 39b-1: Bill of Sale of RUI HONG 916

Prescribed by the Commissioners of Customs & Excise with the consent of the Secretary of State for Trade and Industry

Form No.10A

BILL OF SALE (Body Corporate)

IMO Number	Name of Ship	Official Number, year and port of Registry	Whether a sailing, steam or motor ship	Horse power of engine (if any)	
9058866	TAIYO MARU NO.2	133683, 1993, Waki-gun, Okayama-Pref., Japan	Motor Ship	735KW	
			Meters	Centimeters	Number of Tons
Length			60	04	Gross
Breadth			10	00	Net
Depth			4	50	498.00 286

and as described in more detail in the Certificate of the Surveyor and the Register Book.

I, **RUIS (HK) MARINE CO., LIMITED** (hereinafter called “the Transferors”) having our registered office at **OFFICE 3A 12/F KAISER CENTRE NO.18 CENTRE STREET SAI YING PUN HK** in consideration of the sum of **USD 1.00 (United States Dollars One Only)** paid to us by **WANG** (hereinafter called “the Transferees”) having their registered office at **FUJIAN PROVINCE P.R.CHINA** the receipt whereof is hereby acknowledged transfer all (100%) the shares in the Ship above particularly described, and in her boats and appurtenances, to the said Transferees.

Further, we, the said Transferors for ourselves and our successors covenant with the said Transferees and their assigns, that we have power to transfer in manner aforesaid the premises hereinbefore expressed to be transferred, and that the same are free from all encumbrances, mortgages and maritime liens or any other debts or claims whatsoever.

In witness whereof we have hereunto executed this Bill of Sale on **20 MARCH 2019**.

For **RUIS (HK) MARINE CO., LIMITED**

By: _____

Nat: _____

Note:- A purchaser of a registered British Vessel does not obtain a complete title until the Bill of Sale has been recorded at the Port of Registry of the ship; and neglect of this precaution may entail serious consequences.

Note:- Registered Owners or Mortgagees are reminded of the importance of keeping the Registrar of British Ships informed of any change of residence on their part. Sec. F. 2058 (Oct. 1971)

Source: The Panel.

Previous Panel investigations into vessel identity laundering indicated that Fujian Yihe was associated with at least three vessel identity laundering operations, resulting in the freeing up of the AIS digital profiles of the laundered vessels, thereby allowing the direct delivery vessels NEW KONK (IMO: 9036387) and SUBBLIC (IMO: 8126082) to swap into these vacated AIS profiles. Direct delivery vessels could then sail as ‘clean’ ships.

⁶⁹ S/2020/151, paras. 36-37 and annex 9.

MOUSON 328⁷⁰

In the first case, then Panama-flagged MOUSON 328 was moored at Fujian Yihe in the second half of 2019 where it underwent some modification, including repainting (see figure 39b-2). The vessel then sailed out of the shipyard as a newly built vessel, CHERRY 19, and was subsequently entered under Thailand's ship registry on a fraudulent basis as SMOOTH SEA 29 (IMO: 9896945). Thailand has stated it was re-examining the registration of SMOOTH SEA 29⁷¹ on the basis of suspected fraud.

Figure 39b-2: MOUSON 328 re-painted at Fujian Yihe, September / October 2019



Source: Google Earth, annotated by the Panel. Coordinates: 26°50'28"N, 119°41'20"E.

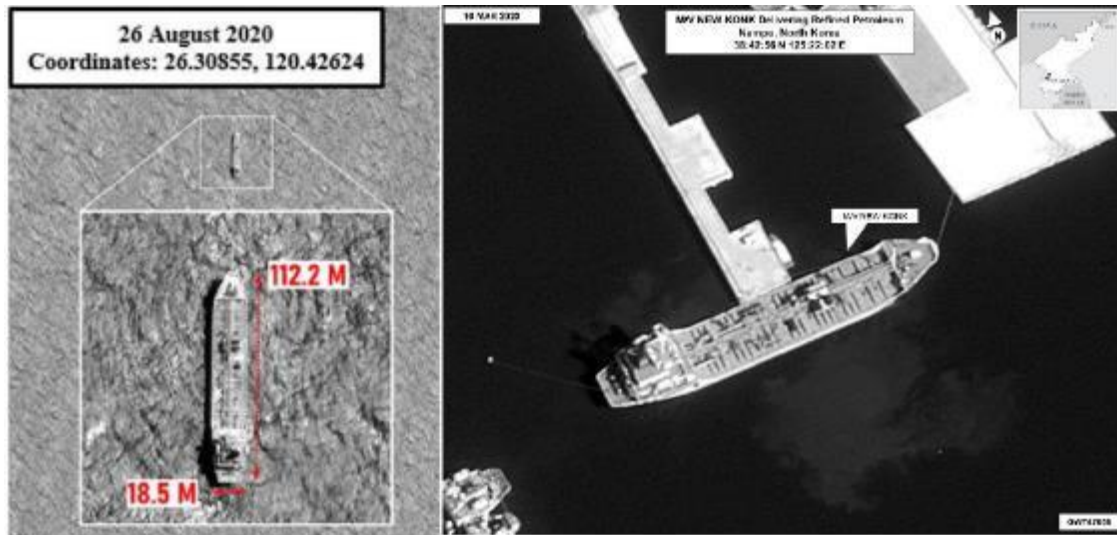
High-resolution satellite imagery showed a vessel on 26 August 2020 transmitting on the MOUSON 328's historical Palau-associated MMSI 511444000, matching the dimensions and features of the NEW KONK (IMO: 9036387) (see figure 39b-3).

Sailing on another identifier as a 'clean' vessel enabled the NEW KONK to obtain refined petroleum through ship-to-ship transfers for delivery of its cargo to the DPRK while sailing under the MOUSON 328's vacated AIS profile in 2020.

⁷⁰ S/2021/211, paras. 31-36 and annex 22.

⁷¹ S/2021/777, para. 34.

Figure 39b-3: Vessel dimensions and physical comparison of the NEW KONK transmitting as M0USON, 26 August 2020



Source: (left) Maxar Technologies, annotated by the Panel; (right) Member State.

SUBBLIC as HAI ZHOU 168⁷²

In the second case, the then Sierra Leone-flagged HAI ZHOU 168 was moored at Fujian Yihe from September 2018 to January 2019 (see figure 39b-4).

Figure 39b-4: HAI ZHOU 168 moored at Fujian Yihe shipyard, September 2018



Source: C4ADS, Maxar Technologies.

⁷² S/2021/777, paras. 30-34 and annex 28.

Like the MOUSON 328, the HAI ZHOU 168 changed its identifiers as it departed the shipyard, updating its vessel profile to the newly built Belize-flagged CHENG XIN 1 (IMO: 9870991), a fraudulent identity. The SUBBLIC began transmitting under HAI ZHOU 168's vacated digital profile in 2020 (see figure 39b-5), where it called at DPRK ports to offload refined petroleum.

Figure 39b-5: SUBBLIC transmitting as HAI ZHOU 168, Sansha Bay, China, 26 November 2020



Source: Imagery: Planet Labs Inc.; AIS coordinates: Windward.

The vessel was subsequently entered under Thailand's ship registry as the new-built SMOOTH SEA 22. To the Panel's various queries, *inter alia*, to establish the validity of the SMOOTH SEA's actual identity (as a newly built vessel that laid keel at Fujian Yihe or as a suspected re-built vessel), Thailand responded by providing the Panel with ship dimensions of the SMOOTH SEA 28 (HAI ZHOU 168) and SMOOTH SEA 22 (see also annex 46b). The Panel has sought additional clarification questions from Thailand and is awaiting a response.

Use of second transponders aboard vessels of interest

The Panel noted an occasion in May 2020 where a vessel departed Fujian Yihe and began transmitting a similar MMSI number associated with the JIYUAN's (aka CHANG LONG) (IMO: 9044140)⁷³. The Panel investigated the JIYUAN's delivery of a luxury vehicle to the DPRK and its use of a second transponder as a sanctions' evasion tactic⁷⁴. The Panel also identified the JIYUAN's first transmission on its second AIS profile in September 2019, following its visit to a shipyard located south of Fujian Yihe⁷⁵ (see figures 39b-6 and 39b-7).

⁷³ This is a different vessel from the JIYUAN / CHANG LONG. This vessel of interest has since been broken up as of December 2021.

⁷⁴ S/2021/777, paras. 68-75 and annex 36.

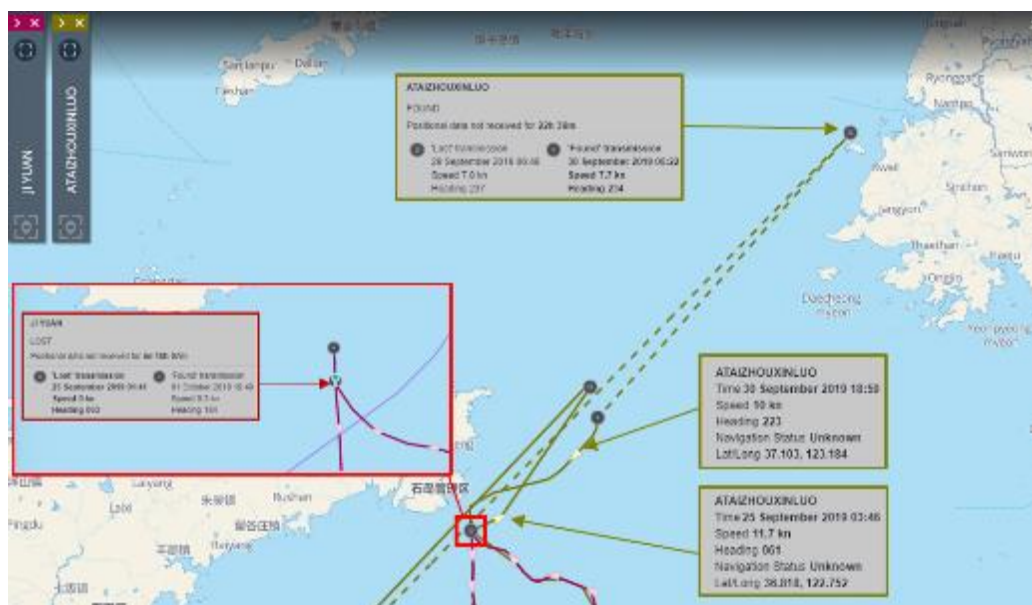
⁷⁵ Both the vessel of interest and the JIYUAN called at the shipyards along the Baima River following an ownership change and transmitted on a second transponder upon departing the shipyards.

Figure 39b-6: JI YUAN transmitting on a second AIS profile as it departed a shipyard in proximity of Fujian Yihe shipyard along the Baima River, 15 August 2019



Source: Windward, annotated by the Panel.

Figure 39b-7: JI YUAN transmitting on its second AIS profile in DPRK waters, September 2019



Source: Windward, annotated by the Panel.

The Panel made an enquiry to Fujian Yihe on the vessel of interest that departed its shipyard in May 2020. Fujian Yihe has yet to respond.

Source: The Panel.

Annex 40: Vessels of interest in Chinese waters, June to August 2021

DATE MM/DD/YYYY	VOI NAME	LAT/LONG	DATE MM/DD/YYYY	VOI NAME	VOI TYPE	POSITION	
						LAT	LONG
06/01/21	JOINT LUCK	2628N 11958E	8/2/2021	LOI HOPE	STS AV	35-49N	120-51E
06/01/21	XIN HAI	2627N 11959E	8/3/2021	HOKONG	NDDV	26-24N	120-11E
06/02/21	SUBBLIC	2456N 11926E	8/4/2021	HAI JUN	STS AV	26-18N	120-25E
06/03/21	HAI ZHOU 168	2456N 11926E	8/4/2021	INFINITE LUCK	STS AV	26-22N	120-53E
06/07/21	JOFFA	2652N 11940E	8/7/2021	OCEAN PORPOISE	STS AV	26-22N	120-10E
06/15/21	HANG YU 8	2936N 12145E	8/9/2021	FLONLINE	NDDV	28-00N	121-43E
06/17/21	XING MING YANG 888	2517N 11950E	8/12/2021	JUNE LUCK	STS AV	26-25N	120-10E
06/24/21	SHUN XIN	2628N 11959E	8/13/2021	HAI JUN	STS AV	26-18N	120-25E
7/1/2021	HANG YU 8	29-36N 121-45E	8/15/2021	HAI JUN	STS AV	26-19N	120-24E
7/1/2021	JEY HOPE	29-43N 122-34E	8/15/2021	SIN PYONG 5	DPRK-T	30-08N	122-41E
7/1/2021	JOINT LUCK	26-28N 119-58E	8/15/2021	CHAN FONG	STS AV	35-17N	120-13E
7/1/2021	SHUN XIN	26-27N 119-59E	8/15/2021	SIN PYONG 5	DPRK-T	30-18N	122-58E
7/2/2021	INFINITE LUCK	26-17N 120-55E	8/15/2021	HAI JUN	STS AV	26-19N	120-24E
7/7/2021	HAI JUN	23-09N 113-41E	8/15/2021	CHAN FONG	STS AV	35-17N	120-13E
7/9/2021	DAWN LUCK	26-19N 120-22E	8/18/2021	CHAN FONG	STS AV	35-16N	120-10E
7/9/2021	SAMBONG ARTEMIS	37-30N 120-36E	8/18/2021	HAI JUN	STS AV	25-17N	119-49E
7/11/2021	SUBBLIC	26-26N 119-56E	8/20/2021	FLONLINE	NDDV	26-25N	120-03E
7/17/2021	PU RYONG	36-49N 122-59E	8/24/2021	CHAN FONG	STS AV	35-60N	120-11E
7/20/2021	JOFFA	26-53N 119-40E	8/24/2021	DIAMOND 8	NDDV	29-37N	122-34E
7/20/2021	PAEK MA	37-05N 123-00E	8/28/2021	JOINT LUCK	STS AV	26-15N	120-40E
7/29/2021	OCEAN PORPOISE	26-50N 119-41E	8/30/2021	CHAN FONG	STS AV	35-24N	119-54E
7/31/2021	HOKONG	26-22N 120-18E	8/30/2021	CHAN FONG	STS AV	35-01N	120-50E

Source: Member State.

Legend:

STS AV: Ship-to-ship Transfer Associated Vessel

DPRK-T: DPRK-flagged Tanker

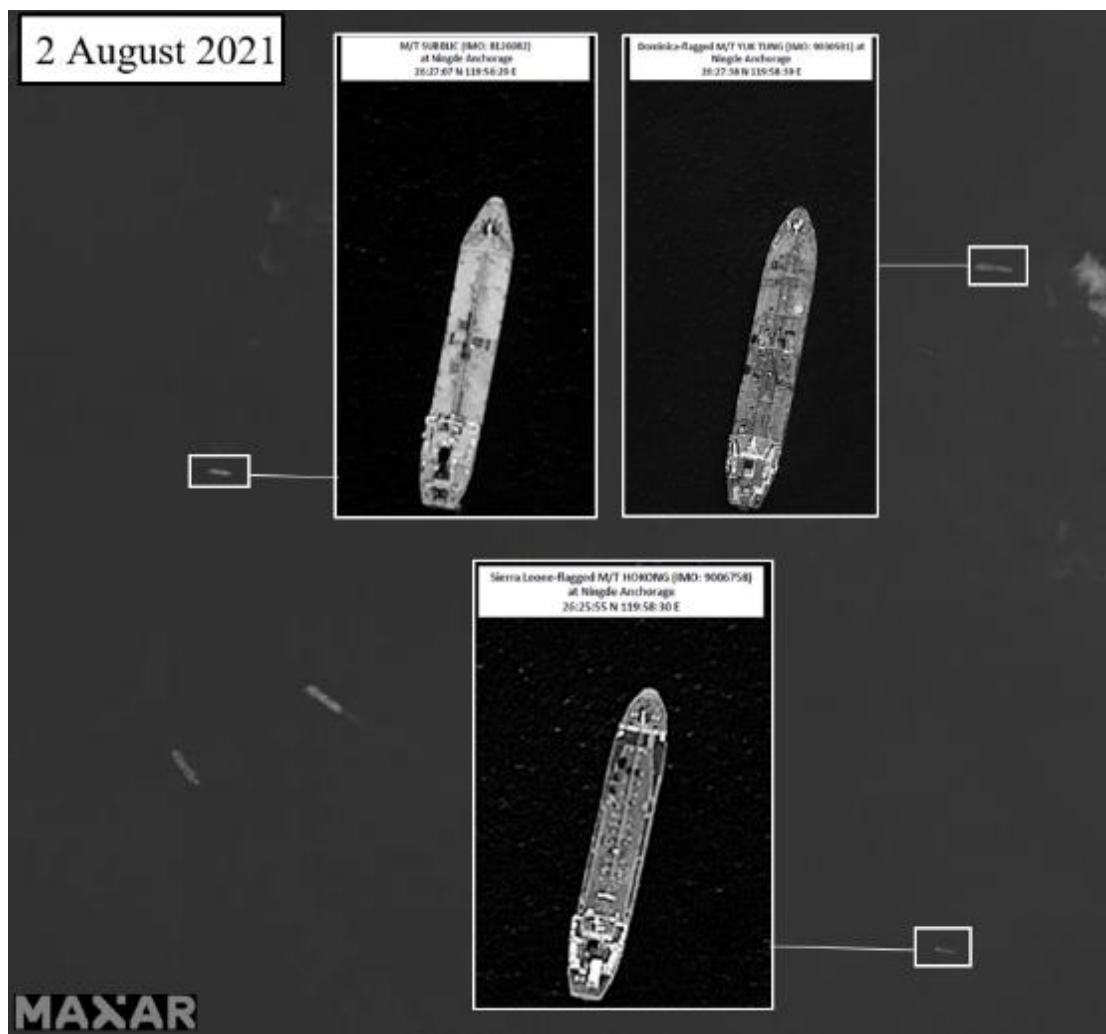
NDDV: Non-DPRK Flagged Delivery Vessel – (vessels named frequently in the Panel of Expert's reports)

The Panel shared the above list of vessels of interest with China and sought China's assistance on information it may have on the vessels' activities that would be of relevance to the Panel. China responded that "Record of port calls in China for 44 vessels including JOINT LUCK and XIN HAI is not accessible, as no IMO information was provided."

Source: The Panel.

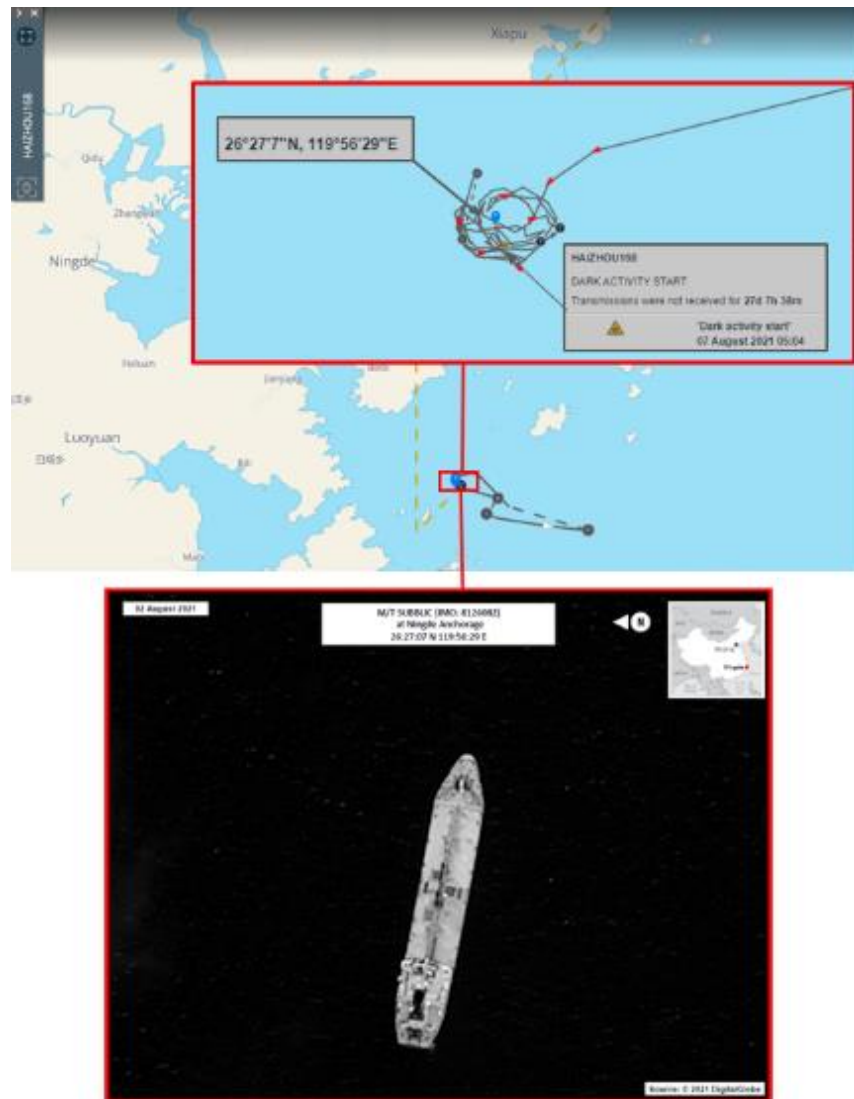
Annex 41: Direct delivery and sanctioned vessels at Ningde anchorage, China, 30 July and 2 August 2021

The Panel's reports continue to document the activities of vessels previously recommended by the Panel for designation for sanctions violation, as well as those of designated vessels that continue to operate. Such vessels have continued to transit or anchor in Chinese territorial waters, particularly in the Sansha Bay area in Ningde. Satellite imagery showed the following vessels operating in Ningde waters: SUBBLIC (IMO: 8126082), HOKONG (IMO: 9006758) and YUK TUNG (IMO: 9030591). The SUBBLIC and HOKONG have been investigated by the Panel for sanctions violation and recommended for designation, while the YUK TUNG was earlier designated. All three vessels additionally exhibited suspicious indicators. For instance, the YUK TUNG did not appear to be transmitting on commercial maritime databases since May 2018; the HOKONG last transmitted on its registered AIS profile in September 2019 and tampered with its MMSI transmission; and the SUBBLIC transmitted on at least one laundered vessel identity profile as HAI ZHOU 168, a known laundered vessel identity profile reported by the Panel.



Source: Maxar Technologies, annotated by the Panel.

SUBBLIC transmitting as HAIZHOU 168, 2 August 2021



Source: (top) Windward, annotated by the Panel, (bottom) Member State.

HOKONG



SUBBLIC



YUK TUNG



Source: Member State.

The Panel sought China's assistance to detain the vessels in its territorial waters to obtain the requisite vessel information that would provide information on the individuals and entities behind these vessels. China responded that "*There is no record of port calls in China for SUBBLIC, HOKONG, and YUK TUNG in 2021*".

Source: The Panel.

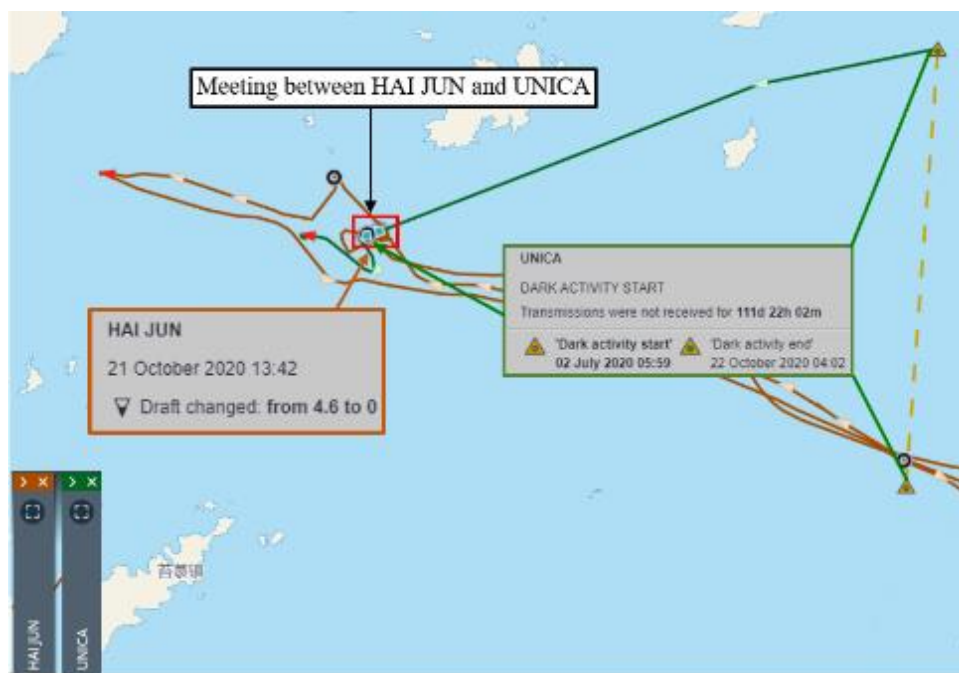
Annex 42a: HAI JUN and UNICA ship-to-ship transfers, 2020 and 2021

The HAI JUN (IMO: 9054896) is suspected to have engaged in ship-to-ship transfers from 2020 to date with vessels that transferred illicit refined petroleum to the DPRK. The HAI JUN also served as the feeder or intermediate vessel that took some of its oil from SKY VENUS and transferred them on to direct delivery vessels (see also annex 48 on SKY VENUS).

The direct delivery vessels that also conducted suspected ship-to-ship transfers with the HAI JUN included the NEW KONK (IMO: 9036387) and UNICA (IMO: 8514306). Both the NEW KONK and UNICA have been the subject of multiple reports by the Panel for transporting illicit refined petroleum to the DPRK, as well as for using fraudulent identifiers. The Panel further noted long periods of unaccounted gaps in the HAI JUN's AIS transmissions. The Panel is investigating the following⁷⁶:

- (i) HAI JUN and NEW KONK (IMO: 9036387), around 19 June 2020;
- (ii) HAI JUN and UNICA (IMO: 8514306) around 22 October 2020;
- (iii) HAI JUN and UNICA (sailing as LITON), around 30-31 August 2021;
- (iv) HAI JUN and SKY VENUS (IMO: 9168257) in August and September 2021;
- (v) HAI JUN and UNICA (sailing as HAISHUN 2), around 24-25 September 2021

HAI JUN with UNICA, Sansha Bay area, October 2020



Source: Windward, annotated by the Panel.

⁷⁶ AIS transmissions or satellite imagery.

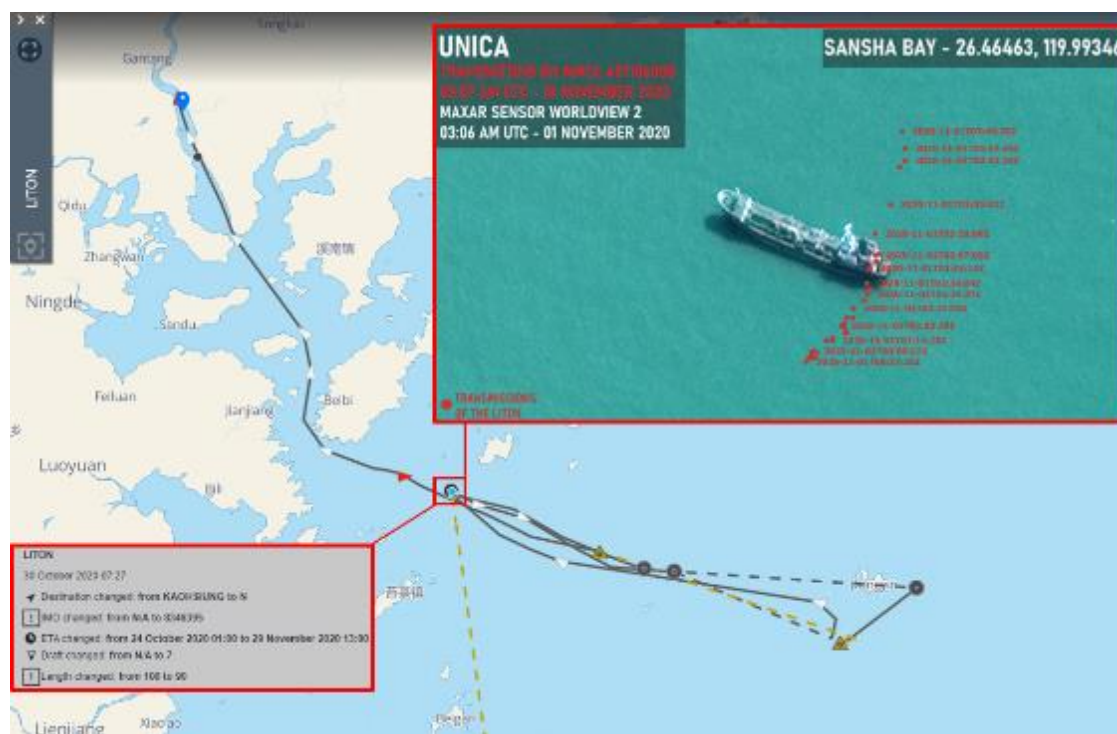
HAI JUN registered draft changes during this period, indicating its oil cargo was offloaded with the UNICA (transmitting as LITON), August 2021



Source: Windward, annotated by the Panel.

AIS transmission capture showed the UNICA stopped transmitting on its AIS identity (MMIS: 667001252) on 30 October 2020 following some digital manipulation. High-resolution imagery captured on 1 November 2020 showed the LITON transmitting where the UNICA was located (see figure 42a).

Figure 42a: UNICA transmitting as LITON, 30 October – 1 November 2020



Source: Windward, annotated by the Panel, inset imagery, Member State.

HAI JUN ship-to-ship transfers with UNICA (transmitting as HAISHUN 2)



Source: Windward, annotated by the Panel.

The HAI JUN is suspected to have conducted more ship-to-ship transfers with direct delivery vessels transmitting under fraudulent identifiers. Investigations remain on-going.

Fraudulent transmissions

Both the LITON and HAISHUN 2's MMSI numbers utilized by the UNICA were Mongolia-associated during the periods of investigative interest where suspect ship-to-ship transfers were conducted with the HAI JUN. While the UNICA was transmitting as the HAISHUN 2, it was also using the call sign assigned to the LITON.

The Panel had written on the exploitation by DPRK and other suspect vessels transmitting on MMSI numbers associated with third countries that affect many flag registries⁷⁷. To ensure that flag registries' MMSI numbers are not fraudulently used, the Panel encourages all flag registries possess the requisite tools available to identify and investigate suspected fraudulent use of MMSI numbers, and where it is detected, to share the results of its investigation including with the Panel.

⁷⁷ S/2021/777, paras. 42-47 and 53-54 and annex 34.

The Panel sought Mongolia's assistance on its investigations into the MMSIs fraudulently used by the UNICA. Mongolia has yet to respond.

Owners and entities

The Hong Kong-incorporated Ruicheng (HK) Shipping Co Ltd (瑞程(香港)海運有限公司) (hereafter "Ruicheng Shipping") is registered as the owner and ship manager of the HAI JUN, with another Hong Kong-incorporated entity Guifeng International Trade Co Ltd (貴豐國際貿易有限公司) (hereafter "Guifeng International") as the vessel's Document of Compliance company / operator. Ruicheng Shipping bought the vessel in April 2018 (see annex 42b)

The Panel further notes that the LITON's owner and operator, Hong Kong incorporated Li Tong International Trade Co, lists the same address⁷⁸ belonging to Hong Kong-incorporated Guifeng International, the Document of Compliance company holder of HAI JUN since December 2019⁷⁹. This same address is also used by a Corporate Secretary entity that also served as agent for New Konk International Company Limited (新康海洋國際有限公司), the registered owner of the direct delivery vessel NEW KONK, as well as for Hongxin International Ship Management Co., Limited (鴻信國際船舶管理有限公司), the registered owner of the direct delivery vessel VIFINE (IMO: 9045962), now sailing as DPRK-flagged UN HUNG. Hongxin International and New Konk Ocean International also shared the same previous registered owner, ship manager and operator, All Sefety International Trading Co Ltd (全安海洋國際貿易有限公司), before their respective new ownerships in May 2019 (see also annex 38).

Responses:

The Panel wrote to Mongolia, Cook Islands as well as the relevant entities that own and operated the vessels.

Mongolia has yet to respond.

Cook Islands provided the requested documentation and assisted the Panel in its further enquiries. It also confirmed the HAI JUN's deletion from its ship registry on 1 December 2021 due to the vessel's onward sale (see annex 42c).

The Panel wrote to the HAI JUN's registered owning company, Ruicheng Shipping, via its Document of Compliance holder entity, Guifeng International, seeking information, *inter alia*, on the nature of the company's business(es), details of the ship-to-ship transfers conducted with the direct delivery vessels identified by the Panel, the full chain of custody of the oil cargo transfers, the identifiers of the vessels, along with information, financial transactions and payments of the concerned counterparties. The owner of Ruicheng Shipping instead chose to address the Panel via the ship registry, stating that the HAI JUN "... has not engaged in any illegal operation or had any dealings with all the ships involved in the

⁷⁸ Room 502C, 5th Floor, Ho King Commercial Building, Fa Yuen Street, Mong Kok, Kowloon, Hong Kong, China.

⁷⁹ IHS Markit.

DPRK”. Ruicheng Shipping also stated that the vessel’s “GMDSS-related equipment ... is poor and often malfunctioned”, but due to the COVID-19 pandemic, “... the company was unable to arrange for maintenance personnel to board the ship in time to assist with repairs, resulting in intermittent signals..” “... in order to save operating costs, the vessel often stops supplying power during non-operating conditions.” (see annex 42d)

The Panel has assessed that vessel tracking information would have indicated that HAI JUN would have stopped transmissions including the times it was sailing, including in open waters. The Panel further notes that the ‘GMDSS-related equipment’ malfunction or shut down the ship’s power supply, according to Ruicheng Shipping’s explanations coincided with the material times of investigative interests to the Panel.

In response to the Panel’s request for the HAI JUN’s Protection and Indemnity insurance coverage, the Panel was informed that “*The insurance expired on the 04th December 2020 and the vessel has had no work since due to the COVID pandemic. The vessel has been out of work since the pandemic and the owners did not renew the insurance due to this*” (see annex 42e). The Panel notes that commercially available AIS tracking data however showed the HAI JUN continued to sail and trade. Documentation also indicated the HAI JUN’s certificate of Classification and Document of Compliance holder certificate were both stamped as ‘overdue’.

Source: The Panel.

Annex 42b: Bill of Sale for HAI JUN (IMO: 9054896)

Transferred to the Transferee
at the time of the delivery of this
Bill of Sale and Receipt

Form No. 108

X.B. 79A

BILL OF SALE (Body Corporate)

IMO Number / Official Number	Name of Ship	built year and port of registry	Whether a sailing, steam or motor ship	Horse power of engines (if any)	
9054896 / 132924	MITOYO MARU	1992 Matsuyama, Ehime	MOTOR SHIP	2,941 KW	
Length (Article 200)		Meters	Feet	Number of Tons	
		98	03		
Breadth (Regulation 200)		Meters	Feet	Gross	Net
		15	20		
Depth (Regulation 200)		Meters	Feet	Number of Tons	
		7	59	2,871.00	N/A

and as described in more detail in the Register Book.

We, (a) MITSUHAM KISEN KABUSHIKI KAISHA of Japan (hereinafter called "the Transferors") having its registered address at 7-10, Harukawa 2-chome, Matsuyama City, Ehime Pref., Japan, in consideration of the sum of USD [REDACTED] paid to us by (b) RUICHENG (HK) SHIPPING CO., LTD. of Flat 01A1, 10F Carnival Commercial Building, 18 Java Road, North Point, Hong Kong (hereinafter called "the Transferee(s)") the receipt whereof is hereby acknowledged, transfer all (100%) shares in the Ship above particularly described, and in her boats and appurtenances, to the said Transferee(s).

Further, we, the Transferors for ourselves and our successors covenant with the said Transferee(s) and (c) their assigns, that we have power to transfer in manner aforesaid the premises hereinbefore expressed to be transferred, and that the same are free from (d) all encumbrances, mortgages, maritime liens, taxes or any other debts or claims whatsoever.

In witness whereof we have executed and delivered this Bill of Sale as a deed on the 2nd day of April in 2018.

MITSUHAM KISEN KABUSHIKI KAISHA

Source: The Panel.

Annex 42c: Deletion certificate of HAI JUN from Cook Islands Ship Registry



COOK ISLANDS SHIPS REGISTRY



Deletion Certificate	
Issued under the provisions of the Cook Islands Ship Registration Act 2007 under the authority of the Government of COOK ISLANDS By THE REGISTRAR OF SHIPS	
Certificate Number	C-DEL-139
Ship Particulars	
Name of Ship	HAI JUN
Type of Ship	Tanker: Product
Official number	2822
Distinctive Numbers or Letters	ESU3713
IMO number	9054896
Gross Tonnage	2871
Port of Registry	Avatiu
Details of Owners (at Time of Deletion)	
Full name of owner	RUICHENG(HK) SHIPPING CO. LIMITED
Address	Flat 01A1, 10F Carnival Comm Bldg. 18 Java Rd North Point, , Hong Kong
Registered Owner IMO Number	6041531
% of Shares	100
Details of Charterers (at Time of Deletion)	
THIS IS TO CERTIFY THAT REGISTRATION OF THE ABOVE NAMED SHIP WAS CLOSED FREE OF ANY REGISTERED ENCUMBRANCES ON	



COOK ISLANDS SHIPS REGISTRY



Date of issue of Certificate	1 Dec 2021
Place of Issue of Certificate	Singapore



SIGNATURE

Source: The Panel.

Annex 42d: Responses provided by Ruicheng Shipping**About the Operation of MV "HAI JUN" Vessel****Dear COOK ISLANDS&THE UNITED NATIONS:**

The MV "HAI JUN" vessel belonging to our company has been operating in the Taiwan Strait since July-October 2020, when it finished anchoring at Dongyin Island off Ningde, and has not engaged in any illegal operation or had any dealings with all the ships involved in the DPRK. Regarding the situation that the signal of GMDSS related equipment of "HAI JUN" vessel appeared in Malaysia for a short period of time, we believe that it may be caused by other vessels using the GMDSS related equipment of the vessel or the signal jumping to Malaysia for a short period of time due to equipment failure, and we attach the relevant pictures and recent photos of the vessel as a basis for reference.

Hereby certified!


RUICHENG (H K) SHIPPING CO., LIMITED

December 06, 2021

About the MV "HAIJUN" Vessel GMDSS Related Equipment

Signal Instability

Dear COOK ISLANDS&THE UNITED NATIONS:

The MV "HAI JUN", which belongs to our company, has not been maintained for a long time since June 2020, and the GMDSS-related equipment of the vessel is poor and often malfunctioned. Affected by the COVID-19 epidemic, the company was unable to arrange for maintenance personnel to board the ship in time to assist with repairs, resulting in intermittent signals from GMDSS-related equipment. Due to the COVID-19 epidemic, the business can only be maintained with difficulty, and it is difficult to create profit. In this context, in order to save operating costs, the vessel often stops supplying power during non-operating conditions. Due to the combined effect of these two reasons, the signal of the GMDSS-related equipment of the ship often disappears for a long time or intermittently.

Hereby certified!

RUICHENG (H K) SHIPPING CO., LIMITED

December 06, 2021

Source: The Panel.

Annex 42e: Excerpt of HAI JUN's Protection and Indemnity Insurance expiration, 4 December 2020

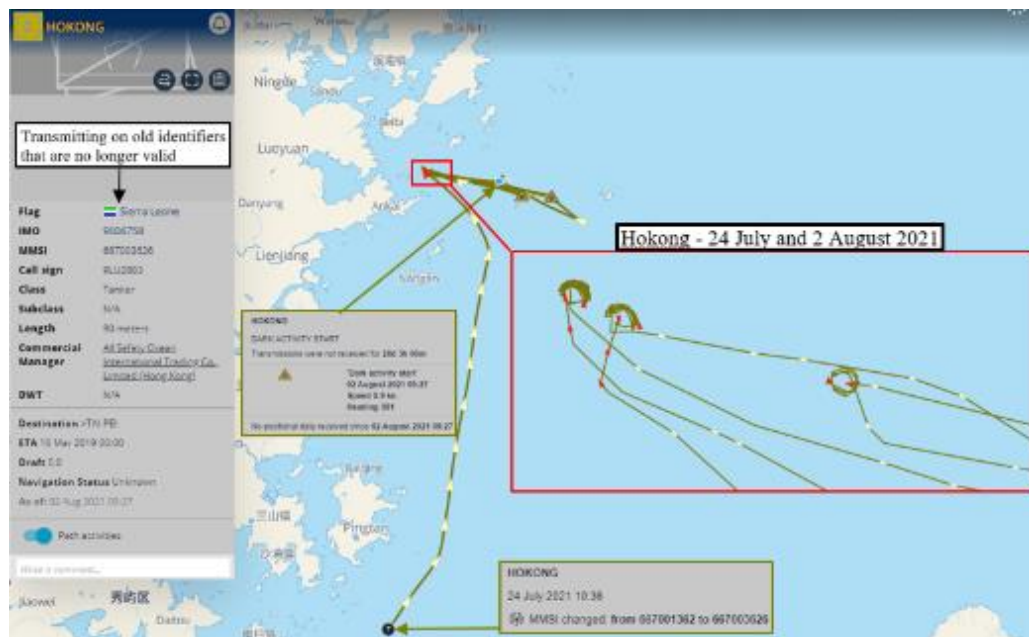
7) Copy of the vessel's Protection and Indemnity Insurance													
The insurance expired on the 04th December 2020 and the vessel has had no work since due to the COVID pandemic. The vessel has been out of work since the pandemic and the owners did not renew the insurance due to this.													
 Blue Card													
NOT TRANSFERABLE BC Certificate No.: AE-OW-19-02-010196													
To: Administrative Officer Maritime Cook Islands P.O. Box 882, Avarua, Rarotonga, Cook Islands.													
CERTIFICATE FURNISHED AS EVIDENCE OF INSURANCE PURSUANT TO ARTICLE 7 OF THE INTERNATIONAL CONVENTION ON CIVIL LIABILITY FOR BUNKER OIL POLLUTION DAMAGE, 2001													
THIS IS TO CERTIFY that there is in force in respect of the above-named ship while in the above ownership a policy of insurance satisfying the requirements of Article 7 of the International Convention on Civil Liability for Bunker Oil Pollution Damage, 2001.													
Assured Name and Address:	RUICHENG (HK) SHIPPING CO., LIMITED as the Owner FLAT 01A1, 10/F CARNIVAL COMM BLDG, 18 JAVA RD NORTH POINT, HONG KONG												
Insurer Name and Address:	THE ANGLO & EASTERN SHIP OWNERS P&I CLUB LIMITED SEA MEADOW HOUSE, BLACKBURNE HIGHWAY, (P.O.BOX 116), ROAD TOWN, TORTOLA, BRITISH VIRGIN ISLANDS												
Object Details:	<table border="0"> <tr> <td>Ship Name:</td> <td>HAI JUN</td> <td>IMO No.:</td> <td>9054896</td> </tr> <tr> <td>Ship Flag:</td> <td>COOK ISLANDS</td> <td>Port of Registry:</td> <td>AVATIU</td> </tr> <tr> <td>Distinctive Number or Letters:</td> <td colspan="3">E5U3713</td> </tr> </table>	Ship Name:	HAI JUN	IMO No.:	9054896	Ship Flag:	COOK ISLANDS	Port of Registry:	AVATIU	Distinctive Number or Letters:	E5U3713		
Ship Name:	HAI JUN	IMO No.:	9054896										
Ship Flag:	COOK ISLANDS	Port of Registry:	AVATIU										
Distinctive Number or Letters:	E5U3713												
Period of Insurance:	From 12 hrs. GMT 04 th December, 2019 to 12 hrs. GMT 04 th December, 2020												
Provided always that the insurer may cancel this Certificate by giving three months written notice to the above Authority whereupon the liability of the insurer hereunder shall cease as from the date of expiry of the said period of notice but only as regards incidents arising thereafter													
The Anglo & Eastern Club Management Limited Signature Authorized by The Anglo & Eastern Ship Owners P&I Club Limited: 													

Source: The Panel.

Annex 43: Direct delivery vessel HOKONG (IMO: 9006758)

The Panel tracked the direct delivery vessel HOKONG when it retransmitted on its AIS identity in late July 2021 in Ningde waters (see figure 43):

Figure 43: HOKONG retransmitting on its old identifiers, July-August 2021, China



Source: Windward, annotated by the Panel.

While the HOKONG was last observed in the same waters on 2 August 2021, a Chinese media article dated 3 November 2021⁸⁰ reported that the HOKONG was at a Chinese shipyard being demolished by November. Maritime authorities in Fujian Province were reported to be investigating the HOKONG based on domestic law concerning the scrap of a foreign vessel as constituting an importation of solid waste. A smuggling group headed by an individual named ‘Wang’ was alleged to have been involved in the smuggling of foreign ships of unknown origin for scrap. Satellite imagery of the vessel obtained by the Panel indicated the vessel was docked at a shipyard in Lianjiang County, Fujian Province, China, where the HOKONG was observed still in a partial stage of demolition.

In view of the vessel’s seizure, the Panel asked China for information on individuals and entities operating the HOKONG as well any material obtained from its authorities’ investigations relevant to the Panel’s mandate.

China responded that “*There is no record of port calls in China for ... HOKONG ... in 2021*”.

Source: The Panel.

⁸⁰ <https://cn.chinadaily.com.cn/a/202111/03/WS618221afa3107be49791641c.html>

Annex 44: Evasion methods⁸¹

Identifier and AIS manipulation

1. The Panel continues to observe suspect vessels displaying suspicious behaviour such as transmitting falsified or inconsistent identifiers on Automatic Identification Systems (AIS) and reporting false destinations⁸². It also observes vessels trading in restricted or banned commodities and exhibiting AIS transmission gaps while sailing in and around waters where illicit ship-to-ship activities typically occur. Such practices may provide grounds for further investigations by the relevant public and private sector parties of the vessels they flag, charter, operate, insure, class or finance.
2. Few, if any, non-DPRK vessels appear to transmit AIS signal in DPRK waters based on commercial maritime database platforms. Suspect vessels instead have been observed to lose their AIS signal while sailing towards the DPRK's waters and re-transmit once back in external waters. To obscure the DPRK connection, complicit actors also falsify shipping documentation to conceal the cargo's origin or destination.

Flagging

3. A number of foreign-flagged vessels that conduct sanctionable activities have been recorded as falsely flagged, as having changed flag registries in quick succession (so called "flag-hopping"), continued to use a country's flag following removal from a registry, or flown a flag without proper authorization, seeking to mask their illicit activity⁸³. Some formerly foreign-flagged vessels have been reported to join the DPRK's fleet. In a number of cases, a vessel that was sold on and deleted from a flag registry transmitted as a DPRK vessel shortly thereafter.

Fuel supply chain

4. Suspect foreign-flagged tankers associated with illicit shipments to the DPRK have also been observed⁸⁴ operating outside of identified affected waters exhibiting uneconomical sailing behavior and AIS transmission gaps that suggest possible illicit ship-to-ship transfers or loading at ports.

⁸¹ S/2020/840, annex 17, with updates.

⁸² Panel investigations and data on commercial maritime platforms.

⁸³ Ibid.

⁸⁴ Ibid.

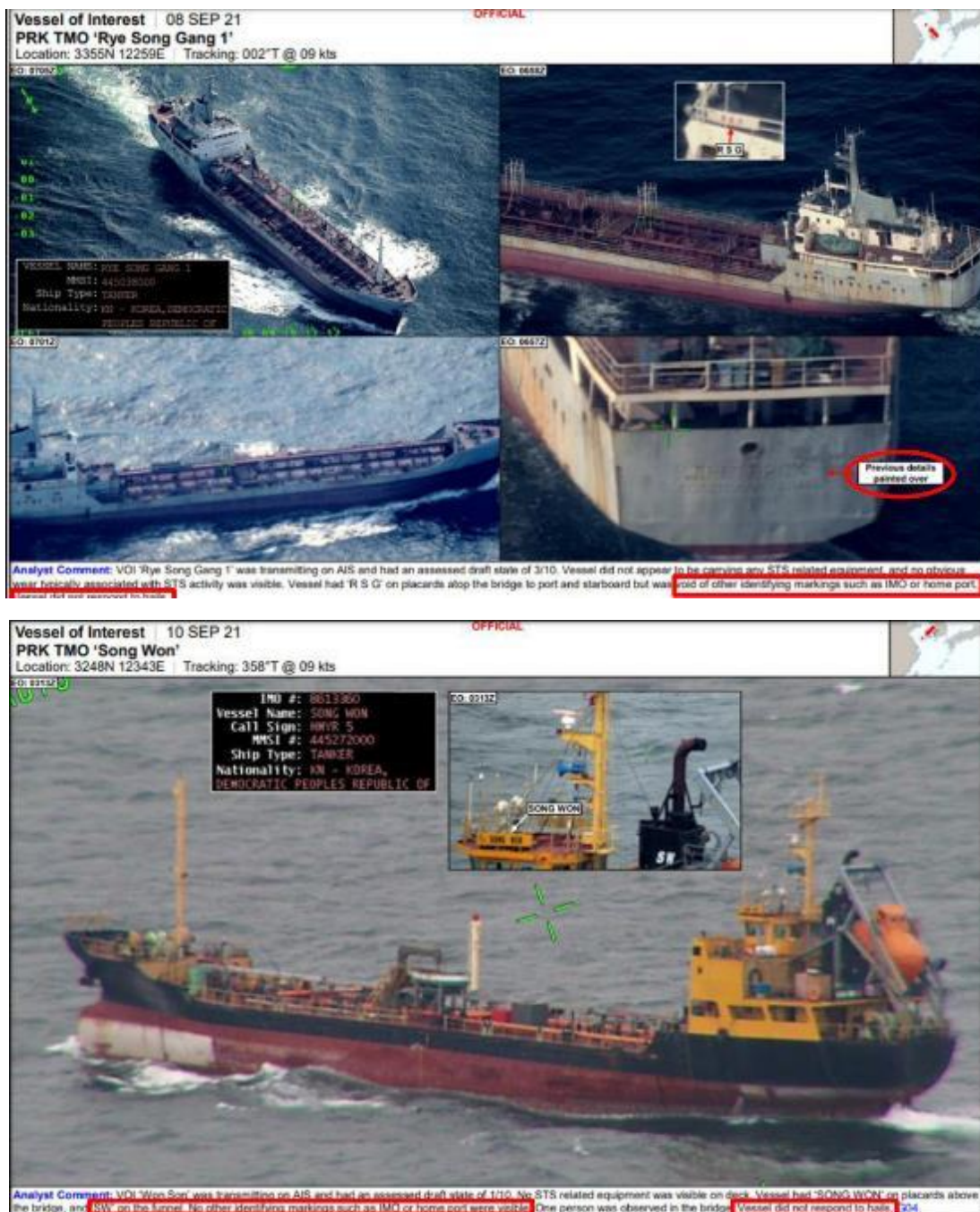
Owners, operators and managers

5. The Panel's investigations demonstrate the DPRK continues to deceive and leverage shipping companies, corporate registration services, entities and individuals across multiple jurisdictions to facilitate its activities.
6. Complicit actors have been known not to submit owner and management information on commercial maritime platforms or may be listed as undisclosed interests in the vessel's onward sale, likely to disguise the ultimate beneficial owner and to evade sanctions. Other characteristics include layered ownership and management structures, use of front companies and shell companies, and engaging multiple intermediaries removed from the actual owner.
7. In tracing the ownership and management history of suspect vessels, some vessels appear to show commercial relationships, linkages, or shared corporate secretary addresses between a vessel's historical and current owners and / or managers. In some cases, previous managers have linkages with DPRK-related shipping networks.
8. In a number of cases, the vessels' management companies manage(d) other vessels with similar risk profiles. Vessels' registered owners may be incorporated in a variety of jurisdictions but typically list operational or businesses addresses in East Asia and in Southeast Asia.

Source: The Panel.

Annex 45a: Examples of physical tampering of identity by DPRK vessels, September 2021

The Panel has documented over consecutive reports⁸⁵ the various techniques used by DPRK as well as suspect vessels to obscure their physical identity. Such physical obfuscation that are easily observable for those engaged in ship-to-ship transfers with such vessels, should serve as red-flag indicators and indicate the complicity of those engaged in such transfers.



⁸⁵ S/2019/171, annex 13, S/2019/691, para. 13, and S/2021/211, paras. 37-39.



Source: Member State.

Annex 45b: Fraudulent AIS transmissions of DPRK, direct delivery and suspect vessels

June – September 2021

Vessel	Technical measures - AIS name	Technical measures - Other	Physical measures	Attempt to conceal or deceive
AN SAN 1	AS	Almost certainly disables AIS for portions of transit	Only AIS on bow, stern and bridge	Almost certain
CHIN FONG	BEYOND	Almost certainly disables AIS for portions of transit		Almost certain
CHIN LUCK	CHIN LUCK @ @ @ @ @ @ @ @ @ @			Unlikely
CHANGDONG	JINSHANG	Almost certainly disables AIS for portions of transit		Almost certain
HONGMO		Almost certainly disables AIS for portions of transit		Almost certain
HONGSON LUCK		Almost certainly disables AIS for portions of transit		Almost certain
JOTTA	JOTTA			Unlikely
JOINT LUCK	JOINT LUCK, UNIST	Identifying as "fishing" vessel, not "tanker"		Almost certain
LO HONG	P HONG			Unlikely
MEGA PRINCESS	PRINCESS			Unlikely
POWER EASY	33001940 (joining second AIS entities)	Simultaneous use of two AIS entities, one "tanker" and one "fishing"		Unlikely
RI SON	HPHON			Unlikely
SAUK MA		Almost certainly disables AIS for portions of transit		Almost certain
RU BYONG		Almost certainly disables AIS for portions of transit		Almost certain
RYE SONG GANG 1		Almost certainly disables AIS for portions of transit	AIS on bridge, no identifiers on bow or stern	Almost certain
SUN RI		Almost certainly disables AIS for portions of transit		Almost certain
SUN PYONG 2	UNUSUAL, SOMETHING	Almost certainly disables AIS for portions of transit		Almost certain
SUN PYONG 3	SUNPYONG	Almost certainly disables AIS for portions of transit	AIS identifiers painted on vessel	Almost certain
SONG WON	SW	Almost certainly disables AIS for portions of transit	SW on funnel, SONG WON on bridge, no identifiers on bow or stern	Almost certain
SUBJEC	HANZHOU 188	Almost certainly disables AIS for portions of transit		Almost certain
UNICA	UTON	Almost certainly disables AIS for portions of transit		Almost certain
HANG MING WANG 188	HAN, HANZHOU 188	Almost certainly disables AIS for portions of transit		Almost certain
RU JONG 2		Almost certainly disables AIS for portions of transit	Painted deck and top of bridge	Almost certain
RU SON		Almost certainly disables AIS for portions of transit		Almost certain

Source: Member State.

Annex 46a: Vessel identity laundering of SMOOTH SEA 3 (IMO:9892262)

On-going investigations indicate the former Thailand-flagged SMOOTH SEA 3's identity was laundered, which resulted in the creation of a suspected fraudulent identity - that of the F.LONLINE. The Thailand-flagged SMOOTH SEA 30 (IMO: 9892262), a reportedly newly built vessel that was constructed at a shipyard in Ningbo, China, is suspected to be the former SMOOTH SEA 3.

Mongolia has yet to respond.

Belize has yet to respond.

Dominica has yet to respond.

Brilliant Trade has yet to respond.

Cheng Xin Shipping has yet to respond.

Source: The Panel.

Annex 46b: Thailand's response on the vessel identity laundering of SMOOTH SEA 28 / HAI ZHOU 168 / SMOOTH SEA 22

The Panel sought Thailand's assistance concerning the identity laundering of the SMOOTH SEA 28 / HAI ZHOU 168, and the SMOOTH SEA 22, the latter as suspected to be re-constructed from the SMOOTH SEA 28 and not a newly-built ship⁸⁶. The SMOOTH SEA 22's IMO number was suspected to have been obtained through fraudulent means. The Panel's investigations drew from a range of sources, including: maritime data, satellite imagery over time, primary source information and photographic comparisons. The Panel also identified entities and locations in this investigation that were similarly involved in another case of vessel identity laundering prior investigated by the Panel. The Panel assesses that the SMOOTH SEA 22 was unlikely to be a newly-built ship that laid keel at the listed shipyard in China but as a reconstructed ship from the SMOOTH SEA 28. The Panel's previous reporting and on-going investigations showed that the vacated digital profile of the SMOOTH SEA 28 / HAI ZHOU 168 had since been used by direct delivery vessels to facilitate illicit refined petroleum transfers to the DPRK.

The Panel provided information and sought a determination from the relevant authorities in Thailand to help establish the SMOOTH SEA 22's bona fide identity. Thailand responded that "The validity of the *Smooth Sea 22*'s identity was determined by a marine surveyor whose expertise and responsibilities include issuing Certificates of Survey for Thai ship registration", and it attached the "... vessel(s) *Smooth Sea 22* and *Smooth Sea 28*" dimensions (see following enclosure). The Panel continues to seek Thailand's assistance on this matter, including clarifying inconsistencies as well as pending responses to the Panel's list of queries.

The dockyard in Thailand that was involved the SMOOTH SEA 28's suspected reconstruction as the SMOOTH SEA 22, responded to the Panel that Cheng Xin Shipping was its customer that "... rented a dockyard for a short period of time". If you have any questions, please contact him directly ...". The Panel had documented the SMOOTH SEA 28's presence in the shipyard over a long period of time. The Panel further notes the dockyard was also used for the vessel identity laundering case involving the SMOOTH SEA 3 / SMOOTH SEA 30 currently investigated by the Panel. The Panel is awaiting a response to further queries from the dockyard.

The Panel continued to follow up with Cheng Xin Shipping Limited, a Hong Kong-incorporated entity with a physical 'care of' address of a dockyard in Thailand. Cheng Xin Shipping has yet to respond the Panel's letters.

Investigations continue.

Source: The Panel.

⁸⁶ S/2021/777, paras. 30-34 and annex 28.

Note Verbale from Thailand, 15 October 2021



No. 56101/640

The Permanent Mission of the Kingdom of Thailand to the United Nations presents its compliments to the Panel of Experts established pursuant to Security Council Resolution 1874 (2009) and, with reference to the communication from Mr. Eric Penton-Voak, Coordinator of the Panel of Experts dated 4 June 2021, requesting information regarding the vessel currently sailing as the Smooth Sea 22 and Smooth Sea 28, has the honour to transmit the said information herewith for the latter's kind perusal.

The Permanent Mission of Thailand to the United Nations avails itself of this opportunity to renew to the Panel of Experts established pursuant to Security Council Resolution 1874 (2009) the assurances of its highest consideration.

Permanent Mission of the Kingdom of Thailand
to the United Nations, New York
15 October B.E. 2564 (2021)



Panel of Experts established pursuant to Security Council Resolution 1874 (2009),
NEW YORK.

Excerpts of attachments:

**Information requested by
the Panel of Experts established pursuant to UNSC resolution 1874 (2009)
as per the Panel of Experts' Note No. S/AC.49/2021/PE/OC.183
dated 4 June 2021**

The Royal Thai Government investigated the activities involving the vessel(s) *Smooth Sea 22* and *Smooth Sea 28* and wishes to inform the Panel of Experts (POE) as follows:

1. The validity of the *Smooth Sea 22*'s identity was determined by a marine surveyor whose expertise and responsibilities include issuing Certificates of Survey for Thai ship registration.

1.1 *Smooth Sea 22*'s details are as follows:

Length Over All (L.O.A)	113.00	metres
Length Between Perpendiculars (L.B.P.)	104.00	metres
Breadth	18.00	metres
Depth	9.00	metres
Gross tonnage	2998	
Net tonnage	1920	
License number	620000791	
IMO number	9870991	
Call sign	HSB7005	
Hull material	steel	
Type of engine	Hitachi B&W	
Size	2994 kilowatt	
Type of engagement	local trade vessel	
Type of vessel	oil tanker	
Shipyard	Fujian Yihe Shipbuilding Heavy Industry Co., Ltd, China	

1.2 *Smooth Sea 28*'s details are as follows:

Length Over All (L.O.A)	113.32	metres
Length Between Perpendiculars (L.B.P.)	104.10	metres
Breadth	18.00	metres
Depth	8.00	metres
Gross Tonnage	4481	
Net Tonnage	2171	
License number	520085431	
IMO number	8514045	
Call sign	HSB4352	
Hull Material	steel	
Type of engine	Hitachi B&W	
Size	2992 kilowatt	
Type of engagement	local trade vessel	
Type of vessel	oil tanker	
Shipyard	Kurushima Dockyard, Japan	

2. In addition, relevant information from 2018 suggests that *Smooth Sea 28's* ownership was transferred to Cheng Xin Shipping Ltd. and withdrew from the Thai ship registry on 28 September 2018.

An account of *Smooth Sea 28's* presence from 2016-2018 :

Timeline	Activities
2016	- received an annual survey on 24 August 2016 and had the ship's license renewed to 23 August 2017 - 44 domestic trips between Sriracha, Chonburi - Bangkok
2017	- no information on the ship survey and the ship's license expired since 24 August 2017 - no information on the vessel's presence
2018	- received an annual survey on 28 August 2018 and had a ship's license renewed to 27 August 2018 - departed Thailand for Fujian, China on 5 September 2018 - transferred the ownership to Cheng Xin Shipping Ltd. (Address: 50 Bonham Strand, No. 5, 17/F Bonham Strand Trade Center Sheung Wan, Hong Kong) and withdrew from the Thai ship registry on 28 September 2018

3. Concerned authorities investigated the companies and found that *Smooth Sea Co., Ltd* transferred the ownership of *Smooth Sea 28* and *Smooth Sea 3* to Cheng Xin Shipping Ltd. on 28 September 2018 and 18 July 2019 respectively.

4. Relevant documentation with regards *Smooth Sea 22's* acquisition includes (1) Memorandum of Agreement between Cheng Xin Shipping Ltd. and *Smooth Sea Co., Ltd*, (2) Bill of Sale, and (3) Deletion Certificate are as attached.

BILL OF SALE (Body Corporate)

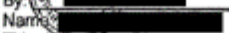
IMO Number / Official Number	Name of Ship	Year Built / Builder / Port of Registry	Whether a sailing, steam or motor ship	Horse power of engine (if any)
9870991 / 161820930 -S	CHENG XIN 1	2018 / Fujian Yihe Shipbuilding HI Co., Ltd, China / Belize City	Oil tanker	4068HP
		Meters	Centimeters	Number of Tons
Length Over All (LOA)		113	00	Gross
Breadth		18	00	Net
Depth		9	00	2998
				1920

and as described in more detail in the Certificate of the Surveyor and the Register Book.

We, CHENG XIN SHIPPING LIMITED (hereinafter called "the Transferors") having our registered office at NO.5,17/F BONHAM TRADE CENTRE,50 BONHAM STRAND,SHEUNG WAN,HONGKONG, in consideration of the sum of USD 5,450,000/- (United States Dollars Five Million Forty Five Hundred Thousand Only) paid to us by SMOOTH SEA COMPANY LIMITED having their registered office at 924 TALOMSIN BUILDING RAMA 3 ROAD, BANGPONGPANG, YANNAWA, BANGKOK, THAILAND, (hereinafter called "the Transferees") the receipt whereof is hereby acknowledged transfer all (100%) the shares in the Ship above particularly described, and in her boats and appurtenances, to the said Transferees.

Further, we, the said Transferors for ourselves and our successors covenant with the said Transferees and their assigns, that we have power to transfir in manner aforesaid the premises hereinbefore expressed to be transferred, and that the same are free from all encumbrances, mortgages and maritime lier or any other debts or claims whatsoever.

In witness whereof we have hereunto executed this Bill of Sale on 20TH DECEMBER 2018.

By 
Name: 
Title: Managing Director

NOTARY PUBLIC
HONGKONG


Source: Member State.

Annex 47: Oil supply

Direct delivery and DPRK tankers source their refined petroleum from motherships at sea as they do not enter port. The *modus operandi* starts with the motherships that obtain their fuel at port. The motherships then take their petroleum cargo out to sea where it is either transferred onto DPRK tankers, or onto feeder vessels that in turn transfer the oil cargo to DPRK tankers or DPRK-linked direct delivery vessels.

Shipping documentation showed that on 16/17 March 2021 and on 2/3 April 2021, the SUNWARD purchased and loaded its oil cargo (gas oil) in two shipments at Taichung port. Taichung Port is a Free Trade Zone where oil is stored by local and foreign traders. The SUNWARD loaded two shipments, each approximated 5,000 metric tons (MT) or a total of 10,000 MT that were, according to a Member State, then transferred to DPRK tankers at sea. Both bills of lading showed that the consignee of the oil cargo loaded onto the SUNWARD was Everway Global Ltd. A Member State has assessed that Everway Global Ltd (hereafter “Everway Global”) is an entity established by Cheng Chiun Shipping Agency Co., Ltd (hereafter Cheng Chiun Shipping). Cheng Chiun Shipping in its response letter to the Panel acknowledged its association with Everway Global.

The SKY VENUS (IMO: 9168257), another vessel operated by Cheng Chiun Shipping being investigated by the Panel, also loaded refined petroleum at Taichung Port on a number of occasions. Everway Global was also listed as the consignee.

All the gas oil was sold under Free On Board (FOB) transaction from the oil terminals at port to the aforementioned vessels. In late 2020, “High Sea” was a permitted destination on bills of lading for vessels operating out of ports at Taiwan Province of China.

SK Energy assisted the Panel with documentation requested.

Source: The Panel.

Bills of Lading of refined petroleum cargo aboard the SUNWARD (IMO: 892011)

17 March 2021

CODE NAME: "CONGENBILL", EDITION 1994		BILL OF LADING B/L NO: SW/2104/001	
Shipper SK ENERGY CO., LTD.		TO BE USED WITH CHARTER PARTIES	
Consignee TO ORDER OF EVERWAY GLOBAL LTD.		COPY	
Notify address SAME AS CONSIGNEE			
Vessel SUNWARD V2104	Port loading TAICHUNG TAIWAN		
Port of discharge HIGHSEA			
Shipper's description of goods		Gross weight	
N/M GASOIL		5,919.151 KL @ 15 C	
		37,250 BBL @ 60 DEG F	
		4,989.252 METRIC TON	
		4,910.452 LONG TON	
FREIGHT PAYABLE AS PER CHARTER PARTY			
CLEAN ON BOARD			
17 TH MAR., 2021			
(of which on dock at Shipper's risk; the Carrier not being responsible for loss or damage between raising)			
Freight payable as per CHARTER PARTY dated FREIGHT ADVANCE Received on account of freight Time used for loading days hours.		SHIPPED at the Port of Loading in apparent good order and condition on board the Vessel for carriage to the Port of Discharge or so near thereto as she may safely get the goods specified above. Weight, measure, quality, quantity, condition, contents and value unknown. IN WITNESS whereof the Master or Agent of the said Vessel has signed the number of Bills of Lading indicated below all of his tenor and date, any one of which being accomplished the others shall be void. FOR CONDITIONS OF CARRIAGE SEE OVERLEAF	
Freight payable at Number of original Bill THREE(3)		Place and date of issue TAICHUNG TAIWAN 17TH MAR 2021 Signature  NAUTICAL SEA SHIPPING CO. LTD. ON BEHALF OF MASTER OF M/V SUNWARD CAPT. YIM MING TSEN	

3 April 2021

CODE NAME: "CONGENBILL" EDITION 1994		BILL OF LADING B/L NO: SW2105001	
Shipper SK ENERGY CO., LTD.		TO BE USED WITH CHARTER PARTIES	
Consignee TO ORDER OF EVERKAY GLOBAL LTD.			
Notify address SAME AS CONSIGNEE			
Vessel SUNWARD V2105	Port loading TAICHUNG, TAIWAN		
Port of discharge HIGHSEA			
Shipper's description of goods		Gross weight	
N/M GASOIL		5,410.412 KL @ 15 C 34,048 BBL @ 60 DEG F 4,553.403 METRIC TON 4,481.487 LONG TON	
FREIGHT PAYABLE AS PER CHARTER PARTY CLEAN ON BOARD 3 TH APR., 2021			
ORIGINAL			
(if which condition at Shipper's risk; the Carrier not being responsible for loss or damage to goods in stowage)			
Freight payable as per CHARTER PARTY dated FREIGHT ADVANCE Received on account of freight Time used for loading days hours		SHIPPED at the Port of Loading in apparent good order and condition on board the Vessel for carriage to the Port of Discharge or so near thereto as they may safely get the goods specified above. Weight, measure, quality, quantity, condition, contents and value unknown. IN WITNESS whereof the Master or Agent of the said Vessel has signed the number of Bills of Lading indicated below all of this tenor and date, any one of which being accomplished the others shall be void. FOR CONDITIONS OF CARRIAGE SEE OVERLEAF	
Freight payable at Number of original B/L THREE(3)		Place and date of issue TAICHUNG, TAIWAN 3TH APR, 2021 Signature  NAUTICAL SEA SHIPPING CO., LTD. ON BEHALF OF MASTER OF M/V SUNWARD CAPT. YIN MAUNG THEIN	

Source: Member State.

Annex 48: Facilitators

Investigations into Cheng Chiun Shipping Agency Co., Ltd (程群船務代理有限公司) (hereafter “Cheng Chiun Shipping”) showed the use of motherships, direct delivery vessels, and feeder vessels that also typify other suspect refined petroleum transfers the Panel previously investigated. The motherships are typically larger tankers that load refined petroleum cargo at port or port areas. These ships take their cargo out where fuel is ultimately offloaded at ports in the DPRK. This happens in a number of ways: the mothership transfers its oil cargo to direct delivery vessels who transmit under fraudulent identifiers, given their known history of sanctions violation. The direct delivery vessels in turn then conduct ship-to-ship transfers with DPRK tankers in other waters. Alternatively, the mothership transfers to a feeder or intermediary vessel, which in turn transfers its oil cargo to smaller unidentified tankers that then conduct ship-to-ship transfers with DPRK tankers or with direct delivery vessels. The latter then transfers the oil to DPRK tankers that offload the refined petroleum at its home ports. In other words, illicit refined petroleum procured by the DPRK is transferred in a multi-staged and layered manner that seeks to evade easy detection. A Member State has assessed that Cheng Chiun Shipping was aware of the sanctions’ evasion activity conducted and attempted to cover up their activities.

Case examples

SUNWARD⁸⁷:

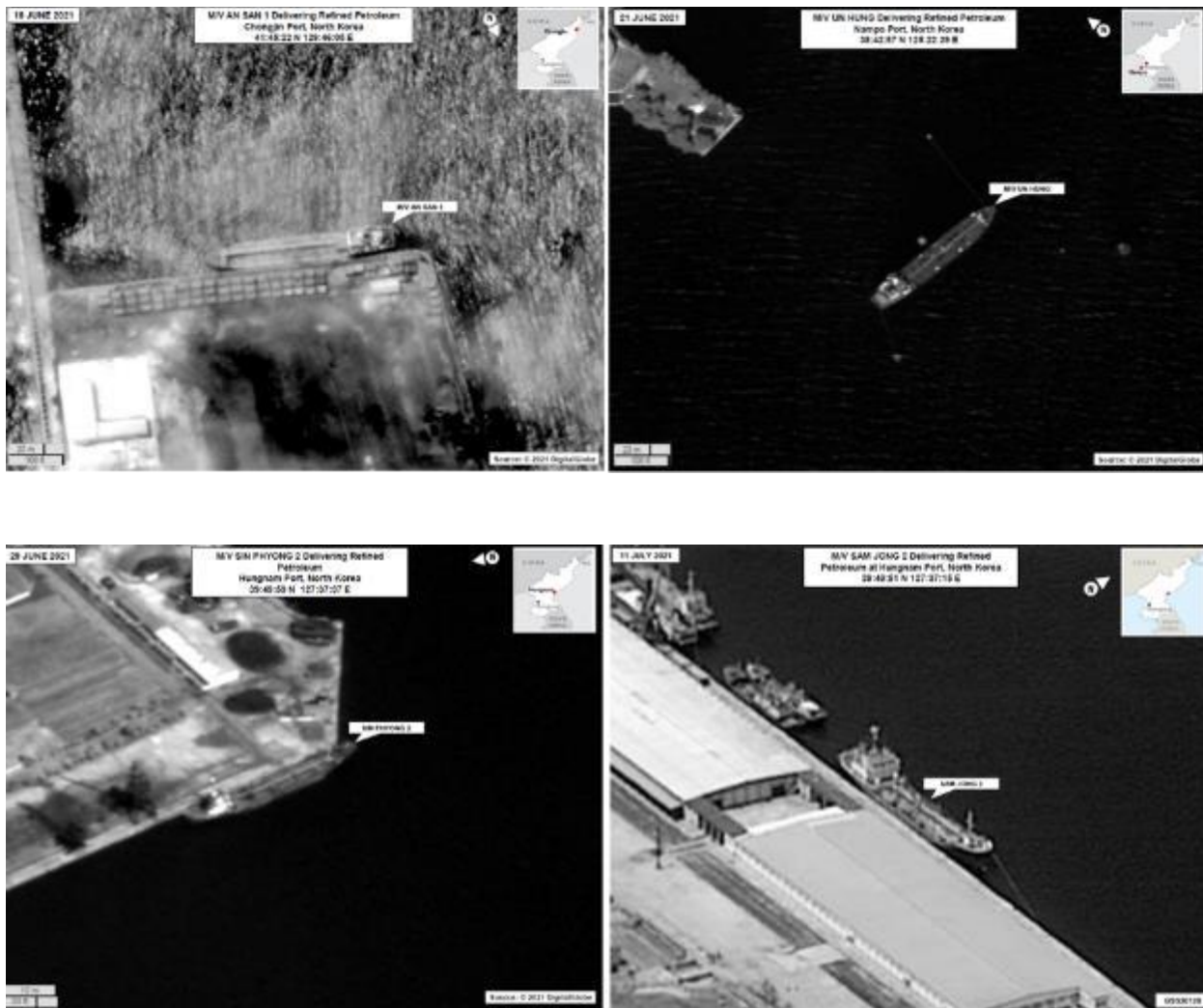
The then Panama-flagged tanker SUNWARD delivered refined petroleum in at least four transfers to DPRK-flagged tankers in March and in April 2021 (the material time), based on Member State information. The SUNWARD’s oil cargo transfers included:

- (i) Ship-to-ship transfer on or around 30 and 31 March 2021 to DPRK-flagged SIN PHYONG 2 (IMO: 8817007);
- (ii) Ship-to-ship transfer on or around 31 March and 1 April 2021 to DPRK-flagged AN SAN 1 (IMO: 7303803);
- (iii) Ship-to-ship transfer on or around 6 and 7 April 2021 to DPRK-flagged UN HUNG (IMO: 9045962);
- (iv) Ship-to-ship transfer on or around 7 and 8 April 2021 to the DPRK-flagged SAM JONG 2 (IMO: 7408873).

The SIN PHYONG 2, AN SAN, UN HUNG and SAM JONG 2 have all been featured in previous Panel reports for illicitly delivering refined petroleum to the DPRK. After receiving refined petroleum from the SUNWARD, the three tankers were all observed offloading their cargo at various DPRK ports (see figure 48-1):

⁸⁷ Maritime database tracking showed the SUNWARD traveled to Chittagong, Bangladesh by early June 2021. The vessel is presently listed as broken up.

Figure 48-1: DPRK vessels involved in ship-to-ship transfers with the SUNWARD delivering refined petroleum, DPRK



Source: Member State.

SKY VENUS

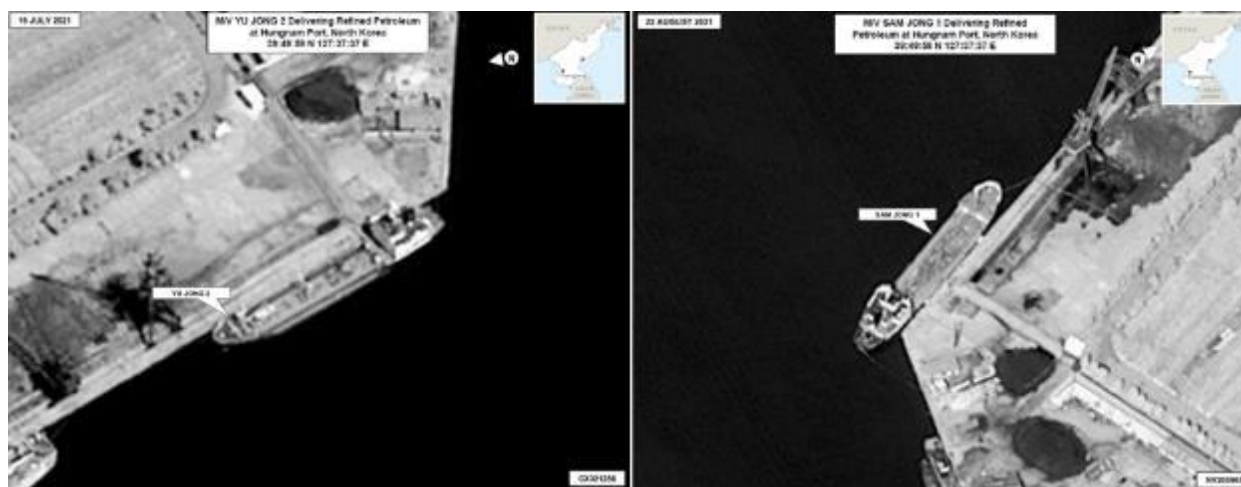
The Palau-flagged tanker SKY VENUS (IMO: 9168257) is suspected to have delivered refined petroleum in at least six transfers to DPRK-flagged tankers via multiple ship transfers in May and in August 2021 (the material time). The SKY VENUS' oil cargo transfers included:

- (i) Ship-to-ship transfer on or around 14 May 2021 to a vessel, which in turn transferred the oil cargo to DPRK-flagged YU JONG 2 (IMO: 8604917);
- (ii) Ship-to-ship transfer on or around 17 May 2021 to a vessel, which in turn transferred the oil cargo to DPRK-flagged SAM JONG 1 (IMO: 8405311);
- (iii) Ship-to-ship transfer on or around 28 May 2021 to a vessel, which in turn transferred the oil cargo to DPRK-flagged SAM JONG 1;
- (iv) Ship-to-ship transfer on or around 8 August 2021 to a vessel, which in turn transferred the oil cargo to DPRK-flagged SIN PHYONG 5 (IMO: 8865121);
- (v) Ship-to-ship transfer on or around 9 August 2021 to a vessel, which in turn transferred the oil cargo to DPRK-flagged SIN PHYONG 5;
- (vi) Ship-to-ship transfer on or around 10 August 2021 to a vessel, which in turn transferred the oil cargo to DPRK-flagged SIN PHYONG 5.

Commercial AIS data showed the SKY VENUS was at Taichung port / port waiting area during the material time, a location where the SUNWARD had also loaded oil.

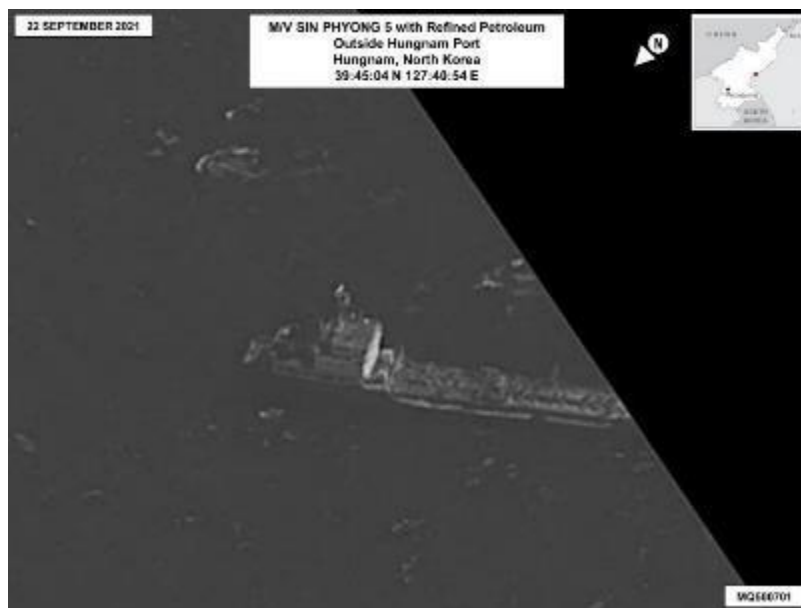
YU JONG 2, SAM JONG 1 and SIN PHYONG 5 have all been featured in previous Panel reports illicit delivering refined petroleum to the DPRK. The SIN PHYONG 5 loaded refined petroleum over three consecutive days in August. The three tankers were all observed in the DPRK offloading refined petroleum (see figure 48-2 and 48-3):

Figure 48-2: YU JONG 2 and SAM JONG 1 involved in ship-to-ship transfers with SKY VENUS delivering refined petroleum, DPRK



Source: Member State.

Figure 48-3: SIN PHYONG 5, involved in ship-to-ship transfers with SKY VENUS, delivering refined petroleum, DPRK



Source: Member State.

The Panel's investigations indicated the following shell companies established in various jurisdictions either: shared a similar address and contact number with Cheng Chiun Shipping, Director, or have been listed in the care of a company associated with Cheng Chiun Shipping's address:

- (i) Ocean Energy International Corp.
- (ii) Everway Global Ltd
- (iii) Wills International Co., Ltd
- (iv) Wisteria
- (v) Sunward Marine S.A.
- (vi) Energy Star Marine S.A.
- (vii) Trump Marine S.A
- (viii) Gemmy Marine S.A.

Ocean Energy International Corp (hereafter "Ocean Energy"), the registered owner and manager of SKY VENUS, registered an address in the Seychelles with no contact information⁸⁸. However, documentation of the vessel's classification society indicated that Ocean Energy was managed by Wills International Co. Ltd (hereafter "Wills International"). Wills International, an entity incorporated in Samoa with a physical office in Kaohsiung, shares the same address as Cheng Chiun Shipping. Cheng Chiun Shipping has acknowledged the listed entities as its subsidiary companies.

⁸⁸ IMO records.

The Panel separately notes that Wise Million Ltd, a company with a physical address in Kaohsiung, served as the ship operator and Document of Compliance holding company for the CHAN FONG (IMO: 7350260). The CHAN FONG was investigated by the Panel for conducting a ship-to-ship transfer with the DPRK tanker CHON MA SAN (IMO: 8660313) in March 2018, as well as in connection to T Energy International Co., Ltd.⁸⁹ Wills International is listed as an associated subsidiary company with Wise Million Ltd.⁹⁰ Wills International managed and operated the SUNWARD from January 2013 until June 2021 when the vessel was scrapped. The SUNWARD was registered under the Panama-incorporated entity Sunward Marine S.A.

Responses

The Panel wrote to Cheng Chiun Shipping, the various jurisdictions where other offshore companies were established, and the relevant flag State.

Cheng Chiun Shipping, through a legal firm, acknowledged that SUNWARD and SKY VENUS “..belong to me and my shareholders.” The company denied “...ever transported refined petroleum product(s) to DPRK-related vessels through my oil tankers SUNWARD and SKY VENUS...”, and that the company served as purchasing agent and shipping agent for gasoil customers near Fujian Province, China. According to the company, a Mr Liu from a Hong Kong-incorporated company was the only person to whom it sold gasoil during the periods of interests requested by the Panel. The oil was transferred to “inland ships” and “fishing boats” nominated by Mr Liu. No ship identifiers were provided to receive the gasoil. According to Cheng Chiu Shipping, “...Mr Liu always sends his ships which had the signs and numbers shown on the ships covered”. These receiving ships were instead recognized with a “CNY paper bill” they would present, whose serial numbers would match against those provided by Mr Liu to Cheng Chiun Shipping. The Panel continues to review the information provided by the company.

The Panel is awaiting a response from Samoa on the relevant incorporated entity(s) associated with Cheng Chiun Shipping.

Seychelles provided the requested information to assist the Panel’s ongoing investigations.

Panama provided the requested documentation for the SUNWARD. The screening report for the vessel confirmed the SUNWARD dropped AIS signal during the investigative periods of interest when the vessel conducted ship-to-ship transfers with the DPRK tankers. The Panel is awaiting a response from Panama on the relevant incorporated entity(s) associated with Cheng Chiun Shipping.

Palau has yet to respond on the SKY VENUS.

The Panel separately continues its investigations into the facilitators of other vessels mentioned in the Panel reported alleged to have conducted ship-to-ship transfers with DPRK vessels and direct delivery vessels.⁹¹

Source: The Panel.

⁸⁹ S/2021/211, paras. 52-53 and annex 31.

⁹⁰ IHS Markit.

⁹¹ S/2021/777, para. 45, and S/2021/211, paras. 52-53 and annex 31.

Annex 49a: Vessel's onward sale: RUI HONG 916 (IMO: 9058866)

The Panel investigated the RUI HONG 916 (IMO: 9058866) for ship-to-ship transfer with the DPRK-flagged tanker KUM UN SAN (IMO: 8720436) on 28 May 2019 in the East China Sea (see figure 49a). The Panel recommended the RUI HONG 916 for designation pursuant to paragraph 11 of resolution 2375 (2017). No commercial AIS data exist following the vessel's sale in January 2019, with the RUI HONG 916 last showing AIS signal in early January 2019 when the vessel was at Hinase port, Japan. In March 2019, the vessel was flagged under Sierra Leone for a single delivery voyage from “Onomichi, Japan to Ningde, Fujian Province, China”⁹².

Figure 49a: Ship-to-ship transfer between RUI HONG 916 and DPRK-flagged KUM UN SAN, 28 May 2019



Source: Member State.

The vessel was brokered by the Japan-registered Toei Shipping Co., Ltd (hereafter “Toei”), for the Hong Kong-incorporated Ruis (HK) Marine Co., Limited, for sale in January 2019, with the vessel's Protocol of Delivery and Acceptance dated 9 January 2019. In the Panel's correspondence with Toei, the company clarified that it acted as a non-exclusive agent on behalf of Ruis (HK) Marine Co., Limited when entering into the vessel's sale and purchase agreement.⁹³

⁹² Sierra Leone Maritime Administration.

⁹³ According to Toei, the company usually represents offshore buyers seeking to purchase vessels from Japanese owners.

According to Toei, while it understood Fujian Yihe (see also paras. 47-51) to be the actual buyer of the RUI HONG 916, it was unaware of the vessel's onward sale between Fujian Yihe and the ultimate end buyer 'Wang' that subsequently took place. Toei also engaged a third-party committee of lawyers to review the case. Excerpts of a submitted report of 25 May 2021 is at annex 49b. Toei further indicated it had accepted the third-party committee's recommendations and "*In this respect, we have included the languages in our form of vessel sale and purchase agreement to the effected that we will not be involved in North Korea-related transactions*" (see addendum at annex 49b).

The Panel separately notes affiliations between Ruis Marine and Fujian Yihe.

Investigations continue.

Source: The Panel.

Annex 49b: Proposed recommendations – Excerpts as provided in the original and translated version

Translation / For Reference Purpose Only

To: Toei Shipping Co., Ltd

**Investigation Report of the
Third Party Committee**

May25, 2021

The Third Party Committee of Toei Shipping Co., Ltd.,

Members of the committee:

[REDACTED] chair of the committee
Attorney-at-Law

[REDACTED]

[REDACTED]
Attorney-at-Law

[REDACTED]

[REDACTED]
Attorney-at-Law

[REDACTED]

X X X X X

III. Measures to avoid any connection with North Korea-related transactions

1 It is truly regrettable that the Vessel in Question was unfortunately used for a North Korea-related transaction that is prohibited or restricted by UNSCR. Even though the Company did not know or could not have known such a situation at all at the time of the transaction, it is undoubtedly necessary for the Company as an entity dealing with ship trading transactions to take measures to prevent such an incident from occurring again in the future.

Nonetheless, at the time of the transaction in question, there is no evidence that measures were generally taken in the ship trading industry to prevent the use of vessels in North Korea-related transactions prohibited or restricted by the UNSCR. The Japanese version of the ship purchase agreement used in this transaction is a standard form (the latest translation of the English version of the ship purchase agreement, revised on November 2, 1999) prepared by the Formalities Committee of the Japan Shipping Exchange, Inc. There is no clause in the form that includes measures to prevent its use in North Korea-related transactions and the form has not been revised to include such measures to this day. From this point of view, we would understand that it would be hard to say that the issues involved is not penetrated sufficiently in the Japanese ship trade industry.

2 Needless to say, it is not permissible to continue a transaction when it is known that the counterparty to a transaction is trying to use the goods to be sold in an illegal transaction. However, this case was not a case where such a circumstance could be detected at the time of the transaction, but rather this was a case where a subsequent buyer from a counterparty to the transaction in question committed illegal activity and it was an unexpected situation for the contracting parties.

Nevertheless, the fact that the Vessel in Question was actually used for the purpose violating the prohibition of transactions related to North Korea, which is prohibited or restricted by the UNSCR that the Japanese government takes the lead in expressing its compliance with, should be solemnly accepted. In order to eliminate involvement in such transactions as much as possible in the future, in light of the purpose of such prohibition, it is necessary to require all parties involved in sales contracts of vessels to take a pledge not to be involved in such transactions, both in concluding contracts and being involved in such contracts. Also, it is necessary to be determined to refrain from transactions with counterparties who cannot be expected to fulfill their pledge. In order to reveal the existence of such pledges, it is necessary to add

Translation / For Reference Purpose Only

a clause to that effect in the contract, which would also be meaningful to remind the parties involved in the contract of such duties. In addition, depending on the situations, there may be room for consideration to add a provision to the effect that if a contracting party violates its covenant and engages in such a transaction on its own and causes damage to the other party, it will be liable for compensation to the other party. In the standard form used in this case, there are also individual agreements outside the form as additional clauses and therefore, there would be no obstacle to adding the above clause as part of such clauses.

On the other hand, if a sale and purchase contract of vessel further includes a clause which prohibits the subsequent purchaser from the contracting party from engaging in such transactions and makes the contracting party itself liable for damages in the event that the subsequent purchaser violates such prohibition, there is a risk of placing excessive obligations and burdens on the contracting party that engages in a wide range of transactions. This may even possibly lead to a situation where a sales transaction fails to conclude even though all other terms and conditions of the transaction have been agreed upon. In commercial transactions, it is very exceptional to make the other party responsible for the actions of the subsequent purchaser and, except in cases where the result of the transaction is understood to have the possibility to support illegal activities, it would be generally understood that parties would trust the good sense of the counterparty and refrain from imposing such restrictions.

IV. Conclusion

1 Based on the above investigation and examination, although it is apparent that the Vessel in Question which is the subject of the sales transaction by the Company, being subsequently resold and used for purposes that violated the prohibition of transactions related to North Korea which is prohibited or restricted by the UNSCR, the Company was merely involved in the sale and purchase of the Vessel in Question as part of its ordinary course of business activities. The Company has never been actively involved in any act in violation of the prohibition of North Korea-related transactions, and at the time of the sales transaction of the Vessel in Question, there were absolutely no circumstances in which the Company knew or could have known that the Vessel in Question would be used for the above-mentioned purpose in the future.

2 In the event where the Company is involved in vessel purchase transactions in the future, in order to ensure that the vessel will not be used for any purpose that is in conflict with the prohibition of North Korea-related transactions, prohibited or restricted by the UNSCR, it is vital for the Company to confirm with counterparty in this point and request for a pledge, and to be determined not to carry out transaction with the counterparty who is not expected to comply with the pledge. On top of that, we believe that one of the best measures that can be taken under the current circumstances is, when concluding a vessel transaction contract, in addition to the standard form used in the past, the Company should include a special provision declaring that "the buyer pledges not to use the vessel which is the subject of this sales transaction for North Korea-related transactions prohibited or restricted by UNSCR" and further include a provision stipulating that the counterparty of the transaction is expected to make independent and voluntary efforts with use of good common sense in fulfilling this pledge, while stipulating liability for damages in the event of non-fulfilment, as the circumstances may be.

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東栄汽船株式会社 御中

調 査 報 告 書

2021年5月25日

東京汽船株式会社第三者委員会

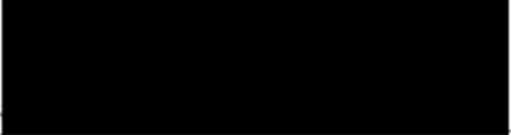
委員長 弁護士



委員 弁護士



委員 弁護士



第3 北朝鮮関連の取引と一切の関りを持たないための方策

- 1 本件船舶が不幸にして国際連合安全保障理事会決議で禁止あるいは規制される北朝鮮関連取引に使用されたことは誠に遺憾なことである。東栄汽船がそうした事情を取引当時全く知らず、また知り得なかったとはいえ、船舶売買取引に関与する者として、今後こうしたことが二度と生じないように注意するための対策を講じることが必要であることは多言を要しない。

もっとも、本件取引当時、国際連合安全保障理事会決議で禁止あるいは規制される北朝鮮関連取引に使用されることのないようにするための対策が船舶取引業界において一般的に執り行われていた事情は認められない。本件取引に使用された和文の船舶売買契約書は社団法人日本海運集会所書式制定委員会の作成した定型書式（1999年11月2日改定の英文船舶売買契約書訳文で最新のもの）を用いているところ、その書式には、国際連合安全保障理事会決議で禁止あるいは規制される北朝鮮関連取引に使用されることのないようにするための対策を盛り込んだ条項はなく、これを盛り込んだ改定も行われることなく現在に至っている。このことからみても、わが国の船舶売買取引業界において、その点に関する問題意識が十分浸透しているとまでは言い難いように思われるところである。

- 2 取引の相手方が違法な取引に売買対象物品を使用利用しようとしていること

が判明している場合に、なおその取引を継続することが許されないことは言うまでもない。本件は、取引の相手方からの転売先が違法行為に及んだものであって、本件船舶の取引当時にそうした事情が窺われるという事例ではなく、契約当事者間においては想定外の事態であった。

とはいえ、日本政府が率先して遵守を表明する国際連合安全保障理事会決議で禁止あるいは規制される北朝鮮関連取引の禁止等に抵触する目的に本件船舶が現実使用されたという事実は厳粛に受け止めるべきものである。そして、その禁止等の趣旨に照らして、今後そうした取引への関与を可能な限り排除するためには、船舶の売買契約を締結し、またその契約に関与するに当たっては関係者間において、そうした取引に関与しないことの誓約を求め、その履行を期待できないような相手方との取引は差し控える決意が必要である。そして、その誓約の存在を明らかにするため、契約書にもその旨の条項を加えることが必要であるとともに、契約関係者にあらためてその注意を喚起する上でも有意義なことであろうと考える。また、場合によっては、契約当事者がその誓約に違反して自らそうした取引に関与し相手方に損害が生じた場合には、相手方に対して賠償責任を負う旨の規定を設けることも、考慮の余地はあろう。本件で用いられた定型書式においても、追加条項として書式外の個別の取決めがされており、そうした条項の一環として、上記のような条項を付加することに妨げはないと思われる。

他方で、それ以上に、契約当事者からの転売先がそうした取引に関与することまで禁じ、転売先が違反した場合にまで契約当事者自身が損害賠償責任を負うとの取決めをするということになると、広く取引を行う契約当事者に過大な義務と負担を負わせるおそれがあり、それによって、他の全ての取引条件が折り合ったにもかかわらず売買取引が成立しないという事態となることも危惧されるところといえよう。商取引において、取引の相手方に対し、その転売先の行動についてまで責任を負担させようとするのは極めて例外的なことであって、

その取引の結果が違法な行為に加担するおそれがあると判断される場合は別として、通常は、取引の相手方の良識を信頼してこれを差し控えるのが一般であろうと思われる。

第4 結語

- 1 以上の調査及び検討を踏まえると、東栄汽船の関与する取引の対象となった本件船舶がその後転売された結果、国際連合安全保障理事会決議で禁止あるいは規制される北朝鮮関連取引の禁止等に抵触する目的に使用されたことは明らかであるが、東栄汽船は、単なる商行為の一環として本件船舶の売買取引に関与したに過ぎない。東栄汽船は、国際連合安全保障理事会決議で禁止あるいは規制される北朝鮮関連取引の禁止等に抵触する行為に積極的に加担したことは全くなく、本件船舶の売買取引当時、将来本件船舶が上記のような目的で使用されることを知り、又は知り得るような事情は全くなかった。
- 2 東栄汽船が今後船舶売買取引に関与する場合には、その船舶が国際連合安全保障理事会決議で禁止あるいは規制される北朝鮮関連取引の禁止等に抵触する目的に使用されることのないようにするために、取引の相手方に対してその点の確認と誓約を求め、その誓約の遵守が期待できない相手との取引は行わないとの厳格な決意を持って臨むことが肝要である。そして、その上で、船舶取引契約を締結するに当たり、従来から使用する定型書式に加えて、「買主は、国際連合安全保障理事会決議で禁止あるいは規制される北朝鮮関連取引に取引物件を使用しないことを誓約する。」旨宣明する特約規定を設けることとし、その履行については、取引の相手方の自主的主体的努力と良識に期待することとしつつ、状況に応じて、その不履行の場合の損害賠償責任を定めるのが、現今の状況のもとで採りうる最善の方策の一つであると考えます。

以 上

Annex 49c: Addendum as provided by Toei Shipping Co. Ltd**ADDENDUM NO. 1**

to a Memorandum of Agreement dated [Date] as amended and supplemented from time to time together with any addenda thereto (the "Memorandum") for the sale and purchase of the motor vessel XXXX (the "Vessel") entered by and between:

a) TOEI SHIPPING CO., LTD, 5F TOKYO BAYSIDE BUILDING, 3-33-17 KAIGAN, MINATO-KU, TOKYO, JAPAN (the "Sellers"); and

b) XXX (the "Buyers").

With the Buyers and the Sellers hereinafter called the Parties and each of them indistinctively a Party

THE PARTIES HEREBY AGREE AND CONFIRM as follows:

the buyer pledges not to use the vessel which is the subject of this sales transaction for North Korea-related transactions prohibited or restricted by United Nations Security Council resolutions.

IN WITNESS WHEREOF, the both parties hereto executed this Agreement on this [Date]

THE SELLERS
TOEI SHIPPING CO., LTD

THE BUYERS
XXXX

By: 
Title: PRESIDENT

By: _____
Title: PRESIDENT

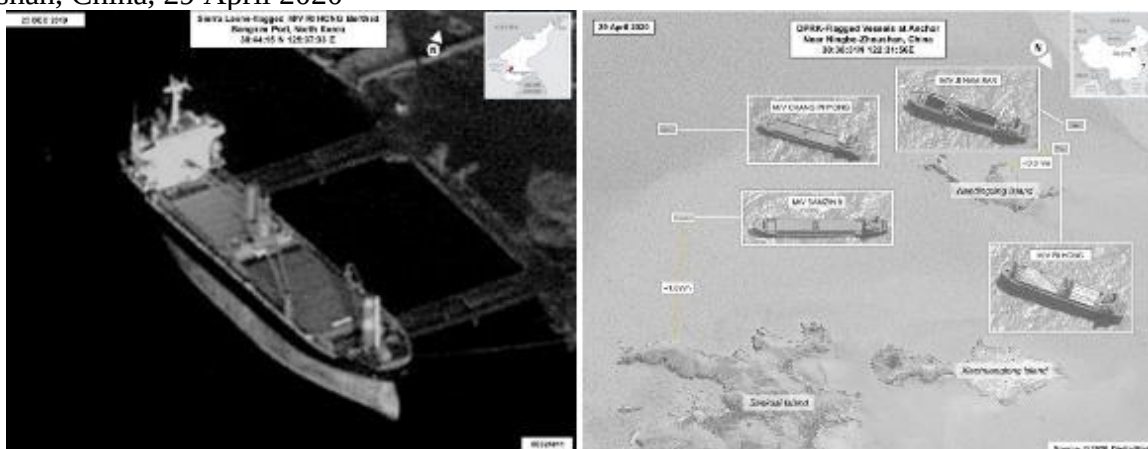
Source: The Panel.

Annex 50a: Vessel's onward sale: RI HONG nka DPRK-flagged TO MYONG (IMO: 9162318)

The Panel recommended the then Sierra Leone-flagged RI HONG (IMO: 9162318) for designation when it was recorded on satellite imagery alongside other DPRK cargo vessels exporting coal in Ningbo-Zhoushan waters on 29 April 2020.⁹⁴ The vessel is currently DPRK-flagged, re-named TO MYONG.⁹⁵ Prior to that, the vessel was berthed at Songnim port, DPRK, on 23 December 2019 (see figure 50a-1). The vessel last transmitted less than a week earlier in Shidao waters, China. Both vessels, suspected to have been operating under DPRK control, have since officially transitioned under the DPRK fleet sailing as TO MYONG and SAM JIN 8 respectively. The Panel had recommended the RI HONG for designation pursuant to paragraph 11 of resolution 2375 (2017)⁹⁶. The vessel has since continued to export DPRK-origin coal to Ningbo-Zhoushan waters.

Panama confirmed that the RI HONG was deregistered from its ship registry on 20 December 2019 on the basis of the transfer of the vessel under another flag (see figure 50a-2). The Panel wrote to the latter ship registry and did not receive a response. IMO records showed the vessel was next re-named KLAUSEN, sailing under the Sierra Leone flag in May 2020⁹⁷, with its registered owner and ship operator as the Hong Kong-incorporated Converse Trading Limited⁹⁸. The Sierra Leone Maritime Administration confirmed to the Panel that it de-registered the KLAUSEN on 17 November 2020 with the reason of the vessel's expiration of its issued provisional registration certificate. The RI HONG was subsequently listed to have come under the DPRK's fleet as on October 2020, sailing as the TO MYONG⁹⁹. There has been no commercial AIS transmissions of the vessel since mid-December 2019.

Figure 50a-1: RI HONG at Songnim port, DPRK, 23 December 2019, and anchored near Ningbo-Zhoushan, China, 29 April 2020



Source: Member State.

⁹⁴ S/2020/840, paras. 57-59 and S/2021/211, para. 79 and annex 38(b).

⁹⁵ IMO GISIS. Flagged on October 2020 but updated only subsequently from information provided by flag state (backdated).

⁹⁶ IMO GISIS. Flagged in October 2020 but updated only subsequently from information provided by flag state (backdated).

⁹⁷ Information then available as dated on IMO GISIS.

⁹⁸ This entity has no online or commercial footprint.

⁹⁹ IMO GISIS. Flagged in October 2020 but updated only subsequently from information provided by flag state (backdated).

Figure 50a-2: Flag deletion certificate of RI HONG, December 2019

IMO No. IMO NUMBER 9162318	NÚMERO OFICIAL REGISTRATION NO. 23921-97-D	DISTINTIVO DE LLAMADA CALL / LETTER 3FJH7
---	---	--

CANCELACIÓN DE REGISTRO / DELETION CERTIFICATE		
Nombre del Buque: Name of Vessel: RI HONG		
Tipo de Buque: Type of Vessel: OTRAS CARGAS / CARGA GENERAL - OTHER CARGO / GENERAL CARGO SHIP		
Año de Construcción: Year of Build: 1997	Tonelaje Bruto: Gross Tonnage: 6448.00	Tonelaje Neto: Net Tonnage: 3114.00
Eslora: Length: 94.79 mts	Manga: Breadth: 19.60 mts	Puntal: Depth: 13.00 mts
Propietario: Owner: LI HONG SHIPPING CO., LTD. (100%)		
Solicitante y Fecha: Applicant and Date: COPIA DEL EXPEDIENTE DE LA NAVE 18-12-2019		
Resuelta/Fecha de Cancelación: Resolved/Registration Close: C-44215-19 20-12-2019		
Datos de inscripción del Buque: Information of the Registered Vessel: Que el título de propiedad del buque consta inscrito en la FICHA 20270 ROLLO 55298 IMAGEN 14 de la Dirección General de Registro Público de Propiedad de Naves; si actual cambio de Propietario consta inscrito en el DOCUMENTO 1922205.		

Este certificado muestra que el buque arriba identificado se encuentra libre de gravámenes según confirmación del Registro Público expedido el 18-12-2019, y se cancela por tanto el mismo del Registro Panamericano debido a: Transferencia a Otro Registro, TRANSFERENCIA A OTRO REGISTRO

Derechos: RO No. 10163588A del 20 de diciembre de 2019

Folio: AMP

000648903

Source: Member State.

In 2020, the Panel wrote to **Li Hong Shipping Co Ltd** (hereafter “Li Hong Shipping”), the then known last listed registered owner of RI HONG, and (listed in the care of) **Hong He Shipping Co Ltd** (hereafter “Hong He Shipping”), the latter serving as the vessel’s ship manager, operator, technical manager and Document of Compliance company holder. The Panel sought information on the vessel, its cargo, its ownership, all associated counterparties involved, along with relevant documentation and financial transactions. The Panel received a response from Li Hong Shipping’s owners via its lawyers on 24 August 2021 providing documentation, including of the vessel’s onward sale by 16 December 2019 to a Chinese entity, China Nuclear Aviation Technology (Ningbo) Company Limited (中核航空科技(宁波)有限公司) (hereafter “CNAT”) (see annex 50b). The Panel informed Li Hong Shipping that the information on the IMO website had continued to list the company as the vessel’s registered owner and recommended that vessel owners should ensure they do not remain liable by ensuring vessel onward sale information is updated with the IMO in a timely manner with the requisite documentation.

As regards information on whether Li Hong had reached out to the buyer (its representatives) for an explanation, Li Hong Shipping responded “Our clients have sought answers from the Buyer via the broker regarding the allegations, but have been unsuccessful. Our clients stress that they had no knowledge that the Buyer intended to carry out any alleged illicit activities.” The Panel separately was able to obtain a contact detail of CNAT sourcing publicly available information and corresponded with the company. The Panel continues to await the company’s response.

Li Hong Shipping¹⁰⁰ also indicated that it failed to receive the Panel's earlier emails requesting information on RI HONG as it was sent to a personal email possibly belonging to an individual of a similar sounding name (with a word mis-spelt) at Hong He Shipping (its management and 'care of company') that was no longer under its employ. The Panel notes that the individual's name continued to be officially listed with the IMO as recent as December 2021.

On the Panel's request on due diligence information, Li Hong responded "As the arrangement was through a broker and between two Chinese entities, our clients did not undertake additional due diligence to that which was undertaken by the broker. There was nothing to suggest to our clients that further due diligence was required. That said, our clients have updated their internal procedures to ensure that, in the future, additional due diligence checks are carried out."

On the Panel's query on steps undertaken by Li Hong to reduce the risk of such transactions, Li Hong responded:

"..... our clients had an in-house meeting with all their employees to discuss the lessons learned from the allegations concerning Ri Hong [Enclosure 9]. Those lessons included:

- 1) prudent investigations/due diligence on business counterparties;
- 2) enhanced due diligence when high-risk jurisdictions are involved;
- 3) better contract management;
- 4) conducting due diligence on cargo;
- 5) improved collection of information, including utilising brokers and insurers; and
- 6) penalties for non-compliance.

Our clients are also working with us to implement a sanctions compliance program that the companies and their employees may refer to for training and guidance purposes." See annex 50c. The Panel notes these efforts undertaken.

The TO MYONG has continued to transit in Ningbo-Zhoushan waters as well as at a Chinese port in 2021¹⁰¹ (see annex 58).

Source: The Panel.

¹⁰⁰ All information in this report that states a correspondence and corresponding responses from Li Hong Shipping's owners was conducted via its lawyers, a legal firm registered in the United Kingdom.

¹⁰¹ Pursuant to paragraph 5, resolution 2397 (2017).

Excerpt of the sale and purchase contract for RI HONG

船 舶 买 卖 合 同		Norwegian Shipowners' Association's Motto-conditions of Agreement for sale and purchase of ships, Adopted by The Baltic and International Maritime Council (BIMCO) IN 1956. SALEFORM 1993 Revised 1966, 1983 and 1986/87
日期: 2019 年 11 月 23 日		
LIHONG SHIPPING CO., LTD 作为该船的注册所有人	1	
注册地址: 马绍尔公司注册号: 66356, Trust Company Complex, Ajeltake Take Road, Ajeltake Island, Majuro, Marshall Islands MH96960.	2	
下称“共同卖方”, 同意出售		
中核航空科技(宁波)有限公司 (下称“买方”), 同意购买	3	
地址: 浙江省象山县鹤浦镇鹤浦西路 2 号 05 幢		
船名: RI HONG	6	
船级社: ICS (INTERNATIONAL CERTIFICATION SERVICES)	7	
建造: 1977 建造厂: Higaki Shipbuilding Co., LTD. 日本	8	
船旗: 巴拿马	9	
注册地: 巴拿马	10	
船舶呼号: 3FJM7 总吨/净吨 GRT/NRT: 6448/3144	11	
国际海事组织编号: 9162318	12	
下称船舶, 基于以下条款签订本合同	13	
定义	14	
“书面”是指买卖双方互相通信的挂号信件、电传或其他现代通讯方式。	16	
“船级社”或者“船级”是指第 7 行规定的 ICS 船级社	17	
1. 购买价格: [REDACTED]	18	
2. 保证金	19	
作为本合同顺利履行的保证, 买方须在双方签署(传真或者电子邮件)本合同后的五个银行工作日内支付 10%保证金。该保证金须按照买方的意愿, 以银行转账的方式或者现金支付到卖方书面指定的账户和地点。	20 21	
3. 付款	22	
船舶交接时, 买方须将剩余的 90%的尾款以及剩余燃油、润滑油及其它根据合同约定的应支付的款项(如果有的话), 以银行转账或者现金的方式支付到卖方书面指定的账户和地点。	23 24	
上述款项的支付时间不超过“准备交船通知书”递交后的三个银行工作日。	25	
准备交船通知书, 至少早于合同缔约日之前的三个银行工作日内提供。	26	
4. 船舶检验	30	
买家已于 2019 年 9 月 3 日在越南富美通对该船进行检验, 并且接受该船。本合同买卖是完全的、肯定的, 将仅以本合同规定的条款为准。	31 32	
5. 交船通知, 交船时间和地点	51	
A) 卖方应就该船动态及时通知买方, 并在递交“交船准备就绪通知书”之前, 发出 15、10、7 天的大约通知, 和 5、3、1 天的准确通知。“交船准备就绪通知书(NOR)”只有在该船按照合同规定在各方国都准备好交接时递交才被认为有效。买方必须在收到卖方的通知时做出书面回复, 否则视为买方接受该通知。	52 53 54	
B) 该船须安全停泊在中国的山东石岛港的外锚地进行交接。	57	
交船时间: 2019 年 12 月 10 日至 2019 年 12 月 20 日, 由卖方选择。	60	
解约时间(参考第 5C 条款, 6B (III) 和 14 条款): 2019 年 12 月 30 日 由买方选择	61	
C) 如果买方认为虽然尽其所能仍不能在解约时间之前准备好交船, 则卖方须书面通知买方新的交船时间并确定一个新的解约时间。在收到该书面通知后的 7 个连续自然日之内, 根据本合同第 14 条的规定买方有权选择	62 63	

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Business Licence of China Nuclear Aviation Technology (Ningbo) Company Limited



Source: The Panel.

Annex 50c: Proposed due diligence measures --- Meeting minutes as provided in the original and translated version

鸿和船务有限公司
HONG HE SHIPPING CO., LIMITED

关于总结 RIHONG 轮事件经验教训的会议记录

2021 年 8 月 5 日, Hong He Shipping Co, Ltd 全体人员召开会议, 主题是总结 Ri Hong 轮销售后买方利用该轮违法营运给我司代理损失的经验教训, 敦促所有人员在业务交往中提高警惕, 不要违反国家法律, 国际公约和相关的国际组织的法令。为此, 特将本会议记录发给各部门遵守执行。

我司 2019 年 12 月, 我司管理的 RIHONG 轮在正常程序中销售给了买方中核航空科技(宁波)有限公司。今年 7 月初我司在香港的账户被中国银行(香港)有限公司关停。事后经过调查, 得知买方中核航空科技(宁波)有限公司买入该轮后去做了涉及联合国制裁地的非法贸易。因此我司推测银行关停我司业务的原因即可能与此事有关。虽然我司聘请香港律师与银行做出了交涉和说明, 但是银行至今没有回复我司的银行服务, 也没有对关停业务的依据和理由给予说明或澄清。此事件给我司造成了很大的损失, 除了抗辩澄清的花费, 我司管理的船舶发生的正常交易没有了资金支持, 部分业务停摆和延误。现将就此事对我们造成的不良影响与经验教训总结如下, 请各位同事汲取教训, 在今后的工作中时刻保持高度警觉, 避免留下隐藏隐患。

1、 业务关系人的审查

鸿和船务有限公司

HONG HE SHIPPING CO., LIMITED

从今往后，不论是在哪一环节哪一方面需要和新的客户，尤其是外国当事人发生业务关系时，负责该业务的员工必须上报公司，由公司做好尽职调查。调查的内容为该客户的信誉，经济实力和是否有过违法记录和违法了国际制裁令的行为。

2、 合同管理

在各类合同的拟定过程中，要多方查阅相关法律条文，确保语言得当严谨，叙事清楚明晰，责任归属表达准确，没有歧义。执行完结的合同要每个季度编订入卷。在季度末上交公司行政部登记存放。凡是在执行中发生过争议和纠纷的合同，当事人要在季度总结会上做出总结汇报并提出合同的改善意见和防损建议。

3、 交易标的物的审查

管理的船舶虽然在租船人的指令下营运，承载租船人提供的货物。但是我司各业务人员要尽量核实具体的货物是否涉嫌违法违规。目前已经听说有租船人安排船舶运载制裁地为原产地的货物。虽然中间经过伪装，但是已经给其他船公司造成了伤害。我司要以他人公司的案例作为教训，谨慎操作，切勿中招。

4、 信息收集和查证渠道

对于我司没有条件确定的疑问，应该立即联系船舶的租船经纪人，保险经纪公司，保险人或保赔协会询问情况和请求帮助查证。联系业务时不得使用个人邮箱。但个人邮箱也要告知公司登记管理。收到不属于本部门业务的邮件时要及时转发相关部门，不得不予理睬或忽视。

鸿和船务有限公司
HONG HE SHIPPING CO., LIMITED

5 处罚

Ri Hong 轮事件的经验教训请各位同事时刻谨记。如果有员工没有遵守上述规定给公司造成损失，公司将给予经济惩罚，严重者赔偿损失并解除合同。

请全体同事在今后的日常工作中严谨对待，时刻保持警觉状态，确保公司业务健康发展。

此致 全体员工

鸿和船务有限公司

For and on behalf of
HONG HE SHIPPING CO., LIMITED
鸿和船务有限公司

.....
Authorized Signature(s)

2021 年 8 月 6 日

Meeting Minutes on Lessons Drawn From “Ri Hong” Sale Incident

Aug 6th, 2021

All the employees of Hong He Shipping Co, Ltd had a meeting on Aug 5th, 2021 to conduct a reflection session on lessons learned in respect of the incident of the sale of the ship “Ri Hong”, the buyer of which has utilized the ship to conducted illegal trade and indirectly brought damage and loss to our company. Therefore, the company hereby reminds all employees to be alert and cautious of the potential risks in the course of business and to avoid breaching domestic and international laws and Acts. The minutes of this meeting are handed out to all the departments for compliance.

The ship “ Ri Hong” managed by our company was sold to the buyer ZhongHe Aviation Technology (Ningbo) Company (the “Buyer”) through normal purchase & sale formalities under a contract in Dec 2019. In early July 2021, our company’s bank account with the Bank of China (Hong Kong) Branch was canceled without prior notification and post-explanation. Our company afterwards conducted an investigation and learnt that the Buyer, after purchasing the vessel “Ri Hong”, used her to trade in North Korea, which is a state under UN sanction. Though our company has retained Hong Kong lawyers to deal with the Bank of China with full evidence proving our innocence and genuine ignorance towards buyer’s illegal activities, the Bank refused to restore their services, and furthermore, the Bank refused to give any further appropriate explanation. Therefore, this incident has resulted in a great loss to our company. Besides the costs in defending our position, our company has now suffered frustration of business due to loss of cash flow support. Now, we are having this meeting for the purpose of having the lessons summarized with an expectation that all colleagues should be well alert and be cautious of similar risks in future work .

1. Check on Business Counterparties

From now on, when dealing with new clients, no matter at which levels and in what respect, everybody should report all details to the company and the company shall conduct a prudent investigation on the legality of new clients. The investigation will cover the creditworthiness, the financial ability and default/criminal record inclusive of whether the client has been suspected of having breached international sanctions.

2 Contract Management

When drafting contracts, all employees should refer and rely on relevant laws and use proper terms with explicit and unambiguous wordings. The fulfilled contracts should be structured into volumes with codes and be submitted to the company for record keeping. Every dispute that took place during the execution of the contract should be summarized and reported to the company at the end of season meeting. Relevant moments for reflection and loss prevention suggestions should be raised by the relevant persons.

3 Checking Information on Cargo

All people should be on alert and exercise due diligence when checking the information on cargo such as the source, origin and the legality thereof, even though ships are trading under charterers' instructions and cargo are provided by charterers. It has been previously reported that other ship owners have suffered a lot for being wrongly and unknowingly involved in illegal cargo carriage arranged by their charterers. We should take it as a lesson and do our best to avoid such risks so as to ensure the company's business stays on a right and lawful track.

4 Collection of Information

It has been decided that it is now required where there are uncertainties and inquiries, or when there are no channels to satisfy anti-loss investigations, employees should immediately consult our charter broker, insurance broker or H&M insurer and P&I insurers for assistance on accurate information. However, it is strictly forbidden for private emails to be used in business contacts and every private email, despite not being allowed to be used, should be registered with the company for safety management protocols. Every person, after receiving emails unconnected with his own business, is obliged to re-deliver these emails to the right person who is in charge of that business so as to eliminate any omission of the work.

5 Penalty

Everybody is to take the incident of "Ri Hong" as a lesson and reflect especially in respect of observing international regulations and to be on guard against violation of international sanctions. People who cause damage or loss to the company due to his ignorance and negligence on this requirement will incur economic punishment imposed by the company. Those who violates these regulations to a serious extent shall be fired without excuse.

All employees are hereby demanded to follow and observe the above rules and stay alert to potential risks. These rules are stipulated for the purpose of making ship trading safe in the common interests of the company and all our employees.

Hong He Shipping Co, Ltd

Source: The Panel.

Annex 51: Vessel Acquisition by the DPRK - SU RYONG SAN (IMO: 9016430)

The Panel began tracking the DPRK cargo vessel SU RYONG SAN (IMO: 9016430) post-transition, based on anomalous AIS transmissions. While the vessel was flagged under the DPRK in October 2020¹⁰², no vessel tracks were available for ten months after August 2020. The vessel began transmitting intermittently on multiple identifiers as it departed Nampo 6 July 2021. It arrived at Ningbo-Zhoushan waters later the same month. By 25 August 2021, the vessel was at Longkou port area where it remained for over two weeks, where it was suspected to have engaged in ship-to-ship transfers based on transmitted draft changes, before berthing at Longkou's bulk cargo terminal by 11 September 2021. It was observed outside of Nampo Lockgate by mid-September 2021 (see figures 51-1~51-2).

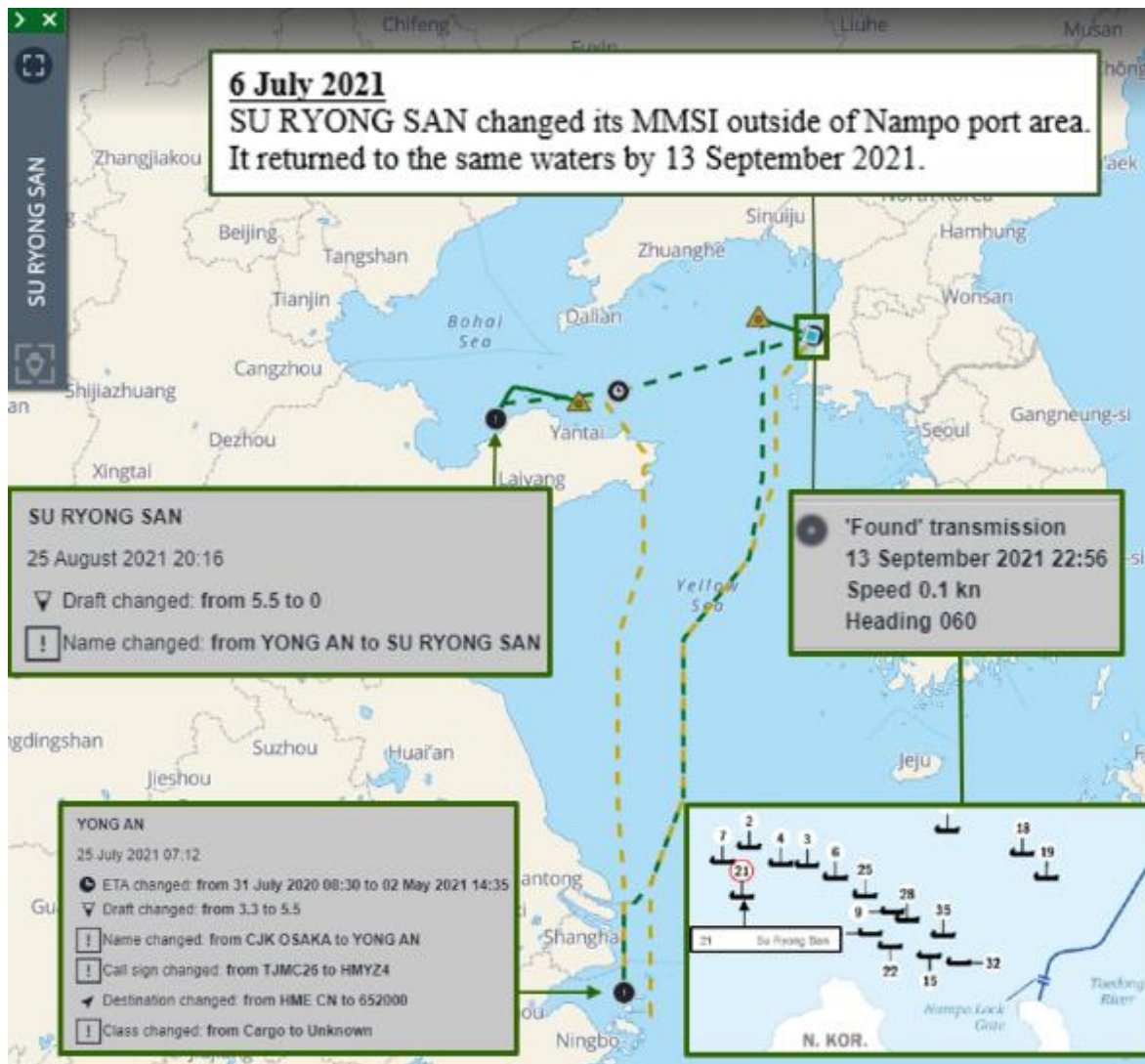
Prior to it being flagged under the DPRK, the vessel sailed under the Dominican flag for three months, indicating the vessel was issued a single delivery voyage permit for delivery to its new owners, HongKong Great Fortune Development Co. Limited (香港 吉運(运) 發(发)展 有限 公司) (hereafter "HKGf"). HKGF was the last registered owner when it was sailing as the CJK OSAKA in 2020, before the vessel joined the DPRK's fleet¹⁰³. The company neither has an online footprint nor have kept the email it was registered against on corporate documentation.

¹⁰² Ibid.

¹⁰³ IMO GISIS.

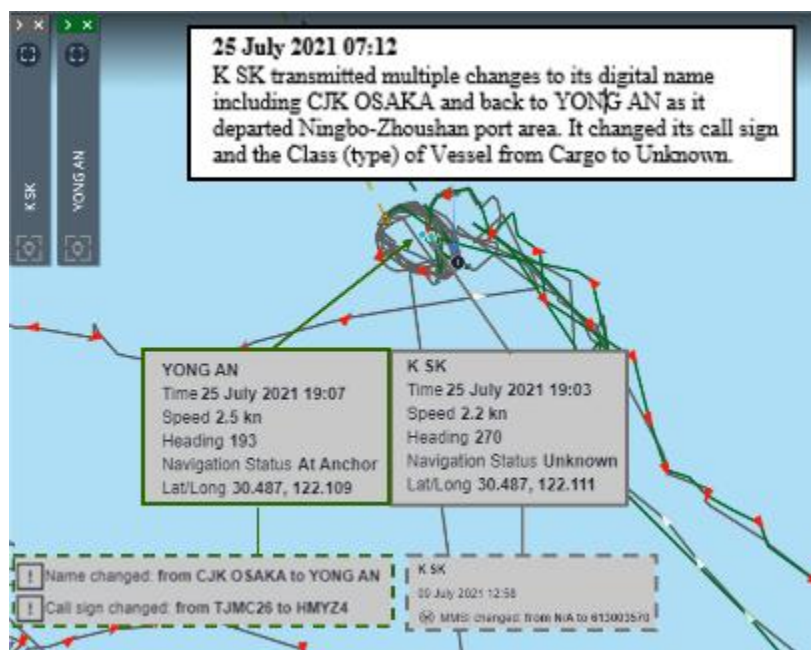
Figure 51-1: Storyboard of DPRK-flagged vessel *SU RYONG SAN* transmitting false identifiers

July to September 2021



July 2021 – Ningbo Zhoushan, *SU RYONG SAN* spoofing as *YONG AN* and *K SK*¹⁰⁴. *CJK OSAKA* is the historical name of *SU RYONG SAN*

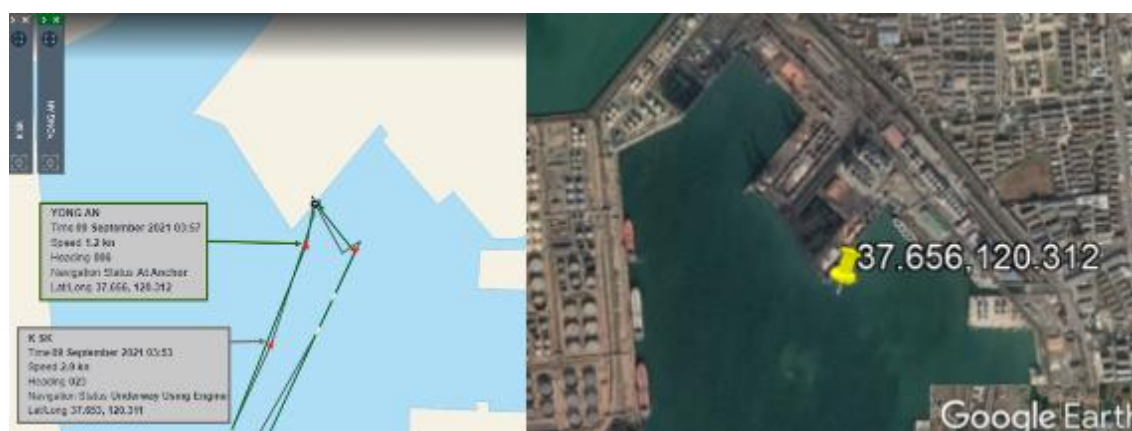
¹⁰⁴ The *K SK*'s spoofed MMSI and calls sign belongs to a Cameroon-flagged cargo vessel operating solely in the Mediterranean.



August 2021 - Longkou

On 25 August 2021 (see figure 51-1), the vessel sailing as YONG AN briefly transmitted on its original identity SU RYONG SAN outside of Longkou port before changing its digital profile to K SK while at Longkou Bulk Cargo Terminal.

September 2021 – Longkou



Source: The Panel.

The Panel is further investigating suspected sanctions evasion and violation activities across multiple fronts by HKGF since 2019.

The Panel asked China, on the SU RYONG SAN's identifiers under which it was transmitting, its cargo offloaded in Ningbo-Zhoushan waters and at other Chinese ports, any ship-to-ship transfers conducted

in Chinese waters with the type and amount of cargo offloaded and loaded, along with shipping documentation and financial transactions.

Based on information obtained from various sources, HKGF is alleged to have imported into China between 100,000 to 200,000 metric tons of DPRK-origin coal from the DPRK entity Yonggwang Furniture and Building Materials Corporation 영광가구건재회사 aka 영광가구합영회사 (Yonggwang Furniture Joint Venture Company) – hereafter “Yonggwang”. Yonggwang agreed to ship the following to HKGF:

- DPRK-origin coal aboard the DPRK-flagged JANG UN (IMO: 8822260);
- DPRK-origin coal aboard the DPRK-flagged KUM SONG 7 (IMO:8739396); and
- DPRK-origin coal aboard the DPRK-flagged RYON HWA 3 (IMO: 8312227).

This information is consistent with an earlier investigation undertaken by the Panel concerning the suspected transfer of DPRK-origin coal from the DPRK-flagged JANG UN and KUM SONG 7 to the QUN RONG XIANG, a Chinese cargo ship, the latter as currently investigated by Chinese authorities¹⁰⁵. See annex 55 for details. The RYON HWA 3 was back in Chinese waters in August 2021 and was observed grounded a month later in Ningbo-Zhoushan, China (figure 51-2).

¹⁰⁵ S/2021/777, paras. 96-98.

Figure 51-2: Vessel aground, Ningbo-Zhoushan, 18 September 2021



Source: (top) Member State, (bottom) Maxar Technologies and Windward.

The Panel sought information from China on the DPRK vessels, their identities transmitted in Chinese territorial waters, Chinese-entities owning and operating the receiving vessels, those that procured the cargo from DPRK cargo vessels—imported the coal, and the relevant shipping and financial documentation.

China responded that “SU RYONG SAN entered Longkou Port in August 2021, offloaded watch movements, and left the port after loading stationary in September 2021”. On the QUN RONG XIANG, China responded: “*The investigations into ... QUN RONG XIANG are still underway, and we do not have information to share at the current stage.*” On RYON HWA 3, China responded the vessel entered Yantai port “empty-loaded” in March 2021 and departed “...by loading pesticide, fertilizer and other agricultural supplies in the same month”. China had no information on HongKong Great Fortune Development Co., Ltd.

Source: The Panel.

Annex 52a: SUSPECTED VESSEL ACQUISITION BY THE DPRK - OCEAN SKY (IMO: 9125308)

The Panel is investigating the suspected DPRK acquisition of the Sierra Leone-flagged OCEAN SKY (IMO: 9125308). A Member State reported that the vessel was delivered at sea by Asia Ocean Shipping Limited (亞洲遠洋運輸有限公司) to the DPRK entity, Ryongsung Trading Corporation, between 24 and 30 May 2021. Panel investigations also showed that another China-based intermediary associated with Asia Ocean Shipping was associated with the vessel PU ZHOU, prior to the latter becoming the DPRK-flagged SU RI BONG (IMO: 8605727).

Commercial maritime AIS data show that OCEAN SKY has not transmitted verified AIS signal following the vessel's onward sale as the vessel departed Busan, Republic of Korea on 11 May 2021. The vessel was previously sailing as the Republic of Korea-flagged DAEHO SUNRISE. The Hong Kong-incorporated entities China Tianchuan International Group Shipping Limited and Asia Ocean Shipping were listed as the vessel's new registered owner and ship manager¹⁰⁶.

Asia Ocean Shipping allegedly used an SDV permit issued by the Sierra Leone Maritime Administration for the said transfer. Such permits typically require less scrutiny. The PU ZHOU (IMO: 8605727) and RUI JI STAR (IMO: 9010058)¹⁰⁷ were also flagged under Sierra Leone for a short period of time before being re-flagged under the DPRK.

The Panel sought relevant information from Sierra Leone including, *inter alia*, whether the OCEAN SKY was issued a single delivery voyage permit (SDV) for its transit to its new owners. Sierra Leone has yet to respond.

To trace the OCEAN SKY, the Panel wrote to the vessel's previous ROK-registered owner, Daeho Shipping Co., Ltd (hereafter "Daeho Shipping"). According to Daeho Shipping, the vessel was under its ownership and management from 28 February 2011 to 17 May 2021. The vessel was cancelled from the Republic of Korea's ship registry on 17 May 2021 (seen annex 52b). According to Daeho Shipping, a mainland China and Hong Kong broker sought out a Seoul-based broker, a Mr. Chang, in March 2021 to purchase the specified vessel. A Bill of Sale was concluded the same month, with the final closing of the deal's Protocol of Delivery and Acceptance on 4 May 2021, when the vessel was handed over. A buyer inspection of the vessel in April was cancelled "due to COVID-19" when the vessel was at port in Nantong, China. No follow up inspection was scheduled.

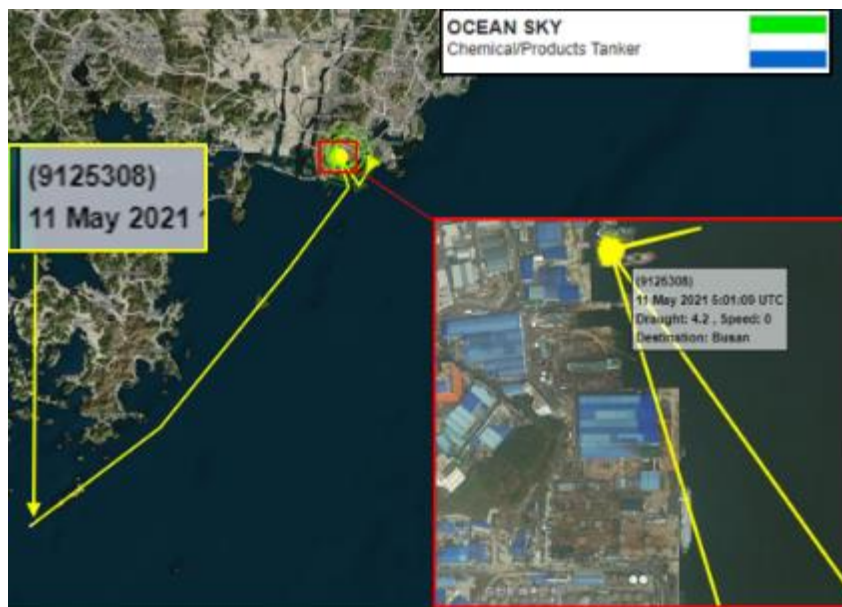
Daeho Shipping stated it delivered the vessel to the ROK broker during the handover with no buyer's representatives present. Thereafter, the vessel departed Busan, ROK, on 11 May 2021 for delivery to Zhoushan by tug. Commercial maritime tracking showed AIS transmission was lost the same day (see figure52a-1).

¹⁰⁶ IMO GISIS.

¹⁰⁷ Now sailing as DPRK-flagged MYONG SA SIM NI. The vessel has since been observed on satellite imagery in Ning-Zhoushan waters exporting DPRK-origin coal (S/2021/777, paras. 89-92).

Intermittent spot AIS transmissions of the OCEAN SKY were captured on commercial maritime databases between August and November 2021¹⁰⁸ (see figure 52a-2). The vessel was observed on satellite imagery at a Chinese shipyard on 1 October 2021 (see figure 52a-3). The OCEAN SKY last transmitted AIS signal on 13 November 2021 in waters outside the shipyard (inset imagery at figure 52a-2).

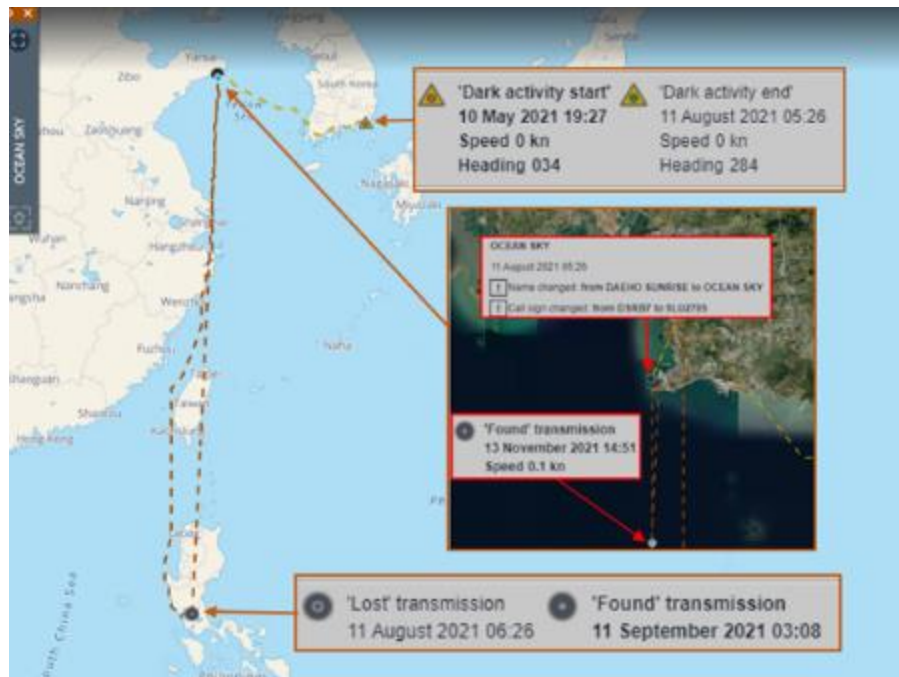
Figure 52a-1: OCEAN SKY stopped transmission, Busan, ROK, 11 May 2021



Source: IHS Markit Seaweb, annotated by the Panel.

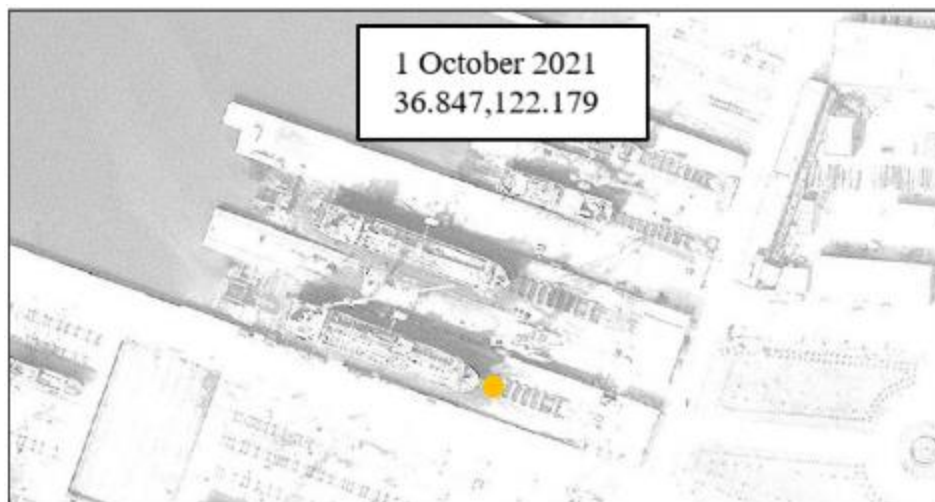
¹⁰⁸ The OCEAN SKY's last AIS transmission was on 13 November 2021, as on 31 December 2021.

Figure 52a-2: Spot AIS transmissions of the OCEAN SKY that show possible spoofing, August to November 2021



Source: Windward, annotated by the Panel.

Figure 52a-3: OCEAN SKY berthed at a shipyard, Shidao, China, 1 October 2021



Source: Maxar Technologies, annotated by the Panel.

The Panel continues to investigate the OCEAN SKY's suspected entry under DPRK control.

The Panel notes that another vessel investigated by the Panel, the WOO JEONG (nka SIN PHYONG 5) (IMO: 8865151)¹⁰⁹ was also delivered at Shidao in July 2019 before the vessel came under the DPRK flag (see figure 52a-4).

Figure 52a-4: AIS transmissions showing the OCEAN SKY in October 2021, and the WOO JEONG (nka SIN PHYONG 5) in July 2021, Shidao, China



Source: Google Earth, annotated by the Panel.

Investigations continue into the entities that facilitated the transfer of the OCEAN SKY.

Source: The Panel.

¹⁰⁹ S/2021/777, paras. 78-79 and annex 38.

Annex 52b: Ship registry cancellation notice of OCEAN SKY, 17 May 2021

CONFIRMATION OF CANCELLATION OF VESSEL'S NATIONALITY				
Confirmation Number : 2021-12				
Owner	Name (Company)	DAEHO SHIPPING CO., LTD.		
	Address	19, DAEPYEONG-RO 28BEON-GIL, YEONGDO-GU, BUSAN, REPUBLIC OF KOREA		
Official Number		JJR-111011	Gross Tonnage	3,654 tons
IMO Number		9125308	Signal Letters	DSRB7
Kind of Vessel		MOTOR VESSEL	Name of Vessel	DAEHO SUNRISE
Port of Registry		JEJU	Material of Hull	STEEL
Rigging (if a Sailing Vessel)			Type and Number of Engines	DIESEL 1
Kind and Number of Propellers		SCREW 1	Where Built	JAPAN
Name of Builders		FUKUOKA SHIPBUILDING CO., LTD.	Date of Launch	1996-01-09
Main Dimensions		Length 93.97 m	Breadth 16.50 m	Depth 8.50 m
Date of Cancellation of Registration		2021-05-17		
Reason of Cancellation of Registration		EXPORT		
It is hereby confirmed that the above described vessel was canceled from Nationality of the Republic of Korea in accordance with Ship Act Enforcement Regulations, Article 23. The 17 th day of 05 2021 (Signature)  Director General of BUSAN Regional Oceans & Fisheries Administration				

Source: The Panel.

Annex 53: Fishing Rights Transfer

Annex 53a : Monitoring and Inspection of Fishing Vessels

(1) MMSI signals detected by Member State in 2021

A Member State identified at least 428 vessels which had entered DPRK waters between 22 April and 22 June 2021. In addition, the Member State identified 9 MMSI numbers associated with these fishing fleets. According to the Member State's analysis, those nine vessels had taken the route illustrated below. The Panel notes that the vessels apparently departed from Shandong Province (山东省) and Liaoning Province (辽宁省) of China.

MMSI numbers identified:

300807023
300820047
412329999
412445566
412556677
412599899
412631558
412900023
517518888

(2) List of three fishing vessels inspected by a Member State in 2021¹¹⁰

A Member State has informed the Panel that in May 2021 its authorities inspected the following three fishing vessels which were moving southwards from DPRK waters.

1. Fuyuanyu (福遠漁) 189
2. Liaodanyu (遼丹漁) 36005
3. Liaodanyu (遼丹漁) 36006

According to the inspections of *Fuyuanyu 189* on 1 May, the vessel had departed from the port of Shidao (石島) on 30 April and headed towards DPRK waters. The fishing rights in DPRK waters had been priced at 300,000 RMB, which would allow the right to fish from 1 May to 1 September.

According to the inspections of *Liaodanyu 36005* and *Liaodanyu 36006* on 6 June, the vessels had departed from the port of Dandong (丹東) on 1 May, entering DPRK waters on 15 May. The vessels conducted squid fishing until June. The cost of the fishing rights had been 200,000 RMB, allowing fishing until 1 October.

¹¹⁰ S/2020/777, para. 82.

Annex 53b: Reply from China**3. Fishing rights (OC.302)**

China's position on illegally acquiring fishing rights is crystal clear. Such activities, once verified, will be dealt with in accordance with laws and regulations. China's fishing authority and relevant coastal provinces have taken measures to strengthen management and demanded the fishing companies and fishermen to strictly follow the requirement of Security Council resolutions.

According to China's investigation, Fu Yuan Yu 189 has been anchored on the tidal flat since July 2017, and too eroded to sail. It is impossible for it to appear in relevant waters from May to June 2021. As for Liao Dan Yu 36005 and Liao Dan Yu 36006, we find no information of those two vessels. The license issued by the fishing authority in Dandong, Liaoning Province starts with number 2. The two vessels mentioned in the Panel's letter must have used fake licenses. The fishing vessel with MMSI number 412445566 mentioned in the Panel's letter has been operating in waters close to Fujian since 2021. China finds no activities of this vessel towards the DPRK's waters. In addition, we cannot find any information of HengXing Fisheries Limited, Dalian, JinHai Fisheries Limited, Tianjin, etc in China's business registration system.

Viewing and analyzing from the above, we believe the information

5

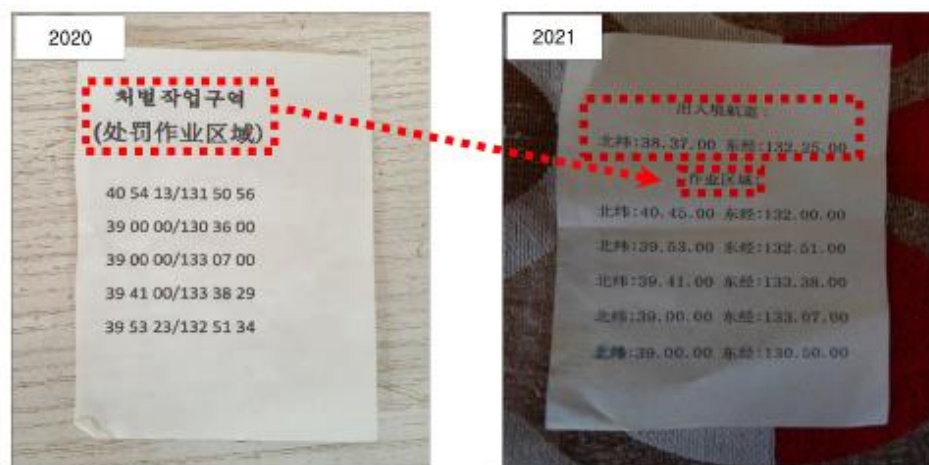
provided by some member states are seriously inaccurate and cannot serve as basis for China to carry out investigations. The information source is unreliable, and its truthfulness and accuracy cannot be verified. The Panel should not include the above-mentioned information into the report. Otherwise, it will seriously damage the authority and objectivity of the report.

Source: Member State.

Annex 53c: Permitted fishing areas in DPRK waters 2020-2021

According to Member State information, the size of the permitted fishing areas¹¹¹ in DPRK waters was reduced in 2021 (figures 53c-1 and 53c-2).

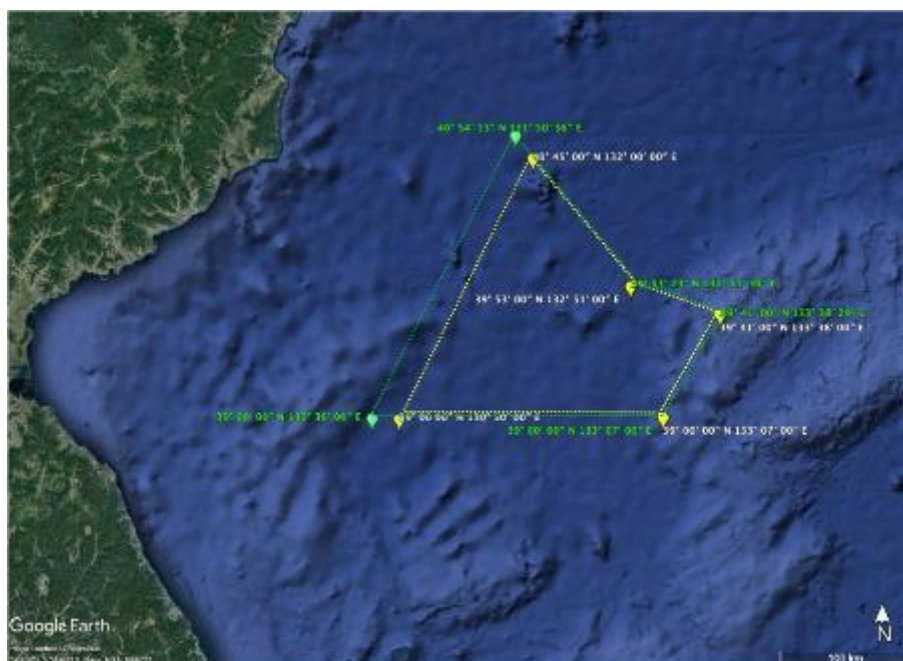
Figure 53c-1



Source: Member State.

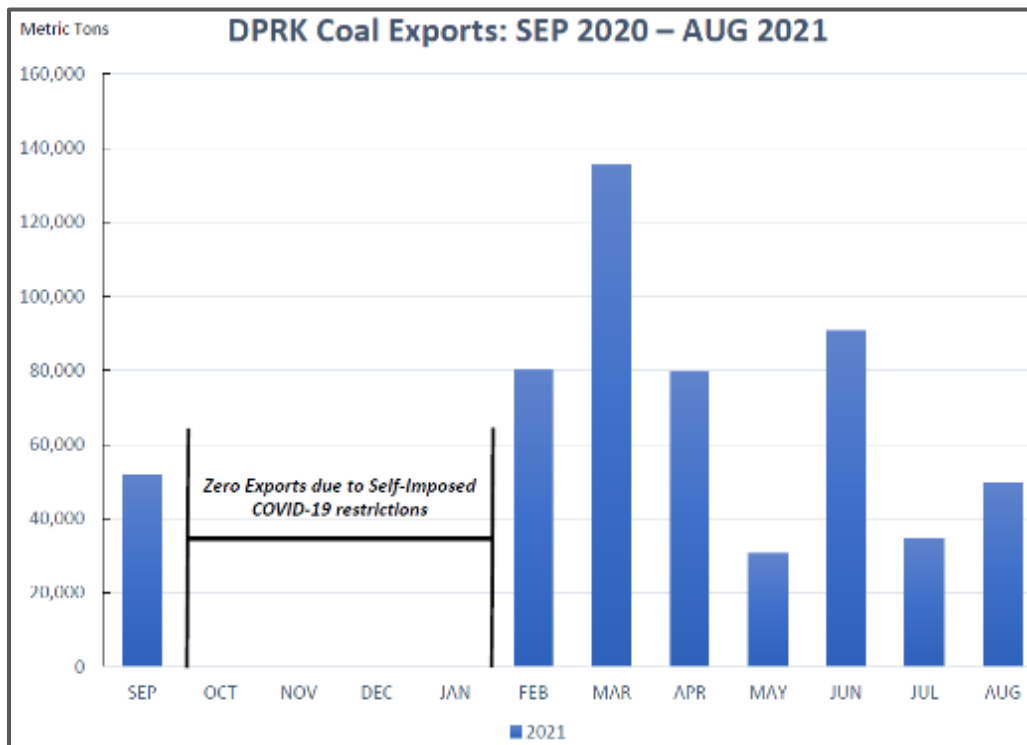
Figure 53c-2

Below is the image of abovementioned fishing areas annotated by the Panel. The area surrounded by the green dotted line was in 2020 and yellow dotted line is in 2021.



Source: Google Earth, annotated by the Panel.

¹¹¹ S/2021/777, para. 82 and annex 41.

Annex 54: Table of maritime coal exports by the DPRK

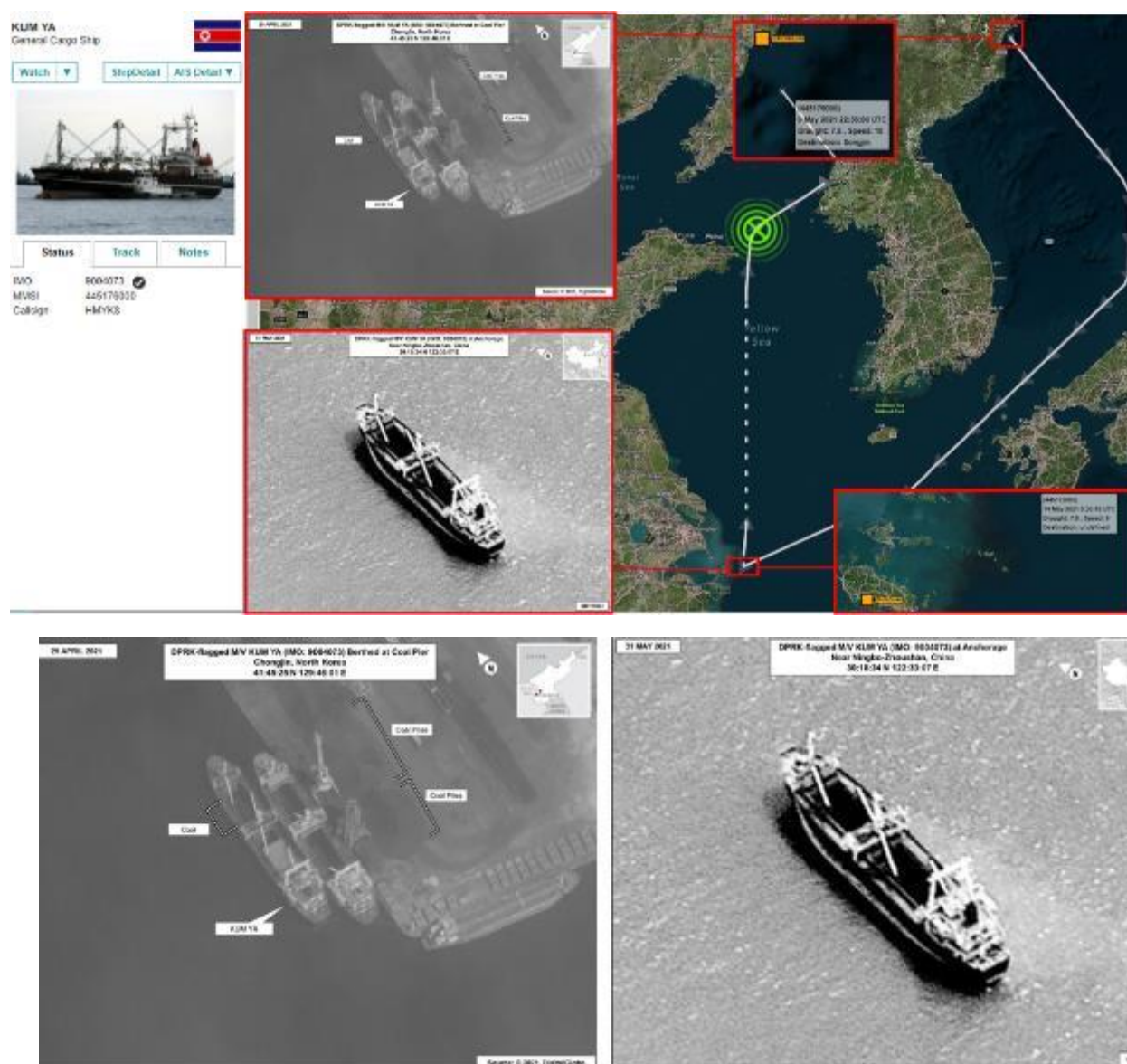
Source: Member State.

Annex 55: Examples of DPRK-flagged vessels in Ningbo-Zhoushan area to export coal between May and September 2021

DPRK-flagged KUM YA (IMO: 9004073)

According to commercial AIS maritime tracking data, the KUM YA departed Chongjin, DPRK, by 9 May 2021. It arrived in Ningbo-Zhoushan waters by 14 May 2021 where it remained. The vessel, which departed the DPRK laden with coal, was observed to be riding high in Ningbo-Zhoushan waters on 31 May 2021, indicating it had offloaded DPRK-origin coal during that period of time. KUM YA was back in DPRK waters in the West Sea Barrage by 27 June 2021.

Storyboard of KUM YA April – May 2021



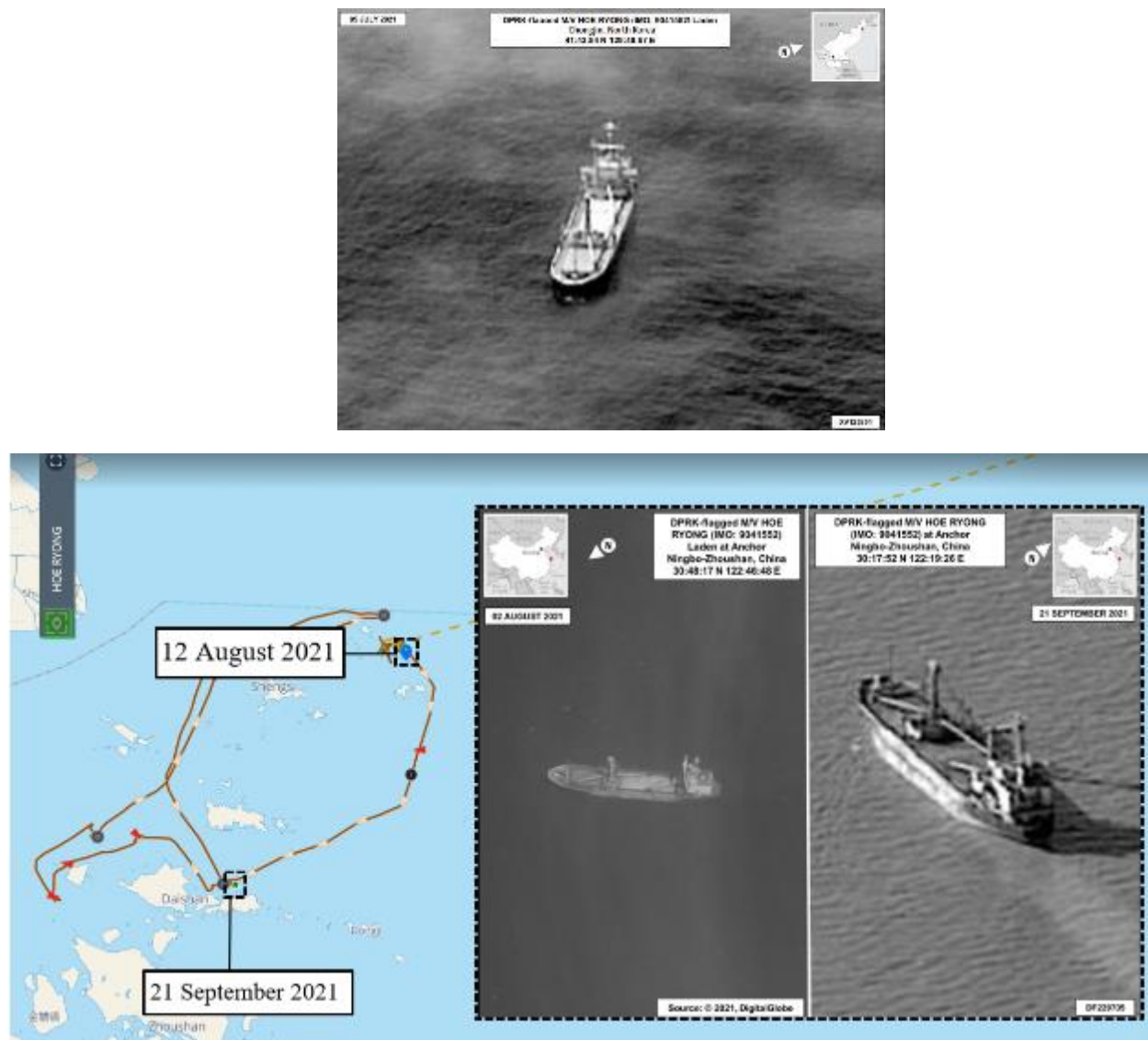
Source: IHS Markit Seaweb, annotated by the Panel, (satellite imagery) Member State.

DPRK-flagged HOE RYONG (IMO: 9041552)

Another DPRK cargo vessel, HOE RYON, was observed on satellite imagery departing Chongjin, DPRK, in July 2021 for Ningbo-Zhoushan, China, transmitting AIS only during a part of its journey. The vessel was observed in August 2021 riding low in water when it arrived in Ningbo-Zhoushan. By 21 September 2021, HOE RYON, still in the same waters, was observed riding high in water, indicating it had offloaded DPRK-origin coal during that period of time.

AIS data showed the HOE RYON departed Ningbo-Zhoushan waters by 25 September 2021 where it sailed towards the west coast of the DPRK, stopping transmission by 30 September 2021¹¹².

Storyboard of HOE RYON, July to September 2021



Source: Windward, annotated by the Panel, (satellite imagery) Member State.

¹¹² As on 30 December 2021.

DPRK-flagged FLOURISHING (IMO: 8421315)

The DPRK cargo vessel FLOURISHING was observed departing Wonsan laden with DPRK-origin coal on 1 August 2021, for Ningbo-Zhoushan, China, transmitting AIS only during a part of its journey. The vessel was observed on 17 August 2021 riding low in water when it arrived in Ningbo-Zhoushan. By 21 September 2021, FLOURISHING, still in the same waters, was observed riding high in water, indicating it had offloaded DPRK-origin coal during that period of time (see storyboard). Both the HOE RYON and FLOURISHING were in Ningbo-Zhoushan waters around the same time exporting coal. FLOURISHING stopped AIS transmission while still in Chinese territorial waters.

The Panel also tracked the vessel's ownership and management history. The FLOURISHING was flagged under the DPRK in November 2018¹¹³. Prior to this, the vessel was managed and operated by Hongxiang Marine Hong Kong Ltd (鴻祥海運(香港)有限公司) (hereafter "Hongxiang Marine")¹¹⁴, an entity sanctioned by the United States' Treasury Department in February 2018¹¹⁵ that also managed then Comoros-flagged ORIENTAL TREASURE (IMO: 9115028). The ORIENTAL TREASURE¹¹⁶, flagged under the DPRK's fleet the same time as FLOURISHING, was reported by the Panel on multiple occasions for exporting DPRK-origin coal. Other vessels managed by Hongxiang Marine before transitioning under the DPRK flag, some of which around the same time included: ASIA HONOR (IMO: 8405220), HORIZON STAR (IMO: 9017123), NEW DAWN (IMO: 9135494)¹¹⁷, and PAEK MA (IMO: 9066978)¹¹⁸ – all of which have exported coal in Ningbo-Zhoushan waters.

Since coming under the DPRK fleet, FLOURISHING had been transmitting on fraudulent identifiers and sailing as 'FS'. The vessel had also transmitted in Ningbo-Zhoushan waters in February 2020, a known area where DPRK cargo vessels have and continue to export their illicit coal (see storyboard).

¹¹³ IMO GISIS.

¹¹⁴ Room 1502, 15th Floor, Keen Hung Commercial Building, 80, Queen's Road East, Wan Chai, Hong Kong, China. Entity was dissolved in June 2018.

¹¹⁵ <https://home.treasury.gov/news/press-releases/sm0297>

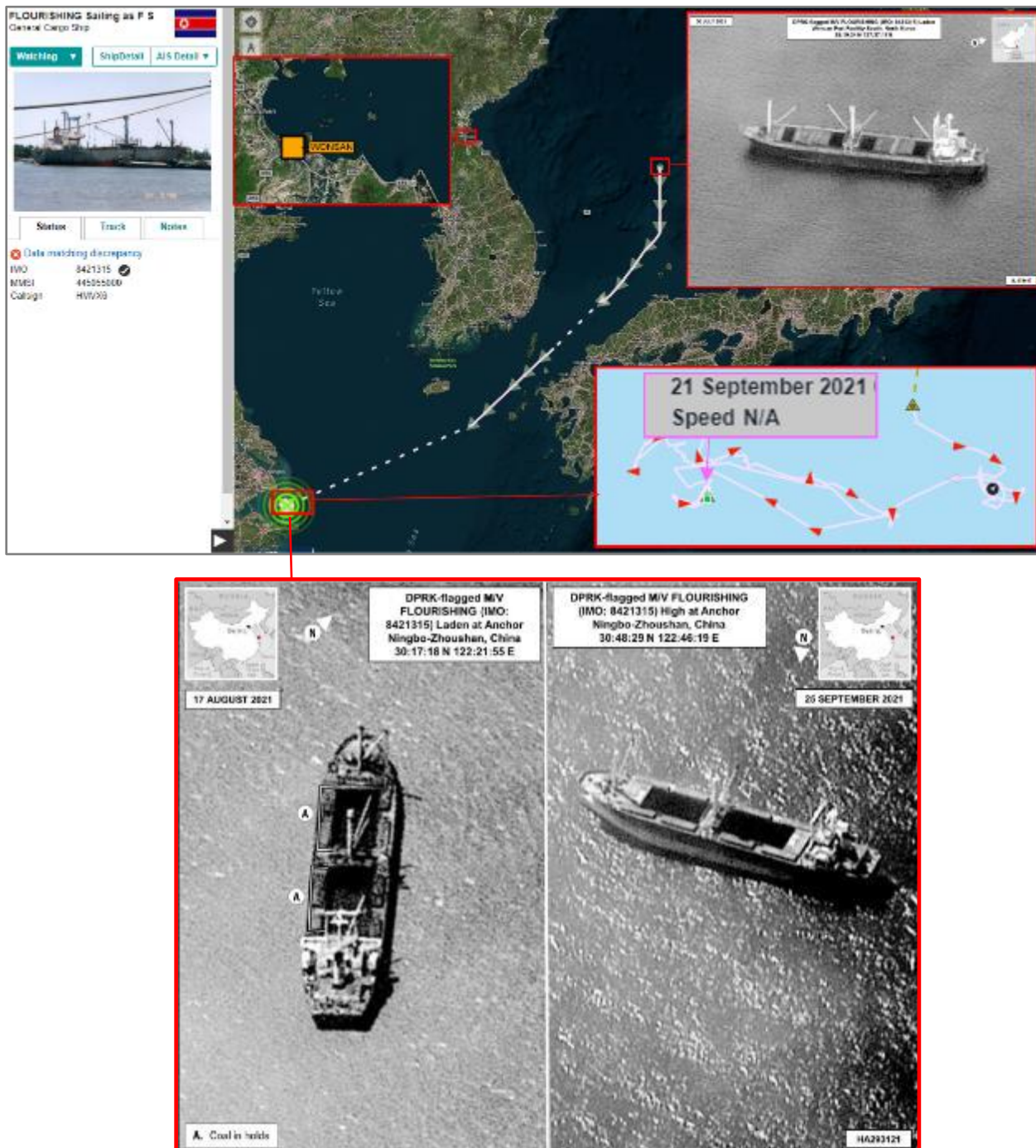
¹¹⁶ Flagged under the DPRK in November 2018.

¹¹⁷ Flagged under the DPRK in April 2017.

¹¹⁸ Flagged under the DPRK in December 2016.

Storyboard of FLOURISHING

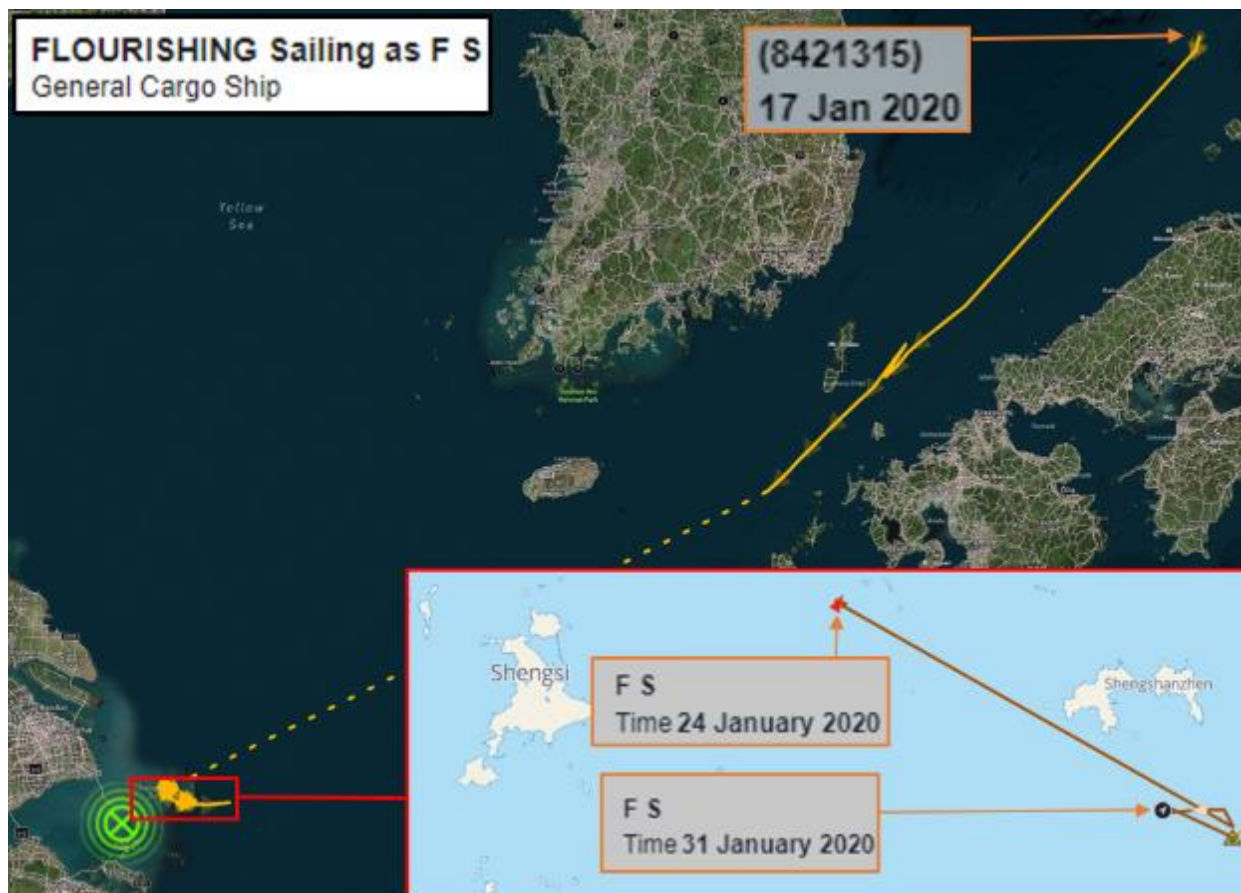
July – September 2021



Source: IHS Seaweb, (inset AIS transmissions) Windward, annotated by the Panel, (satellite imagery) Member State.

January – February 2020

The FLOURISHING transmitted as FS in Ningbo-Zhoushan waters from late January to early February 2020. During the period, the vessel updating its draught status indicating an offload of cargo.



Source: Source: IHS Seaweb, (inset AIS transmissions) Windward, annotated by the Panel.

The Panel continued to seek China's assistance on the recurring presence of multiple DPRK vessels in Ningbo-Zhoushan waters to export coal via ship-to-ship transfers, including information on any cargo offloaded by the DPRK vessels via ship-to-ship transfer in those waters, the receiving vessels' identifiers, and entities and individuals that own, operate and procured any of the cargo from the DPRK vessels.

China responded that "There is no record of port calls in China for vessels KUM YA, HOE RYONG, FLOURISHING in 2021"

Source: The Panel.

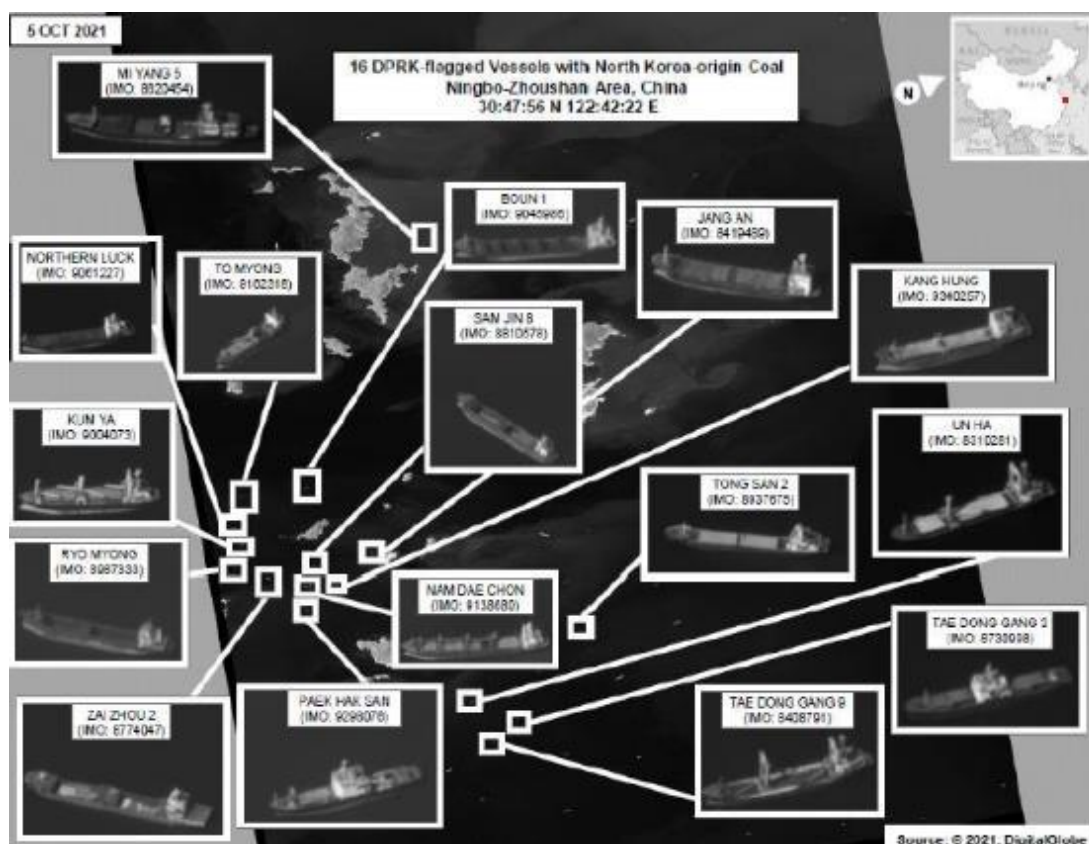
Annex 56: DPRK Coal Vessels at Ningbo-Zhoushan, China

Example: TAE DONG GANG 3 (IMO: 8730998) in Ningbo-Zhoushan waters, China, October to November 2021



Source: (top) Member State, (bottom) Windward annotated by the Panel.

Figure 56: DPRK-flagged vessels laden with coal, Ningbo-Zhoushan, 5 October 2021



Source: Member State.

The Panel sought China's assistance in providing information concerning each of the above-mentioned vessels' presence in Chinese waters, the identifiers under which they were transmitting, their cargo, any ship-to-ship transfers conducted in Chinese waters with the type and amount of cargo offloaded, the identities of the receiving vessels along with the entities and individuals that owned and operated the receiving vessels, the end destinations of the offloaded coal cargo, along with shipping documentation and financial transactions.

China responded: *"There is no record of port calls in China for vessels KUM YA, HOE RYONG, FLOURIGHING, MI YANG 5, NORTHERN LUCK, RYO MYONG, PEAK HAK SAN, BOUN 1, JANG AN, TONG SAN 2, TAE DONG GANG 9 and TAE DONG GANG 3 in 2021. For vessels ZAI ZHOU 2, TO MYONG, SAM JIN 8, NAM DAE CHON, KANG HUNG and UN HA, they entered Yantai port empty-loaded, and left the port after loading chemical fertilizer, pesticide and other agricultural supplies."*

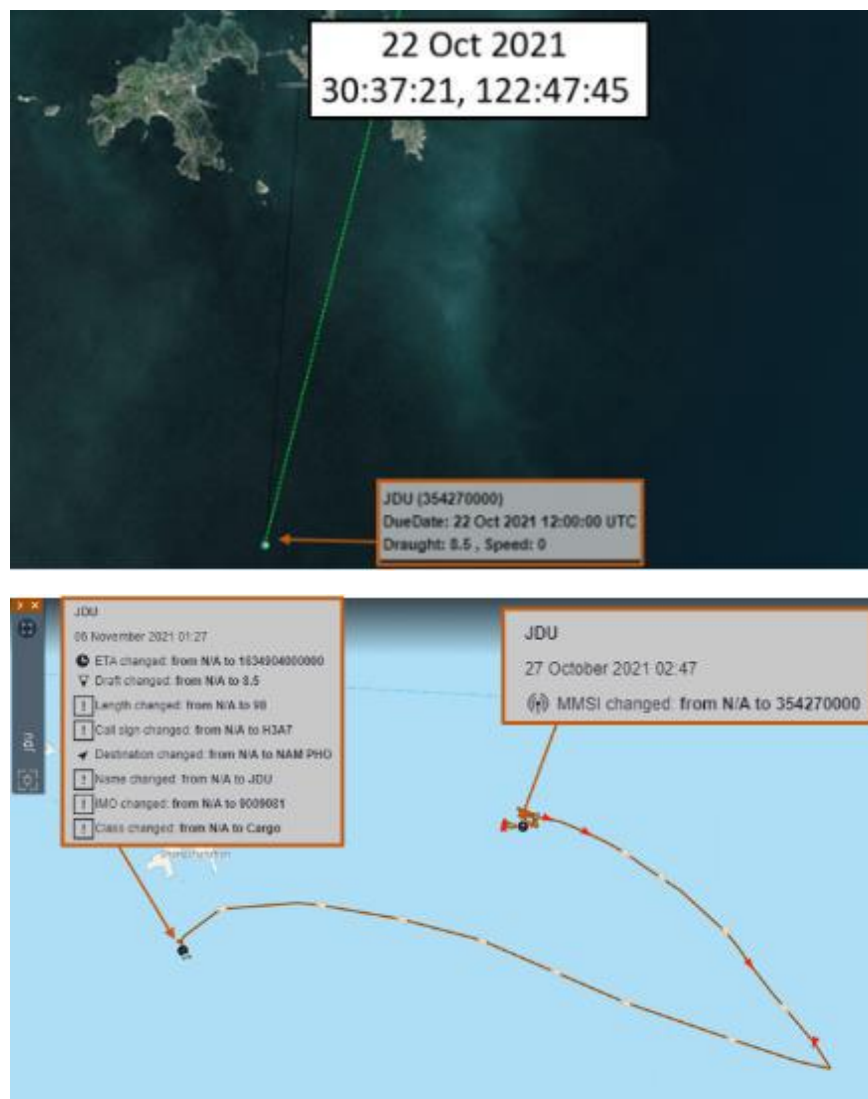
Source: The Panel.

Annex 57: DPRK coal vessels spoofing

DPRK vessels have continued to broadcast falsified identifiers while in Chinese territorial waters where they export coal. The transmission of falsified identifiers is a documented evasion method used by the DPRK and suspect vessels to conduct sanctions evasion activities.

For example, the Panel tracked a suspect vessel JDU (MMSI: 354270000) spoofing a fraudulent identifier in Ningbo-Zhoushan, October-November 2021 (see figure 57). The vessel transmitted briefly in the DPRK before appearing in Chinese territorial waters. While there, the vessel spoofed a Panama-associated MMSI that was operating in South America, along with other AIS manipulations, while reporting a destination of ‘NAM PHO’.

Figure 57: Suspect vessel transmitting as “JDU” transmitting in Ningbo-Zhoushan waters in October-November 2021.



Source: (top) IHS Seaweb; (bottom) Windward, annotated by the Panel.

*Times and dates reflected on Windward are in EST.

The Panel asked China if it had more information on the JDU, whose location, lengthy AIS gaps and fraudulent transmission of false identifiers appear as very similar signatures used by DPRK-flagged vessels to obfuscate their illicit maritime trade. China replied that “There is no record of port calls in China for *JDU* in 2021”.

The following DPRK-flagged vessels transporting coal likewise fraudulently transmitted on other identifiers while in Ningbo-Zhoushan waters:

- SU RYONG SAN (IMO: 9016430) (see annex 51);
- ASIA HONOR (IMO: 8405120);
- CHANG PHYONG (IMO: 9338981); and
- PU HAE (IMO: 9020601)

ASIA HONOR, CHANG PYONG and PU HAE are repeat offenders that had previously falsified their transmissions in Ningbo-Zhoushan waters, as illustrated in previous Panel reports. They have continued to broadcast on the same false identities in the same waters.

Storyboard of DPRK-flagged ASIA HONOR transmitting false identifiers

May 2021



June 2021



July 2021

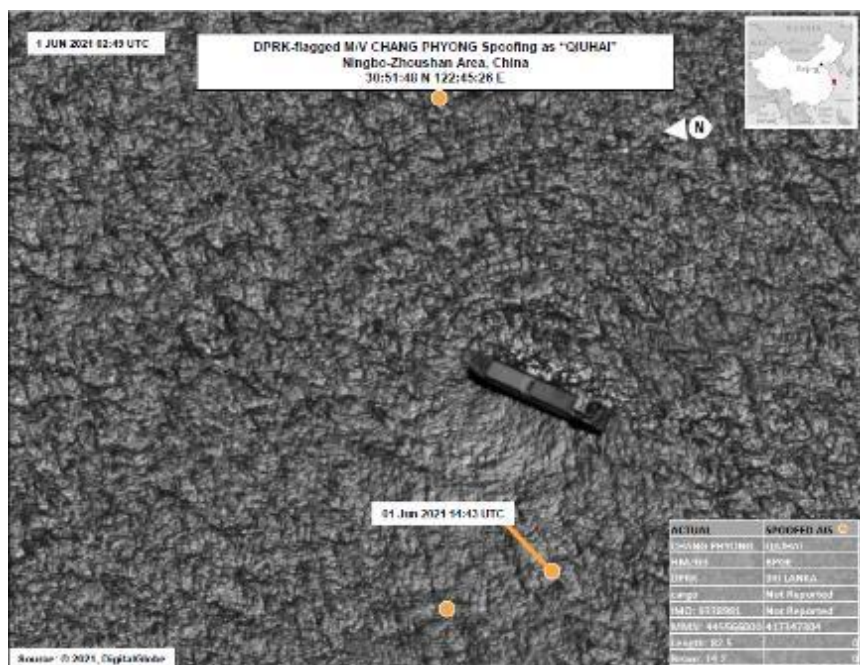
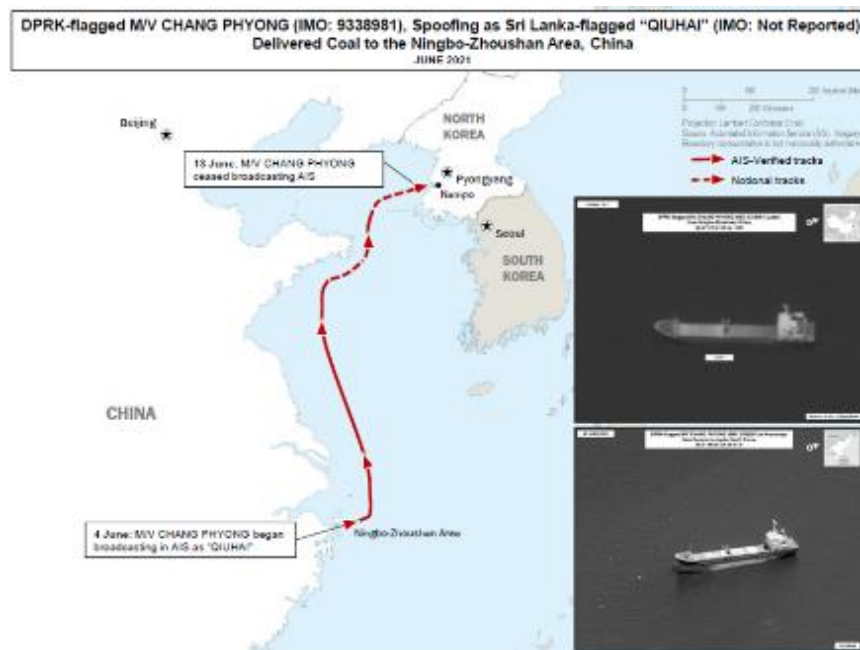


Source: Member State.

Storyboard of DPRK-flagged vessel CHANG PHYONG transmitting false identifiers

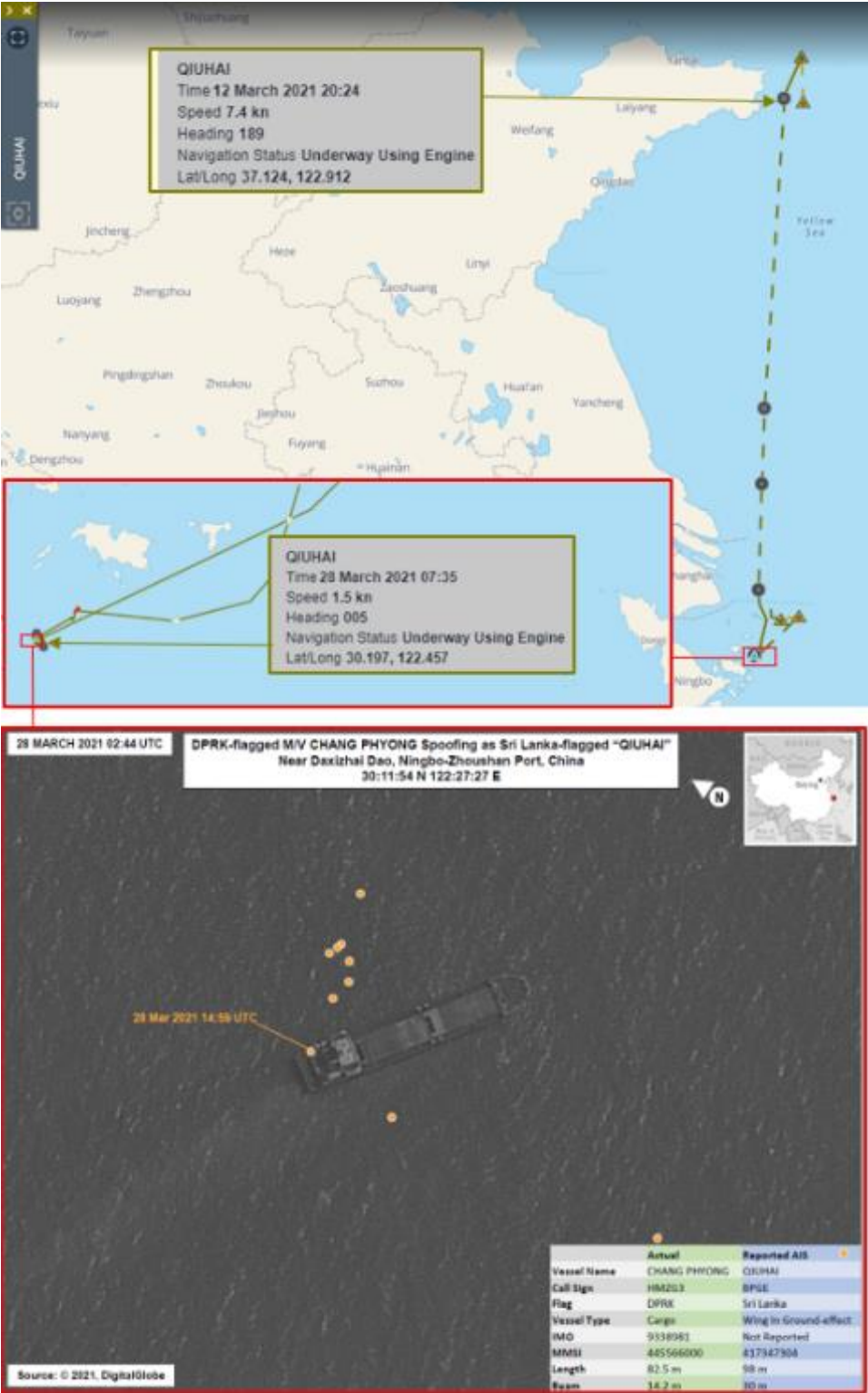
The CHANG PHYONG was reported by the Panel spoofing as the Sri Lanka-flagged QIUHAI in Ningbo-Zhoushan waters in March 2021¹¹⁹. The vessel returned to the same waters by June 2021, transmitting on the same falsified identifiers.

June 2021



¹¹⁹ S/2021/777, Annex 34.

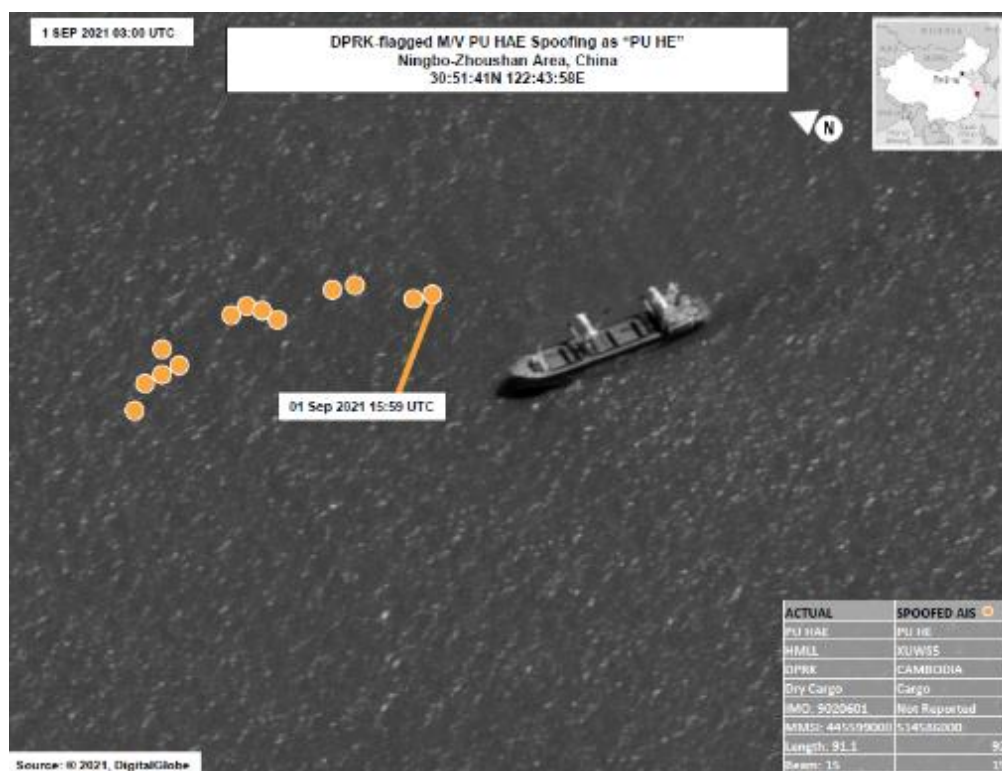
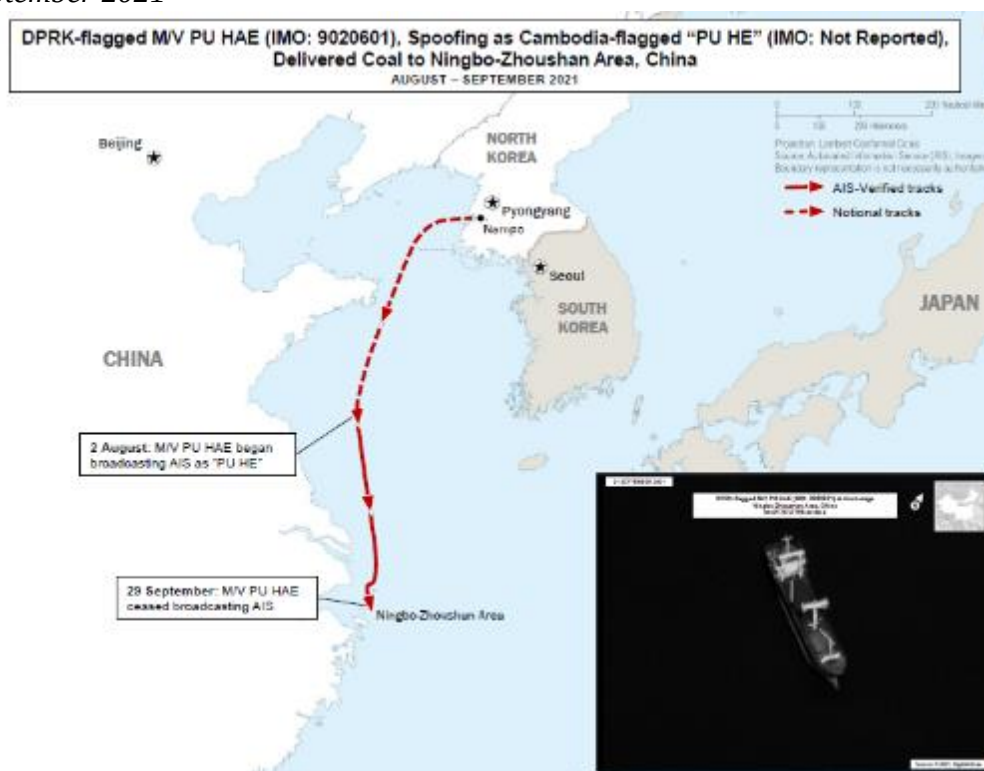
March 2021



Source: (map) Windward, annotated by the Panel, (satellite imagery) Member State.

Storyboard of DPRK-flagged vessel PU HAE (IMO: 9020601) transmitting false identifiers

August – September 2021



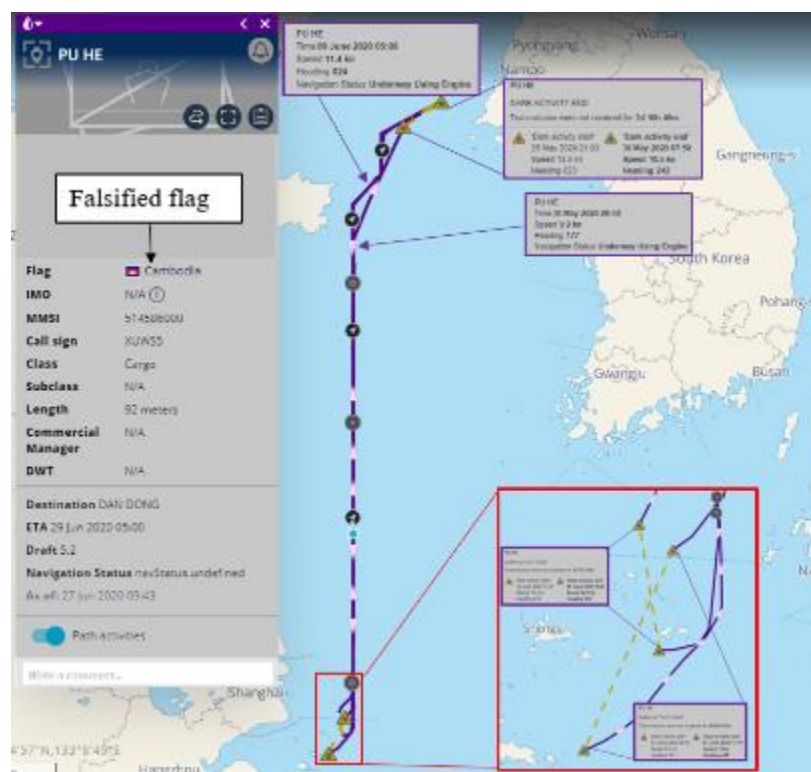
Source: Member State.

The Panel had previously tracked the DPRK-flagged PU HE, transmitting on falsified identifiers in Ningbo-Zhoushan waters in February 2020 before sailing towards the DPRK. The vessel appeared back in the Ningbo-Zhoushan area in May 2020 before sailing back towards the DPRK and repeating the voyage in June 2020.

April - May 2020



June 2020



Source: Windward, annotated by the Panel.

The Panel sought China's assistance in providing information concerning each of the above-mentioned vessels' presence in Chinese waters, the identifiers under which they were transmitting, their cargo, any ship-to-ship transfers conducted in Chinese waters with the type and amount of cargo offloaded, the identities of the receiving vessels along with the entities and individuals that owned and operated the receiving vessels, the end destinations of the offloaded coal cargo, along with shipping documentation and financial transactions.

China replied that "*There is no record of port calls in China for ASIA HONOR, CHANG PHYONG, and PU HAE in 2021.*"

Source: The Panel.

Annex 58: DPRK vessels exporting coal and subsequently arriving at various Chinese ports, 2021

The Panel had reported¹²⁰ on the DPRK vessels' export of coal via ship-to-ship transfers in Ningbo-Zhoushan waters and their subsequent loading of humanitarian aid cargo at Longkou port *en route* back to Nampo port. In 2021, other DPRK vessels continued to conduct similar round-trip voyages to export DPRK-origin coal in Ningbo-Zhoushan waters before calling at Chinese ports elsewhere, in apparent contravention of OP 9 of resolution 2097 (2017).

The following DPRK-flagged vessels are suspected to have exported DPRK origin-coal in Ningbo-Zhoushan waters and subsequently called at various Chinese ports, notably Longkou port and Laizhou port, between the months of August and October 2021. They included the following vessels:

DPRK-flagged vessels that transitioned from Ningbo-Zhoushan waters to Longkou port:

- (i) SU RYONG SAN (IMO: 9016430) (see also annex 51);
- (ii) PHO PHYONG (IMO: 8417962);
- (iii) SAMJIN 8 (IMO: 8810578);
- (iv) KANG HUNG (IMO: 9340257); and
- (v) UN HA (IMO: 8310281)

DPRK-flagged vessels that transitioned from Ningbo-Zhoushan waters to Laizhou port:

- (vi) TO MYONG (IMO: 9162318); and
- (vii) NORTHERN LUCK (IMO: 9061227)

The Panel sought China's assistance in providing information concerning each of the above-mentioned vessels' presence in Chinese waters, the identifiers under which they were transmitting, their cargo, any ship-to-ship transfers conducted in Chinese waters with the type and amount of cargo offloaded, the identities of the receiving vessels along with the entities and individuals that owned and operated the receiving vessels, the end destinations of the offloaded coal cargo, the ports areas where the vessels subsequently arrived at to load cargo along with the financial or other transactions involved.

China, in response to another letter on the presence of the vessels in Ningbo-Zhoushan waters carrying DPRK-origin coal dated, responded that "There is no record of port calls in China for vessels *KUM YA*, *HOE RYONG*, *FLOURIHING[sic]*, *MI YANG 5*, *NORTHERN LUCK*, *RYO MYONG*, *PEAK HAK SAN[sic]*, *BOUN 1*, *JANG AN*, *TONG SAN 2*, *TAE DONG GANG 9* and *TAE DONG GANG 3* in 2021. For vessels *ZAI ZHOU 2*, *TO MYONG*, *SAM JIN 8*, *NAN DAE CHON*, *KANG HUNG* and *UN HA*, they entered Yantai port empty-loaded, and left the port after loading chemical fertilizer, pesticide and other agricultural supplies." On the *PHO PYONG*, China responded that the "*PHO PHYONG* entered Yantai port empty-loaded in September 2021 and left the port by loading general cargo in November 2021."

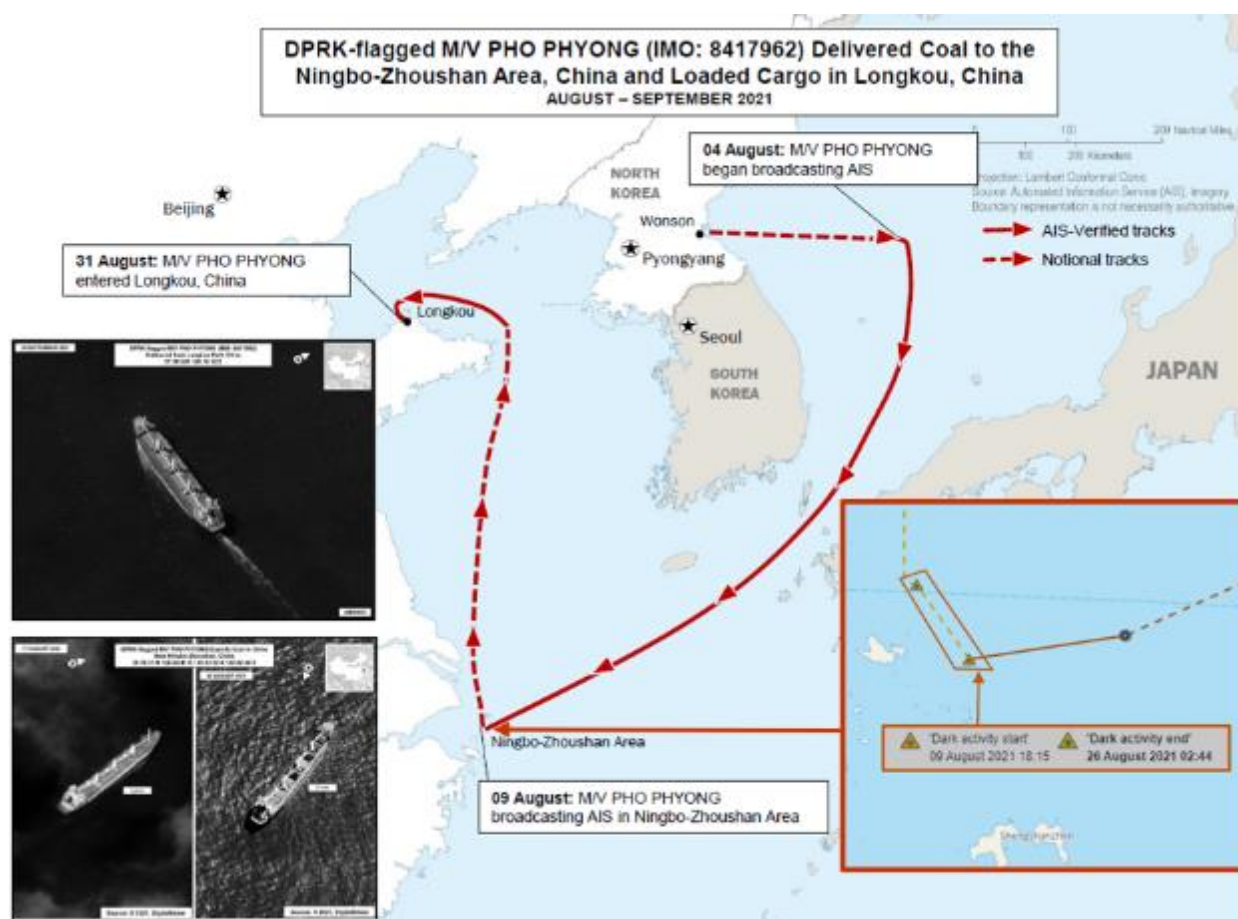
¹²⁰ S/2021/777, paras. 100-101 and S/2021/211, paras. 58, 63-64.

Ningbo-Zhoushan – Longkou port, China

PHO PHYONG (IMO: 8417962)

The DPRK-flagged PHO PHYONG departed Wonson, DPRK in early August 2021. Commercial AIS tracking information showed the vessel arrived in Ningbo-Zhoushan waters by 9 August 2021, where the vessel was observed on satellite imagery on 17 August laden. By 28 August, PHO PHYONG had offloaded its coal cargo in the same waters. The vessel then proceeded to Longkou port, China, by 16 September 2021.

The PHO PHYONG had been recommended by the Panel for designation for ship-to-ship transfer on 24 October 2018 in violation of paragraph 8 of resolution 2371 (2017)¹²¹.



¹²¹ S/2019/691, paras. 20 and 22 (c), and annex 5.



Source: Member State, (top inset map) Windward.

SAMJIN 8 (IMO: 8810578)

The DPRK-flagged SAMJIN 8 last transmitted on its own identifiers in April 2017. The vessel transmitted on a Comoros-associated MMSI prior to changing its identifier to SAMJIN 8 on 28 October 2021.

SAMJIN 8 has been the subject of past Panel reports when it was investigated for exporting DPRK-origin coal in Ningbo-Zhoushan waters in 2020, along with vessel's ownership and management history¹²².



¹²² S/2020/840, paras. 57-59 and annex 24.



Source: (top) Windward, annotated by the Panel, (bottom) Member State.

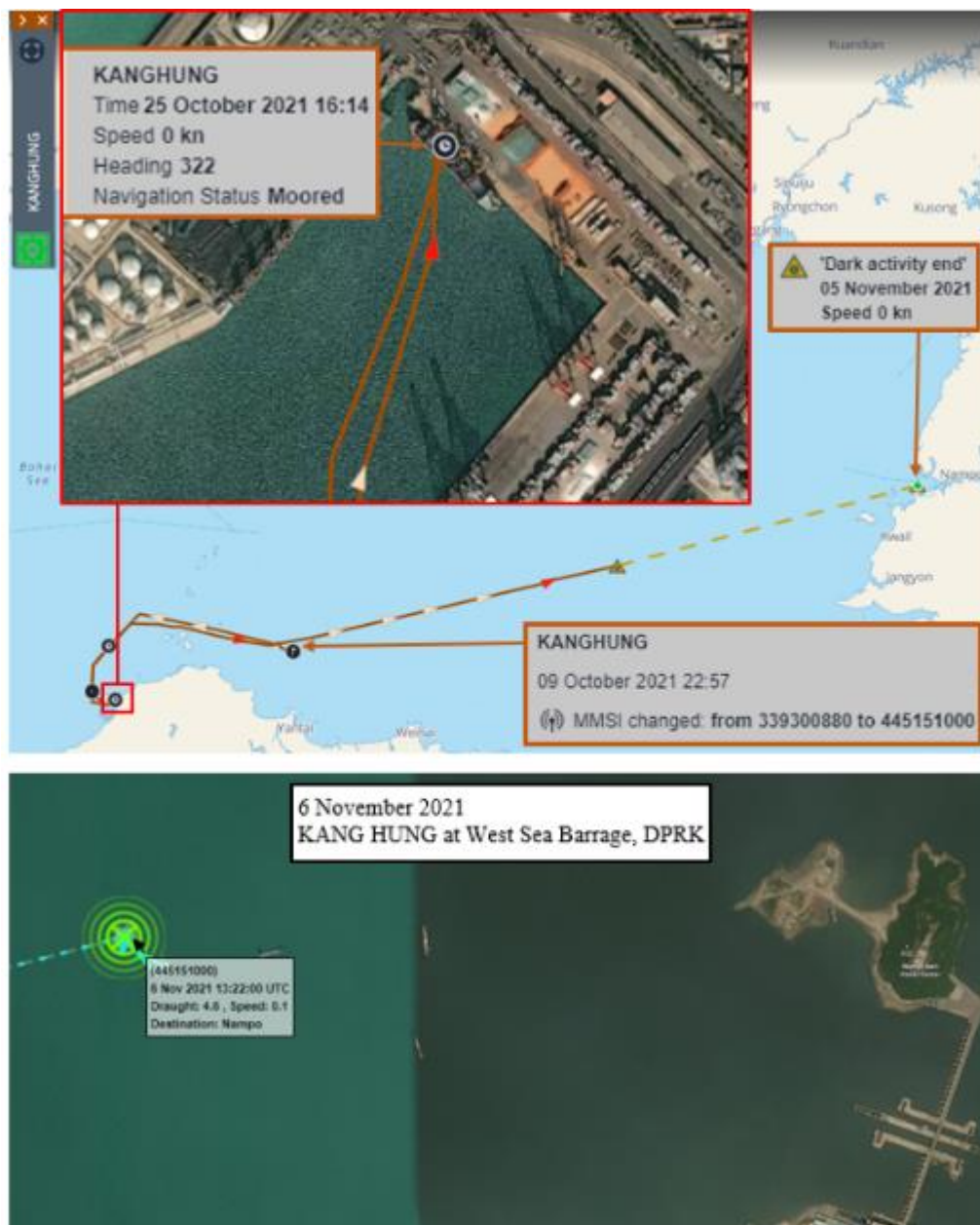
KANG HUNG (IMO: 9340257)

The DPRK-flagged KANG HUNG sailed towards Longkou port area by 9 October 2021 and was moored pier side by 25 October 2021. The vessel transmitted back at Nampo's West Sea Barrage quarantine area by 5 Nov 2021.

KANG HUNG was flagged under the DPRK as of May 2020 and was reported sold to an undisclosed buyer in July 2018¹²³. The vessel had also transmitted on its historical Jamaica-associated MMSI.



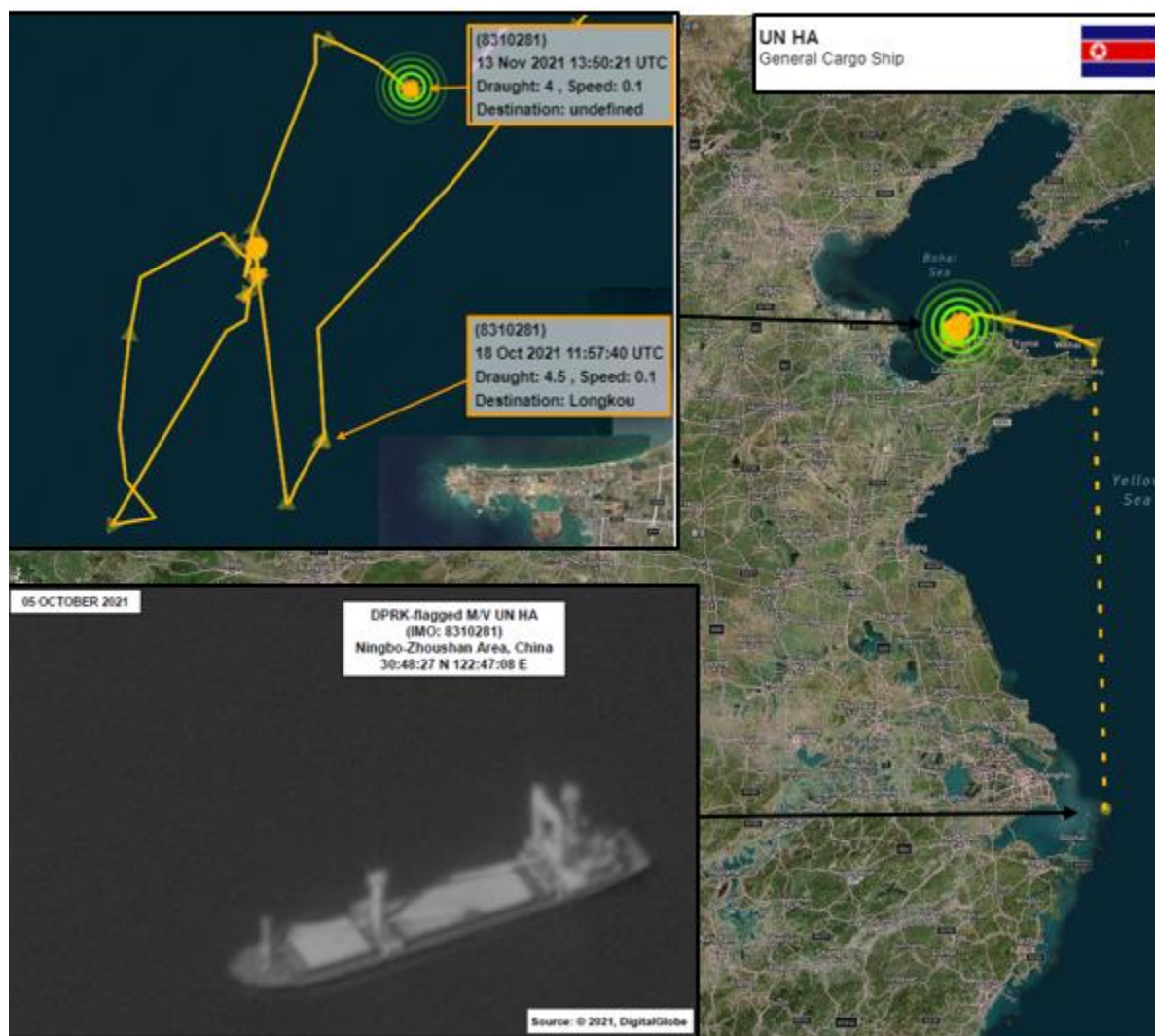
¹²³ IHS Markit.



Source: (top satellite imagery) Member State, (bottom), Windward, Google Earth and IHS Markit Seaweb, annotated by the Panel.

UN HA (IMO: 8310281)*

*The DPRK-flagged UN HA arrived by 26 September 2021 in Ningbo Zhoushan waters and was observed on satellite imagery on 5 October 2021. The vessel then proceeded to the Bohai Sea area by 18 October 2021 where it loitered off Longkou port until November 2021. It appeared the vessel may not have entered port and may have conducted ship-to-ship activity outside of port.



Source: IHS Markit Seaweb, annotated by the Panel (inset satellite imagery, Member State).

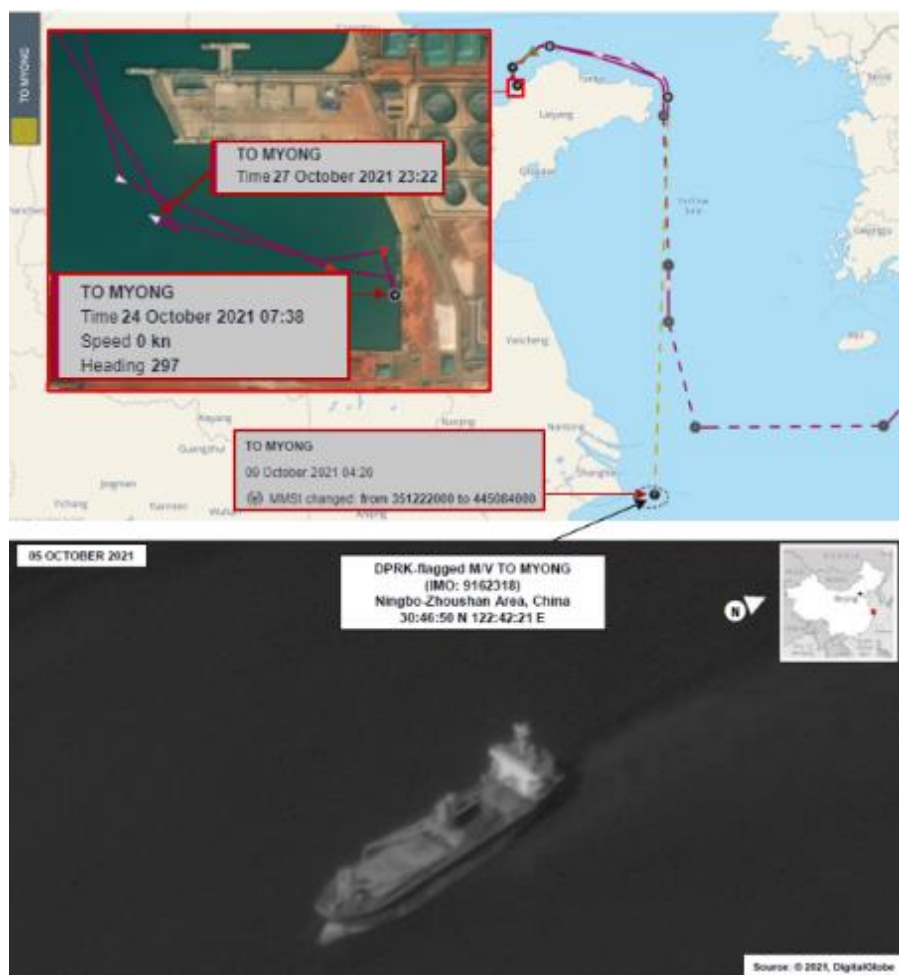
Ningbo-Zhoushan – Laizhou port, China

The following two DPRK-flagged vessels transitioned to Laizhou port, China, following their presence in Ningbo-Zhoushan waters, based on commercial maritime tracking information.

The DPRK-flagged TO MYONG was in Ningbo-Zhoushan waters by early October 2021 where it transmitted on different identifiers. The vessel dropped AIS signal on 9 October before retransmitting on 30 August as it sailed up the Yellow Sea towards Laizhou port. TO MYONG transmitted it was berthed pier side by 27 October 2021, before sailing out a day later.

TO MYONG was the formerly Sierra Leone-flagged KLAUSEN aka RI HONG, prior investigated by the Panel for exporting DPRK-origin coal in Ningbo-Zhoushan waters in 2020, along with vessel's ownership and management history¹²⁴. See also paragraph 90 of the main text and annex 50a. The Panel had recommended the RI HONG aka TO MYONG for designation pursuant to paragraph 11 of resolution 2375 (2017).

TO MYONG (IMO: 9162318)

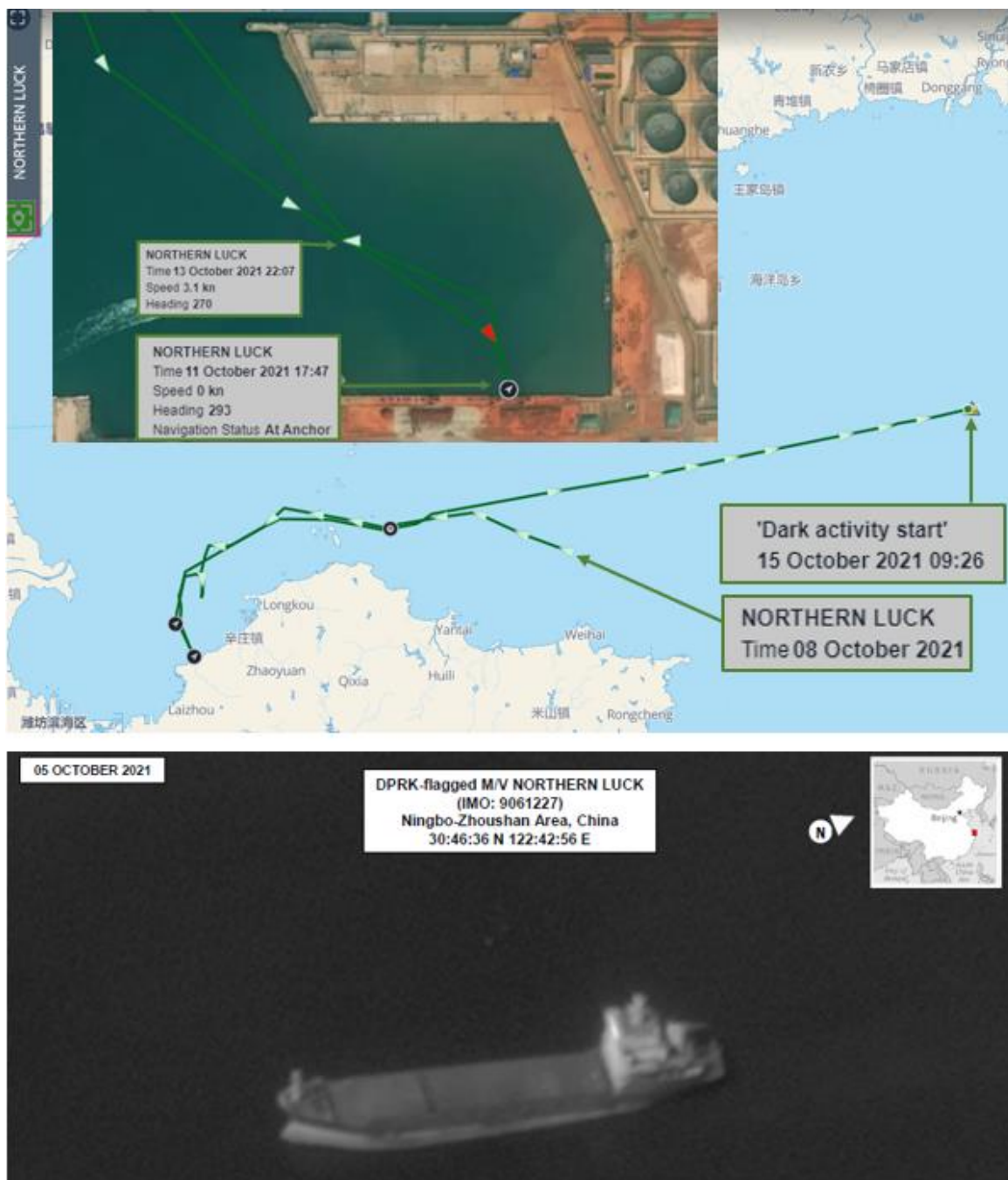


Source: (top) Windward, annotated by the Panel, (bottom) Member State.

¹²⁴ S/2020/840, paras. 57-59, 79 and annex 24; S/2021/211, paras. 70-72 and annex 38.

NORTHERN LUCK (IMO: 9061227)

The DPRK-flagged NORTHERN LUCK transmitted AIS signal on 8 October 2021 as it sailed towards Laizhou port, China. Prior to this, the vessel was at Dalian port on 10 July 2021 before it dropped AIS transmission for three months. NORTHERN LUCK transmitted it was berthed pier side by 11 October 2021, before sailing out two days later.



Source: (top) Windward, annotated by the Panel, (bottom) Member State.

Annex 59: DPRK-flagged TAE PHYONG 2 (fka MING ZHOU 6) (IMO: 8602763)

The Panel continued to track the DPRK-flagged TAE PHYONG 2 (previously MING ZHOU 6) on maritime databases.

As earlier reported¹²⁵, the DPRK acquired the vessel by late May 2020 following its sale for scrap by a Chinese company in May 2019. TAE PHYONG 2 was sold by Ningbo Shipping Co. Ltd on 14 May 2019 to a Chinese national, Su Jianpo through Zhousan Yige Ship Auction Co. Ltd. Su also signed a scrap steel ship sale contract with Ningbo Shipping Co. Ltd.

The DPRK is suspected to have acquired the vessel following a joint venture agreement with the DPRK-based Jinmyong Trading Corporation and the China-based Dandong Economic Cooperation Border Maritime Processing Company in November 2019. A second DPRK-based company, Mulgil Trading General Corporation, which has overseas offices in Dandong, China according to the same Member State, helped to facilitate the acquisition. A number of Chinese nationals are suspected to be involved in the acquisition and deliverance of the vessel to the DPRK.

China responded that¹²⁶ *“In May and June 2019, the registration of ownership and nationality certificate[s] of ‘Ming Zhou 6’ and ‘Fu Xing 12’ were cancelled, respectively. Since then, there has been no record of these vessels entering or leaving Chinese ports.”*

The Panel continues to investigate the vessel’s transition to the DPRK-flagged TAE PHYONG 2 and the individuals and entities involved in the process. The Panel continued to seek information from China on the outstanding queries with regards the vessel’s sale and purchase, individuals, entities and alleged joint venture with the DPRK.

Vessel voyage - Nampo - Longkou - Nampo

AIS data indicated that the vessel departed Nampo, DPRK, on 9 August 2021 for Longkou, China. The vessel berthed in two separate locations within the same port area in Longkou: between 13 to 21 August 2021 and between 21 to 26 August 2021, indicating a possible export and import of different cargos at the different berths. The Panel obtained satellite imagery showing the vessel with bagged cargo in its holds on 21 August 2021 (see figure 59-1). TAE PHYONG 2 was back at Nampo by 27 August 2021.

TAE PHYONG 2 was also at Longkou port earlier in the year in March 2021 (see figure 59-2).

¹²⁵ S/2021/211, paras. 70-72, and S/2021/777, paras. 80 and 102, and annex 39.

¹²⁶ S/2021/211.

Figure 59-1: DPRK-flagged TAE PHYONG 2 at different berths at Longkou port, China, August 2021

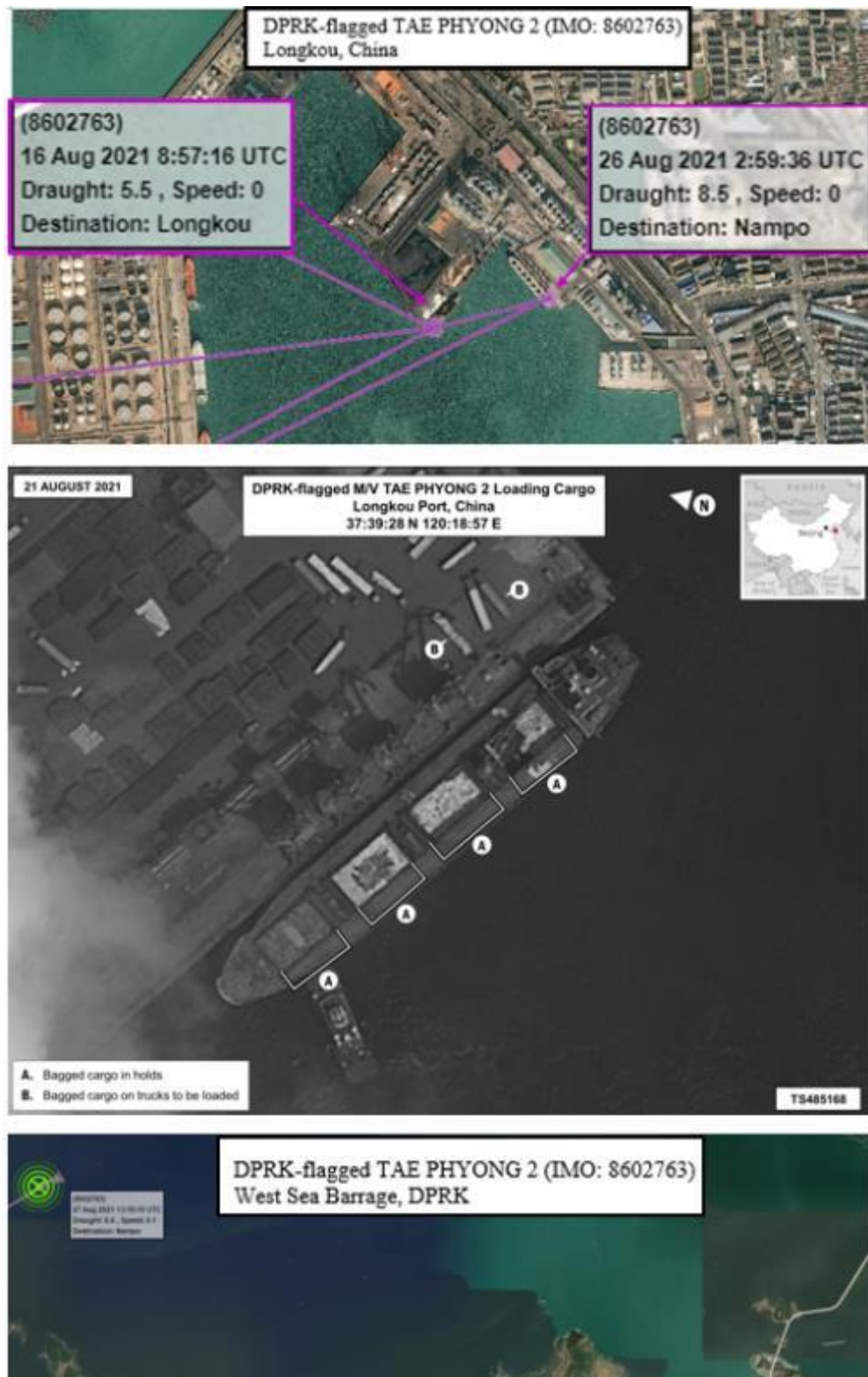


Figure 59-2: DPRK-flagged TAE PHYONG 2 Storyboard, February to March 2021



19 February 2021 – TAE PHYONG 2 laden near Ningbo-Zhoushan



8 March 2021 – TAE PHYONG 2 loading bagged cargo, Longkou port



Source: Windward, IHS Markit, Google Earth, annotated by the Panel, (satellite imagery) Member State.

The Panel sought China's assistance in providing information concerning the cargo(s) exported by TAE PHYONG 2 to Chinese port(s), the cargo(s) loaded onto the vessel, along with shipping documentation and financial or other transactions involved. China responded that the "*TAE PHYONG 2* entered Yantai port empty-loaded in March and August 2021 respectively, and left the port by loading fertilizer and other agricultural supplies in the same month."¹²⁷

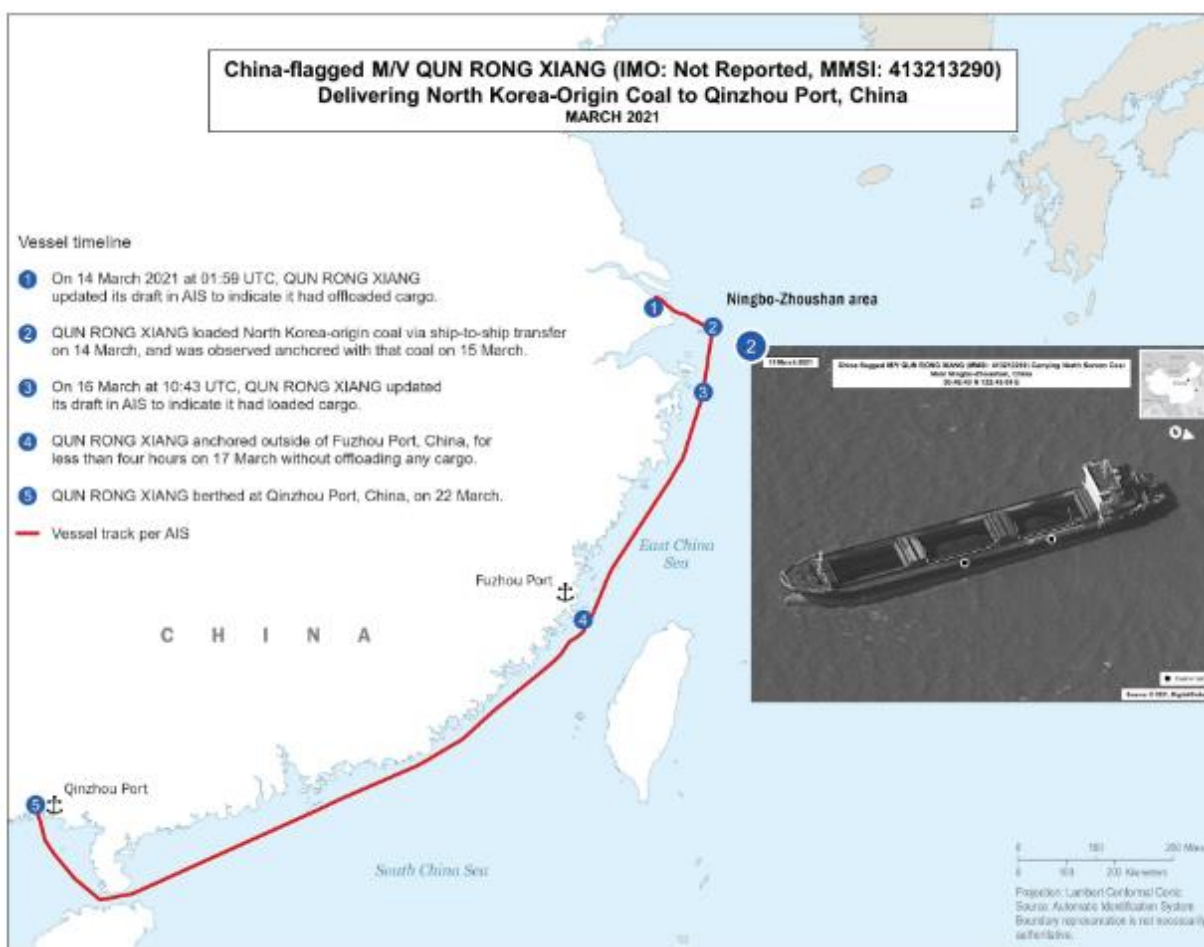
Source: The Panel.

¹²⁷ The TAE PHYONG (IMO: 9018751) and TAE PHYONG 2 (IMO: 8602763) are two different DPRK-flagged vessels. The Panel requested information on the TAE PHYONG 2 in this instance. The TAE PHYONG's last AIS transmission on commercial maritime databases was in May 2021. The Panel prior investigated the TAE PHYONG's (former GREAT WENSHAN) transition under the DPRK fleet in 2020, the vessel's subsequent and repeated transportation of DPRK-origin coal for export in Ningbo-Zhoushan waters, and its last known Chinese entities that owned and operated the vessel before it became DPRK-flagged (see S/2020/840, paras. 52-56, and S/2021/211, paras. 63-64).

Annex 60: QUN RONG XIANG (IMO: Not reported, MMSI: 413213290)

According to a Member State, the China-flagged QUN RONG XIANG (MMSI: 413213290) delivered DPRK-origin coal to Qinzhou port, China by 23 March 2021. The coal it transported was reported to have been transferred onto the QUN RONG XIANG by ship-to-ship transfer from DPRK vessels located in its vicinity on or around 14 March 2021 in the Ningbo-Zhoushan area, China (see figures 60-1 and 60-3).

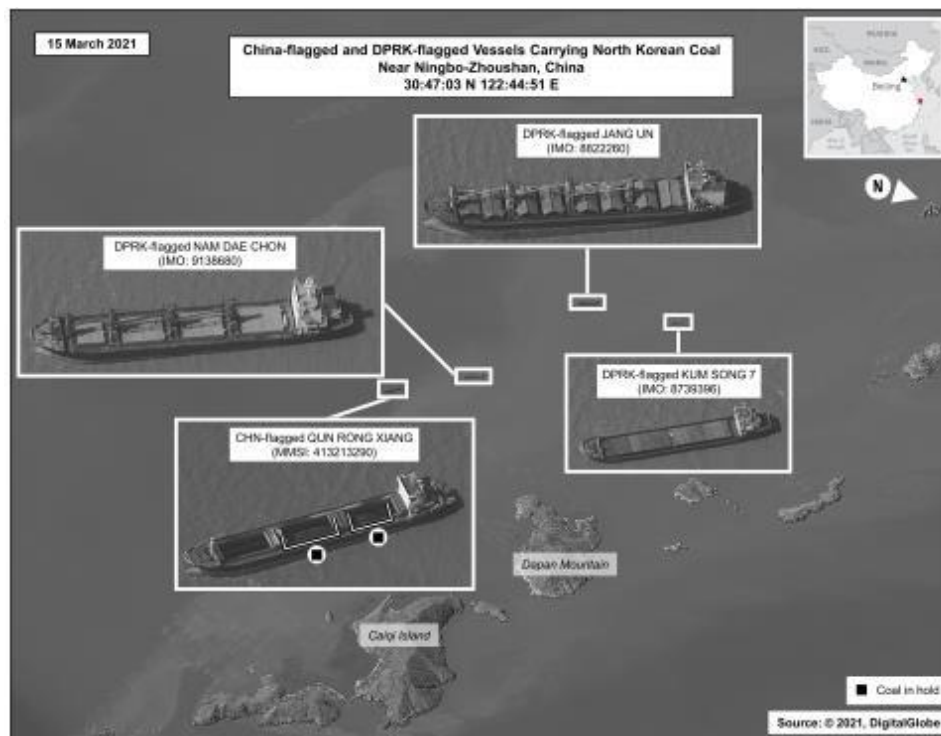
Figure 60-1: Storyboard of China-flagged QUN RONG XIANG delivery coal, Qinzhou port, China, March 2021



Source: Member State.

On 15 March 2021, the vessel was observed near three DPRK-flagged vessels just west of Caiqi Island, within Ningbo-Zhoushan Port (see figure 60-2).

Figure 60-2: QUN RONG XIANG in proximity of three DPRK vessels, Ningbo-Zhoushan, 15 March 2021



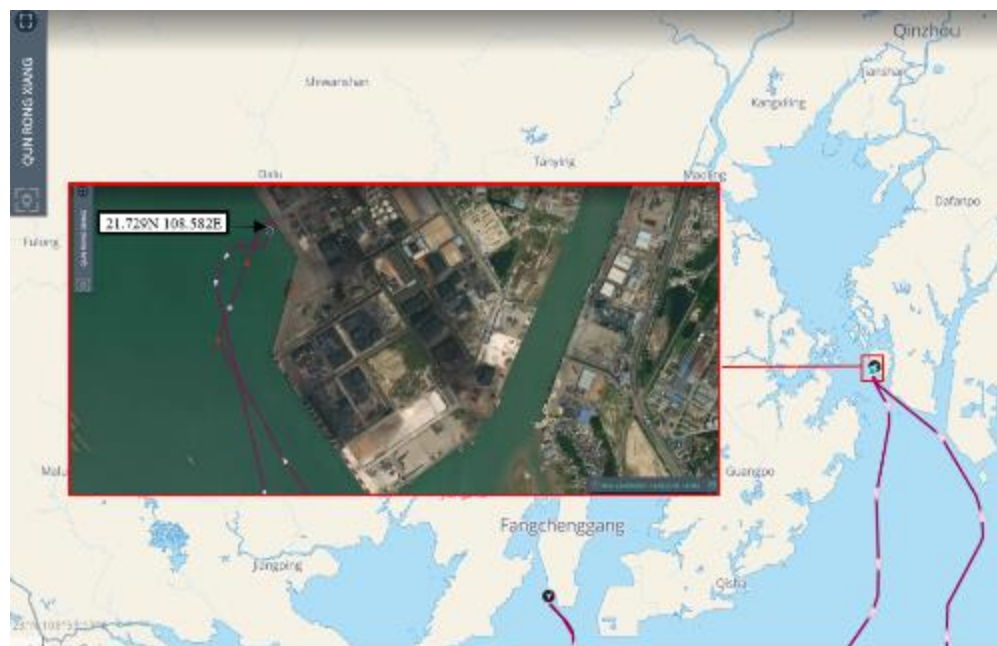
Source: Member State.

Prior to arriving in Ningbo-Zhoushan waters:

- The DPRK-flagged JANG UN (IMO: 8822260) loaded coal at Nampo Port on 16 February. The Panel has reported on the vessel's exports of DPRK-origin coal to Chinese waters dating back to 2018.
- The DPRK-flagged KUM SONG 7 (IMO: 8739396) loaded coal at Taean Port, DPRK, on 14 February 2021.
- The DPRK-flagged NAM DAE CHON (IMO: 9138680) loaded coal at Nampo Port, DPRK, on 10 February 2021. The Panel has reported on the vessel's exports of DPRK-origin coal dating back to 2018.

The Panel's information based on AIS tracking data, port analysis and information from past maritime investigations, is overall consistent with the data and information of the coal suspected to have been imported by HKGF. Based on the Panel's port analysis, on 22 March 2021, the QUN RONG XIANG berthed at Qinzhou Port's Legou Terminal, (see figure 60-3). The vessel, which sails a domestic route, registered a draft change of 7.0 to 4.0 the same day at Qinzhou port area, indicating an offload of cargo. The vessel made a number of other domestic port area calls since that date.

Figure 60-3: QUN RONG XIANG at Qinzhou port, China, 22 March 2021



Source: Windward, annotated by the Panel; Google Earth (inset satellite imagery as representative of the port location not by actual date; AIS signal overlay as on 22 March 2021).

The Panel sought China's assistance including, *inter alia*, confirmation of the Chinese vessel's identifiers, information on the vessels' activities during and around the dates of the investigative period, relevant shipping and customs documentation as it relates to the vessels' cargo, entities and individuals that owned and operated the vessels, and those that imported the coal cargo.

The Panel additionally sought confirmation of the presence of the DPRK-flagged vessels, the identifiers these vessels were transmitting, and information concerning any ship-to-ship transfers and / or cargo off-loaded from these vessels in Chinese territorial waters, shipping documentation and financial transactions, and any resulting actions taken.

China responded that ““*The investigations into ... QUN RONG XIANG are still underway, and we do not have information to share at the current stage.*”

Source: The Panel.

Annex 61: Networks

The Panel's investigations into the sale of the SU RYONG SAN (IMO: 9016430) to the DPRK, datapoints drawn from previous Panel investigations, publicly available information and information obtained, indicated that HongKong Great Fortune Development Co. Limited (香港吉運(运)發(发)展有限公司) (hereafter "HKGF"), a Hong Kong-incorporated entity was engaged in the following sanctions violation activities:

A) Vessel sale – involvement in the transition of the then Dominica-flagged vessel CJK OSAKA to DPRK-flagged vessel SU RYONG SAN (IMO: 9016430)

HKGF was listed as the last owner and operator of the vessel sailing as CJK OSAKA, before it was re-flagged under the DPRK in October 2020, sailing as SU RYONG SAN.

The Panel additionally obtained information that HKGF is alleged to have invested in DPRK ships (either through joint maintenance, operation, or other associations).

B) Import of DPRK-origin coal from a DPRK entity

HKGF is alleged to have imported into China of a total between 100,000 to 200,000 metric tons (MT) of DPRK-origin coal from the DPRK entity Yonggwang Furniture and Building Materials Corporation 영광가구건재회사 (Yonggwang Furniture Building Materials Corporation) aka 영광가구합영회사 (Yonggwang Furniture Joint Venture Company) – hereafter "Yonggwang".

C) Shipments importing DPRK-origin coal on DPRK-flagged vessels

The Panel has been tracking DPRK vessels engaged in the export of DPRK-origin coal primarily through ship-to-ship transfers in Ningbo-Zhoushan waters¹²⁸. "Yonggwang" was alleged to have agreed to ship the following to HKGF, based on information obtained from a Member State:

- DPRK-origin coal aboard the DPRK-flagged JANG UN (IMO: 8822260)¹²⁹;
- DPRK-origin coal aboard the DPRK-flagged KUM SONG 7 (IMO:8739396)¹³⁰; and
- DPRK-origin coal aboard the DPRK-flagged RYON HWA 3¹³¹ (IMO: 8312227).

All these ships have been known to off-load their coal cargo via ship-to-ship transfers in Ningbo-Zhoushan waters to Chinese coastal vessels.

While commercially available AIS data indicated the JANG UN and KUM SONG 7 had not transmitted on their AIS profiles in several years, these vessels were nonetheless captured on satellite imagery in March 2021 in Ningbo-Zhoushan waters near the QUN RONG XIANG, a Chinese cargo vessel

¹²⁸ See Sectoral and Maritime section of Panel reports. Latest Panel report is issued as S/2021/777.

¹²⁹ Containing approximately 20,000 MT of DPRK-origin coal, valued at \$88 per MT.

¹³⁰ Containing approximately 5,000 MT of DPRK-origin coal.

¹³¹ Containing approximately 6,000 MT of DPRK-origin coal.

investigated by the Panel in 2020. The Panel had withheld the said vessel's identifiers and case write up in view China's response not to include information related to the vessels, to avoid interrupting its investigations and law enforcement¹³².

The Panel also sought China's assistance, *inter alia*, into the Chinese entities and individuals arranging the DPRK-origin coal to be transferred to the QUN RONG XIANG. China responded to the Panel in 2021 that it was conducting its investigations and did not have information to share then. Further to the Panel follow up enquiry on the status of China's investigations, China responded in 2022 that it had no information on the QUN RONG XIANG.

According to commercial AIS tracking platforms, the RYONG HWA 3 had transmitted in various Chinese port areas in 2021. The vessel was reported to have offloaded DPRK-origin coal in Ningbo-Zhoushan waters, including in May 2020 (see figure 61-1). It was back in the same waters in August 2021 and was observed to have run aground in Ningbo-Zhoushan a month later in September 2021 (see figure 61-2).

Figure 61-1: RYONG HWA 3 in Ningbo-Zhoushan, 7 May 2020, and at Longkou port, 27 March 2021

May 2020 at Ningbo-Zhoushan, China



¹³² S/2021/777, paras. 96-98.

March 2021 at Longkou port, China



Source: (top) Member State and (bottom) the Panel.

Figure 61-2: RYON HWA 3 outside Nampo, DPRK in August 2021 and grounded, Ningbo-Zhoushan, China in September 2021





Source: (top) Member State, (bottom) Maxar Technologies, annotated by the Panel.

C) Barter trade in exchange for DPRK-origin coal

In exchange for the above-mentioned coal shipments, HKGF reportedly agreed to pay an advance payment and to send two shipments of fertilizer to the DPRK. The Panel notes that payment via barter is a common sanctions evasion tactic in order to avoid funds transferred recorded in the international financial system. The DPRK is further known to operate a ledger system whereby it can continue to procure items abroad, including for its prohibited missile and nuclear programs.

These shipments were conducted in two parts; one was to be transferred to the DPRK-flagged TAE YANG (IMO: 8306929), with the remaining amount transferred to another vessel before 25 March 2021.

The Panel's previous investigations show that the TAE YANG transported DPRK-origin coal for export and has also not transmitted on its AIS profile in years. The vessel has also been known to spoof other vessel identifiers in attempts to obfuscate its identity. TAE YANG was reported in 2019 MTR as having off-loaded coal on 25 Oct 2019 via ship-to-ship transfer to Lighter "D"¹³³. The said DPRK-origin coal was off-loaded at Qisha port, China, by 17 December 2019 and was recommended by the Panel for designation.

TAE YANG was formerly operated by Hua Heng Shipping Limited, which also formerly operated a number of DPRK vessels, including the KO SAN, which the Panel had reported as transporting DPRK-origin coal to Ningbo-Zhoushan waters and proceeding to pick up humanitarian aid cargo at Longkou in 2020. Hua Heng Shipping is associated with LI Anshan, an individual affiliated with Ocean Maritime Management Company Limited (OMM)¹³⁴. Ocean Maritime Management Company (OMM), inter alia,

¹³³ S/2019/691, paras. 20, 22 (d).

¹³⁴ S/2016/157, S/2017/150.

had played a key role in arranging the shipment of concealed cargo of arms and related material onboard the CHONG CHON GANG (IMO: 7937317) from Cuba to the DPRK in July 2013¹³⁵.

D) Export of UNSC-restricted and banned items to the DPRK

HKGF is also alleged to have engaged in sanctioned activities with the DPRK in 2019 and 2020, in which it had reportedly sold and shipped items, including steel, fuel, and transportation- and construction-related vehicles.

The Panel has demonstrated in its reports a continuation of unreported refined petroleum illicitly shipped to the DPRK. The Panel is also aware that the transfer of banned items and equipment including vehicles have been exported to the DPRK onboard China-flagged costal barges in 2020.

The Panel sought extensive information from HKGF including, inter alia, the company's business activities, beneficial and shareholder information, associations with other entities of interest including DPRK linkages, shipping documentation, vessel ownership and sale, cargo and maritime trading information as it relates to the Panel's investigations.

The Panel sought China's assistance on information on the presence of all of the above-mentioned vessels in Chinese territorial waters, including the DPRK vessels, SU RYONG SAN and the grounding of RYON HWA 3, along with information Chinese authorities possess of the status of the vessel and investigations conducted into the vessel's off-loading of coal, the receiving vessels involved in the ship-to-ship transfer of the coal cargo, and the entity(s) and individual(s) engaged in the procurement process. The Panel also sought assistance on HKGF and its incorporation, the registered owner a Chinese national, Mr Li, and the beneficial owners behind the entity along with any companies also registered in mainland China. The Panel also sought updates on the China-flagged coastal barge QUN RONG XIANG that was within the vicinity of the DPRK-flagged vessels in March 2021, the entities and individuals associated with the QUN RONG XIANG, those that imported the DPRK-origin coal into China, and outcome of its authorities' investigations.

HKGF has yet to respond.

¹³⁵ S/2014/147, S/2015/131, S/2016/157.

On HKGF, China responded:

(12) OC.380

The Chinese side has no information of Hong Kong Great Fortune Development Co.,Ltd at the moment.

China has on many occasions openly reiterated its solemn position against ship-to-ship transfers and its commitment to cracking down on such violation of provisions in accordance with law, which itself serves as a deterrent to such activities. As far as we know, the DPRK-related ships coming to China are loaded with agricultural supplies and daily groceries, which are necessary for the DPRK to develop its agriculture and ensure people's livelihood. Some countries are obsessed with monitoring the DPRK's normal activities, yet refuse to make more efforts to break the stalemate in peace talks and promote the political settlement of the Peninsula issue. This is like putting the cart before the horse. We hope the Panel will have a clear understanding in this regard, and not focus on the trivial while evading the important.

At the same time, China noted with concern that the Panel have simply copied information provided by some individual countries without verification. Such information, which is seriously out of date and inaccurate, cannot offer any basis for meaningful investigation. If the information that could not be fully verified are included by the Panel into the report, it will only politicize technical issues, affect its cooperation with China, and even undermine its own credibility. We hope the Panel will be more prudent and responsible in carrying out its mandate, and not include such information in its report.

Source: The Panel.

Annex 62: List of HS codes the Panel applies for the monitoring of sectoral ban

Below is the list of HS codes assigned for each category of goods under sectoral ban by relevant UN Security Council resolutions. This list supersedes S/2018/171 annex 4 as amended by S/2018/171/Corr.1. See <https://www.un.org/securitycouncil/sanctions/1718/prohibited-items> for the complete list of prohibited goods and Implement Assistance Notes.

a. Items prohibited from being exported to the DPRK

Item	HS Codes	Description	Resolutions
Condensates and natural gas liquids	2709	Oils; petroleum oils and oils obtained from bituminous minerals	Para. 13 of res. 2375 (2017)
	2711	Petroleum gases and other gaseous hydrocarbons	
Industrial machinery	84	Nuclear reactors, boilers, machinery and mechanical appliances; parts thereof	Para. 7 of res. 2397 (2017)
	85	Electrical machinery and equipment and parts thereof; sound recorders and reproducers; television image and sound recorders and reproducers, parts and accessories of such articles	
Transportation vehicles ¹	86	Railway, tramway locomotives, rolling-stock and parts thereof; railway or tramway track fixtures and fittings and parts thereof; mechanical (including electro-mechanical) traffic signaling equipment of all kinds	Para. 7 of res. 2397 (2017)
	87	Vehicles; other than railway or tramway rolling stock, and parts and accessories thereof	
	88	Aircraft, spacecraft and parts thereof ²	
	89	Ships, boats and floating structures	
Iron, steel and other metals	Chapters 72-83		Para. 7 of res. 2397 (2017)
	72	Iron and steel	
	73	Articles of iron or steel	
	74	Copper and articles thereof	
	75	Nickel and articles thereof	
	76	Aluminum and articles thereof	
	77	Reserved for possible future use	
	78	Lead and articles thereof	
	79	Zinc and articles thereof	
	80	Tin and articles thereof	
	81	Other base metals; cermet; articles thereof	
	82	Tools, implements, cutlery, spoons and forks, of base metal; parts thereof of base metal	
	83	Miscellaneous articles of base metal	

¹ Pursuant to paragraph 30 of resolution 2321 (2016) and paragraph 14 of resolution 2397 (2017), States shall prevent the direct or indirect supply, sale or transfer to the DPRK, through their territories or by their nationals, or using their flag vessels or aircraft, and whether or not originating in their territories, of new helicopters, new and used vessels, except as approved in advance by the Committee on a case-by-case basis.

² Shall not apply with respect to the provision of spare parts needed to maintain the safe operation of DPRK commercial civilian passenger aircraft (currently consisting of the following aircraft models and types: An-24R/RV, An-148-100B, Il-18D, Il-62M, Tu-134B-3, Tu-154B, Tu-204-100B, and Tu-204-300).

b. Items prohibited from being imported from the DPRK

Item	HS Codes	Description	Resolutions
Coal	2701	Coal; briquettes, ovoids and similar solid fuels manufactured from coal	Para. 8 of 2371 (2017)
Iron Ore	2601	Iron ores and concentrates, including roasted iron pyrites	
Iron	Chapter 72	Iron and steel products (7201-7229)	
Iron and Steel products	Chapter 73	Iron and steel products (7301-7326)	
Gold	261690	Gold ores and concentrates	Para. 30 of 2270 (2016)
	7108	Gold (incl. put plated), unwrought, semi-manufactured forms or powder	
	710811	Gold powder, unwrought	
	710812	Gold in other unwrought forms	
	710813	Gold in other semi-manufactured forms	
	710820	Monetary gold	
Titanium	2614	Titanium ores and concentrates	Para. 28 of 2321 (2016)
Vanadium	2615	Vanadium ores and concentrates	
Rare Earth Minerals	2612	Uranium or thorium ores and concentrates [261210 and 261220]	
	2617	Ores and concentrates, [Nesoi code 261790 - Other Ores and Concentrates]	
	2805	Alkali metals etc., rare-earth metals etc., mercury	
	2844	Radioactive chemical elements & isotopes etc.	
Copper	Chapter 74	Copper and articles thereof (7401-7419)	
	2603	Copper ores and concentrates	
Zinc	Chapter 79	Zinc and articles thereof (7901-7907)	
	2608	Zinc ores and concentrates	
Nickel	Chapter 75	Nickel and articles thereof (7501-7508)	
	2604	Nickel ores and concentrates	
Silver	2616100 7106, 7107	Silver ores and concentrates Silver unwrought or semi manufactured forms, or in powdered forms; base metals clad with silver, not further worked than semi-manufactured	Para. 9 of 2371 (2017)
	7114	Articles of goldsmiths or silversmiths' wares or parts thereof, of silver, whether or not plated or clad with other precious metal	
Seafood (incl fish, crustaceans, mollusks, and other aquatic invertebrates in all forms)	Chapter 3	Fish and crustaceans, molluscs and other aquatic invertebrates (0301-0308)	
	1603	Extracts and juices of meat, fish or crustaceans, molluscs or other aquatic invertebrates)	
	1604	Prepared or preserved fish; caviar and caviar substitutes prepared from fish eggs	
	1605	Crustaceans, molluscs and other aquatic invertebrates, prepared or preserved	
Lead	Chapter 78	Lead and articles thereof (7801-7806)	Para. 10 of 2371 (2017)
Lead ore	2607	Lead ores and concentrates	

Textiles (including but not limited to fabrics and partially or fully completed apparel products)	Chapters 50-63		Para. 16 of 2375 (2017)
	50	Silk, including yarns and woven fabrics thereof	
	51	Wool, fine or coarse animal hair, including yarns and woven fabrics thereof; Horsehair yarn and woven fabric	
	52	Cotton, including yarns and woven fabrics thereof	
	53	Vegetable textile fibers nesoi; Yarns and woven fabrics of vegetable textile fibers nesoi and paper	
	54	Manmade filaments, including yarns and woven fabrics thereof	
	55	Manmade staple fibers, including yarns and woven fabrics thereof	
	56	Wadding, felt and nonwovens; Special yarns; Twine, cordage, ropes and cables and articles thereof	
	57	Carpets and other textile floor covering	
	58	Fabrics; special woven fabrics, tufted textile fabrics, lace, tapestries, trimmings, embroidery	
	59	Textile fabrics; impregnated, coated, covered or laminated; Textile articles of a kind suitable for industrial use;	
	60	Knitted or crocheted fabrics	
	61	Apparel and clothing accessories; knitted or crocheted;	
	62	Apparel and clothing accessories; <i>not</i> knitted or crocheted;	
	63	Textiles, made up articles; sets; worn clothing and worn textile articles; rags	
Agricultural products	07	Vegetables and certain roots and tubers; edible	Para. 6 of resolution 2397 (2017)
	08	Fruit and nuts, edible; peel of citrus fruit or melons	
	12	Oil seeds and oleaginous fruits; miscellaneous grains, seeds and fruit, industrial or medicinal plants; straw and fodder	
Machinery	84	Nuclear reactors, boilers, machinery and mechanical appliances; parts thereof	Para. 6 of resolution 2397 (2017)
Electrical equipment	85	Electrical machinery and equipment and parts thereof; Sound recorders and reproducers; television image and sound recorders and reproducers, parts and accessories of such articles	
Earth and stone including magnesite and magnesia	25	Salt; sulphur; earths, stone; plastering materials, lime and cement	
Wood	44	Wood and articles of wood; wood charcoal	
Vessels	89	Ships, boats and floating structures	

c. For paragraphs 4 and 5 of resolution 2397 (2017), the Panel uses the following HS codes. The Panel notes that annual caps are placed for the two items below.

- HS 2709 : crude oil [cap: 4 million barrels or 525,000 tons]
- HS 2710, HS 2712 and HS 2713 : refined petroleum products [cap: 500,000 barrels]

Annex 63: Comparative table of bilateral trade with DPRK: Jan-Sept 2021¹³⁶

As of January 2022
 * Unit : Thousand USD

No.	Member State (MS)	Trade Volume w/ DPRK		Restricted HS Code Trade w/ DPRK		MS's Reply
		Export to	Import from	Export to	Import from	
1	Armenia, Republic of	0	18		1(HS Code 12) 1(HS Code 84) 3(HS Code 85)	Inaccuracy of data due to technical error in the declaration of goods / origin of items are ROK and Japan
2	Barbados	200	951		22(HS Code 61) 1(HS Code 63) 581(HS Code 84) 274(HS Code 85)	
3	Belgium	0	203		15(HS Code 73)	
4	Belize		14		14(HS Code 84)	
5	Benin	0	41			Nothing Applicable / No cases
6	Bolivia, Plurinational State of	0	20			Nothing Applicable / No cases
7	Bosnia and Herzegovina	0	16		5(HS Code 84) 4(HS Code 85)	
8	Brazil, Federative Republic of	564	97	539(HS Code 2710)	2(HS Code 61)	
9	Bulgaria, Republic of	0	4		1(HS Code 85)	Technical mistake in the customs declaration / items imported from ROK
10	Cabo Verde, Republic of	0	110			Nothing Applicable / No cases
11	Cambodia, Kingdom of	453	61		41(HS Code 72)	Investigations underway
12	Canada	0	52		2(HS Code 72)	actual country the goods originated from was the ROK, and was inaccurately reported to ITC
13	Chile	36	0			Nothing Applicable / No cases
14	China, People's Republic of	151,739	33,595	2229(HS Code 2710) 48(HS Code 2712) 3292(HS Code 2713)	2442(HS Code 50) 19(HS Code 62) 11388(HS Code 72) 7(HS Code 85)	Silk (HS Code 50) is raw material not textile / Ferroalloys (HS Code 72) is different from iron and iron ore / Women's Clothing (HS Code 62) and Electrical Equipment (HS Code 85) are from ROK, mistakenly declared

¹³⁶ See para. 126 of the main text.

No.	Member State (MS)	Trade Volume w/ DPRK		Restricted HS Code Trade w/ DPRK		MS's Reply
		Export to	Import from	Export to	Import from	
15	Colombia, Republic of	21	84		3(HS Code 73) 1(HS Code 52) 8(HS Code 56) 2(HS Code 61) 36(HS Code 84)	
16	Costa Rica, Republic of	26	240			Nothing Applicable / No cases
17	Croatia, Republic of	0	16		16(HS Code 87)	Declaration error / Country of origin was ROK
18	Denmark, Kingdom of	0	99		5(HS Code 59)	Country code input error / Country of origin was ROK
19	Ecuador	0	13			Nothing Applicable / No cases
20	El Salvador	0	817		38(HS Code 84)	
21	Eswatini, Kingdom of	0	12		1(HS Code 61) 2(HS Code 84)	due to declarants inability to differentiate between DPRK and ROK / supplier was ROK
22	Ethiopia, Federal Democratic Republic of	267	1,049		562(HS Code 72) 207(HS Code 79) 51(HS Code 84) 59(HS Code 85)	
23	Fiji, Republic of	87	594	2(HS Code 84) 43(HS Code 72)	332(HS Code 72) 169(HS Code 73) 9(HS Code 55) 15(HS Code 60)	
24	Finland, Republic of	0	6			Nothing Applicable / No cases
25	Georgia	0	11			Nothing Applicable / No cases
26	Germany, Federal Republic of	16	1			Nothing Applicable / No cases
27	Greece	2	0			Nothing Applicable / No cases
28	Hungary	0	1		1(HS Code 85)	Country code input error
29	Indonesia, Republic of	0	259		5(HS Code 73) 39(HS Code 84) 30(HS Code 85)	Interpret UNSCR does not prohibit DPRK exports of items under HS Code 73 / investigations on other trade items underway
30	Italy, Republic of	0	6		1(HS Code 84)	Supplier was UK company (UK : could not identify any imports from the DPRK)

No.	Member State (MS)	Trade Volume w/ DPRK		Restricted HS Code Trade w/ DPRK		MS's Reply
		Export to	Import from	Export to	Import from	
31	Luxembourg	12	0	1(HS Code 84) 9(HS Code 85)		Encoding errors / goods were destined for the ROK
32	Madagascar, Republic of	0	176		1(HS Code 84) 3(HS Code 63)	
33	Namibia, Republic of	0	6		4(HS Code 84) 2(HS Code 85)	
34	Netherlands, Kingdom of the	413	33		1(HS Code 52)	
35	Niger	0	66		62(HS Code 85)	
36	Poland, Republic of	116	85			Nothing Applicable / No cases
37	Romania	0	1		1(HS Code 73)	Authorities have not confirmed the transfer of iron and steel products from DPRK
38	Russian Federation	0	2		1(HS Code 84)	
39	Seychelles, Republic of	0	1,156		726(HS Code 72) 11(HS Code 84)	Data inaccurate / items under HS Code 72, 84, 85 have been imported
40	Slovak Republic	0	6			Nothing Applicable / No cases
41	South Africa, Republic of	61	39	5(HS Code 84) 7(HS Code 73)	7(HS Code 56) 7(HS Code 84) 16(HS Code 85)	
42	Spain	256	68	231(HS Code 84) 2(HS Code 85)	1(HS Code 58) 40(HS Code 84) 26(HS Code 85) 1(HS Code 63)	
43	Thailand, Kingdom of	1,637	78	2(HS Code 74)	19(HS Code 84) 12(HS Code 85)	Some declaration forms were misfiled as the country of destination and origin to/from the DPRK, but are now amended
44	Turkey, Republic of	49	538		41(HS Code 72) 10(HS Code 73) 45(HS Code 84) 212(HS Code 85) 187(HS Code 55)	Inadvertent errors during declaration / country of origin was other countries such as the ROK
45	United Kingdom of Great Britain and Northern Ireland	0	1536		5(HS Code 73) 1503(HS Code 84) 9(HS Code 85)	Inaccurate submission of country code / all trade confirmed to be with the ROK
46	Zambia, Republic of	1085	5585	1085(HS Code 84)	13(HS Code 84) 19(HS Code 85)	
Total		157,040	47,765			

Annex 64: Country Codes

‘Country Codes’ are officially referred to as UN/LOCODE¹³⁷ when it comes to trade activities. UN/LOCODE is used to identify locations in a unique and unambiguous way for international trade. It is a five-character code system in which the first two-character is for country/territory code based on ISO 3166-1 and the last-three code represents the location.

ISO 3166-1 is maintained by the ISO 3166 Maintenance Agency (MA). A request for a new code or a modification is usually submitted by Governments to the MA. Then a ballot will be conducted by the MA to decide whether to approve the request.

UN/LOCODE directory is updated every six months, which includes over 100,000 entries. It is impossible to ensure data quality without knowledge and expertise from the country concerned.

A UN/LOCODE Focal Point Network was created by encouraging Governments to nominate a National Focal Point (NFP). These NFP’s work to validate all requests for his/her country. This is to avoid that wrong code location are entered into the database.

There are no NFPs either for the DPRK or the ROK.

¹³⁷ See <https://unece.org/trade/cefact/unlocode-code-list-country-and-territory> for details.

Annex 65: Glocom Case

In 2017, the Panel stated that Glocom was a Malaysia-based company which advertised and sold radio communications equipment for military and paramilitary organizations.

Glocom is a front company of the Democratic People's Republic of Korea company Pan Systems Pyongyang Branch (Pan Systems Pyongyang), operated by the designated Reconnaissance General Bureau (KPe.031), the country's premier intelligence agency.¹³⁸

The Panel continues its investigation on Glocom since 2017. Glocom's new product categories have increased.¹³⁹ Since 2017, the Panel has communicated several times with the Malaysian authorities on Glocom issues and has taken note of the declaration by Malaysia's police chief that local firms linked to Glocom were being "struck off" and that authorities were doing all they could to "comply with international regulations with regards to related sanctions."

According to information from a Member State, Pan Systems Pyongyang continues to operate, and utilizes a number of front company names when purchasing radio components for the production of military radios in order to evade sanctions and disguise the true destination and purchaser of the components.

The Panel's investigation continues.

¹³⁸ S/2017/150, paras. 77,79 and 85.

¹³⁹ Glocom offered seven radio systems in February 2020, but that number had increased to 11 in February 2021. The company added another military radio system to its webpage in July 2021. Likewise, new command and control products have appeared on the Glocom website in 2021, as well as new radar systems and battlefield accessories.

Annex 66: Reply of Uganda



REPUBLIC OF UGANDA

PERMANENT MISSION OF THE REPUBLIC OF UGANDA TO THE UNITED NATIONS

UGANDA HOUSE
336 EAST 45th STREET
NEWYORK, N.Y 10017-3489
Tel: (212) 949-0110
Fax: (212) 687-4517
E-mail: admin@ugandaunny.com

Our Reference: **UN-NY/TECH/38**

26 July 2021

Dear Mr. [REDACTED]

I wish to refer to your letter Ref. S/AC.49/2021/PE/OC.81 dated 28 May 2021 regarding the Panel's investigations arising from the documentary "The Mole: Undercover in North Korea".

This is to inform you that investigations by the relevant government agencies are still ongoing, though delayed due to lockdown measures to mitigate the COVID-19 pandemic in Uganda.

The Government of Uganda reiterates its cooperation with the Panel and as soon as the investigations are completed, the Committee will be updated.

Please accept the assurances of my highest consideration.

Ambassador Adonia Aycbare
Permanent Representative

Mr. [REDACTED]

Coordinator of the Panel of Experts established
pursuant to Security Council Resolution 1874 (2009)
New York



PERMANENT MISSION OF THE REPUBLIC OF UGANDA TO THE UNITED NATIONS

UGANDA HOUSE
336 EAST 45th STREET
NEW YORK, N.Y. 10017-3480
Tel: (212) 949-0110
Fax: (212) 687-4517
E-mail: admin@ugandaunyny.com

Our Reference: **UN-NY/TECH/38**

13 September 2021

Dear Mr. [REDACTED],

I wish to refer to your letter Ref. S/AC.49/2021/PE/OC.81 dated 28 May 2021, regarding a documentary "The Mole: Undercover in North Korea".

The investigations are still ongoing; however, a preliminary investigations report has been issued by the Government of Uganda as follows:

1. The documentary (video) was downloaded and analyzed, showing four Ugandans who appeared therein identified as Magala Moses who is former Senior Government Valuer, Muzoora Jude who is a real estate agent, Nagimesi Bob who is a lawyer and Twine Warren, a former Court Bailiff and a representative of the Island owner. They were summoned to help with the investigations.
2. Communication between Magala Moses and a representative of the "Norwegian Royal Family" a one Bjarte M. Tveit was retrieved and analysed. Another communication between Muzoora Jude and a representative of the "Norwegian Royal Family" a one Bjarte M. Tveit was retrieved too and analyzed.
3. It is established that the land referred to is called Buziri Island in Buvuma District situated on Block 66 Plot 1 owned by Fredrick Ssempebwa, who instructed Twine Warren to look for buyers in 2017.
4. Twine Warren contacted Muzoora Jude (real estate agent) to look for buyers. Muzoora then through a website www.privateislandinc.com that does online marketing for different Islands, uploaded the details of Buziri Island on the website in order to get potential buyers.
5. Muzoora Jude through a website, www.privateislandinc.com connected Larsen Ulrich a Norwegian National who had expressed interest in buying the Island. He was willing to physically visit Uganda with a team to inspect the Island.

6. Larsen Ulrich came to Uganda with his team as potential buyers and held meetings in Uganda in August 2017 in Serena Hotel Kampala. They introduced themselves to be from the Norwegian Royal Family, during the meetings with Magala Moscs, Muzoora Jude, Nagimesi Bob (Counsel) and Twine Warren. Larsen Ulrich and his team visited the Island and had cameras that they used to take photographs all the time.
7. Larsen and his team expressed interest in buying the Island, but nothing was documented during the meetings. Nagimesi Bob was tasked to finalize the documentation.
8. Larsen Ulrich and his team promised to come back to Uganda, which promise has not been fulfilled. They never revealed their true identity and intentions.
9. It became clear that Ulrich Larsen joined an organisation called the Danish Friends of North Korea and later an International Organisation called Korea Friendship Associations (KFA). He is the 'Mole' undercover operative within the 'KFA', who was working with Bjarte M. Tveit and others on an undercover investigation into sanctions breaking by the Government of North Korea.

Please accept the assurances of my highest consideration.



Ambassador Adonia Ayebare
Permanent Representative

Mr. [REDACTED]
Coordinator of the Panel of Experts established
pursuant to Security Council Resolution 1874 (2009)
New York

Annex 67: “The Mole” and Cambodia

The Panel continued to investigate the documentary film “The Mole: Undercover in North Korea” released in October 2020, which suggested that international arms dealers from the Democratic People’s Republic of Korea and nationals of a European country discussed a quotation for weapons and how to complete an arms sales contract during meetings in Phnom Penh in 2017.

The documentary suggested that the arms sales were never realized.¹⁴⁰ Upon the first response from Cambodia, the Panel continued to ask Cambodia to provide more detailed and specific information. It has yet to receive a reply.

¹⁴⁰ S/2021/211, para. 90.

Annex 68: Military Cooperation with the DPRK

Bolivarian Republic of Venezuela

The Panel continued to investigate possible military and technological cooperation between the Bolivarian Republic of Venezuela and the DPRK.

According to a media report, the President of the National Constituent Assembly of the Bolivarian Republic of Venezuela signed a series of agreements pledging military and technological cooperation during a visit to the Democratic People's Republic of Korea in September 2019.

In response to the Panel's enquiry, the Bolivarian Republic of Venezuela replied that: [The Bolivarian Republic of Venezuela] expresses its serious concern at the decision of the Panel to initiate an official investigation on the basis of information from 'a media report'; namely, one single source ... particularly taking into account the fact that there is no single agreement between [the Bolivarian Republic of Venezuela] and the DPRK on military and technological cooperation".¹⁴¹

The Panel continues to request further clarifications from the Bolivarian Republic of Venezuela but has not yet received a reply.

Somalia

According to reporting by the Panel on Somalia dated 28 September 2020 (S/2020/949), four 60 mm mortar rounds were fired by Al-Shabaab on 17 February 2020 in the direction of the United Nations compound within Aden Adde International Airport.

Based on an analysis of the tail fins, the Panel noted that the mortars had been produced by multiple manufacturers. The Panel further noted one had characteristics consistent with a 60 mm HE type 63 mortar round manufactured in the Democratic People's Republic of Korea.¹⁴² The Panel continues to request further clarifications from Somalia and has yet to receive a reply.

¹⁴¹ S/2021/211, para. 94.

¹⁴² S/2021/211, para. 93.

Annex 69: Judgement Summary on Chan Han Choi ¹⁴³ (North South Wales Supreme Court, Australia)



Judgment Summary Supreme Court New South Wales

R v Choi (No 10) [2021] NSWSC 891

Adamson J

Following his plea of guilty to an amended indictment, Chan Han Choi, aged 62, was convicted of two offences involving breach of sanctions imposed against the Democratic People's Republic of Korea (North Korea). Count 1, which related to brokering services provided by Mr Choi to entities in North Korea with respect to the sale of North Korean military equipment and the purchase of Indonesian petroleum products, was an offence against s 27(1) of the *Charter of the United Nations Act 1945* (Cth). Count 2, which related to the sale of North Korean coal to entities in Indonesia, was an offence against s 16(1) of the *Autonomous Sanctions Act 2011* (Cth). The maximum penalty for each offence is 10 years' imprisonment.

Mr Choi was sentenced to a term of imprisonment for a total of 3 years and 6 months. His sentence commenced on 16 December 2017, which was the day of his arrest. He spent almost 3 years in gaol on remand before he was released on strict conditions of bail to enable him to prepare for his trial, which commenced on 3 February 2021. As the sentence has now expired, no non-parole period was specified.

Mr Choi's plea of guilty to a fresh indictment was entered a week after his trial by jury had commenced. The original indictment presented at the commencement of the trial included two charges that he had provided services believing or suspecting on reasonable grounds that the services would or may assist in a weapons of mass destruction program. These charges were withdrawn and were not included in the fresh indictment to which Mr Choi pleaded guilty.

Mr Choi was born in South Korea, where he qualified as a civil engineer. He migrated to Australia in 1987 and became an Australian citizen in 2001. He pleaded guilty on the basis of agreed facts which included that none of the transactions had concluded. Some transactions were deferred because of concerns arising from increased international surveillance of sanctioned trade with North Korea following missile testing by North Korea in August 2017. Others did not go ahead by reason of Mr Choi's arrest on 16 December 2017.

Adamson J stressed the importance of the criminal law in punishing and deterring breaches of sanctions by individuals whose conduct would otherwise undermine the international pressure which the sanctions were designed to exert. However, her Honour noted that Mr Choi's conduct was confined to a few transactions which did not go ahead. Further, the military equipment which he had brokered was limited to Man-Portable Air Defence systems, which are small surface to air missiles, and Tactical Inertial Measurement Units, which are used by objects in flight for military and civilian purposes. Adamson J rejected the Crown's

¹⁴³ Chan had contacts with Sudan's Military Industry Corporation, an associate of Sudan Master Technology Engineering Company which was involved in missile military cooperation projects with DPRK's Korea Mining Development Trading Corporation (KOMID) ([S/2019/171](#), para. 84).

submissions that Mr Choi was involved in providing brokering services for inter-continental ballistic missiles. Her Honour considered that the documents discovered when a search warrant was executed at Mr Choi's home in Eastwood, Sydney were the result of his interest in North Korea's military capability and were not related to his brokering service.

Although Mr Choi had, at times, professed a close relationship with Kim Jong-Un, Adamson J held that these statements were, as Mr Choi admitted in his evidence, false and were a product of his tendency towards grandiosity. Adamson J accepted that Mr Choi was contrite and that his prospects of re-offending were low.

Adamson J found that Mr Choi had two motives: he wanted to help the people of North Korea, against whom he believed international sanctions operated unfairly, as well as to earn money.

Source: New South Wales Supreme Court Caselaw website.

Annex 70: New Investigation Results on Mercedes Benz Vehicles Supplies¹⁴⁴

The Italian company European Cars & More (with which the Panel have had correspondence concerning the transit of two Mercedes-Benz S-Class 600 Sedan Long Guard VR9 vehicles in 2018 from Italy) have informed the Panel in 2021 that it also sold in 2018-2019 three other vehicles- Mercedes S600 Guard, a S650 Maybach and a S600 Pullman to LS Logistica & Spedizioni S.R.L.C. - the same company that was involved in illegal delivery of the first two Mercedes Guard vehicle.¹⁴⁵

European Cars & More informed the Panel about the “*complaint of termination of movement with PRA of January 10, 2020*”, meaning, that Italian registration authority deregistered these three cars.

However, there are no more details available concerning further movement of these cars. See annex 71 for European Cars & More’s reply.

Italy has informed the Panel that these three cars were resold “*within and outside Europe*” and their location was not determined.

Italy further replied to the Panel’s enquiry: “...*verifications made through Italian Customs Agency databanks reveal no customs operation that can be traced back to the vehicles in question. Further verifications have been initiated...*”.

¹⁴⁴ For previous investigation results see S/2021/211, para. 155; S/2019/691.

¹⁴⁵ S.2021/777, paras. 145-156.

Annex 71: European Cars & More's reply

Avv. Paola Zulli

*Patrocinante dinanzi alle Magistrature Superiori
Via Pietro Pollidori n°4 - 66034 Lanciano (CH)
tel. 0872.711778 pers. 339-6086512
p.iva: 02138420696 - c.f.: ZLLPLA77A55E435Z*

*zullipaola@gmail.com
zullipaola@pec.giuffre.it*

Lanciano, 15 december 2021

Via e-mail to [REDACTED]
[REDACTED]

Via mail to [REDACTED]
[REDACTED]

Subject: S/AC.49/2021/PE/OC.58 -

S/AC.49/2021/PE/OC.259

Dear [REDACTED]

We are writing to respond to your latest communications of March 30, 2021 and of September 30, 2021 in which you request us to cooperate by providing information and documentation relating to other vehicles sold to Logistics & Shipping LS. This request is based on information that we have provided to the Panel in previous communications, in a spirit of cooperation and total openness to the facts.

With the purpose to cooperate with you in the best possible way, as we have done from the beginning, we would like to try to better understand certain passages of the matter that concerns us.

In order to be able to better comprehend the whole issue, in fact, we have taken the liberty of making a reconstruction of the Reports published by the United Nations Security Council Panel of Experts Established Pursuant to Resolution 1874 (2009) between August 30, 2019 and March 3, 2021, analysing the contents and the photos reported therein. This is also to realize the reasons for the unreasonable commercial blockade imposed on us by the Daimler Group, formally linked to contractual matters and based on information that we provided to the Panel in a spirit of cooperation.

Right from the start (Report S/2019/691 dated August 30, 2019), Daimler confirmed to the Panel that the images shown to them "were of vehicles produced by the company, with modifications by another party" (images that we probably have not seen, because the one shown in your communication dated April 29, 2020, was "for demonstration purposes only"). And it immediately

withdrew from all responsibility, stating that *"it had complied with all relevant applicable embargoes and did no business with the Democratic People's Republic of Korea"*.

We believe, therefore, that we need to better comprehend whether the reality of the facts, as reported by you, may not have been misled, unconsciously or otherwise, by the indications given to the Panel by Daimler.

In fact, from what we have read, it would seem that we have somehow been caught up in the middle by Daimler. And that to a certain extent it seems willing to let us to fulfil the role of "sacrificial victim" for the whole affair, leaving the other parties involved unscathed. Indeed, in subsequent reports it does not appear that any further information is being requested from Daimler.

This leads us to believe that the indications provided by the Daimler Group may perhaps be somewhat obstructive to the reality of the facts and to the reconstruction of the whole affair, aiming more to keep the company unharmed than to pursue the truth of the facts.

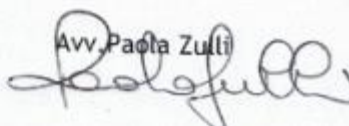
We would therefore like to ask you for more information on the Panel's relationship with Daimler, so that we can cooperate constructively in the objective reconstruction of the matter.

We reiterate, in any case, our willingness to collaborate with the Panel for a faithful reconstruction of the truth of the entire matter under investigation.

But, we have another huge problem that arises from your investigation: **for months our transfers from Italy to foreign countries have been blocked by the Bank of America due to internal policy.**

Since the activity of European Cars & More srl is mainly focused on exports and imports, I ask the Panel to definitively clarify the extraneousness of my Client extraneousness to the investigation on trade relations with North Korea, and to communicate it to the institutions, including Bank of America, in the next seven days.

Kind regards,

Avv. Paola Zulli


Annex 72: Images of Mercedes-Benz SUV used by DPRK



Source: The Panel.



Source : NK News.

Annex 73: Investigation on KOMID-related Cases**Kil Jong Hun**

The Panel has received information from a Member State that there is an ongoing relationship between Equatorial Guinea and KOMID. As of 2021, this relationship includes potential Equatoguinean procurement of items from KOMID, including shipments of defence and/or military technology items.

According to the information, Kil Jong Hun, who also goes by the name Ri Yang Chun, is a KOMID representative based and operating in Equatorial Guinea. Kil travels using a DPRK diplomatic passport. The Panel asked Equatorial Guinea about these issues but has yet to receive a reply.

Ri Hyong Thae

The Panel is investigating a DPRK national, Ri Hyong Thae, who is believed to continue to travel internationally in connection with arms-related activity and in the company of other individuals designated by the 1718 Sanctions Committee. Ri has served with KOMID and KOMID-associated companies in Cuba, Iran and Malaysia in the past, and travelled widely using the DPRK diplomatic passports. The Panel requested further information about Ri from the United Arab Emirates and received a copy of Ri's passport (see annex 74 or Ri's passport copy).

A Member State informed the Panel that Ri arrived and departed Singapore on the same day in June 2004 under passport number 554132407 and that there were no travel record to the passport number 827310102.

Annex 75: List and Copies of Sok Kha's Passports**Passport List****បញ្ជីលិខិតឆ្លងដែន**

លរ	លិខិតឆ្លងដែនលេខ	ប្រភេទ	ផ្តល់នៅថ្ងៃ	ផុតកំណត់នៅថ្ងៃ	អាជ្ញាធរផ្តល់
1	AA0000980	ការទូត	04/11/2020	04/11/2025	ក្រសួងការបរទេស និងសហប្រតិបត្តិការអន្តរជាតិ
2	D0004492	ការទូត	09/04/2018	09/04/2021	ក្រសួងការបរទេស និងសហប្រតិបត្តិការអន្តរជាតិ
3	N00540807	ធម្មតា	11/07/2016	11/07/2026	ក្រសួងមហាផ្ទៃ
4	N1422669	ធម្មតា	08/04/2013	08/04/2016	ក្រសួងមហាផ្ទៃ
5	D0000803	ការទូត	30/01/2012	30/01/2015	ក្រសួងការបរទេស និងសហប្រតិបត្តិការអន្តរជាតិ
6	N0675876	ធម្មតា	29/04/2009	29/04/2012	ក្រសួងមហាផ្ទៃ
7	N0397996	ធម្មតា	18/11/2005	18/11/2008	ក្រសួងមហាផ្ទៃ
8	N0292886	ធម្មតា	19/02/2004	19/02/2007	ក្រសួងមហាផ្ទៃ
9	N0256027	ធម្មតា	12/06/2003	12/06/2006	ក្រសួងមហាផ្ទៃ
10	N0158174	ធម្មតា	18/07/2001	18/07/2004	ក្រសួងមហាផ្ទៃ

Passport Copies

សិទ្ធិអម្បាញ់ផែន

No. AA0000980

No. D0004492



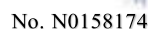
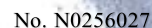
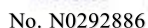
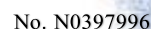
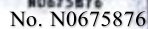
No. N00540807

No. N1422669



No. D0000803





22-01569

Annex 76: Company Extract of C.H. World Travel Co., Ltd.

Company Extract

General Details

Company Number: 00008002
 Company Name (in Khmer): ស៊ី អេស.អេស. ភ្នំពេញ
 Company Name (in English): C.H.WORLD TRAVEL CO., LTD.
 Company Type: Private Limited Company
 Company Status: Registered
 Incorporation Date: 23-May-2008
 Reregistration Date: 05-Apr-2016
 Business Activities:
 Business Objective: 791 Travel agency and tour operator activities
 Main Business Activities: 79110 Travel agency activities(1)
 Business Objective: 791 Travel agency and tour operator activities
 Main Business Activities: 79120 Tour operator activities(2)
 Business Objective: 799 Other reservation service and related activities
 Main Business Activities: 79900 Other reservation service and related activities(4)
 Business Objective: 511 Passenger air transport
 Main Business Activities: 51100 Passenger air transport
 Business Objective: 522 Support activities for transportation
 Main Business Activities: 52202 Issue and procurement of transport documents and waybills
 Business Objective: 731 Advertising
 Main Business Activities: 73100 Advertising(1)
 Business Objective: 829 Business support service activities n.e.c.
 Main Business Activities: 82990 Other business support service activities n.e.c.
 Share Par Value:
 Par Value (KHR): 20000
 Par Value equivalent (USD): 5

Addresses

Physical Registered Office Address: សង្កាត់ ១០, ខណ្ឌ បឹងកេងកង (ភ្នំពេញ), ភ្នំពេញ, Boeung Prei, Prampi Makara, Phnom Penh, Cambodia
 Postal Registered Office Address: Same as Physical Address
 Contact Email: chworldtravel2016@gmail.com
 Contact Telephone Number: +855 9 12875554

Directors

Name (Khmer): សុខ គីរី
 Name (English): Sok KIA
 Postal Registered Office Address: ១៦១, ២១៧, ភ្នំពេញ, Phsar Depou Mucy, Tuol Kouk, Phnom Penh, Cambodia
 Telephone: +855 9 12875554
 Chairman of the Board of Directors: No
 Name (Khmer): លី ហង់ ម៉ាន់
 Name (English): Lee Hang MANN
 Postal Registered Office Address: 618, Phum 18, Boeung Kak Piv, Tuol Kouk, Phnom Penh, 12152, Cambodia
 Telephone: +855 916878176
 Chairman of the Board of Directors: Yes

Page 1 of 2

The validation code for this Business Extract is MOC-73324678. To check the validity of this document enter <https://www.businessregistration.moc.gov.kh/cambodia-br-companies/verify/00008002/MOC-73324678.html> in your browser.

Extract generated as at 25 June 2021 12:51 PM

Company Number - 00008002

Shares & Shareholders

Registered Share Capital (KHR): 20,000,000

Registered Share Capital equivalent (USD): 5,000

More than one class of share: No

Individual Shareholder

Name (Khmer): សុខ ខា

Name (English): Sok KHA

Postal Registered Office Address: ១៦១, ២១៩, ភ្នំពេញ, Phsar Depou Muay, Tuol Kouk, Phnom Penh, Cambodia

Number of shares: 700

Individual Shareholder

Name (Khmer): លី ហុងម៉ាង

Name (English): Lee Hong MANN

Postal Registered Office Address: 618, Phum 18, Boang Kak Pir, Tuol Kouk, Phnom Penh, 12152, Cambodia

Number of shares: 300

Nationality of Majority Shareholders: Cambodian

Percentage of Majority Shareholders(%): 100

Page 2 of 2

The validation code for this Business Extract is MOC-73324678. To check the validity of this document enter <https://www.businessregistration.moc.gov.kh/cambodia-br-companies/verify/00008002/MOC-73324678.html> in your browser.

Extract generated as at 25 June 2021 12:51 PM

Source: The Panel (provided by Cambodia).

2) Satellite imagery of the bronze statue (6°20'57"N 2°24'28"E)

Satellite imagery suggests that the statue was installed between June and September 2020. The Panel wrote to Benin requesting information on the entities involved in the construction of the statue. Benin replied to the Panel that there is no relationship between the entity and Benin (see reply from Benin). Investigations continue.¹⁴⁶ It seems that the structure surrounding the statue was not removed as of December 2021.



Source: Planet Labs Inc.

¹⁴⁶ Construction of bronze statues in Benin is also concerns possible violations of resolutions on overseas workers (S/2020/840, para. 105 and annex 45).

3) Reply from Benin

Le Bénin a pris note des résolutions¹ adoptées par le Conseil de Sécurité des Nations Unies sur la République populaire démocratique de Corée (RPDC) suite aux activités menées par ce pays pour développer des armes nucléaires et des missiles balistiques en violation du droit international.

Le Bénin appuie fermement ces résolutions, y compris le régime des sanctions que celles-ci ont mis en place.

Conformément aux orientations de sa politique extérieure, le Bénin promeut la non-prolifération nucléaire dans toutes les régions du monde. Il a ratifié le Traité sur la non-prolifération des armes nucléaires qu'il considère comme un des piliers essentiels du régime international du désarmement et de la non-prolifération nucléaires.

En outre, le Bénin est Partie au Traité de Pelindaba qui crée une zone exempte d'armes nucléaires en Afrique et, depuis le 23 septembre 2018, a signé le Traité sur l'interdiction des armes nucléaires adopté à New York, le 07 juillet 2017. Le 22 octobre 2020, l'Assemblée nationale du Bénin a autorisé la ratification de ce Traité.

Le Gouvernement du Bénin soutient fermement toutes les initiatives des Nations Unies tendant à la création dans toutes les régions du monde, de zones exemptes d'armes nucléaires. A ce titre, le Bénin encourage la mise en œuvre de la décision de création de ladite zone au Moyen-Orient et réaffirme, dans chacune de ces interventions aux Nations Unies, son soutien à la tenue d'une Conférence internationale pour y parvenir.

Le Bénin a exprimé à plusieurs reprises sa ferme conviction que l'objectif d'une paix durable et de la dénucléarisation de la péninsule coréenne doit être atteint par des voies pacifiques.

Le Bénin est l'un des rares pays africains à coparrainer chaque année les résolutions des Nations Unies sur la situation des Droits de l'Homme en RPDC aussi bien à New York (3^{ème} Commission de l'Assemblée générale des Nations Unies) qu'à Genève (Conseil des Droits de l'Homme).

S'agissant, en particulier des présumées activités au Bénin de "Mansudae Overseas Project Group of Companies", les investigations menées par l'ensemble des Services nationaux compétents concluent à l'inexistence de relations entre ce groupement d'entreprises de droit nord-coréen et le Bénin.

Toutefois, le Bénin s'engage à poursuivre les investigations au sujet des activités de ce groupement et à prendre les dispositions appropriées en vue de prévenir et d'empêcher que d'éventuelles activités dudit groupement soient menées sur son territoire.

Le Bénin réaffirme son ferme appui au régime des sanctions imposées à la RPDC et s'engage à continuer leur mise en œuvre avec rigueur et vigilance.

Fait à Cotonou, le 23 décembre 2021

¹ Résolutions 1718 (2006) ; 1874 (2009) ; 2094 (2013) ; 2270 (2016) ; 2321 (2016) ; 2356 (2017) ; 2371 (2017).

Source: The Panel.

Annex 78: DPRK workers in China

According to a Member State information, DPRK entities were working with entities located in China to employ DPRK nationals at several locations and fields including construction sites, factories, and IT from 2020 to 2021. Most of the contracts were to hire several hundred DPRK workers and some of the contracts were expected to dispatch additional employees. Details of each case are below.¹⁴⁷

1) Factory workers

Following entities in China employed DPRK workers as of mid-2020. Most employed between 100-400 DPRK workers, although several of these entities employed still higher numbers of laborers from DPRK.

Jilin Military Garment Co., Ltd (길림군상복장유한공사)
 Jilin Sangbok Clothing Co., Ltd (길림길상복장유한공사)
 Helong Kusong Clothing Co., Ltd (화룡구성복장유한공사)
 Yanbian Pros Clothing Co., Ltd (연변프로스복장유한공사)
 China Aulbon (Clothing Production) Co., Ltd (아을본(옷제작)유한공사)
 Jilin Rangdon Clothing Co., Ltd (길림랑돈복장유한공사)
 Helong Hyesang Clothing Co., Ltd (화룡혜상복장유한공사)
 Pacific Clothing Co., Ltd (태평양복장유한공사)
 Chongyon Clothing Co., Ltd (청연복장유한공사)

2) Construction workers

DPRK entity Korean Namgang Construction General Corporation (aka DPRK Ryongrim Overseas Construction Company) was working with a Chinese entity Xinzhexing Labor Resource Co, Ltd (广东省东莞市新臻头人力资源有限公司) to dispatch between 500 and 20,000 DPRK nationals to Zhongshan City and Dongguan City of Guangdong Province and Yangtze River Delta in April 2021.

Another DPRK entity Korean Namgang Construction General Corporation (aka DPRK Ryongrim Overseas Construction Company) was working with a Chinese entity PRC Tong Sin Communication Technology Co, Ltd (中国通信技术有限公司) to dispatch more than 200 DPRK nationals to Beijing and Heibei Province in June 2021.

3) IT workers

DPRK entity **Mangyongbong International Trade and Economic Development Corporation** (President: Yun Kuk Nam) was working with Dandong Junxing Science and Technology Co Ltd (丹东市君星科技有限公司) to send

¹⁴⁷ One expert is of the view that this information needs to be further corroborated.

DPRK IT workers to work in China around October 2020. These workers would likely remain employed for several years. The information indicates that the UN-designated DPRK entity, the **Munitions Industry Department (KPe.028)** (see figure 70-1) facilitated the establishment of this relationship.

Figure 70-1: Excerpt from the List established and maintained pursuant to resolution 1718 (2006)

KPe.028 Name: MUNITIONS INDUSTRY DEPARTMENT
A.k.a.: a) Military Supplies Industry Department b) MID **F.k.a.:** na **Address:** Pyongyang, Democratic People's Republic of Korea **Listed on:** 2 Mar. 2016 (amended on 9 Jul. 2019)
Other information: The Munitions Industry Department is involved in key aspects of the DPRK's missile program. MID is responsible for overseeing the development of the DPRK's ballistic missiles, including the Taepo Dong-2. The MID oversees the DPRK's weapons production and R&D programs, including the DPRK's ballistic missile program. The Second Economic Committee and the Second Academy of Natural Sciences – also designated in August 2010 – are subordinate to the MID. The MID in recent years has worked to develop the KN08 road-mobile ICBM. The MID oversees the DPRK's nuclear program. The Nuclear Weapons Institute is subordinate to the MID.

Source: <https://www.un.org/securitycouncil/sanctions/1718/materials>.

4) Other cases

DPRK company **Korea Changsaeng Trading Corporation** was working with Dandong Jinsheng Electronics Co., Ltd (丹东锦盛电子有限公司) concerning the provision of at least 150 DPRK workers in Dandong, China, by October 2020, with an additional 200 workers planned to be dispatched in 2021. Information indicates that this relationship could be structured as a joint venture or cooperative entity.

Another DPRK entity **Korean Tangun Trading Corporation** was working with Heilongjiang Province Rixin Foodstuffs Company, Ltd (黑龙江省日信食品有限公司) to bring several hundred DPRK workers to China to work for foodstuff plant in January 2020. The information indicates that Korean Tangun Trading Corporation is the UN designated entity (KPe.008) (see figure 70-2)

Figure 70-2: Excerpt from the List established and maintained pursuant to resolution 1718 (2006)

KPe.008 Name: KOREAN TANGUN TRADING CORPORATION
A.k.a.: na **F.k.a.:** na **Address:** Pyongyang, Democratic People's Republic of Korea **Listed on:** 16 Jul. 2009 **Other information:** Korea Tangun Trading Corporation is subordinate to DPRK's Second Academy of Natural Sciences and is primarily responsible for the procurement of commodities and technologies to support DPRK's defense research and development programs, including, but not limited to, WMD and delivery system programs and procurement, including materials that are controlled or prohibited under relevant multilateral control regimes.

Source: <https://www.un.org/securitycouncil/sanctions/1718/materials>.

Annex 79: Possible Joint/Cooperative entity between DPRK and China

According to information provided by another Member State, DPRK entity Koryo Commercial Bank Ltd (高麗商業銀行) agreed to establish a joint venture with Shenyang Dawoo Sealant Construction Material Co. Ltd (沈阳多友实兰特建筑材料有限公司) mainly for the production and sale of soybean oil in 2019. The information suggests that the construction of an office was completed in Pyongyang and the soybean production plant was under construction in Nampo, DPRK. The Member State assessed that soybean oil is for civilian purpose, but it also could be supplied to munitions factories where the oil is used for weapons manufacturing.

According to information obtained by the Panel:

Name of joint venture entity:

PYONGYANG HWASHIN JOINT CORPORATION (平壤和信合営会社)

Address: Jyonjin-dong, Rangrang district, Pyongyang city (平壤市榮浪区域前進洞)

Party of DPRK side:

KORYO COMMERCIAL BANK LTD (高麗商業銀行)

Party of Chinese side:

SHENYANG DAWOO SEALANT CONSTRUCTION MATERIAL CO., LTD

(沈阳多友实兰特建筑材料有限公司)

Address: No.258, Kunshan-Xilu, Yuhong District, Shenyang City, Liaoning Province, PRC (遼寧省瀋陽市于洪区昆山西路 258 号)

Shareholder: GIL GYEONG-GAP (吉京甲 (길경갑))

Category of business:

Production and sales of various food, Operation of wharf, Operation of sales facility (in Pyongyang, Nampo, Wonsan) , Operation of stores (light industry products, food, sales of electric and electronics, clothes manufacturing

Registered capital: 6,726,720,000 won (56,056,000 Euro)

Approval: No. 107-39 (5 October, 2018)

Duration: 40 years (until October 2052)

Annex 80: Reply from China

7. Workers (OC.306)

Jilin Military Garment Co., Ltd and the other 8 garment companies mentioned in the Panel's letter only have their English and Korean names. Since China's business registration system uses only the Chinese language, we cannot conduct comparison and verification. China has been strictly

7

implementing relevant provisions on migrant workers from the DPRK. Their working permits have all expired before the deadline set by the Security Council resolutions.

We did not find Korean Namgang Construction General Corporation sending migrant workers to China. In fact, since February 2020, for the sake of pandemic prevention and control, the DPRK has set strict restrictions on people entering and leaving the country. It is impossible for the DPRK to send migrant workers to China since then. Some information of so-called "violation of resolution" is not consistent with the actual situation amid the raging pandemic. The Panel should be more discerning.

As for the 99 DPRK migrant workers repatriated by [REDACTED] in 2019, according to China's exit and entry records, all of them have left China. Before the start of the pandemic, China was an important transit for people-to-people exchanges between the DPRK and other countries, especially in 2019, when all DPRK workers repatriated by other countries returned to the DPRK via China. If the Panel requires China to verify every time it gets some new information, it will be a huge burden of work. It is also by no means the obligation of the Chinese Government.

Source: Member State.

Annex 81: List of IT workers Equatorial Guinea

According to a Member State, at least 13 DPRK IT workers (see below) are located and working in Malabo and Oyala, in Equatorial Guinea. The Member State assessed that these IT workers arrived in Equatorial Guinea between 2018 and 2019. No response has yet been received to the Panel's request for further information.

DPRK IT workers reportedly located in Malabo, Equatorial Guinea :

- Ri Mun Song
- Pak Myong Song
- Kim Kuk Song
- Kim Hyon Chol
- Kim Kwang Chol
- Ri Tae Yong
- Ryu Jong Hyok

DPRK IT workers reportedly located in Oyala, Equatorial Guinea :

- Pak Tong Hyon
- Ri Jong Hyok
- Kang Thae Ho
- Cha Sung Hyon
- An Kuk Chol
- Kim Sun Hyok

Source: Member State.

Annex 82: Information about DPRK restaurants in the Lao People's Democratic Republic

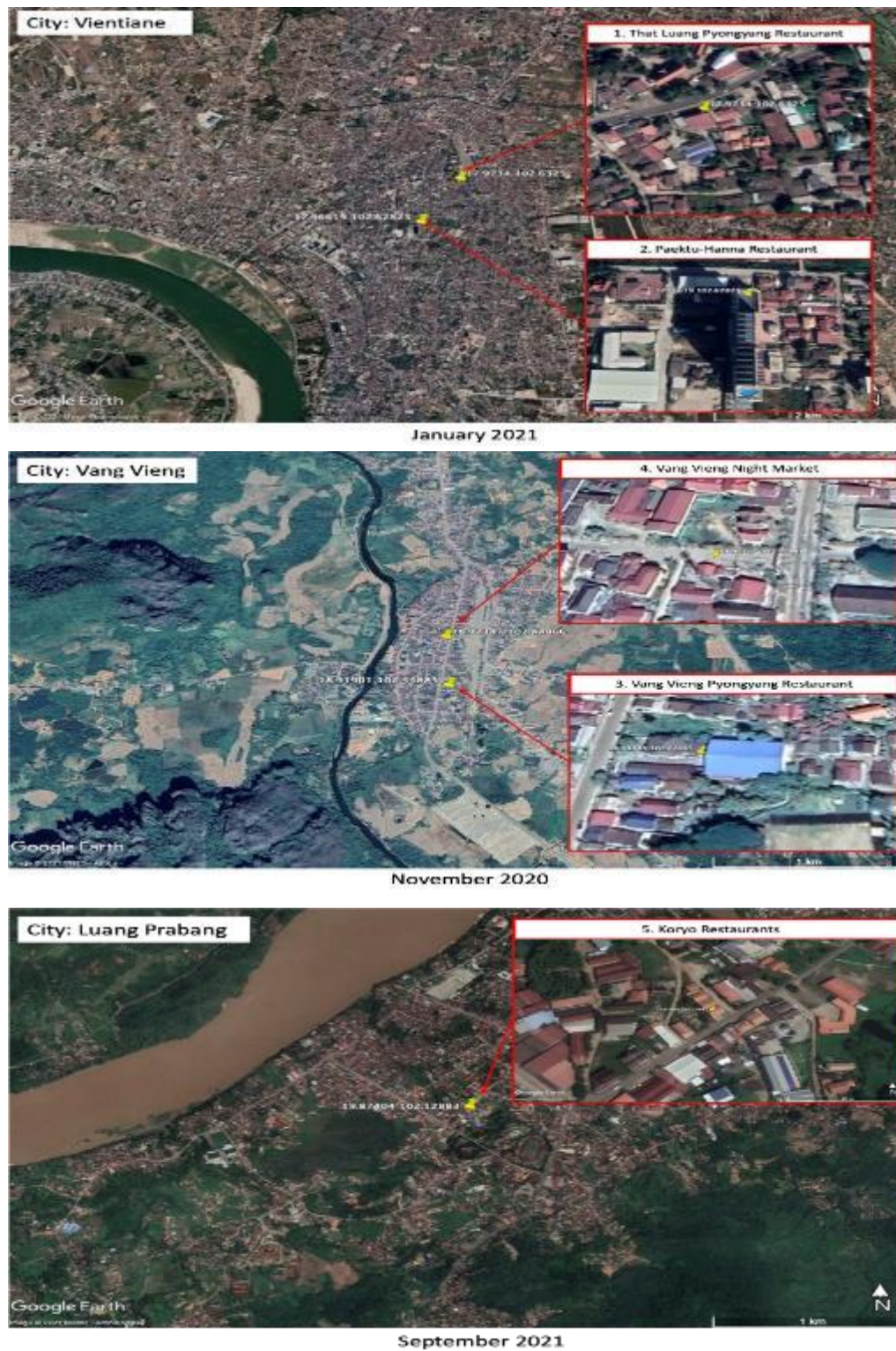
The Panel has continued its investigations into the current status of the DPRK-related restaurants in Laos. Based on information received from a Member State, and the Panel's corroboration, at least four restaurants and one night market (see figure 82-1 and 82-2) in Laos seems to have continued to operate even after the applicable measures towards the closure of the restaurants and repatriation were taken by the Laotian authorities in 2020. The Laotian Government has already provided the Panel in July 2020 with the details of 28 DPRK nationals who had departed Laos from Wattay International Airport during the period between 2017 and the second half of 2019.¹⁴⁸

Nevertheless, open-source information suggest that restaurants are open and active, and that DPRK nationals have been working in Laos as waitresses and dance performers after these repatriations and after the December 2019 repatriation deadline. The list provided by the Laotian Government does not include female DPRK nationals and the Panel has requested clarification in view of the current information reported by the Member State to Laos in September 2021. Investigations continue.

Figure 82-1: List of Restaurants and Night Market

No	Restaurant	City	Latitude	Longitude
1	That Luang Pyongyang Restaurant	Vientiane	17.9734	102.6325
2	Paektu-Hanna Restaurant	Vientiane	17.96619	102.62825
3	Vang Vieng Pyongyang Restaurant	Vang Vieng	18.91901	102.44885
4	Vang Vieng Night Market	Vang Vieng	18.92347	102.44866
5	Koryo Restaurants	Luang Prabang	19.87404	102.12883

¹⁴⁸ S/2020/840, para. 133.

Figure 82-2: Location of the Restaurants and Night Market

Source: Google Earth, annotated by the Panel.

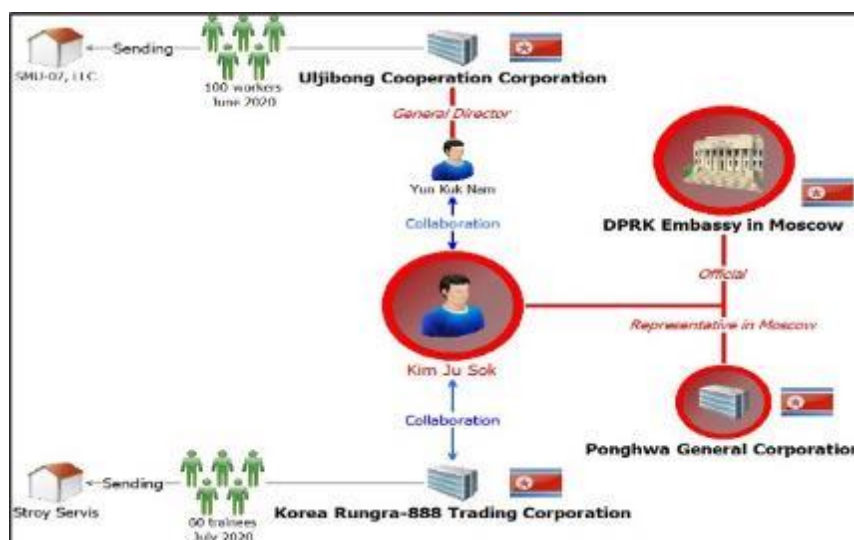
Annex 83: Information about the Russian Federation

According to Member State information, the DPRK official Kim Ju Sok, a Moscow-based official representative of DPRK's Ponghwa General Corporation, facilitated several contracts to send DPRK nationals to work in agricultural and construction activities in Russia between 2020 and 2021.

The same Member State reported that Kim collaborated with the general director of the DPRK Uljibong Cooperation Corporation, Yun Kuk Nam,¹⁴⁹ and contracted with a Russian company SMU-07, LLC to send a maximum of 100 DPRK nationals to construction projects in and around Moscow in June 2020. Kim Ju Sok also collaborated with DPRK company Korea Rungra-888 Trading Corporation to send at least 60 trainees to a Russian company Story Servis, LLC in July 2020. These trainees would receive training at vegetable greenhouses in the Moscow area and would receive 500 US dollars for participating in this program. The program was planned to run for several years and additional DPRK trainees were to be dispatched.

The Russian Federation replied to the Panel that “No information is available regarding his (Kim Ju Sok) activities in violation of Security Council resolution” and informed the Panel that “Both construction companies mentioned in the enquiry – SMU-07, LLC, which is not registered at the indicated address, and Story Servis LLC – ceased operations this year. No information is available regarding their contacts with nationals of the DPRK.”¹⁵⁰ Information provided to the Panel indicates that Kim was involved in another contract in sending DPRK nationals to Russia and investigations continue.

Figure 83: Kim Ju Sok's DPRK Overseas Worker Supply Activities



Source: The Panel.

¹⁴⁹ According to the information of Member State, Yun Kuk Nam was the director of Mangyongbong, a Korean general trading company and left Russia in December 2019.

¹⁵⁰ A Member State provided the Panel with the address of SMU-07, LLC. Its address is identical to the address described in the document obtained from ЕРПЮЛ.

Annex 84: Information about Koryo Restaurant in Viet Nam

According to a Member State, DPRK nationals remaining in Viet Nam continued to work at the “Koryo Restaurant” in 2021. The Panel’s past report,¹⁵¹ a think tank report,¹⁵² and corporate registry in Viet Nam show that Koryo Restaurant is associated with Mudo Vina Co., Ltd which remains active and its legal representative is DPRK national Kim Jong Gil. Moreover, open-source information suggests that the Koryo restaurant sells art products including paintings produced at Mansudae Art Studio, which is a violation of paragraph 3 of resolution 2371 (2017). Viet Nam has yet to reply to the Panel’s enquiry.

1) Corporate registry of Mudo Vina Co., Ltd.

The address of its head office (underlined in red) is identical to the former address of Koryo Restaurant (see 2)).

DEPARTMENT OF PLANNING AND INVESTMENT OF HA NOI BRO BUSINESS REGISTRATION OFFICE	SOCIALIST REPUBLIC OF VIETNAM Independence – Freedom – Happiness
BUSINESS REGISTRATION CERTIFICATE	
LIMITED LIABILITY COMPANY WITH ONE MEMBER	
Enterprise Code: 0105844459	
First registration: day 26 month 03 year 2012	
Amendment registration for the time(-s): 1, day 15 month 08 year 2016	
1. Enterprise name	
Enterprise name in Vietnamese: CÔNG TY TNHH MUDO VIỆT NAM	
Enterprise name in foreign language: MUDO VIETNAM COMPANY LIMITED	
Enterprise name in abbreviation: MUDO VINA CO., LTD	
2. Address of head office	
<u>Số 7, Lô 13B phố Trung Hòa, Khu đô thị Trung Yên, Phường Trung Hoà, Quận Cầu Giấy, Hà Nội, Vietnam</u>	
Tel:	Fax:
Email:	Website:
3. Charter capital 6,210,900,000 VND	
In words: Six billion two hundred ten million nine hundred thousand VND (tương đương 300.000 USD - Ba trăm ngàn đô la Mỹ)	
4. Name of owner	
One or more parameters were not specified for the subreport, 'subreport1', located at: /info_products/en/tbk_org	
5. Legal representative	
* Name: <u>KIM JONG GIL</u>	Gender: <u>Nam</u>
Position: <u>Tổng giám đốc</u>	
Date of birth: <u>01/08/1973</u>	Ethnic background: <u>Nationality: North Korea</u>
ID type: <u>Hộ chiếu nước ngoài</u>	
ID card No.: <u>654333308</u>	
Date of issuance: <u>08/08/2014</u>	Place of issuance: <u>Bộ Ngoại giao Triều Tiên</u>
Contact address: <u>Số 7, Lô 13B phố Trung Hòa, Khu đô thị Trung Yên, Phường Trung Hoà, Quận Cầu Giấy, Thành phố Hà Nội, Việt Nam</u>	
Resident address: <u>Gyong Hung-Dong, Botonggang dist, Pyongyang City, Korea, Dem. Rep.</u>	
HEAD OF BUSINESS REGISTRATION OFFICE	
(Signature, Seal and Full name)	
Thông tin trên được kết xuất từ Cơ sở dữ liệu quốc gia về đăng ký doanh nghiệp vào thời điểm 22:20 ngày 27/8/2021. Thời điểm yêu cầu thông tin: 02:56 ngày 28/09/2021.	

The legal representative is Kim Jong Gil, a DPRK national.

Source: Vietnamese National Business Registration Portal.

¹⁵¹ S/2019/171, annex 74 (p. 331).

¹⁵² C4ADS, <https://www.c4reports.org/dispatched>.

Address of Koryo Restaurant

The Panel's past report and the photo of the business card of Koryo Restaurant. The address is indicated by the red dotted line.

Koryo restaurant	Hanoi	No.61 Trung Hoa City, Trung Yen Urban Area, Phuong Trung Hoa, Cau Giang Paper, Hanoi
		Previous Address: No.7, Lot 13b, Trung Hoa City, Trung Yen Urban Area, Phuong Trung Hoa, Cau iang Paper, Hanoi

Source: The Panel, [S/2019/171](#), p. 332.



Source: Naver.

2) The excerpt of corporate registry of Mudo Vina Co., Ltd

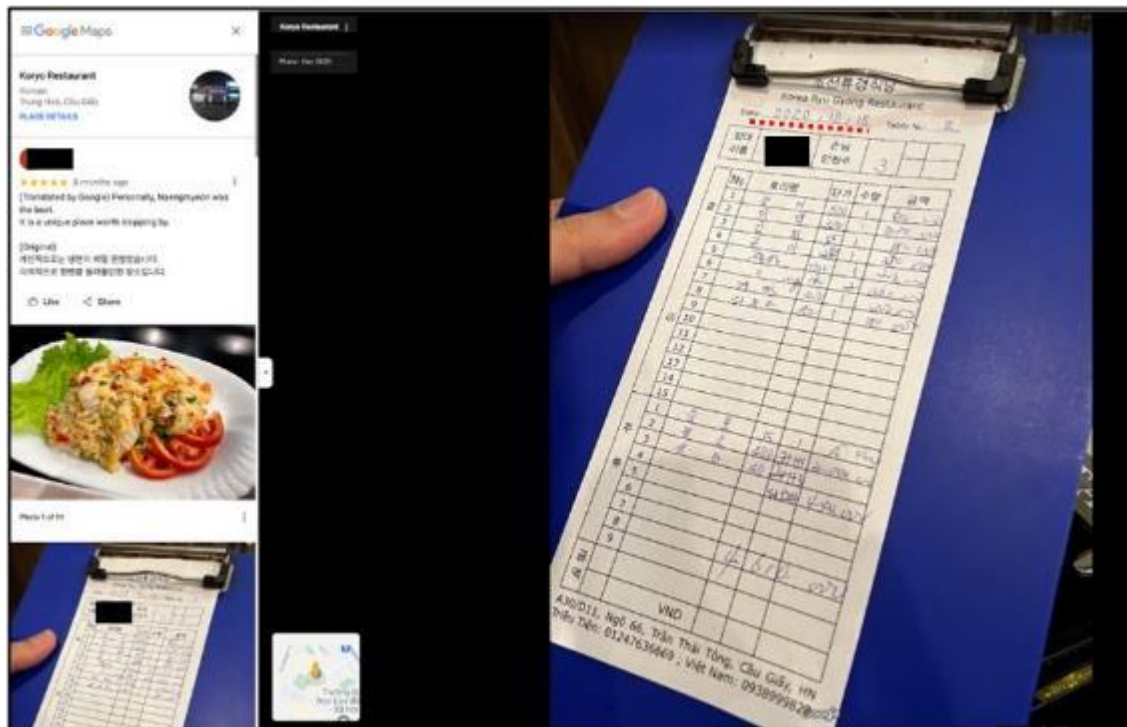
Corporate registry shows that its business activities are “Restaurants and mobile catering services” (underlined in red).

II. THÔNG TIN VỀ NGÀNH, NGHỀ ĐĂNG KÝ KINH DOANH		
	<u>Nhà hàng và các dịch vụ ăn uống phục vụ lưu động</u>	
	Chi tiết: Dịch vụ phục vụ ăn uống	
		Ngành, nghề chưa khớp mã với Hệ thống ngành kinh tế Việt Nam

Source: Vietnamese National Business Registration Portal.

3) A photo of a receipt from Koryo Restaurant

The receipt is dated on 15 December 2020.



Source: Google.

4) Excerpt of video footage of the Koryo Restaurant

The video footage was uploaded in February 2021, with restaurant workers wearing masks and using hand sanitizer, suggesting that the footage was filmed after COVID-19.



Source: Youtube.

5) Information about Mansudae Art Studio

Media report about art from Mansudae Art Studio sold at Koryo Restaurant. A restaurant employee says 'The art is from the famous Mansudae Art Studio in Pyongyang. These works were directly created by people's artists and are famous'. The employee also explains about the price of paintings and says "This is about 1,400 US dollars. A piece of embroidery is more expensive and could be two thousand dollars. The smallest is 500 US dollar. If you really want to buy it, we can give you a small discount". (See the part surrounded by red dotted line)

베트남 북한식당, 제재 대상 만수대 작품 반입...최대 2천 달러 판매 시도

기자 함지하, 김형진
2019.3.16 12:30 오전



베트남 하노이의 한 북한 식당에서 유엔 제재 대상인 만수대 창작사의 그림이 판매되고 있는 사실이 VOA 취재를 통해 확인됐습니다. 가격이 최대 2천 달러에 달하는데, 제재 위반이라는 지적이 나왔습니다. 함지하 기자가 보도합니다.

하노이에 위치한 북한 '고려식당'. 건물 곳곳에 여러 미술품들이 걸려 있습니다.

북한 종업원은 만수대 창작사가 제작한 것들이라며, 평양에서 직접 가져와 판매 중이라고 밝혔습니다.

[녹취: 종업원(음성변조)] "우리 평양에 만수대 창작사라고 유명한 미술... 인민 예술가들이 직접 하는 겁니다. 유명한 겁니다."

지난 2017년 유엔 안보리는 만수대 창작사를 자산동결 대상으로 지정한 바 있습니다. 평양의 제재 대상 기관에서 제작된 미술품이 베트남으로 옮겨져 버젓이 판매되고 있는 겁니다.

판매 중인 미술품들은 만수대 창작사 수예단장이자 인민예술가 칭호를 받은 김창희의 작품을 비롯해 북한 화가 김경석의 수목화 등 종류가 다양했습니다.

주로 식당 내부 장식용 그림 형태로 벽에 걸려 있는데, 5층 높이의 고려식당의 2층과 3층에 주로 물려 있었습니다.

구매자가 나타나면 액자에서 꺼내 전달하는 방식으로 판매가 이뤄지며, 원할 경우 보증서도 발급한다는 게 종업원의 설명입니다.

<https://web.archive.org/web/20210302164932/https://www.voakorea.com/korea/korea-politics/4831261>

1/3

2021/09/30 22:55

베트남 북반식당, 제재 대상 만수대 작품 판매... 최대 2천 달러 판매 시도 | Voice of America - Korean



하노이의 북한 식당인 '고려식당' 종업원이 만수대창작사에서 제작된 호랑이 그림을 들어 보이고 있다.

그림의 가격은 크기에 따라 달랐지만 대부분 미화 1천 달러에서 2천 달러 사이입니다.

[녹취: 종업원(음성변조)] "이건 한 1천400 (달러 정도 합니다). 수 들어간 건 더 비쌌습니다. 수 든 건 2천 불까지도 해야 됩니다. 제일 작은 건 500불이고, 실제 사시겠다면 조금씩은 할 인해 드릴 수 있습니다."

이 종업원은 기계가 아닌 손으로 제작된 수예 작품이기 때문에 비싼 것이라고 강조했습니다.

미국 정부는 만수대창작사가 유엔 안보리 제재 대상 기관이란 점을 분명히 했습니다.

유엔주재 미국 대표부는 관련 내용을 묻는 VOA의 질문에 "추가 정보가 없는 가정적인 상황에서선 답변할 수 없다"면서도 "만수대 창작사는 2017년 유엔 안보리 결의 2371호의 (제재) 지정 기관이며, 그들에게 수익을 제공하는 건 금지된다"고 대답했습니다.

유엔 안보리 대북제재위원회 전문가패널의 미국 대표로 활동했던 윌리엄 뉴콤 전 재무부 선임경제자문관은 "만수대 창작사는 제재 대상이며 판매 중인 미술작품을 포함한 모든 자산이 동결돼야 한다"고 밝혔습니다.

아울러 (만수대 창작사 판매 수익과 관련해) 예치된 자금이 있다면 은행이 어디에 있든 상관 없이 이 역시도 동결 대상이라고 덧붙였다.

뉴콤 전 자문관은 고려식당 또한 문을 닫아야 하며, 북한 노동자들도 본국으로 송환돼야 한다는 점도 강조했습니다.

안보리 결의 2397호는 각 유엔 회원국들이 올해 말까지 모든 북한 해외 노동자를 돌려보내도록 하고 있습니다. 아울러 식당이나 호텔 등 북한과 합작회사를 설립하는 방식으로 운영되는 모든 사업 또한 중단해야 합니다.

제재 전문가인 조슈아 스탠튼 변호사도 만수대 창작사의 자산이 동결돼야 한다고 주장했습니다.

<https://web.archive.org/web/202109302164932/http://www.voakorea.com/korea-politics/4831261>

2/3

Source: VOA.

Annex 85a: Panel enquiry to China (finance)



REFERENCE: S/AC.49/2021/PE/OC.260

4 October 2021

Excellency,

I have the honour to write to you with regard to ongoing efforts of the Panel of Experts established pursuant to United Nations Security Council resolution 1874 (2009) to gather, examine and analyse information regarding the implementation of the measures imposed on the Democratic People's Republic of Korea (DPRK) by Security Council resolutions [1718 \(2006\)](#), [1874 \(2009\)](#), [2087 \(2013\)](#), [2094 \(2013\)](#), [2270 \(2016\)](#), [2321 \(2016\)](#), [2356 \(2017\)](#), [2371 \(2017\)](#), [2375 \(2017\)](#) and [2397 \(2017\)](#), in particular incidents of non-compliance.

The Panel is conducting an investigation into several illicit ship-to-ship transfers, which resulted in refined petroleum delivery to the DPRK in violation of relevant UN sanctions. As part of this investigation, the Panel is also investigating possible violations of, inter alia, paragraph 32 of resolution 2321 (2016) and paragraph 36 of resolution 2270 (2016), which prohibit the provisioning of financial services, directly or indirectly, that could contribute to DPRK sanctions evasion activities.

According to information obtained by the Panel, four Hong Kong-registered companies (annex A) transferred more than USD 45 million from accounts held at China-based banks, to Sino Global Trade Co Ltd for the purchase of gasoil which was transferred to the DPRK via the vessel *Diamond 8*.¹ These transactions occurred between September 2019 and August 2020 (annexes B and C). In paying for the transfer of this gasoil to DPRK, these companies are acting in violation of the resolutions detailed above. Given that the Panel intends to detail the findings of its investigation in the next report, the Panel would be grateful for the following information:

- Please provide the beneficial ownership information for each company in annex A, to include shareholders, directors, and managers;
- Please provide financial records, including all deposits, incoming and outgoing wire transfers for each account held by the companies in annex B and C. Please provide a detailed description of the actions taken by your national authorities to ensure that the DPRK is no longer benefitting from illicit payments through the Hong Kong-based companies in annex A;
- Please provide a detailed description of the actions taken by your national authorities to ensure that the companies in Annex A, as well as the banks listed in Annex B, are no longer providing financial services, directly or indirectly, to DPRK entities;

Paragraph 6 of Security Council resolution 2569 (2021) urges all Member States and other interested parties to cooperate fully with the Panel of Experts, in particular by supplying any information at their disposal. The Panel would welcome any other information that you might consider relevant to its work as mandated by the Security Council in this regard. In addition, the Panel would like to assure you

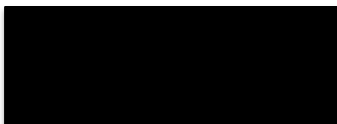
¹ For previous Panel reporting on the *Diamond 8*, see paragraphs 14 and 21 of S/2020/151, paragraphs 25, 30-31 of S/2020/840, and paragraph 49 of S/2020/211. The Panel has also reported on the *Diamond 8* in the 2021 mid-term report, S/2021/777, which is not yet published at the time of drafting.

H.E. Mr. Zhang Jun
Permanent Representative of the People's Republic of China
to the United Nations
New York

that any information you may consider confidential can be handled accordingly and used solely for the Security Council and the 1718 Committee.

Given the importance the Panel attaches to this investigation, we would be most grateful for any information to be supplied within six weeks of the date of this letter. Please reply by email to the Panel at dppa-poe1874@un.org. Should you wish to discuss this request, or any follow-up matters, please contact me through 

Please accept, Excellency, the assurances of my highest consideration.



Coordinator of the Panel of Experts established
pursuant to Security Council Resolution 1874 (2009)

Annexes:

- Annex A: Hong Kong Registered Companies
- Annex B: Summary of Financial Transactions and Accounts
- Annex C: Bank Transfer Receipts, September 2019 to August 2020

Annex A: Hong Kong Registered Companies

The following Hong Kong-registered companies remitted payments to Sino Global between September 2019 and August 2020 for the purchase of gasoil, subsequently delivered to DPRK in transactions involving the vessel *Diamond 8*:

Name	Company Number
Hong Kong Stu Group Company Limited	2401566
Wanhr Trading Limited	2782517
Yield Gold Limited	1500069
Zfullboto Co., Limited	2792449

Annex B: Summary of Financial Transactions and Accounts

Aggregated totals of bank slips from September 2019 to August 2020.

<i>Remitter</i>	<i>Remitting Bank</i>	<i>Sum</i>
Hong Kong Stu Group Company Limited		\$4,312,419.00
Wanhr Trading Limited		\$6,990,000.00
Yield Gold Limited		\$22,544,239.00
		\$2,801,876.00
		\$1,206,264.00
Zfullboto Co Ltd		\$6,344,235.00
		\$852,836.00
Total		\$45,051,869.00

Annex C: Bank Transfer Receipts, September 2019 to August 2020

Annex C of the Panel's original letter to China contained 70 pages of bank transfer receipts from the four companies listed in Annex B to Sino Global for the purchase of gasoil. For the sake of brevity in this report, the Panel includes in this annex ten of those receipts. The Panel has redacted for this report (both from Annexes B and C of the original letter) the names of the remitting banks. Those redactions were not made in the original Annex to the Panel's letter to China.

23/10/2019 17:32 25111879

YUANTA BANK HK21

PAGE 01/05

Yuanta Commercial Bank Co., Ltd., Hong Kong Branch

SUITE 3418, 34/F, TWO PACIFIC PLACE, 88 QUEENSWAY, HONG KONG

Tel No. (852) 2511-1715 Fax No. (852) 2611-1878 SWIFT Address: CUH88833

Yuanta Commercial Bank Co. Ltd.
(Incorporated in Taiwan with limited liability of shareholders)
元大商業銀行股份有限公司
民國97年2月28日經股東大會決議增資

TO: SINO GLOBAL TRADE CO LTD

RM 1A-3 25F HAI-PIEN ROAD
KACHUNG TAIWAN<<INWARD REMITTANCE
PAYMENT ADVICE >>

Date : OCT. 23, 2019

Our Refno : IR99919C01504

Tel: 886 -7 -2695988 #

Fax: 886 -7 -2693053

Remitted Type : TEL. TRANSFER
By Order Of : YIELD GOLD LIMITED
ROOM 1304-1305, 13/F SUP TOWER KING'

Remitting Bank :

Value Date	:	OCT. 23, 2019
Beneficiary's A/C No	:	999020011056
Payee Name	:	SINO GLOBAL TRADE CO LTD
Amount of Remittance	:	USD 1,501,104.00
Exchange Rate	:	1.000000
USD Equivalent	:	USD 1,501,104.00
Commission	:	USD 7.00
Postage/Cable Charge	:	0.00
Exchange Comm.	:	0.00
Comm. Subtotal	:	USD 7.00
Total	:	USD 1,501,097.00

We have credited your A/C No. 999020011056 with us.

Remittance information :

THIS IS A COMPUTER GENERATED ADVICE, Yuanta Commercial Bank Co., Ltd., Hong Kong Branch
NO AUTHORIZED SIGNATURE IS REQUIRED.

PAGE 81/82

Yongtao Commercial Bank Co Ltd
Incorporated in Taiwan with limited liability
永豐商業銀行股份有限公司
2009年2月28日第10次股東常會決議

Date : OCT. 24, 2019
Our Refno : IR99919001513
Tel: 886 -7 -2695988 #
Fax: 886 -7 -2693053

Remitting Bank

We have credited your A/C No. 999020011056 with us.
Remittance information :

THIS IS A COMPUTER GENERATED ADVICE, NO AUTHORIZED SIGNATURE IS REQUIRED. Santa Commercial Bank Co., Ltd., Hong Kong Branch

28/09/2019 17:22 28111879

YUANTA BANK HK21

PAGE 01/04

Yuanta Commercial Bank Co., Ltd., Hong Kong Branch

SUITE 3418, 34/F, TWO PACIFIC PLACE, 88 QUEENSWAY, HONG KONG

Tel No.: (852) 2511-1710 Fax No.: (852) 2511-1879 SWIFT address: CYTH33

Yuanta Commercial Bank Co Ltd
Incorporated in Taiwan with limited liability of shareholders
元大商業銀行股份有限公司
台灣台北市松山區復興南路一段333號

TO: SINO GLOBAL TRADE CO LTD

<<INWARD REMITTANCE
PAYMENT ADVICE >>RM 1A-3 25F HAI-PIEN ROAD
KACHISTUNG TAIWAN

Date : SEP. 20, 2019

Our Refno : IR99919001301

Tel: 886 -7 -2695988 #

Fax: 886 -7 -2693053

Remitted Type : TEL. TRANSFER
 By Order Of : WANIR TRADING LIMITED
 QUANZHOU SHI SHISHI SHI TAO DAO LU,
 Remitting Bank : 

Value Date : SEP. 20, 2019
 Beneficiary's A/C No : 999020011056
 Payee Name : SINO GLOBAL TRADE CO LTD
 Orig. Remittance Amt : 586,000.00
 Amount of Remittance : USD 586,000.00
 Exchange Rate : 1.000000
 USD Equivalent : USD 586,000.00
 Commission : USD 7.00
 Postage/Cable Charge : 0.00
 Exchange Comm. : 0.00
 Comm. Subtotal : USD 7.00
 Total : USD 585,993.00

We have credited your A/C No. 999020011056 with us.
 Remittance information :

THIS IS A COMPUTER GENERATED ADVICE, Yuanta Commercial Bank Co., Ltd., Hong Kong Branch
 NO AUTHORIZED SIGNATURE IS REQUIRED.

日期 2019年 9月20日 17:23 09948

04/11/2019 17:29 25111879

YUANFA BANK HK21

PAGE 02/03

Yuanfa Commercial Bank Co., Ltd., Hong Kong Branch
 SUITE 3418, 34/F, TWO PACIFIC PLACE, 88 QUEENSWAY, HONG KONG
 Tel No. (862) 2511-1719 Fax No. (862) 2511-1879 SWIFT address: CUBH3333

Yuanfa Commercial Bank Co Ltd
 Incorporated in Taiwan with limited liability of shareholders
 元大商業銀行股份有限公司
 台灣成立之有限責任公司股東為無限責任

TO: SINO GLOBAL TRADE CO LTD

<<INWARD REMITTANCE
PAYMENT ADVICE >>

RM 1A-3 25F HAT-PUEN ROAD
 KAOHSIUNG TAIWAN

Date : NOV. 04, 2019

Our Refno : IR99919001576

Tel: 886 -7 -2695988 #

Fax: 886 -7 -2693053

Remitted Type : TEL. TRANSFER
 By Order Of : WANER TRADING LIMITED
 QUANZHOU SHI SHISHI SHI BAODAO LI,
 Remitting Bank : 

Value Date : NOV. 04, 2019
 Beneficiary's A/C No : 999020011056
 Payee Name : SINO GLOBAL TRADE CO LTD
 Orig. Remittance Amt : 532,000.00
 Amount of Remittance : USD 532,000.00
 Exchange Rate : 1.000000
 USD Equivalent : USD 532,000.00
 Commission : USD 7.00
 Postage/Cable Charge : 0.00
 Exchange Comm. : 0.00
 Comm. Subtotal : USD 7.00
 Total : USD 531,993.00

We have credited your A/C No. 999020011056 with us.
 Remittance information :

THIS IS A COMPUTER GENERATED ADVICE, Yuanfa Commercial Bank Co., Ltd., Hong Kong Branch
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03/09/2019 10:14 25111097

YUNTA BANK HK1

PAGE 02/03

Yunta Commercial Bank Co., Ltd., Hong Kong Branch

SUITE 3416, 34/F, TWO PACIFIC PLACE, 88 QUEENSWAY, HONG KONG

Tel No.: (852) 2511-1719 Fax No.: (852) 2511-1878 SWIFT address: OUR0880-HK

Yunta Commercial Bank Co. Ltd.
Incorporated in Taiwan with limited liability of shareholders.
遠東商業銀行股份有限公司
有獨立之資產及其公司股東為其責任

TO: SINO GLOBAL TRADE CO LTD

<<INWARD REMITTANCE
PAYMENT ADVICE >>RM 1A-3 25F HAI-PIEN ROAD
KACHSIUNG TAIWAN

Date : SEP. 03, 2019

Our Refno : IR99919001167

Tel: 886 -7 -2595988 #

Fax: 886 -7 -2593053

Remitted Type : TEL. TRANSFER
By Order Of : HONG KONG STU GROUP COMPANY LIMITED
ADD. RM 1805 18/F OLYMPIA PLAZA 243

Remitting Bank :

Value Date : SEP. 03, 2019
Beneficiary's A/C No : 999020011056
Payee Name : SINO GLOBAL TRADE CO., LTD HONG
KONG, CHINAOrig. Remittance Amt : 251,153.00
Amount of Remittance : USD 251,133.00
Exchange Rate : 1.000000
USD Equivalent : USD 251,133.00Commission : USD 7.00
Postage/Cable Charge : 0.00
Exchange Comm. : 0.00
Comm. Subtotal : USD 7.00
Total : USD 251,126.00

We have credited your A/C No. 999020011056 with us.

Remittance information :

THIS IS A COMPUTER GENERATED ADVICE, Yunta Commercial Bank Co., Ltd., Hong Kong Branch
NO AUTHORIZED SIGNATURE IS REQUIRED.

發送時間 2019年 9月 3日 10時10分 匯款0915

17/09/2019 18:31 25111897

YUANTA BANK HK1

PAGE 01/02

Yuantia Commercial Bank Co., Ltd., Hong Kong Branch

SUITE 3418, 34/F, TWO PACIFIC PLACE, 38 QUEENSWAY, HONG KONG

Tel No. (852)2511-1719 Fax No. (852)2511-1879 SWIFT address: OUPH HKHH

Yuantia Commercial Bank Co. Ltd.
Incorporated in Taiwan with limited liability of shareholders
元大商業銀行股份有限公司
台灣設立之有限責任公司股東負有限責任

TO: SINO GLOBAL TRADE CO LTD

RM 1A-3 25/F HAI-PIEN ROAD
KAOSIUNG TAIWAN<<INWARD REMITTANCE
PAYMENT ADVICE >>

Date : SEP. 17, 2019

Our Refno : TR99919001265

Tel: 886 -7 -2695988 #

Fax: 886 -7 -2693053

Remitted Type : TEL. TRANSFER
 By Order Of : HONG KONG STU GROUP COMPANY LIMITED
 ADD. RM 1805 18/F OLYMPIA PLAZA 247
 Remitting Bank : 
 Value Date : SEP. 17, 2019
 Beneficiary's A/C No : 999020011056
 Payee Name : SINO GLOBAL TRADE CO., LTD HONG
 KONG, CHINA
 Orig. Remittance Amt : 700,001.37
 Amount of Remittance : USD 699,981.37
 Exchange Rate : 1.000000
 USD Equivalent : USD 699,981.37
 Commission : USD 7.00
 Postage/Cable Charge : 0.00
 Exchange Comm. : 0.00
 Comm. Subtotal : USD 7.00
 Total : USD 699,974.37

We have credited your A/C No. 999020011056 with us.

Remittance information :

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NO AUTHORIZED SIGNATURE IS REQUIRED.

日期 2019年 9月17日 18:26分 0000338

FX015 104.03 壹張

兆豐國際商業銀行
MEGA INTERNATIONAL COMMERCIAL BANK匯入外匯水單及手續費收入收據
EXCHANGE MEMO AND CHARGE RECEIPT
國際金融業務分行(OBU)
☐ 匯入匯款限匯水單
☒ 匯入匯款交易憑證
☐ 逾期升匯支制

日期: 2020-05-27 15:29:07

幣別: USD 水單編號: OBC00052700004-0001 原契約書號碼:

匯入匯款編號: OBC0IS00000117	匯款地區國別: 香港	交易金額: Amount USD*****695,979.00	第一聯: 客戶存查
收款人名稱: 中文 SINO GLOBAL TRADE CO LTD Payee 英文 SINO GLOBAL TRADE CO LTD	匯款種類: 電匯	匯入匯款 USD*****695,979.00	
Acct/check No. 00023758002088 統一編號(UD No.) AIZ00219280	匯款總額 USD*****695,979.00	存入外匯存款 USD*****695,979.00	
匯款分類名稱及編號: 711 商仲貿易收入	匯款人身份別: 國外 ☐ 政府 ☐ 公營事業 ☐ 民間		
匯款人: /027841101089001 ZFULLBOYO CO LTD RM 03B-01 17/F RWD NG SANG HONG CTR 151-153 NOI BUN RD	匯率 Exchange Rate 29.950000	折合新臺幣金額 NT Dollar Equivalent TUD*****0000000000	
匯款銀行: [REDACTED]	利息 Interest USD*****0.00	費用 USD*****10.00 電匯費 USD*****0.00 匯單手續費 USD*****0.00 費用總金額 USD*****10.00	
待核對: CHASUS33 JPMORGAN CHASE BANK, N.A.	實付金額 NT\$ 本單總額付 USD *****0 Net Proceeds 應解付金額 TWD *****0 ZERO 00/100 ONLY 本單提供兆豐商業銀行清算用 USD695979.00		

台頭/貴公司之匯入款/支票款已結付, 請知照。

Please note that your inward remittance/check have been settled and paid the details as above 經辦: 吳宜樞

櫃台交易

兆豐國際商業銀行	
內科科學園區分行	
台	手續費收入及稅收
負責人	鄧世顯

申請人茲聲明已詳閱並充分明瞭本表及背面/銀行內人字號及第八條第一項之內容。The applicant hereby declares that he/she has carefully read and fully understood the "obligations to notify in accordance with Paragraph 1 of Article 8 of the Act" printed on the back of this declaration statement.

PX015 104.03 魚 宣統

兆豐國際商業銀行
MEGA INTERNATIONAL COMMERCIAL BANK

匯入外匯水單及手續費收入收據

EXCHANGE RECEIPT FOR FOREIGN CURRENCY INWARD REMITTANCE

☐ 匯入匯款買匯水單☐ 匯入匯款交易憑證☐ 匯入外匯交割

日期: 2020-05-29 14:52:45

幣別: USD

水單編號: 08C00052000012-0001

原契約書號碼:

匯入匯款編號: 08C000520000125	匯款地區別: 香港	交易金額 Amount USD*****572,979.00	第一場: 客戶存查
收款人名稱: 中文 SINO GLOBAL TRADE CO LTD Payee 英文 SINO GLOBAL TRADE CO LTD Acct/Check No. 00023754002088 統一編號(UD No.) ATZ00219280	匯票 外匯 匯款 來方 匯式	國外匯入 USD*****572,979.00	
匯款分類名稱及編號: 711 商仲貿易收入	匯款總額 Total USD*****572,980.00	匯方 存入外匯存款 USD*****572,979.00	
匯款人身份別: 國外 ☐ 政府 ☐ 公營事業 ☒ 民間	匯 Exchange Rate 20.050000	折合新臺幣金額 NT Dollar Equivalent TWD*****00	
匯款銀行: [REDACTED]	利息 Interest USD*****0.00	匯費 USD*****10.00 郵電費 USD*****0.00 匯項手續費 USD*****0.00 費用總金額 USD*****10.00	入
轉帳銀行: CHASUS33 JPMORGAN CHASE BANK, N.A.	實付金額 NTD 本單據解付 TWD*****0 Net Proceeds 網解付金額 TWD*****0 ZRR0 00/100 ONLY 本單據供兆豐商銀清算用 USD572979.00		

台端/貴公司之匯入款/支票等業已結付訖, 明細如上。

Please note that your inward remittance/check have been settled and paid the details as above.

備付支票

經辦: 吳宜禧

兆豐國際商業銀行	
行	卡坡貨收入印花稅總匯
負責人	部 匯 關

申請人茲聲明已詳閱並充分理解本表單背面, 銀行及人皆將保留第八條第一項及如表背面。The applicant hereby declares that he/she has carefully read and fully understood the "obligations to notify in accordance with Paragraph 1 of Article 8 of the Act" printed on the back of this declaration statement.

FXD15 104.03 版 宣統

兆豐國際商業銀行
MEGA INTERNATIONAL COMMERCIAL BANK匯入外匯水單及手續費收入收據
匯票/匯款單/匯票/匯款單/匯票/匯款單
☐ 匯入匯款買匯水單
☐ 匯入匯款交易憑證
☐ 逾期外匯交割

日期: 2020-05-29 14:50:10

幣別: USD

單號: 08C00052900011-0001

原收單號碼:

匯入匯款號碼: 08C00052900011-0001	匯款地區類別: 匯款	交易金額: USD*****575,979.00	第一聯: 客戶存查
收款人名稱: 中文 SINO GLOBAL TRADE CO. LTD. Payee 英文 SINO GLOBAL TRADE CO LTD	匯款種類: 匯款	匯款金額: USD*****575,979.00	
Acct/check No. 00023758002088 統一編號(I/D No.) A1200219280	匯款種類: 匯款	匯款金額: USD*****575,979.00	
匯款分類名稱及編號: 711 商務貿易收入	匯款種類: 匯款	匯款金額: USD*****575,979.00	
匯款人身份別: 國外 ☐ 政府 ☐ 公營事業 ☐ 民間	匯款種類: 匯款	匯款金額: USD*****575,979.00	
匯款人: /027841101089901 ZPHILBOTO CO LTD RM 03B-01 17/F RM0 NG'SAND HONG CYR 151-153 HOI HUN RD	匯款種類: 匯款	匯款金額: USD*****575,979.00	第二聯: 客戶存查
匯款銀行: [REDACTED]	匯款種類: 匯款	匯款金額: USD*****575,979.00	
特匯銀行: CHASUS33 JP MORGAN CHASE BANK, N.A.	匯款種類: 匯款	匯款金額: USD*****575,979.00	
實付金額 NTS 本單匯解付 TWD*****0000000000 Net Proceeds 匯解付金額 TWD*****0000000000 ZERO '00/100' ONLY	匯款種類: 匯款	匯款金額: USD*****575,979.00	
本單匯解付 TWD*****0000000000 USD576979.00	匯款種類: 匯款	匯款金額: USD*****575,979.00	

台帳/貴公司之匯入款/光票票款已結算付託, 明細如上

Please state that your inward remittance/check have been notified and paid the details as above.

兆豐國際商業銀行	
內閣科學園分行	
台	手續費收入印花稅繳納
負責人	鄭世傑

申請人茲聲明已詳細閱讀並充分理解本表及
 本行個人資料保護政策及隱私政策。The applicant hereby
 declares that he/she has carefully read and
 fully understood the "obligations to notify in
 accordance with Paragraph 1 of Article 8 of
 the Act" printed on the back of this
 declaration statement.

PX015 104.03 壹張

兆豐國際商業銀行
MEGA INTERNATIONAL COMMERCIAL BANK匯入外匯水單及手續費收入收據
EXCHANGE MEMO AND CHARGES RECEIPT
兆豐金融業務分行(080)☐匯入匯款買匯水單
☒匯入匯款交易憑證
☐匯款外匯交割

日期: 2020-08-23 15:15:41

幣別: USD 水單編號: 0BC00062300009-0001 存根均含號碼:

匯入匯款編號: 0BC0IS00000178		匯款地區類別: 香港		交易金額: Amount USD*****141,329.00	
收款人名稱: 中文 SINO GLOBAL TRADE CO LTD Payee 英文 SINO GLOBAL TRADE CO LTD		匯款種類: 外匯匯款 來方匯式		電匯 國外匯入 USD*****141,329.00	
Acc/check No. 00023758002088 統一編號(U/D No.) A1Z00210280		匯款總額: USD*****141,339.00		存入外匯存款 USD*****141,329.00	
匯款分類名稱及編號: Y11 商仲貿易收入		匯款人身份別: 國外 ☐ 政府 ☐ 公營事業 ☒ 民間			
匯款人: /027841101089901 ZFULLBOTO CO LTD RM 03B-01 17/F KVO HQ SANG HONG CYR 151-153 HOI BUN RD		匯率 Exchange Rate		折合美金金額 NT Dollar Equivalent	
		29.500000		TWD*****0	
匯款銀行: 		匯款利息: Interest		USD*****0.00	
匯款銀行: CHASUS33 JPHORGAN CHASE BANK, N.A.		匯費 郵電費 匯項手續費 費用總金額		USD*****10.00 USD*****0.00 USD*****0.00 USD*****10.00	
實付金額 NT\$ 本單據解付 TWD*****0 Net Proceeds 捌佰付金額 TWD*****0 ZKEU 00/100 ONLY					

本單據供兆豐商銀備算用
USD141329.00

台規/貴公司之匯入款/光票票款已解結付託，明細如上

Please note that your inward remittance/check have been utilized and paid the details as above 經辦: 吳宜德
櫃台交易

兆豐國際商業銀行	
內閣科學園區分行	
台	手續費收入印花稅貼紙批
負責人	鄧世鵬

*申請人茲聲明已詳閱並充分明瞭本水單
背面「銀行個人資料保護法第八條第一項
告知義務內容」。The applicant hereby
declares that he/she has carefully read and
fully understood the "obligations to notify in
accordance with Paragraph 1 of Article 8 of
the Act" printed on the back of this
declaration statement.

Annex 85b: China's response to Panel enquiry

China responded as follows to the Panel's letter:

“After investigation, China finds no involvement in DPRK-related activities or trade of refined petroleum products by the four Hong Kong companies mentioned in the Panel's letter. Relevant banks also find no possible DPRK-related transactions with the clues provided by the Panel. We have full reason to question the credibility of the information sources. It is not the first time for some individual countries to unilaterally take illegal actions based on lies and false evidence. We hope the Panel will be more discerning.”

Annex 86a: Panel enquiry to UAE (finance)



REFERENCE: S/AC.49/2021/PE/OC.61

14 April 2021

Excellency,

I have the honour to write to you with regard to ongoing efforts of the Panel of Experts established pursuant to United Nations Security Council resolution 1874 (2009) to gather, examine and analyse information regarding the implementation of the measures imposed on the Democratic People's Republic of Korea (DPRK) by Security Council resolutions [1718 \(2006\)](#), [1874 \(2009\)](#), [2087 \(2013\)](#), [2094 \(2013\)](#), [2270 \(2016\)](#), [2321 \(2016\)](#), [2356 \(2017\)](#), [2371 \(2017\)](#), [2375 \(2017\)](#) and [2397 \(2017\)](#), in particular incidents of non-compliance.

The Panel is investigating possible violations of, *inter alia*, paragraph 32 of resolution 2321 (2016) and paragraph 36 of resolution 2270 (2016), which prohibit the supply of financial services, directly or indirectly, that could contribute to DPRK sanctions evasion activities. The Panel has obtained information that suggests that “Grace Way General Trading LLC” and “Zeeshan Bashir Building Materials Trading LLC”—two Dubai-registered companies—facilitated payments at the behest of “Jiangxi Hailian Petrochemical Co., Ltd” (annex A) to “Golden Luxury Corp” in or around October 2018. The purpose of these transactions was for the purchase of petroleum products, which were ultimately delivered to the DPRK. In its efforts to gather reliable and verifiable information, the Panel would be grateful for your assistance in supplying the following information:

- All corporate registration and beneficial ownership information for “Grace Way General Trading LLC” and “Zeeshan Bashir Building Materials LLC” (see annex B for company particulars);
- All financial accounts held by the aforementioned companies for the last five years; and
- All incoming and outgoing wire transfers for the last five years—to include sender/receiver details and wire transfer notes.

Paragraph 6 of Security Council resolution 2569 (2021) urges all Member States and other interested parties to cooperate fully with the Panel of Experts, in particular by supplying any information at their disposal. The Panel would welcome any other information that you might consider relevant to its work as mandated by the Security Council in this regard. In addition, the Panel would like to assure you that any information you may consider confidential can be handled accordingly and used solely for the Security Council and the 1718 Committee.

H.E. Mrs. Lana Zaki Nusseibeh
Permanent Mission of the United Arab Emirates
to the United Nations
New York, NY

Given the importance the Panel attaches to this investigation, we would be most grateful for any information to be supplied within one month of the date of this letter. Please reply by email to the Panel at dppa-poe1874@un.org. Should you wish to discuss this request, or any follow-up matters, please contact the Panel through [REDACTED]

Please accept, Excellency, the assurances of my highest consideration.

[REDACTED]
Coordinator of the Panel of Experts established
pursuant to Security Council Resolution 1874 (2009)

Annexes:

Annex A: Payment Instructions
Annex 2: Company Particulars

Annex A: Payment Instructions

Figure 1. Payment instructions from “Jiang Xi Hai Lian” to “Golden Luxury Corp.”

江西海联石油化工有限公司

To: 金豪有限公司

本公司委请ZEESHAN BASHIR BUILDING MATERIALS TRADING LLC及
GRACE WAY GENERAL TRADING LLC两家公司代支付货款给贵公司,请知悉!

江西海联石油化工有限公司

10/19/2018



Figure 2. Wire Transfer receipt from “Grace Way” to Golden Luxury Corp.”

View Transaction Details - Telegraphic Transfer				
Transaction Date	20-Oct-2018			
Transaction Reference	GOODS			
System Reference	10063189			
Debit Account	3708290221602			
Account Name	GRACE WAY			
Special Instructions to the Bank:				
Total Indicative Debit Amount	USD 455,000.00			
Charges	Beneficiary			

Beneficiary				
Sl No	Beneficiary	Pay Amount	Indicative Rate	Indicative Amount
1.	GOLDEN LUXURY CORP	USD 455,000.00	1	USD 455,000.00
	Beneficiary Address: NO224 HE 1ST RD ZHONGZHENG DIST KEELUNG CITY202 TAIWAN			
	Beneficiary Bank: DBS BANK LTD -			
	Account Number / IBAN: 00054686788			
	Bank Address: TAIPEI 101 TOWER 28F - B: NO. 7 NA NA TAIWAN,,Taiwan			
	Payment Details: PAYMENT FOR GARMENT			
	Transaction Type:			
	Payment Type:			
	Notify by Email: yang266335@gmail.com			

Annex B: Company Particulars

Source: UAE National Economic Register (https://cbis.economy.gov.ae/Search_By_BN.aspx)

Name	Est. Date	Bus. License. Number (local)	Responsible Manager
Grace Way General Trading LLC*	16/10/2016	768115	Cai Zhi Yang
Zeeshan Bashir Building Materials Trading LLC	18/09/2018	814492	Zeeshan Bashir Ahmad
Ding Sheng General Trading LLC**	05/11/2014	720242	Yi Tong

* There is a second Dubai-based company with a similar name: "Grace Way Trading LLC" (BL 779761). The Panel does not believe that this company is involved in the aforementioned transactions.

** The Panel notes that Ding Sheng General Trading shares a phone number with Grace Way General Trading LLC.

Annex 86b: UAE Reply to the Panel's letter in connection with UAE entities linked to payments made to Golden Luxury Corp

PERMANENT MISSION OF THE
UNITED ARAB EMIRATES
TO THE UNITED NATIONS
NEW YORK



البعثة الدائمة
للإمارات العربية المتحدة
لدى الأمم المتحدة
نيويورك

Ref: 2021/1598

17 December 2021

Further to letter reference S/AC.49/2021/PE/OC.61 (dated 14 April 2021) from the Coordinator of the Panel of Experts established pursuant to Security Council Resolution 1874 (2009), I am pleased to share the following information on behalf of the concerned authorities in the United Arab Emirates:

Information on Grace Way Company General Trading LLC

x Commercial License No. 768 115; x

Activity license: General trading;

x Operated by Kai Zhiang, national of China, passport No. E12435700, as

Director of the company; x Bank transfers were observed from Dubai Islamic Bank account of Grace Way Company General Trading LLC to GOLDEN LUXURY CORP, valued at a total of AED 116 million distributed over 70 transfers in the past five years.

Panel of Experts established pursuant to
Security Council resolution 1874 (2009)

PERMANENT MISSION OF THE
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للإمارات العربية المتحدة
لدى الأمم المتحدة
نيويورك

Zeeshan Bashir Building Materials LLC

- x Commercial License No. 814492; x Activity license:
building materials trading;
- x Zeeshan Bashir Bashir, national of Pakistan, passport No. CJ3840062, as a manager;
- x Bank transfers were observed from the Emirates NBD Bank account belonging to the
Zeeshan Bashir Building Materials LLC to GOLDEN LUXURY CORP, valued at a
total of AED 329 million distributed over 205 transfers in the past five years.

Please accept the assurances of my highest consideration.

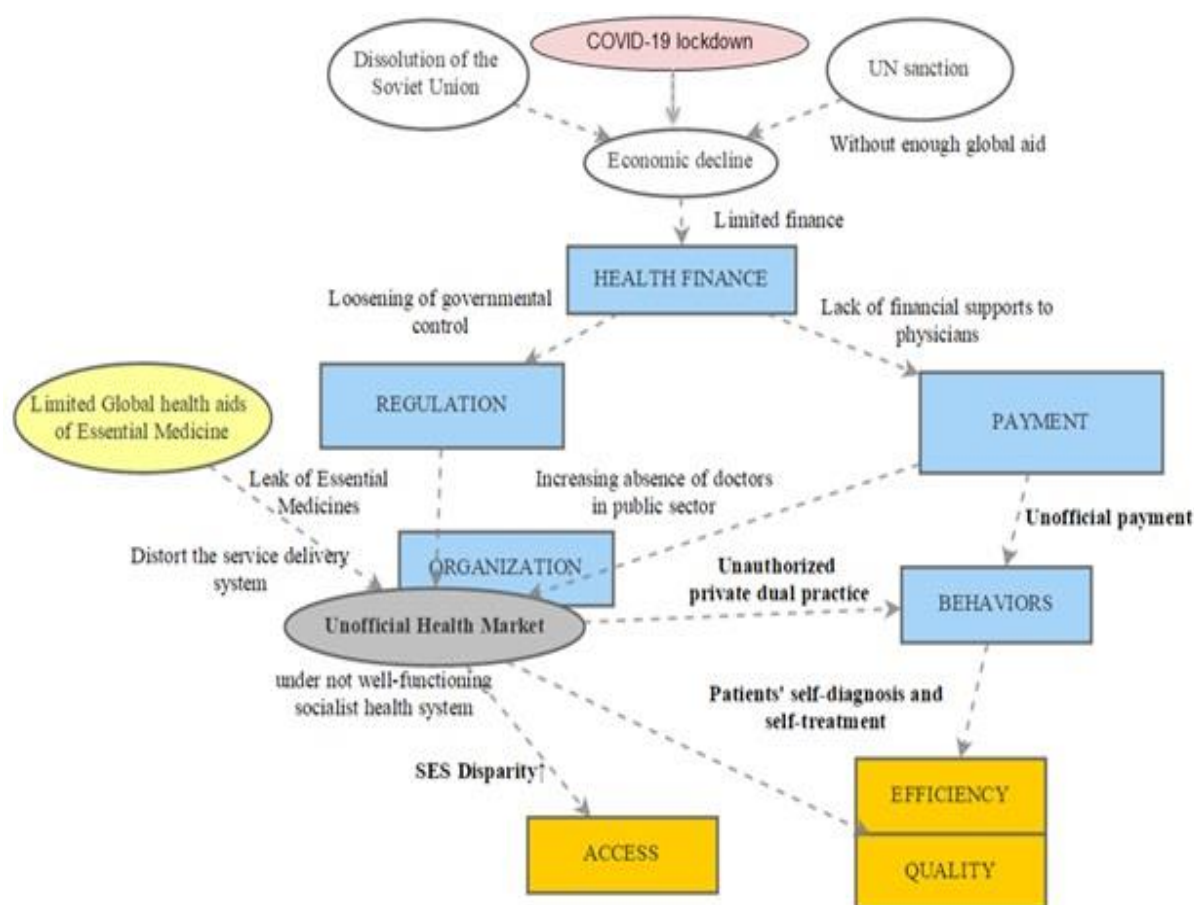


Mohamed Abushahab
Ambassador
Deputy Permanent Representative

Annex 87: The pathways of the impact of the international sanctions regime and the COVID-19 epidemic on the health system of the DPRK

The figure illustrates the tendency of commercialization of healthcare and growth of inequality in access to healthcare as the result of economic decline and other factors.

“Deepening marketization of healthcare practices without a supplementary social safety system seems to exacerbate the inequality of healthcare access between different socioeconomic groups in the DPRK, especially during the COVID pandemic crisis.”



Source :

<https://mailchi.mp/nautilus/napsnet-special-reportcovid-19-and-the-dprk-health-system-implications-for-an-inter-korean-biomedical-cluster-cooperation-and-ctr?e=cd46d00c05>

Annex 88: Some factors of UN sanctions' influence (S/2020/151, para. 209)

There can be little doubt that United Nations sanctions have had unintended effects on the humanitarian situation and aid operations, although access to data and evidence is limited and there is no reliable methodology that disambiguates United Nations sanctions from other factors, including unilateral sanctions regimes and domestic socioeconomic factors within the Democratic People's Republic of Korea. Nevertheless, the latest United Nations sanctions could exacerbate an already difficult situation in the country for those employed in sectors directly or indirectly affected by sanctions, as well as potentially disrupting supplies of necessities to the civilian population. The unintended consequences of sanctions on the humanitarian needs of the civil population might include the following:

- The disappearance of, or a decrease in, sources of livelihood for those employed in industries affected by United Nations sanctions and for repatriated overseas workers; this effect may be up to hundreds of millions of dollars, based on rough estimates.
- An increase in social marginalization as the elites respond to both United Nations and other sanctions by increasing control over scarce resources, including the “new market economy”, in some cases channelling these resources to purposes other than the needs of the population.
- Continued shortages of agricultural equipment and lack of fuel, exacerbating already low levels of mechanization in agriculture, which can limit harvest windows and compound food insecurity caused by adverse environmental conditions and mismanagement of domestic resources.
- Increases in the disruption of medical supply chains, which can significantly impact the chronically underfunded and inadequate health-care system in the Democratic People's Republic of Korea.
- The collapse of the United Nations banking channel and the subsequent lack of access to consistent and reliable financing jeopardizes supply chain operations and results in projects being suspended or stopped altogether. It has also created risky situations for humanitarian personnel.
- Financial institutions and private-sector entities continue to refrain from transactions tied to a high-risk jurisdiction. Moreover, some financial institutions draw no distinction between United Nations and unilateral sanctions. This affects the humanitarian operations in the Democratic People's Republic of Korea of the United Nations and other organizations, to include increased costs.

Annex 89: Question of Panel's survey to NGOs

In its efforts to examine and report to the 1718 Committee and the Security Council on unintended humanitarian impacts of UN sanctions, the Panel would be grateful for your responses to the following questions:

- 1) What is your assessment of the impact of UN sanctions on the humanitarian situation in the DPRK and how has that impact changed over time? What have been the effects of the restrictions related to the COVID-19 pandemic on the economic and humanitarian spheres, and in what way have these restrictions influenced the overall humanitarian situation? If possible, please include information or examples that support your assessment;
- 2) Please provide detailed information and data on whether your organization experienced reductions in operational capacity due to issues related to quarantine measures in the DPRK and / or implementation of UN sanctions. Such impacts might include:
 - a) cost and speed of the response,
 - b) “operational” problems (i.e. access to beneficiaries and quality of assistance),
 - c) staffing and partnerships (i.e. in-country staff and implementing partners),
 - d) perceptions (i.e. how humanitarian organizations are perceived in the areas they operate),
 - e) Safety,
 - f) self-restraint and “de-risking”
- 3) If your operations require humanitarian exemption approvals from the 1718 Committee, has the approval process met your needs? The Panel notes that the Committee adopted amendments to the humanitarian exemption approval process in November 2020, including expedited consideration of certain requests. What, if anything, could be further improved in the exemption process, or in the implementation of UN sanctions, to better meet your operational needs and objectives?
- 4) Could you propose ways in which humanitarian and UN sanctions actors might enhance mutual understanding of each other's objectives and methodologies?

Annex 90: Statements from NGOs regarding UN sanctions

The following quotes have been compiled from the responses to the Panel's survey to NGOs.

NGO 1

“Sustained border closure has had a profound negative impact on the flow of supplies, which the DPRK population heavily relied on to supplement the government efforts.”

“an already weak health system has been further weakened due to lack of medicines, supplies and support, that would translate into higher risk for the already vulnerable population because of reduced country capacity in managing diseases/health issues”

“As part of emergency measures introduced against COVID-19 in DPRK, strict movement restrictions were applied. International staff as well as the government seconded national personnel in international agencies were confined to the capital and not allowed to leave Pyongyang.”

“...the prolonged sanctions has resulted in the country's health system remaining weak. The initiatives needed to strengthen and develop the health system were not taking place, as the focus to supporting health was only geared towards responding to emergencies and humanitarian crisis such as during floods and typhoons. As a result, the health sector lacks the resources to develop strategies that would have been able to prevent and mitigate shocks and emergencies such as the COVID-19 pandemic.”

“... as per UN sanctions applicable in DPRK, the lack of a banking channel has been severely impacting the availability of in-country cash to support operations and programme implementation. Overall, due to absence of international staff in the country (owing to the closure of borders due to COVID-19) and the lack of sufficient cash (owing to UN sanctions), [NGO] programme implementation and operational capacity has been severely impacted causing over 60% budget allocations to remain unutilized during the last two years.”

“the sanctions committee has been helpful in facilitating expeditious clearances with regard to COVID-19 related equipment and supplies.”

“[NGO] also appreciates the fact that the exemptions may now be provided for a period longer than 6 months, (up to 18 months) for instance when the applicant provides a well-founded justification such as transportation delays related to a pandemic. This development is very helpful and welcome”.

NGO 2

“In the current situation of the country’s self-imposed border closure and self-imposed import restrictions, we deem that the UN sanctions currently do not have a major direct effect on the humanitarian situation.”

“...the humanitarian impact of the DPRK’s self-isolation because of COVID-19 is going to be severe and threatens to undo some of the progress made in areas such as food security, nutrition and health”

“The restricted movement of people is a concern especially for those requiring medical treatment, be it for chronic conditions, severe acute malnutrition (children) or tuberculosis. The supply of medical equipment and drugs is another concern. None of the international humanitarian actors that used to support the country’s health system has been able to import and distribute any goods since June 2020. Schools have been closed for extended periods, leading to a lot of missed classes, and possibly also to children missing out on food hand-outs that are usually provided at schools.”

“The COVID-19 pandemic preventive measures taken by the DPRK Government have strongly affected the ability of the NGO, the UN system and other international actors to deliver humanitarian goods and assistance.”

“In some cases in the past, the approval process [for exemption] was lengthy and required a lot of information to be collected. However, there has been a significant improvement in the approval process for humanitarian exemptions in the course of the last 2 years. We are satisfied with the procedures, and highly appreciate the extension of the validity of the exemptions from six months to one year. We further appreciate the improvements to the exemption process made through Implementation Assistance Notice No. 7. We welcome the joint call to work together to sustainably resolve the banking channel. This matter has further increased in urgency, as cash-carry in the current situation is not a feasible option”.

NGO 3

“In addition to the above challenges (looming stock-out of [medicine] which has short shelf-life, the long transit time, the difficulty in communicating with the Government, the need for conducting additional quality assurance of the supplies prior to the distribution) the increased quarantine period to 90 days entails unexpected costs such as high fees for port storage, demurrage and additional freight and electricity expenditure while the reefer container remains in the vessel”

“Despite repeated requests ...to MFA counterparts, no indication has been received from DPRK authorities on whether additional exemption will be granted for the import of life-saving commodities. [NGO] has therefore decided to suspend any further procurement of supplies to the DPRK until a formal authorization is provided for future procurement. [NGO] had to either cancel most of its procurement in 2020 or re-allocate the supplies to others... to remain cost-effective and reduce demurrage and storage fees.”

NGO 4

“[NGO] receives little support from donor funded projects and maintains personnel and offices mainly at its own costs. The cash reserves in the country are largely used up, so that [NGO] might consider closing its operations completely until a reopening of the borders.”

“... humanitarian actions in DPRK must aim at strengthening the resilience of the food system to avoid crisis before their inception. Therefore, field support might combine humanitarian assistance but also developmental characteristics. However, the overall target remains to improve the diet, health and well-being of the most vulnerable groups which still suffer from malnourishment and short supply of WASH and health items.

An improvement would be an option to transfer money to DPRK to support the management of our activities and avoid costly travel”

NGO 5

“In light of the near complete border closure by DPRK related to covid prevention measures, any sanctions related challenges are essentially secondary (or moot) at this point since shipments of humanitarian goods are not yet being permitted by the DPRK government to transfer.”

NGO 6

“The access and communication barriers imposed by the COVID 19 situation as well as the lack of secondary data from other sources make impossible for (NGO) to propose an analysis of the humanitarian situation evolution in regards with the current pandemic.”

“[NGO]’s operational capacity has been decreasing from the moment DPRK decided to impose strict quarantine measure in January 2020,…”

“New rules imposed by DPRK in February 2020, which were:

- No international flights and no entry visa issuance (making impossible the supply of cash and the rotation of international staff)
- Strict limitation of humanitarian equipment and material imports
- No access to the field for expatriate teams

These additional restrictions made impossible for [NGO] to keep implementing its projects within acceptable quality and integrity standards, forcing the organization to suspend all its activities.”

“[NGO] however decided to maintain its Pyongyang office opened to avoid losing its capacities to redeploy and relaunch its project when it will be possible. It should be noted that this decision to maintain this limited presence is not without budgetary consequences... Indeed, certain support running costs must be maintained, but they are not fully eligible for our financial partners and [NGO] will not be able to pay these costs with its own funds if the situation continues over time. Moreover, considering the impossibility to send cash to DPRK in the absence of international staff movement, [NGO] has therefore been accumulating debts since the suspension of its operations. ...In terms of future operational capacity, the restart of [NGO]’s activities in the country will imply a mission revitalization period (restart the coordination with the KECCA; relaunch discussion for designation of national staff; clean up liabilities; sending back international staffs to the country; assessing the situation of each suspended projects and restart the contact with farms and partners; importing the material and equipment blocked at the border; etc.)”

“Even though the COVID 19 related restrictions on importations decided by DPRK are responsible for this situation, it has to be mentioned that (NGO) currently has materials and equipment ...blocked at the border since January 2020. (NGO) has no choice since then to request extension of the exemption granted for this purchase to ensure it is still valid when the border reopens.”

“Additional extension of projects will probably be needed, inducing costs that were not initially planned; [NGO] coordinating with its financial partners and will propose adjustments to its projects once the situation will have been reassessed.”

“Despite the exemptions that are granted to the funds dedicated to humanitarian operations, it is common that banks delay or block the supply of cash, leading to additional administrative work on [NGO] side to unblock the situation... Since the sanctions have come to force, a drop in the number of suppliers applying for the tenders [NGO] open in the frame of the procurement of goods and equipment. This decrease in the potential supplier diversity has a direct impact on prices competitively, goods and equipment quality.”

“The exemption process provoked some delays during the first months after its implementation since the different stakeholders (...customs, NGOs, UNSC) had to adapt to this new regulation... [NGO] would recommend the following actions:

- the extension of the 6-month validity period granted for each exemption..... The current restriction on imports linked to the COVID 19 situation is a good example of this constraint: as mentioned previously, [NGO] had to request extension of the exemption due to the fact that the goods and equipment covered by the granted exemption are still blocked at the border”
- It might be interesting to think about possible solutions regarding the supply of cash constraints due to financial sanctions.
- Strengthen the link with authorities to facilitate the customs clearance process
- Make fast tracks when it comes to 1) amendment justified in terms of quantity 2) renewal in the event of expiration”.

NGO 7

“...food shortages must have worsened after [NGO] departure from the country, when the population was already suffering from malnutrition especially in the countryside”.

“Concerning quarantine measure in DPRK

The closing of the country had important financial consequences for [NGO]. Whilst the projects’ activities as well as the HR costs are suspended, other running costs (office and guesthouse rent and maintenance, vehicle maintenance and insurance and salaries for KECCA liaison officer, driver and cleaning lady) continue to be borne monthly by [NGO]. These costs are not fully eligible for support by funding partners and [NGO] is not in a position to pay the entirety of these costs with its own funds. Thus [NGO] has accumulated major debts... which would eventually slow down [NGO] resumption of activities when the country’s borders reopen ...”

“The lack of contact with people inside the country precludes maintaining relationships with local partners, understanding their current situation, and beginning negotiations for the future”.

“International, European and national sanctions imposed on DPRK are entirely respected by [NGO]. On two different occasions however, the imposed...sanctions prevented the general functioning of the organization, thus hindering the implementation of all activities:

- [NGO] still owns a bank account with the FTB (Foreign Trade Bank). This account is no longer in use: no transactions are done to and/or from this account, but a small sum of money ...is still retained on it. This account is however kept open in the event that banking channels to DPRK would be re-authorized by the UNSC Sanctions Committee in the future.
- [NGO] has an insurance contract with KNIC, despite the company being blacklisted. Vehicle insurance being mandatory and KNIC being the only entitled insurance company in the country, ...

PROBLEMS

...additional administrative workload: the administrative work related to sanction compliance slightly increases the workload of project managers and the Country Director. The legal expertise required to understand the information involved in the sanction mechanisms and the absence of a direct channel for resident INGOs to communicate with the UNSC Sanctions Committee has, on some occasions, proven detrimental to other tasks and responsibilities

Major delays in the deliveries:.... These delays resulted in major impacts on project’s implementation (and on the population’s well-being), such as the suspension of the transportation of food to children institutions and the lack of vegetable intake by children due to the insufficiency of winter production because of the absence of the procured pipes to be used for the construction of greenhouses. All in all, these delays are estimated to have affected up to 30,000 to 45,000 beneficiaries, mostly children.”

“Reduction of the number of suppliers answering tenders: several major suppliers stopped submitting offers...”

“Delays on project implementation: each slight modification of technical specification must be notified to the UNSC SC, which appears to increase the planned duration of the action. As so, some activities have been delayed and no-cost extensions have been requested to donors for some projects due to the duration extension of the purchase procedures.”

“In order to further improve this mutual understanding (NGO) has two suggestions:

- The first suggestion concerns the interaction within the UN sanctions actors. July 2021 exchange meeting with the ..panel of experts from UNSC SC allowed us to better specify our needs and constraints. Such an initiative should be repeated regularly, especially when the borders are reopened.
- The second suggestion proposed by (NGO) concerns the communication regarding the UNSC SC resolutions against the DPRK. If the UNSC SC resolutions are amended or if new resolution passes, exchange workshops to introduce them and better integrate humanitarian specificities and exemption needs/processes would be an interesting development for mutual understanding between NGOs and UN sanctions actors.”

NGO 8

“The current situation in the Democratic People’s Republic of Korea (DPRK) remains dire and has been exacerbated within the past two years by the COVID-19 pandemic. The country currently finds itself on the verge of an economic and humanitarian crisis, resulting from a variety of factors, including draconian COVID-related restrictions and a fragile food and nutrition situation. The DPRK is taking advantage of the pandemic to tighten controls and oppress the North Korean people. The DPRK continues to impose severe restrictions on basic freedoms to contain the spread of the virus.”

“...all of these three factors potentially preventing a great famine [market access, information flows, more freedom to farming] have been undermined. First, under the pretext of COVID prevention, the DPRK leadership has cracked down on markets and cross-border trade. Second, under the same pretext, the DPRK leadership has cracked down on information getting into and out of the country and applied harsh judicial and extra-judicial punishment to North Korean nationals involved in such information exchanges. Third, natural disasters (flooding) have negatively impacted agricultural output and implicitly the food security of North Koreans. Consequently, the likelihood of a humanitarian emergency erupting in the DPRK is higher now than it would have been pre-COVID.”

“the DPRK has imposed strict COVID-19 border control measures since January 2020, which are likely having a humanitarian and human rights impact on ordinary North Koreans, regardless of UN sanctions measures...”

“it is not currently possible to discern whether UN sanctions measures are also having an impact on the North Korean people, or whether there is a causal relationship between UN sanctions measures and the humanitarian situation on the ground in the DPRK...”

“Based on anecdotal information,[by a source in Dandong]..., [NGO] believes that North Koreans, already highly vulnerable to food insecurity, may be dying due to the precarious food situation in the DPRK.”

“We assess that this dire situation is likely attributable to the North Korean leadership’s policies, including strict border controls for almost two years, rather than the “unintended impact of sanctions measures.” If there is a causal relationship between sanctions and the precarious food situation, it remains to be verified and should be investigated through on-the-ground factfinding by the UN and humanitarian organizations, in cooperation with the DPRK.”

“...some perspective on whether UN sanctions measures may have an unintended impact. Generally, raw minerals are exported from the DPRK to the PRC. Processed products, such as construction materials or machinery, are purchased again at high prices from the PRC... Due to sanctions, it is highly probable that there are difficulties with importing essential materials for key industries... Simply put, the sanctions against the DPRK will result in a shortage of fuel, machinery, construction materials, and more. This shortage of essential materials for these key industries can deal a blow to the North Korean leadership. The North Korean leadership’s financial power will be reduced due to the sanctions against the DPRK, as is the intent, which will hurt the sustenance of the regime. In other words, sanctions against the DPRK are a serious problem for its leadership because they can have a significant impact and damage its sustenance.”

“...it is in the DPRK’s interest to have sanctions lifted, and Kim Jong-un is signaling this to the international community without taking responsibility for his policies that are causing the dire humanitarian situation. ... the overall economic situation in the DPRK is difficult enough for Kim Jong-un to publicly mention the ‘second March of suffering’ (or the ‘Arduous March’). Atypically, he did not hide the situation and disclosed the difficulties the country faces. The reason for this messaging—one that was intentionally provided to the international community—is to assert the necessity of lifting sanctions against the DPRK by arousing public opinion in the international community that the DPRK is in a serious humanitarian crisis and desperately needs help from the international community. In other words, it is up to the international community to choose whether to just watch the North Koreans die of starvation or lift sanctions against the DPRK. However, the status of the fundamental reason why sanctions are in place, i.e. the DPRK’s nuclear and missile program development, remains unchanged.”

“In fact, there are voices that advocate for the lifting of sanctions in general against the DPRK because of the humanitarian crisis in the DPRK. This exacerbates the idea that sanctions are hurting the North Korean people. However, that perspective often lacks a factual understanding of the situation, beginning with the goods that are not allowed to be exported or imported by the DPRK as previously discussed. This thinking also serves to promote politically motivated agendas to call for an easing or cessation of DPRK sanctions measures.”

“[NGO] recommends that:

...UN bring people from different sectors and disciplines together to tackle the complex issues of a humanitarian crisis in the DPRK, the DPRK’s obligations to its people and the international community, and the UN sanctions regime. Representatives from civil society organizations, including humanitarian aid organizations and human rights organizations, the banking sector, United Nations officials, medical professionals, and DPRK officials, if possible, should hold open discussions and share information and perspectives to enhance and promote understanding.

...Special Rapporteur on the situation of human rights in the DPRK and representatives of the Office of the United Nations High Commissioner for Human Rights [should]be allowed unimpeded access inside the DPRK... Their visits would be opportunities to assess the impact of COVID-19 on aspects focused on human security in general, including the nutritional and health insecurity of vulnerable groups in the Democratic People's Republic of Korea. Such visits could serve as a precursor to conceptualizing and designing a comprehensive, sustainable, and inclusive approach to facilitate a more comprehensive dialogue, cognizant of the human security needs of the people of the DPRK, their human rights situation, and a United Nations Human Rights Up Front approach.

...To ask organizations requesting sanctions exemptions for additional, specific information on the intended locations of the disbursement of humanitarian aid as well as its beneficiaries. This would facilitate a better understanding for external monitoring of humanitarian aid and allow a more accurate determination as to whether the aid will be delivered in areas where the most vulnerable North Koreans reside.”

NGO 9

“...the unintended impact of sanctions on the civilian population would be difficult to gauge accurately, given the restricted access of international and non-governmental organizations and experts to the country.”

“... the unintended effects of sanctions on the work of international organizations and NGOs have been well documented (see UN and specialized agency reports and the information compiled by the National Committee on North Korea, <https://www.ncnk.org>.) Every effort should be made to resolve unnecessary restrictions on humanitarian relief to the civilian population.”

“...consideration of the sanctions issue would be well to be more broadly framed. The General Assembly resolution [A/C3/76/L.27]¹⁵³ calls on the United Nations system ‘as a whole’ to address the human rights situation in the country ‘in a coordinated and unified manner’... The government’s diversion of its resources to nuclear weapons and missiles at the expense of the needs and welfare of the civilian population are repeatedly raised by the General Assembly and Security Council. Although the DPRK has often put forward that sanctions are the main issue to be addressed by the international community, government-imposed restrictions, as noted above, on the civilian population in response to the covid-19 pandemic, and even earlier as a means to control and punish elements of the population, are also essential to examine. These restrictions directly impact food insecurity, severe hunger, malnutrition, widespread health problems and other hardship for the population as well as the human rights of the population”.

¹⁵³ <https://undocs.org/pdf?symbol=en/A/C.3/76/L.27>

NGO 10

“The current greatest concern in the DPRK is the economic decline, which includes food shortages from COVID-19 border closings. The DPRK economy was already in a vulnerable state due to sanctions, but now it is in a critical state.”

“It has been nearly impossible to transport goods inside the country, with there being only a few exceptions in the past two years. People have not been able to enter the DPRK since the borders were closed at the end of January 2020.”

“Recent information suggests that rice prices have doubled. A kilogram of rice used to cost 4 to 5 RMB, and currently it is 7.5 to 9.5 RMB per kilogram. Cooking oil is also 2 to 3 times higher in price. The central government is rationing food to ensure equal distribution throughout the country. Rice is rationed at 200 g per meal per person, which allows for a daily allotment of 600 g of rice per person. An individual is allowed to purchase 20 days’ worth of rice at a time, which totals to a 12 kg bag of rice.”

“Currently, food shortage is a primary concern. As long as the borders are closed, the nation’s economy will also continue to decline. In addition, fertilizer needs to be imported for the sufficient production of food. Unfortunately, in response to COVID, practically all imports and exports have been blocked due to border closings.”

“UN Sanctions have posed additional hurdles to providing humanitarian assistance to the people of DPRK. While we understand that the process of receiving UN sanctions exemptions has improved significantly, we have not been able to test it ourselves due to the lack of shipments since North Korea’s COVID-related border closure.”

“We believe that the pandemic has likely deteriorated the humanitarian situation inside the country. However, since we have not been able to visit the country since the end of 2019, and because of the limited flow of information from inside the country, it is difficult to provide examples or supporting data. Given the drastic decrease in food and other imports from China, coupled with a virtual cessation of all international assistance (provided by the UN and INGOs), not to mention the natural disasters that negatively impacted harvests, we can surmise that the people of North Korea are in increased need of food and medicines, especially the vulnerable populations.”

“Prior to the COVID pandemic, global sanctions had already aggravated the humanitarian situation in the DPRK. Please refer to the comprehensive report entitled, “The Human Costs and Gendered Impact of Sanctions on North Korea” published in October 2019, for details on the direct impact sanctions have had on the DPRK.”

“The amendments to the humanitarian exemption approval process in November 2020 were helpful. Unfortunately, apart from U.N. sanctions, the problem with U.S. sanction exemptions remains. The most difficult of these approvals is the U.S. Treasury License. In addition, approval for Special Validation Passports from the Department of State has been inconsistent. Therefore, even though the U.N. exemption process has improved, the problem with sanctions remains because organizations usually need to obtain U.S. licenses before even applying for a U.N. exemption.”

“The U.N. needs to create permanent exemptions for humanitarian organizations, including a “whitelist” for medical and agricultural equipment. This will make it unnecessary for humanitarian organizations to even apply for exemptions and allow them to adequately provide pandemic, medical, and agricultural relief to the DPRK. In the midst of not only a global pandemic but also a food security crisis, it is crucial that humanitarian aid is unhindered and received in a timely manner in the DPRK”.

NGO 11

“It could potentially be helpful to humanitarian actors for UN Sanctions actors to explain in more detail why certain commodities (for example 'metal goods', including clearly humanitarian items such as medical goods, agricultural goods, or clean water goods) are being sanctioned in such a blunt way, and without more nuance? Perhaps with dialogue between the two sides, there could be tighter targeting of UN sanctions to only affect the truly problematic dual use items, leaving the broader categories of goods needed for various humanitarian purposes greenlighted, and outside the bounds of required action by the UN Sanctions Committee ...”

NGO 12

“Obviously, the biggest issues were in 2017-2018 as [NGO] were trying to navigate both the new UN sanctions, and the new Treasury sanctions (which the UN is not concerned about) - but now the real snags and confusion caused by both of those issues (and the time it took to work out a "process" for review/approval of exemptions/licenses) have largely been resolved and/or the process made more clear with time. Yes, it has resulted in a lot more time-consuming work for [NGO], but the process is now doable, and somewhat more predictable.”

“...the approval process since 2019/2020 has been much more responsive to [NGO] needs. Other than providing a blanket exception (rather than requiring exemption applications) for certain approved humanitarian projects/organizations - which would be really helpful, the more nimble response by the Committee and their greater flexibility on granting extensions, etc. has been very helpful.”

NGO 13

“.. the absence of a banking channel allowing for the conveyance of operating funds by the international aid community into the DPRK has devastating implications for the neediest of its citizens.”

Annex 91: Information on humanitarian operations in 2021

WHO informed the Panel that “*Two shipments containing essential medicines for non-communicable diseases, tuberculosis and malaria prevention reached Nampo seaport respectively on 7 August 2021 and 2 September 2021 and are since then placed in a 90-days quarantine*”. United Nations Population Fund (UNFPA) informed that “the UNFPA’s refer container was loaded onto vessel on 01 September 2021.”

Annex 92: Additional information on export entries provided by Thailand

With regards to its trade between 2018-2020, Thailand previously informed the Panel that 12 export entries with the DPRK as the destination had been withdrawn.¹⁵⁴ During this reporting period, Thailand has provided subsequent information to the Panel regarding several export entries, which were withdrawn due to mistaken use of KR/KP country codes. The local companies involved, Inter Rim Company Limited, authorized by Fujikura Electronics (Thailand) Co., Ltd. and EIC Semiconductor Co. Ltd., had been exporting its goods to the ROK, not the DRPK (see figures 92-1 and 92-2).

Figure 92-1: Inter Rim Company Limited / Fujikura Electronics (Thailand) Co., Ltd.



¹⁵⁴ S/2021/777, para. 123 and annex 52.

**Additional Information to supplement the Panel of Experts
established pursuant to UNSC resolution 1874 (2009)'s
midterm report on the work of the Panel of Experts (S/2021/777)**

The Royal Thai Government has received additional information on export entries as previously requested by the Panel from Inter Rim Company Limited and wishes to convey the following information:

1. The Ministry of Foreign Affairs of Thailand received a letter with supporting documents from Inter Rim Company Limited, authorized by Fujikura Electronics (Thailand) Co., dated 24 December 2021 explaining the withdrawal of two export entries, with regard to the shipments of goods mentioning the DPRK as reflected in the Panel's midterm report dated 8 September 2021.

2. As the midterm report mentioned the two misfiled export entries, Inter Rim Company Limited is concerned that the information may cause significant damage to the Company and its associates (Attachment 1). The Company has contacted the Department of Customs of Thailand to verify the cancellation of the two export entries and provided proof of evidence to support its case. (Attachments 2-3)

3. As mentioned in the midterm report, mistaken usage of country codes, in which the country code for the DPRK (KP) is entered wrongly in the place of the country code for the ROK (KR), the actual trade partner, is frequently cited as a problem. This is also the case for Thailand. Since Inter Rim Company Limited has shown its good faith and openly shared its concerns, it would be highly appreciated if the Panel could undertake actions that will reflect the aforementioned information at the earliest opportunity in order to avoid misunderstanding and unintended consequences for the Company concerned.

* * * * *



Mass Transport Express Co., Ltd.

วันที่ 24 ธันวาคม พ.ศ. 2564

เรื่อง การแจ้งข้อมูลเกี่ยวกับการส่งออกของกรมศุลกากร และยื่นร้องขอเพื่อลบข้อมูลออกจากระบบ
เรียน อธิบดีกรมองค์การระหว่างประเทศ
สิ่งที่ส่งมาด้วย

- | | |
|--|--------------|
| 1. หนังสือที่ กศ ๐๕๐๖/๒๕๖๔๔๔ เรื่อง การยกเลิกใบขนสินค้าขาออก กรณีตรวจพบการสำแดงประเทศปลายทางคลาดเคลื่อน ลงวันที่ 23 ธันวาคม 2564 | จำนวน 1 ฉบับ |
| 2. หนังสือจากคณะกรรมการความมั่นคงแห่งสหประชาชาติ ลงวันที่ 8 กันยายน 2564 | จำนวน 6 หน้า |
| 3. สำเนาใบขนสินค้าขาออกที่ถูกยกเลิกแล้ว เลขที่ A0121630309810 ลงวันที่ 12-03-2563 | จำนวน 1 ชุด |
| 4. สำเนาใบขนสินค้าขาออกที่ถูกยกเลิกแล้วเลขที่ A0231630405508 ลงวันที่ 23-04-2563 | จำนวน 1 ชุด |
| 5. สำเนาใบขนสินค้าขาออกที่จัดทำใหม่เลขที่ A0121630315425 ลงวันที่ 12-03-2563 | จำนวน 1 ชุด |
| 6. สำเนาใบขนสินค้าขาออกที่จัดทำใหม่เลขที่ A0231630407861 ลงวันที่ 23-04-2563 | จำนวน 1 ชุด |

ตามที่บริษัท อินเตอร์วิม จำกัดได้มอบอำนาจจากบริษัท ซูจิคุระ อิเล็กทรอนิกส์ (ประเทศไทย) จำกัด ในการดำเนินการพิธีการศุลกากรส่งออกสินค้า ตามใบขนสินค้าเลขที่ A0121630309810 ลงวันที่ 12-03-2563 และฉบับเลขที่ A02316305508 ลงวันที่ 23-04-2563 ขณะทำการตรวจปล่อยที่ศุลกากรได้ตรวจสอบพบว่า ได้ลงชื่อประเทศปลายทางคลาดเคลื่อนจากเกาหลีเหนือ (KP) ทั้ง 2 ฉบับ ซึ่งประเทศปลายทางที่ถูกต้องคือประเทศ เกาหลีใต้ (KR) บริษัทจึงได้ยื่นคำร้องขอยกเลิกใบขนสินค้าขาออกทั้ง 2 ฉบับ และเจ้าหน้าที่กรมศุลกากรได้ทำการยกเลิกใบขนสินค้าทั้ง 2 ฉบับหลังจากนั้นได้ดำเนินการจัดทำใบขนสินค้าฉบับใหม่ ได้แก่ ใบขนสินค้า A0121630315425 ลงวันที่ 12-03-2563 และ ใบขนสินค้า เลขที่ A0231630407861 ลงวันที่ 23-04-2563 และดำเนินการส่งออกสินค้าไปยังประเทศเกาหลีใต้เป็นที่เรียบร้อยแล้ว สถานะใบขนสินค้าเป็น 0409 ทั้ง 2 ฉบับ

หลังจากการส่งออกแล้วเสร็จสมบูรณ์ บริษัทได้ตรวจสอบเอกสารคณะกรรมการความมั่นคงแห่งสหประชาชาติ ลงวันที่ 8 กันยายน 2564 ปรากฏว่ามีปัญหามากมาย ระบุสาขาใบขน A0121630309810 ลงวันที่ 12-03-2563 และฉบับเลขที่ A02316305508 ลงวันที่ 23-04-2563 และ ยื่นข้อร้องเรียนบริษัท ซูจิคุระ อิเล็กทรอนิกส์ (ประเทศไทย) จำกัดเป็นผู้ส่งสินค้าออกไปยังประเทศเกาหลีเหนือ ซึ่งตามข้อเท็จจริงแล้ว บริษัทฯ มีคำสั่งของกองทัพอากาศไปยังประเทศเกาหลีเหนือ จึงไม่มีหนังสือขอความอนุเคราะห์ไปยังกรมศุลกากร เพื่อขอให้ตรวจสอบการส่งออกของใบขนทั้ง 2 ฉบับ ซึ่งกรมศุลกากรจึงได้มีหนังสือแจ้งกลับมาถึงบริษัทตามหนังสือที่ กศ ๐๕๐๖/๒๕๖๔๔๔ เรื่อง การยกเลิกใบขนสินค้าขาออก กรณีตรวจพบการสำแดงประเทศปลายทางคลาดเคลื่อน ลงวันที่ 23 ธันวาคม 2564 ซึ่งได้แจ้งถึงบริษัททราบว่า ใบขนทั้ง 2 ฉบับนี้ถูกยกเลิกเป็นที่เรียบร้อยแล้ว และได้ส่งออกที่ถูกตั้งตามใบขนเลขที่ A0121630315425 ลงวันที่ 12-03-2563 และ ใบขนสินค้า เลขที่ A0231630407861 ลงวันที่ 23-04-2563 ประเทศปลายทางคือประเทศเกาหลีใต้

ตามรายละเอียดดังกล่าวข้างต้น บริษัทมีความประสงค์ ที่จะให้ขอความอนุเคราะห์จากกระทรวงต่างประเทศในการประสานงานกับคณะกรรมการความมั่นคงแห่งสหประชาชาติ เพื่อลบข้อมูลดังกล่าวออกจากระบบให้แก่ทางบริษัทด้วย ทั้งนี้เพื่อลดปัญหาและอุปสรรคในทางการค้าและทางธุรกิจที่มีผลกระทบต่อบริษัท ซูจิคุระ อิเล็กทรอนิกส์ (ประเทศไทย) จำกัด

จึงเรียนมาเพื่อโปรดพิจารณา ขอความอนุเคราะห์ในครั้งนี้

ขอแสดงความนับถือ

(พร้อมทั้ง จดหมายขอโทษ)

กรรมการผู้จัดการ



December 24, 2021

Subject: Clarification of information about the export of the Customs Department and submit the request to delete the information from the UN system

Dear Director-General, International Organization

Attachment:

1. Books at Kor. 0506/21699 Referring to the cancellation of outgoing goods In case of manifestation, the destination country is moved on December 23, 2021, 1 issue.
2. Copy of the book from the United Nations Security Council dated 8 September 2021, 6 pages
3. The copy of the output product at the Customs Department has already been canceled No.012163039810 dated 12-03-2563 1 set and A0231630405508 dated 23-04-2563 1 set
4. Copy of the new outbound goods that produce the number. A0121630315425 dated 12-03-2563 and A0231630407861 dated 23-04-2563 1 set

According to Inter Rim Company Limited, authorized by Fujikura Electronics (Thailand) Co., Ltd. has operated the export customs clearance. According to the leaves A0121630309810 dated 12-03-2563 and A02316305508 Dated 23-04-2563 while checking the product with the customs authorities Check the destination country in both product leaves in the form of 2 cases. Accurate, the destination country must be South Korea (KR), therefore filed a request for cancellation of both products and the customs clearance. Output product A0121630315425 Dated 12-03-2563 and A0231630407861 dated 23-04-2563 and export products to South Korea until complete completion the status of the shape of the product in the customs system appears. The status is 0409 (has already exported the product to foreign countries).

After the delivery of goods to South Korea is complete The Company has examined the Era of the United Nations Security Council dated 8 September 2021. Get a system number that has been canceled in the system of the customs system. Both 2 are A01216303810 and A02316305508. The sender name is Fuji Kura Electronic (Thailand) Co., Ltd. is the sender of North Korea. Which according to the facts did not deliver such products to North Korea in any way In order to obtain accuracy in such cases, the company therefore has a letter requesting courtesy to the Director-General of the Customs Department. In order to check the export of the product of the two outbound products that have the correct facts The Director of the Director of the Customs Department has a notification of the audit results back to Fujikura Electronic (Thailand) Co., Ltd. according to the books at Kor. 0506/21699 on the cancellation of the outbound product. In case of detecting the arrangement of the destination country, the error dated 23 December 2021, in the notice that 2nd output products, No.012163039810 and A0231630405508 That shows the destination country as North Korea has been the Customs Conduction of exports And have a new export To South Korea According to the output product leaf A0121630315425 dated 13-03-2563 and A0231630407861 dated 23-04-2563

According to the details mentioned above, Fujikura Electronics (Thailand) Co., Ltd. wishes to ask for help from the Ministry of Foreign Affairs to coordinate with the United Nations Security Council. To delete the output data that appears in the account at the United Nations Security Council, the issue of the issue of September 8, 2021, to the company. In order to reduce the problem and obstacles in the trade and business that affects Fujikura Electronic (Thailand) Co., Ltd.

Please be informed accordingly. Ask for help this time.

Sincerely

A solid black rectangular box used to redact the signature of the managing director.

Managing director

เอกสารแนบ ๒

Attachment 2



ที่ กค ๐๕๐๖/๒๑๖๔

กรมส่งเสริมการค้าระหว่างประเทศ
๑ ถนนสุรวงศ์ กรุงเทพฯ ๑๐๑๑๐

๒๓ ธันวาคม ๒๕๖๔

เรื่อง การยกเลิกใบขนสินค้าขาออก กรณีตรวจพบการสำแดงประเทศปลายทางคลาดเคลื่อน
เรียน กรรมการผู้จัดการบริษัท พูจิซูระ อีเล็คทรอนิกส์ (ประเทศไทย) จำกัด

อ้างถึง หนังสือบริษัทพูจิซูระ อีเล็คทรอนิกส์ (ประเทศไทย) จำกัด ลงวันที่ ๙ ธันวาคม ๒๕๖๔

ตามหนังสือที่อ้างถึง บริษัท พูจิซูระ อีเล็คทรอนิกส์ (ประเทศไทย) จำกัด ขอความอนุเคราะห์
กรมศุลกากรในการตรวจสอบใบขนสินค้าขาออกเลขที่ A๐๑๒๑๖๓๐๓๐๔๘๓๐ และ A๐๒๓๑๖๓๐๔๐๕๕๐๘
เพื่อทางบริษัทฯ จะได้นำข้อมูลไปชี้แจงต่อคณะกรรมการความมั่นคงแห่งสหประชาชาติต่อไป นั้น

กรมศุลกากร โดยสำนักงานศุลกากรตรวจสินค้าทำอาภาศยานสุวรรณภูมิ ส่วนบริการศุลกากร ๒
ฝ่ายบริการศุลกากรที่ ๒ ขอเรียนว่าใบขนสินค้าขาออก A๐๑๒๑๖๓๐๓๐๔๘๓๐ และ A๐๒๓๑๖๓๐๔๐๕๕๐๘
ได้ดำเนินการยกเลิกการส่งออก และสินค้าดังกล่าวได้มีการส่งออกเรียบร้อยแล้วตามใบขนสินค้าขาออกเลขที่
A๐๑๒๑๖๓๐๓๐๔๘๓๐ และ A๐๒๓๑๖๓๐๔๐๕๕๐๘ ตามลำดับ

จึงเรียนมาเพื่อทราบ

ขอแสดงความนับถือ



ผู้อำนวยการสำนักงานศุลกากรตรวจสินค้าทำอาภาศยานสุวรรณภูมิ ปฏิบัติราชการแทน
อธิบดีกรมศุลกากร

สำนักงานศุลกากรตรวจสินค้าทำอาภาศยานสุวรรณภูมิ
โทรศัพท์ ๐ ๒๑๓๔ ๐๖๔๔

At. Kor Kor. 0506/21699

December 23rd, 2021

Subject the cancellation of the export declaration In case of declaration of destination
country inaccurate
To Managing Director of Fujikura Electronics (Thailand) Co., Ltd.
Reference Fujikura Electronics (Thailand) Co., Ltd. letter dated on December 9th, 2021.

Reference Fujikura letter to request for reconfirmation of No. A0121630309810 and A0231630405508 in order for Fujikura to use this confirmation to explain to the United Nations Security Council.

Thai customs at Bangkok airport (service unit 2) would like to confirm that export entries A0121630309810 and A0231630405508 had been cancel from export. The cargo had been exported successfully under export entries A121630315425 and A0231630407861 instead.

Please be informed accordingly.

Best regards


Director of the Customs Bureau Suvarnabhumi Airport Acting on behalf of the Director-General
of the Customs Department

DOI: 10.1002/for

A012 1630309810

0.050 10 V/V

ไบชนสินค้าชาวออก

A0121630309810 M06-12/03/20 12-Mar-2020

ผู้ส่งออกสินค้า (ชื่อ ผู้ส่ง) ในประเทศไทย		เลขประจำตัวผู้เสียภาษีอากร 0135553004429		จำนวนตู้คอนเทนเนอร์ 000000		ประเทศปลายทาง DNVY000002972		เลขที่ใบขนสินค้า A0121630309810	
FUJIKURA ELECTRONICS (THAILAND) LTD. บริษัท ฟุจิคุระ อิเล็กทรอนิกส์ ประเทศไทย จำกัด เลขที่ 1/80 ถนนอุตสาหกรรมโรจนะ หมู่ที่ 5 ถนนโรจนะ การเวม ตลิ่งชัน กรุงเทพมหานคร 13210						ใบขนสินค้าขาออก หมายเลขเข้าชายแดน MAWB : 98826034234 HAWB : PLTM-2B00770 Inv. no. : RGA1721 12/03/20			
ข้อมูลสถานที่ผลิตและผู้ประกอบการ นาย วรเมธ เลิศวาท 1100600238943				วันที่ออก 12-03-2563 14:42:18 DECLARATION ACCEPTED 12-03-2563 16:54:26 Goods Transition Control Already Checked กรมศุลกากรท่าอากาศยานสุวรรณภูมิ					
ใบอนุญาตแสดงถิ่นกำเนิดสินค้าของต่างประเทศ				ค่าปรับล่าช้า (บาท)		ค่าธรรมเนียม (บาท)		เงินประกัน (บาท)	
แบบ S.M. 1 ชนิด				0.00		0.00		0.00	
เลขตราควบคุม OZ744		วันที่ปล่อย 14-03-2563		สาขาสำนักงานศุลกากรด่านนี้					
แหล่งผลิตและ เครื่องหมายการค้า		ประเภทวัสดุหรือผลิตภัณฑ์ สแกนนิ่งวงจรรวมศูนย์ ชนิดมือถือ		รหัส 1190 1191		จากไปประเทศ JAPAN		ถึง ประเทศปลายทาง JP KOREA DPR	
จำนวนกล่อง (หีบห่อ) 12 Cartons (TWELVE CARTONS ONLY)				อัตราแลกเปลี่ยน 1 USD=30.9469 THB					
รายละเอียดสินค้า LG 38XOTK IND-ECH MADE IN THAILAND CARTON L-SZ NET WEIGHT 18.80 KG GROSS WEIGHT 18.32 KG		เครื่องหมายการค้า		จำนวนกล่องรวมทั้งหมด 12 Cartons		น้ำหนักสุทธิ 19.800 KGM ปริมาตร 11,200.000 CBM		ราคา FOB (เงินไทย) USD 1,024.40	
FLEXIBLE PRINTED CIRCUIT BOARD RGP-14SS-QA แผงวงจรรวมไฟฟ้าใช้กับเครื่อง		ชื่อยี่ห้อ NO BRAND				ประเภทสินค้า SPART3 Q33 50001 รหัส HS 85340090 000 / KGM		ราคา FOB (บาท) THB 31,702.00	
						ราคาค่าขนส่ง		ภาษีและค่าธรรมเนียม FREE	
								รวมมูลค่า 0.00	
								For THB 923.36	
STATUS=0301 2020-03-12T16:54:28		Total G.W.: Total QTY.: Total For THB 923.36	59.320 KGM 11,200.000 CBT 	Total N.W.: Total Inv. QTY.: 	19.800 KGM 11,200.000 CBT 	USD 1,024.40 THB 31,702.00		0.00 0.00	
						รวมมูลค่า		รวมค่าบริการอื่น ๆ	
								0.00	
				(MR.HIDEKI TOMITA) TR4672922 วันที่ขึ้น 12-03-2563					

เลขที่ใบขน AD121630309810		กทก. 101/1
		แผ่นที่ 2
คำขอรับผู้ส่งของ Inspection Request No Assessment Request No Cargo Packing Type 9 - Other cargo types	บันทึกการตรวจหาสารพิษ	
บันทึกการร้องเรียนและปราบปราม	บันทึกการประเมินซาก	
บันทึกการนำส่ง	บันทึกการวิเคราะห์สินค้า	
บันทึกการตรวจ	บันทึกการปล่อย	
บันทึกการรับบรรจุ AWB. No. 1. 98829034234 / PLITH2B00770 Vessel / Voyage OZ744 Release / Load 1191 12-03-2563 16:54:26 /		
		
		
STATUS=0301 12-03-2563 16:54:26 ขอรับรองว่าข้อมูลถูกต้องได้รับรองการบรรจุและ ส่งออกสำเนาตามระเบียบพิธีการศุลกากรในรูปแบบ อิเล็กทรอนิกส์แล้ว (ชื่อผู้ส่งของออก / ผู้รับมอบ) MR.HIDEKI TOMITA TR4672922 วันที่ขึ้น 12-03-2563		

ใบกำกับการขนถ่ายสินค้าทางอากาศยาน

A012 1630309810

หมายเลขอ้างอิง..... DNVY000002972		เลขที่..... 			
ข้าพเจ้า..... บริษัท พูจิกรุ๊ป ซิสเต็มพรอนิกส์ (ประเทศไทย) จำกัด		เลขที่ประจำตัวผู้เสียภาษีอากร..... 0135553004429			
ที่อยู่..... เลขที่ 1/80 สวนอุตสาหกรรมโรจนะ หมู่ที่ 5 ถนนโรจนะ ตำบลแอม อำเภอดุสิต จังหวัดพระนครศรีอยุธยา 13210					
เพื่อส่งมอบให้แก่..... 1190-สนามบินสุวรรณภูมิ		e-Seal			
เที่ยวบิน	วันที่อากาศยานออก	เลขที่ใบตราส่ง (Airway Bill No)	คลังสินค้าที่ส่งมอบ	จำนวนหน่วยรวมหน่วย	น้ำหนักรวมรวมหน่วย
OZ744	14-03-2563	Master 88826034234  House PLTH2800770 	1191 TG	12 CT	59.320 KGM
Job code M06-12/03/20 (ผู้ส่งของออกให้เฉพาะ) บริษัท พูจิกรุ๊ป ซิสเต็มพรอนิกส์ (ประเทศไทย) จำกัด วันเดือนปีที่ขึ้นเอกสาร..... 06-12-2564 14:32:34			ช่องบันทึกเจ้าหน้าที่ศุลกากร ☐ ตัดบัญชีใบกำกับฯ (Green Line) ☐ ตรวจสอบพัสดุสินค้า (Red Line) (เจ้าหน้าที่ศุลกากร)..... วันเดือนปี/เวลา.....		
หมายเหตุ: การแก้ไขจำนวนหน่วย ผู้ที่ลงลายมือชื่อเกี่ยวกับการแก้ไขเป็นผู้รับผิดชอบ ภาษีเงินได้มูลค่าเพิ่ม หากไม่ถูกต้อง ผู้ที่เกี่ยวข้องขอรับเงินค่าปรับตามกฎหมาย Invoice no. RGA1721 12/03/20					



ฉีก

[illegible]

เลขที่ใบขน A0231630405508		กศก. 101/1 แผ่นที่ 2
สำเนาใบสั่งส่งออก Inspection Request No Assessment Request No Cargo Packing Type 9 - Other cargo types	บันทึกการตรวจสอบพิธีการ	
บันทึกการป้องกันและปราบปราม	บันทึกการประเมินสาร	
บันทึกการนำส่ง	บันทึกการวิเคราะห์สินค้า	
บันทึกการตรวจ	บันทึกการปล่อย	
บันทึกการรับบรรจุ AWB. No. 1. 98831355575 / PLITH2901102 Vessel / Voyage OZ742 Release / Load 1191 23-04-2563 13:41:01 /		
		
		
STATUS=0301 23-04-2563 13:41:01 ขอรับรองว่าข้อมูลถูกต้องได้รับรองการบรรจุและ (ชื่อผู้ส่งของออก / ผู้รับมอบ) MR.HIDEKI TOMITA ส่งออกสำเนาตามระเบียบพิธีการศุลกากรในรูปแบบ TR4672922 จีเอ็มอาร์เอ็นเอสเอ็มวี วันที่ขึ้น 23-04-2563		

ใบกำกับการขนส่งสินค้าทางอากาศยาน A023 1630405508

หมายเลขอ้างอิง..... DNVY00003424		เลขที่ 	
ผู้ขาย: บริษัท พูจิเอร์ อีเล็คทรอนิกส์ (ประเทศไทย) จำกัด		เลขที่ประจำตัวผู้เสียภาษี: 013553004429	
ที่อยู่: เลขที่ 1/80 ถนนอุตสาหกรรมใหม่ หมู่ที่ 5 ถนนใหม่ ตำบลสาม อุดยี่ พระนครศรีอยุธยา 13210			
เลขส่งออก: 1190-สินค้าเป็นสุรณภูมิ		e-Serial	

เที่ยวบิน	วันที่ออกอากาศ ออก	เลขที่ใบตราส่ง (Airway Bill No)	คลังสินค้า ที่ส่งของ	จำนวนกล่อง รวมหน่วย	น้ำหนักรวม หีบห่อ
OZ742	24-04-2563	Master 98831355575  House PLTH2B01102 	1191 TG	9 CT	42.590 KGM

Job code M05-22/04/20

บริษัท พูจิเอร์ อีเล็คทรอนิกส์ (ประเทศไทย) จำกัด

(ผู้ส่งของออกหัวหมาย)

วันที่รับที่ศูนย์เอกสาร: 06-12-2564 14:34:19

หมายเหตุ: การแก้ไขจำนวนหีบห่อ ผู้ที่ลงลายมือชื่อเกี่ยวกับการแก้ไขเป็นผู้รับรองว่าข้อมูล
แก้ไขเป็นความจริง หากไม่ถูกต้อง ผู้ที่แก้ไขจะต้องรับผิดชอบความผิดตามกฎหมาย

Invoice no. RGA2847 22/04/20

ช่องบันทึกเจ้าหน้าที่ศุลกากร

☐ ตัดบัญชีใบกำกับฯ
(Green Line)

☐ ตรวจสอบส่งสินค้า
(Red Line)

(เจ้าหน้าที่ศุลกากร).....

กับเดือนปี:.....



๕๑

ឆ្នាំទី 10 នៃ
សង្គម 1/2

22-01569

ใบกำกับการขนส่งสินค้าทางอากาศยาน A012 1630315425

หมายเลขอ้างอิง: DNVYD00002985 เลขที่: 

ข้าพเจ้า บริษัท พูจิธร อิเล็กทรอนิกส์ (ประเทศไทย) จำกัด เลขที่ประจำตัวผู้เสียภาษีอากร 0135553004429

ที่อยู่ เลขที่ 1/80 สวนอุตสาหกรรมโรจนะ หมู่ที่ 5 ถนนโรจนะ คานหาม จุฬย พระนครศรีอยุธยา 13210

เพื่อส่งมอบค่า 1199-สนามบินสุวรรณภูมิ a-Saal

เที่ยวบิน	วันที่อากาศยานออก	เลขที่ใบตราส่ง (Airway Bill No)	คลังสินค้าที่ส่งออก	จำนวนใบพอรวมหน่วย	น้ำหนักรวมหีบห่อหน่วย
OZ744	14-03-2563	Master 98826034234  House PLTH2800770 	1191 TG	12 CT	59.320 KGM

Job code M06-12/03/20
(ผู้ส่งของออกหัวแทน) บริษัท พูจิธร อิเล็กทรอนิกส์ (ประเทศไทย) จำกัด
วันเดือนปีที่ขึ้นเอกสาร 06-12-2564 14:34:43

หมายเหตุ การแก้ไขจำนวนใบพอ ผู้จัดส่งสายมีชื่อเกี่ยวกับการแก้ไขเป็นผู้รับรองว่าข้อมูลที่ไม่ใช่เป็นความจริง หากไม่ถูกต้อง ผู้ที่แก้ไขต้องยอมรับเป็นความผิดตามกฎหมาย
Invoice no. RGA1721 12/03/20

ช่องบันทึกเจ้าหน้าที่ศุลกากร

☐ ตัดบัญชีใบกำกับฯ (Green Line) ☐ ตรวจสอบพัสดุสินค้า (Red Line)

(เจ้าหน้าที่ศุลกากร).....

วันเดือนปีกลา.....



หน้า 10 จาก 12

421/429

1. Request for Inspection Inspection Request No Assessment Request No Cargo Packing Type	2. Request for Compensation Compensation No
3. Request for Release / Load Release / Load No	4. Request for Release / Load Release / Load No
5. Request for Release / Load Release / Load No	6. Request for Release / Load Release / Load No
7. Request for Release / Load Release / Load No	8. Request for Release / Load Release / Load No

Flight No

OZ742

Release / Load

1191 23-04-2563 / 15:07:23 / 1190 24-04-2563 / 01:10:00

1. 9853735575 / PLITH2801102





Flight No

OZ742

Release / Load

1191 23-04-2563 / 15:07:23 / 1190 24-04-2563 / 01:10:00

THAI AIRWAYS

THAI AIRWAYS INTERNATIONAL CO., LTD.

THAI AIRWAYS INTERNATIONAL CO., LTD.

ใบกำกับการขนส่งสินค้าทางอากาศยาน A023 1630407861

หมายเลขอ้างอิง DNVY000003439		เลขที่ 	
ผู้รับจ้าง บริษัท พูจิเอร์ อีเล็คทรอนิกส์ (ประเทศไทย) จำกัด		เลขที่ประจำตัวผู้เสียภาษีอากร 0135553004429	
ที่อยู่ เลขที่ 1/80 ถนนอุตสาหกรรมใหม่ หมู่ที่ 5 ถนนโขนชะ คานหาม ชัยยิ พระนครศรีอยุธยา 13210			
เพื่อส่งมอบแก่ 1190-สนามบินสุวรรณภูมิ e-Seal			

เที่ยวบิน	วันที่ออกเดินทาง ออก	เลขที่ใบตราส่ง (Airway Bill No)	คลังสินค้า ที่ส่งมอบ	จำนวนสินค้า รวมหน่วย	น้ำหนักรวม หน่วย
OZ742	23-04-2563	Master 98831365575  House PLTH2801102 	1191 TG	9 CT	42.500 KGM

Job code M06-23/04/20

(ผู้ส่งของขอรับทราบ) บริษัท พูจิเอร์ อีเล็คทรอนิกส์ (ประเทศไทย) จำกัด

วันที่ออกใบกำกับสินค้า 06-12-2564 14:35:05

หมายเหตุ การเปิดจำนวนสินค้า ผู้ที่ส่งมอบมีหน้าที่ในการแก้ไขเป็นผู้นำส่งมอบที่
แก้ไขเป็นความจริง หากไม่ถูกต้อง ผู้ที่แก้ไขจะต้องยอมรับเป็นความผิดตามกฎหมาย

Invoice no. RGA2847 22/04/20

ช่องบันทึกเจ้าหน้าที่ศุลกากร

☐ ตัดบัญชีใบกำกับฯ
(Green Line)

☐ ตรวจสอบราคาสินค้า
(Red Line)

(เจ้าหน้าที่ศุลกากร).....

วันที่ออกใบกำกับ.....



๓๓

Figure 92-2: EIC Semiconductor Co. Ltd.**URGENT**

No. 56101/33



PERMANENT MISSION OF THAILAND
TO THE UNITED NATIONS
138 EAST 39TH ST., NEW YORK, NY 10016

The Permanent Mission of Thailand to the United Nations presents its compliments to the Panel of Experts established pursuant to Security Council Resolution 1874 (2009) and, with reference to the former's Note No. 56101/26 dated 13 January B.E. 2565 (2022) transmitting additional information on export entries, which appear in Annex 52 of the midterm report on the work of the Panel of Experts (S/2021/777), has the honour to enclose herewith Thailand's further response to the midterm report, in particular paragraph 123 and Annex 52 of the said report.

The Permanent Mission of Thailand wishes to underscore the urgency of the request contained in paragraph 3 of the attached response, and request the Panel of Experts to inform the Permanent Mission on actions it intends to take with a view to addressing Thailand's concerns as expressed in the attached response and the aforementioned Note at the earliest opportunity.

The Permanent Mission of Thailand to the United Nations avails itself of this opportunity to renew to the Panel of Experts established pursuant to Security Council Resolution 1874 (2009) the assurances of its highest consideration.

Permanent Mission of Thailand to the United Nations,

21 January B.E. 2565 (2022)



Panel of Experts established pursuant to Security Council Resolution 1874 (2009),
NEW YORK.

Attachment

Thailand's Response to the Panel's Midterm Report dated 8 September 2021

Thailand wishes to provide additional information and emphasize the following points with regard to the Panel's midterm report dated 8 September 2021:

1. Similar to the case mentioned in the Permanent Mission of Thailand to the United Nations' Note no. 56101/26 dated 13 January B.E. 2565 (2022), the Ministry of Foreign Affairs of Thailand received a letter from EIC Semiconductor Co. Ltd., whose name also appears in Annex 52 of the midterm report, explaining their action regarding the misfiled export entry and providing documents to support their case.

2. Thailand expresses its deep concern over the choice of language used in paragraph 123 of the report referring to export to the DPRK. Upon the request of the PoE, Thailand has shared, in good faith, all necessary information to reflect transparency. However, the language used in the report appears to create a misleading impression that the companies had an intention to engage in export of prohibited items to the DPRK, which was NOT the case. The report has evidently caused significant damage to the companies mentioned in Annex 52 and their associates.

3. As mentioned in paragraph 117 of the midterm report, mistaken usage of country codes, in which the country code for the DPRK (KP) is entered wrongly in the place of the country code for the ROK (KR), the intended trade partner, is frequently cited as a problem. This is also the case for Thailand. According to the information from the Department of Customs, out of 12 export entries, 8 are confirmed to be misfiled and the entries have been corrected, with the goods subsequently exported to the ROK, their intended destination. The other 4 entries were withdrawn, with goods returned. There were no traces or records of attempted export to the DPRK and there were no trade transactions between Thailand and the DPRK between January - September 2021.

In order to avoid misunderstanding and unintended consequences for the companies concerned, Thailand requests the Panel to reflect the aforementioned information at the earliest opportunity.

4. Thailand fully supports the Panel's recommendation that the International Organization for Standardization (ISO) look into possible measures to prevent erroneous usage of country codes for the DPRK (KP) and the ROK (KR).

* * * * *

Annex 93: Consolidated list of recommendations

Procurement of illicit WMD-related choke-point commodities

1. The Panel recommends the designation of the following individual for his role in and support for the country's prohibited programme:
 - Mr. O Yong Ho, currently based in Moscow as a DPRK diplomat, is involved in procuring items connected to DPRK's ballistic missile programme through his support to the UN-designated "Second Academy of Natural Sciences" (SANS) (aka "Academy of National Defence Science" (ANDS)).

Maritimes

To Member States:

On vessel Identity laundering and AIS manipulation

2. The Panel recommends that Member States and ship registries add to their ship circulars information pertaining to detected cases of vessel identity laundering or tampering, and ensure wide dissemination, including to maritime authorities. Such information would include:
 - Identifiers of ships in their registry that have transmitted cover identities;
 - Identifiers of ships in their registry that may have had their identifiers exploited by other vessels;
 - Names of ship registrants whose vessels have transmitted fraudulent identifiers.
3. The Panel recommends that flag States and their recognized organizations keep verified records and up-to-date time-stamped photographs of vessels they certify and flag, including for submission to the International Maritime Organization (IMO) at regular intervals. These recorded images would include:
 - All permanent markings of the ship's name and IMO number;
 - Photographs of the ship at various angles;
 - Photographs of the ship's engine, including its engine number.
4. The Panel recommends that the IMO consider the review of hardware and software security standards for preventing the tampering of AIS transponders.
5. The Panel recommends that the IMO urge all flag States to ensure that the requirements for the Continuous Synopsis Record (CSR) are complied with, including, for such information to be updated accordingly on the IMO GISIS website.

On vessel onward sale

6. The Panel recommends that sellers check that vessel sale information is reflected on the IMO GISIS website on a timely basis.

7. The Panel recommends that shipowners and managers undertake on-going in-house reviews on sanctions compliance programs with the requisite training and resources.

On oil supply chain and free-on-board practice

8. The Panel reiterates that commodity trading companies and tanker fleets operating under their jurisdictions and in those at-risk segments of the free-on-board market and/or engaging in ship-to-ship transfer in the affected international waters adopt contractual language that includes effective end-use delivery verification.
9. The Panel recommends that commodity trading companies, tanker fleets and segments of the affected free-on-board markets should review the AIS history and any known use of fraudulent identities of all vessels that they intend to supply or receive products/commodities banned under the resolutions.
10. The Panel recommends that financial institutions include AIS screening and vessel due diligence risk assessment clauses into letters of credit, loans and other financial instruments issued to commodity traders involved in the oil and petroleum products industry in the affected areas.
11. The Panel recommends that financial institutions involved in commodity trading in affected areas expand transaction monitoring programs to incorporate AIS screening for both client and counterparty vessels.

On enhanced due diligence and data-sharing

12. The Panel recommends that flag States possess the requisite tools available to identify and investigate suspected fraudulent use of MMSIs where it is detected and share the results of its investigation with other maritime authorities, including with the Panel.
13. The Panel recommends that the IMO GISIS include information to indicate whether a vessel's flag registration is provisional or permanent as well as the effective date range.
14. The Panel recommends that ship owners, charterers and operators continue to enhance 'know-your-customer' and 'know-your-counterparty's-vessel' due diligence with regards ship-to-ship transfers. During the transfers, time-stamped photographs, including verifiable ship identifiers and associated transmitted AIS profiles, financial transaction records and other relevant crew details are recorded for compliance purposes, and to be shared with law enforcement and the Panel of Experts where necessary.

To the Committee:

- 15. The Panel reiterates its recommendations of the following vessel for further designation under paragraph 5 of resolution 2397 (2017) and recommends the vessel for designation under paragraph 14 of resolution 2397 (2017):**
 - UN HUNG (fka VIFINE) (IMO: 9045962), DPRK-flagged.
- 16. The Panel recalls its previous recommendations of the following vessels for designation under paragraph 5 of resolution 2397 (2017) and further recommends their designation under paragraphs 5 of resolution 2397 (2017) and 11 of resolution 2375 (2017):**
 - DIAMOND 8 (IMO: 9132612), unknown-flagged
 - NEW KONK (IMO: 9036387), unknown-flagged
 - SUBBLIC (IMO: 8126082), unknown-flagged
 - XING MING YANG 888 (IMO: 8410847), unknown-flagged.
- 17. The Panel recommends the following vessel for designation under paragraph 11 of resolution 2375 (2017) and for designation under paragraph 14 of resolution 2397 (2017):**
 - SU RYONG SAN (IMO: 9016430).
- 18. The Panel reiterates its recommendation of the following vessel for further designation under paragraph 11 of resolution 2375 (2017):**
 - PHO PHYONG (IMO: 8417962), DPRK-flagged.
- 19. The Panel reiterates its recommendations of the following vessels for further designation under paragraph 11 of resolution 2375 (2017) and for their designation under paragraph 14 of resolution 2397 (2017):**
 - TO MYONG, (fka RI HONG / KLAUSEN) (IMO: 9162318), DPRK-flagged
 - TAE P(H)YONG 2 (fka MING ZHOU 6) (IMO: 8602763), DPRK-flagged.

Trade and Customs

- 20. The Panel recommends appropriate measures to be taken by the International Organization for Standardization (ISO) to prevent erroneous usage of country codes for DPRK and ROK (KP and KR respectively).**
- 21. The Panel recommends that Member States streamline their export and import control lists, using as supportive material the informal list of prohibited commodities.**
- 22. The Panel recommends that Customs authorities of Member States use the above-mentioned list for information of their jurisdictions' trading agents for due diligence purposes, particularly when dealing with such commodities in the vicinity of sanctioned jurisdictions.**

Implementation of Luxury Goods Ban

- 23. The Panel recommends the Member States could consider updating their export control lists to reflect their lists of prohibited luxury goods in a manner consistent with the objectives of resolutions 1718 (2006), 1874 (2009), 2094 (2013), 2270 (2016) and 2321 (2016), but avoiding unnecessary broadening of their scope in order not to restrict the supply of unprohibited goods to the civilian population nor have a negative humanitarian impact once trade restarts.**
- 24. The Panel reiterates its recommendation that Member States encourage their business entities and nationals exporting luxury goods to include a contractual provision to prevent transshipment to the Democratic People's Republic of Korea.**
- 25. The Panel reiterates its recommendation that Member States and relevant organizations encourage shipping and transportation companies to provide thorough systems for end-user checking, bearing in mind the risk of trans-shipment, including ship-to-ship transfer and means of transport for humanitarian cargo.**

Unintended Impact of Sanctions

- 26. The Panel recommends that the Committee review the responses of nongovernmental organizations to the Panel's survey and consider contacts with civil society to tackle the complex issues of a humanitarian crisis in the DPRK to help substantiate future decision-making and to better assess humanitarian aid needs.**
- 27. The Panel underlines the urgency of concrete measures for re-establishing the banking channel.**
- 28. The Panel appreciates the biannual briefings by the relevant United Nations agencies on the unintended impact of sanctions and recommends that the Committee continue this practice.**
- 29. The Panel recommends that the Security Council continue to address issues and processes that mitigate the potential unintended adverse impacts of sanctions on the civilian population of the Democratic People's Republic of Korea and on humanitarian aid operations to benefit the country's vulnerable population and overcome the consequences of the COVID-19 pandemic.**
- 30. The Panel notes the positive outcome of the Committee's efforts to streamline the processes and procedures for applying for humanitarian exemptions and recommends that the Committee continue these efforts, taking into account the suggestions by humanitarian actors.**